

WOLFGANG

**BERLIN—1961**

DEPARTMENT OF STATE

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### Three Presidents of the United States on Berlin

*"We cannot and will not permit the Communists to drive us out of Berlin, either gradually or by force. For the fulfillment of our pledge to that city is essential to the morale and security of West Germany, to the unity of Western Europe, and to the faith of the entire free world."*

PRESIDENT JOHN F. KENNEDY

(Radio-television report to the Nation, July 25, 1961)

*"The world must know that we will fight for Berlin. We will never permit that city to fall under Communist influence. We are defending the freedom of Paris and New York when we stand up for freedom in Berlin."*

PRESIDENT JOHN F. KENNEDY

(Statement for special issue of *Berliner Illustrirte*, 1961)

*"We have no intention of forgetting our rights or of deserting a free people. Soviet rulers should remember that free men have, before this, died for so-called 'scraps of paper' which represented duty and honor and freedom. . . . We cannot try to purchase peace by forsaking two million free people of Berlin. . . . We will not retreat one inch from our duty."*

PRESIDENT DWIGHT D. EISENHOWER

(Radio-television report to the American people, March 16, 1959)

*"I made the decision ten days ago to stay in Berlin . . . I insist we will stay in Berlin—come what may."*

PRESIDENT HARRY S. TRUMAN

(From his diary, July 19, 1948)



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# BERLIN—1961

## Foreword

For the third time in just over 13 years, the Soviets have launched a major threat to the freedom of West Berlin. The nations of the North Atlantic Treaty Alliance are pledged to protect that freedom. I am confident that we and our Allies and the stalwart people of West Berlin will meet this challenge. This pamphlet sets forth some of the basic facts about Berlin, the repeated assaults on its freedom, and our obligations. It outlines also our patient and persistent efforts to resolve the issues involved by peaceful means. I believe that it will provide useful background for all citizens. Public understanding of the necessity for both firmness and diplomacy will contribute to the prospects for peace.

DEAN RUSK  
*Secretary of State*

*August 18, 1961*

## A Few Basic Facts

Berlin lies more than 100 miles behind the Iron Curtain within the Soviet-occupied zone of Germany. It is not, however, part of that zone. It is a separate political entity for which the four major allies of the war against Nazi tyranny are jointly responsible. Its special status stems from the fact that it was the capital not only of Hitler's Third Reich but of the German nation formed in the latter half of the 19th century. In essence, the four major allies agreed to hold Berlin, as the traditional capital, in trust for a democratic and united Germany.

The Federal Republic of Germany, comprising the former occupation zones of the Western Allies, is a democratic state. Its 53 million people enjoy self-determination at all levels. Through their freely elected Federal Government, they have taken their place in the community of free nations.

By contrast, the 16 million inhabitants of the eastern zone are ruled by the Soviet Union through its Communist creature, the East German regime which calls itself the "German Democratic Republic." *That regime is neither democratic nor a republic.* It was not chosen by the people it controls and has never been freely endorsed by them. It was imposed by duress and is maintained by all the oppressive apparatus of a police state backed by the military forces of the Soviet Union.

Berlin contains four sectors. The 2,250,000 inhabitants of its three western sectors live under a municipal government which they have freely chosen. The eastern sector has some 1,100,000 inhabitants. In 1948, in violation of their commitments, the Soviets separated it from the rest of the city. Subsequently, in further violation of their commitments, they permitted their German agents to declare it the capital of the East German re-

gime. Thus the people of East Berlin, like those of the eastern zone of Germany, are ruled by a regime they did not choose.

*The government of West Berlin is the only freely elected government behind either the Iron or the Bamboo Curtains.* Repeatedly the Soviets and their German agents have sought to blot out this island of freedom. Their methods have ranged from the brazen to the devious, but their purpose has always been clear.

Every President of the United States since the Second World War has deemed the defense of Free Berlin critical to the security of the United States and of the entire free world. The United Kingdom, France, and the United States stand pledged to defend West Berlin by whatever means may be necessary. All the members of the North Atlantic Treaty Organization stand pledged to support them in discharging that obligation. These solemn commitments were not undertaken lightly. If the reasons why they were undertaken and must be honored are not self-evident, they become so when one reviews the history of the last 16 years.

### **The Allied Trusteeship**

The nations which bore the major burden of liberating Europe, including Germany, from the aggressive Nazi tyranny were determined that Germany should never again be permitted to become a threat to peace. To that end they agreed on the total defeat and destruction of the Nazi regime and occupation of all Germany by Allied military forces. Well before the Nazi surrender, the U.S.S.R., the United Kingdom, and the United States agreed on the areas their respective military forces would occupy and temporarily administer. The basic document was signed in London on September 12, 1944, by representatives of the three powers. It specifically set aside Greater Berlin as a separate area to be occupied and administered jointly by all three. It made crystal clear that Greater Berlin was not a part of any zone of occupation. Later—on July 26, 1945—France was admitted to partnership in the occupation, with a zone in Western Germany and a sector and joint responsibilities in Berlin. Stalin had acceded to this reluctantly, with the condition that the French zone and sector be carved out of those previously assigned to Britain and the United States.

Meanwhile, at the Potsdam Conference, July 17–August 2, 1945, the Heads of Government of the U.S.S.R., the United Kingdom, and the United States agreed on certain more specific measures to be applied in Germany. These included reparations and the eradication of the National Socialist Party and of all Nazi institutions and propaganda. They included also positive measures to prepare for the “eventual reconstruction of German political life on a democratic basis and for eventual peaceful cooperation in international life by Germany.”

Under the Potsdam Agreement (or Protocol), local government was to be developed immediately on democratic principles through elective councils. As soon as practicable, elections were to be held for regional, provincial, and state (Land) governments. At all these levels, the occupation authorities were pledged to encourage *all democratic political parties* by granting them rights of assembly and public discussion.

### **Agreement To Reestablish Germany as One Nation**

For the time being, Germany was not to have a central government. But it was to be treated as a single economic unit and “certain essential central German administrative departments, headed by State Secretaries” were to be established in the fields of finance, transport, communication, foreign trade, and industry. These were to act under the supervision of the Allied Control Council, the central governing body for the four occupation zones.

In declaring that Germany was to be treated as a single economic unit, the Potsdam Agreement clearly indicated that Germany, with some readjustment of its boundaries, was to be reestablished as one nation.<sup>1</sup> In setting “eventual peaceful cooperation in international life” as a goal, it spoke of “Germany,” not of two or more Germanies.

Whatever may have been his reasons, Stalin advocated at this time a single Germany. In his “Proclamation to the People” of May 8, 1945, he

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<sup>1</sup>The Potsdam Conference agreed in principle to the ultimate transfer to the Soviet Union of the city of Königsberg and adjacent areas. Pending a peace treaty, it assigned to Polish administration the prewar German territories lying east of the Oder and Western Neisse Rivers.

*Ruins of the Kaiser Wilhelm Memorial Church in West Berlin, which was destroyed in World War II. Berliners have preserved this remnant of the church as a reminder to coming generations of the cost of aggressive war.*



had declared that "the Soviet Union . . . does not intend to dismember or destroy Germany." It was not until later, when their hopes of communizing all of Germany waned, that the Soviets opposed the reunification of Germany.

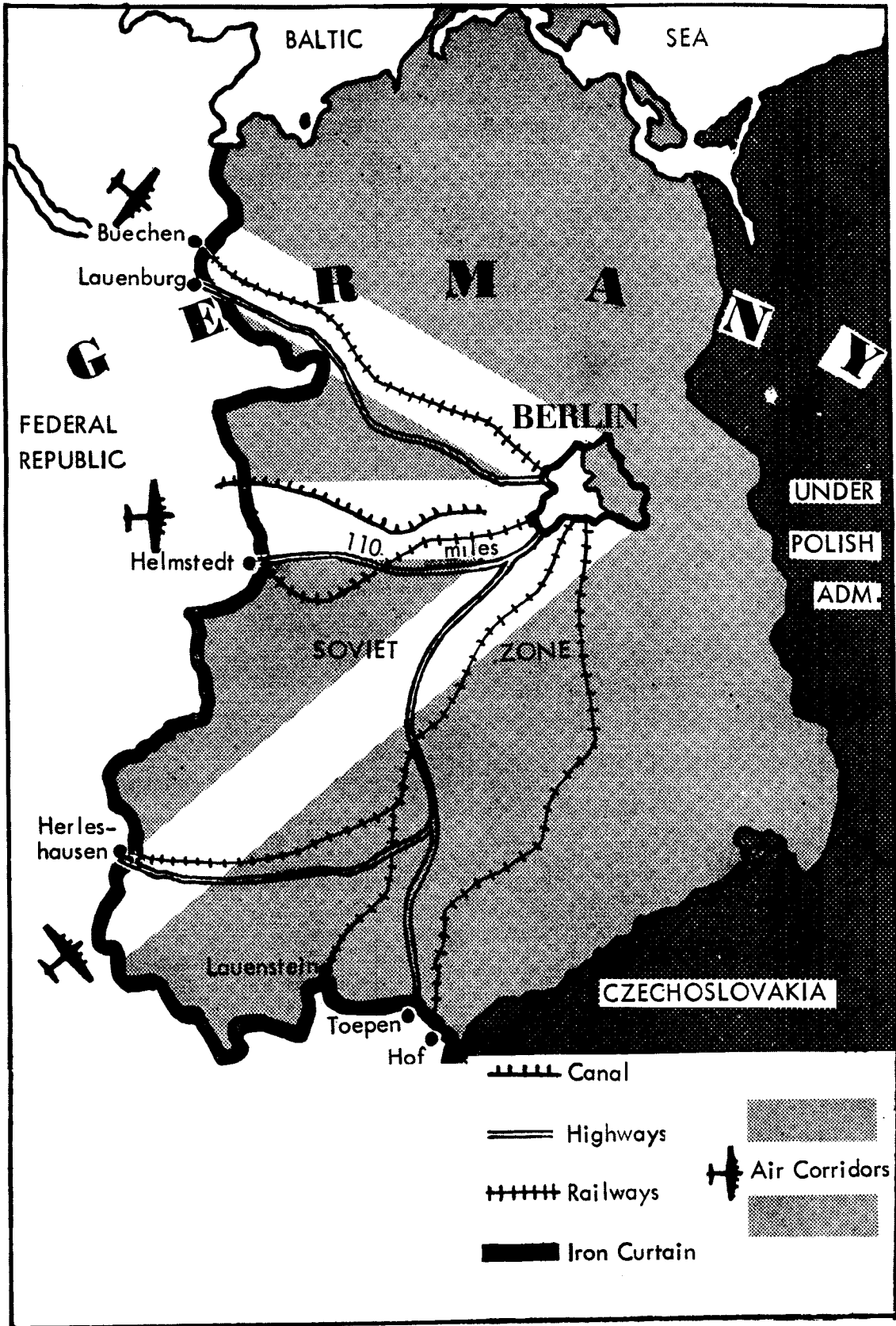
Thus the major allies became trustees for a reformed Germany—trustees for all the peoples who had fought against or suffered from the aggressions and atrocities of the Nazi regime. Not least, they were trustees for the people of Germany. The reformed Germany to which they committed themselves was to be peaceable, self-governing through democratic political processes, and eventually united.

At the heart of this trusteeship was Berlin, the traditional national capital. Although geographically it lay deep within the Soviet occupation zone—indeed much closer to the Oder-Neisse line than to the western boundary of the Soviet zone—

not even Stalin suggested that it should be under exclusive Soviet custody. *He agreed that Berlin was the joint responsibility of all four of the major allies and that it should be administered as a unit.* Such were the main terms of the trusteeship to which the major allies—the U.S.S.R. as well as the three Western Powers—bound themselves.

### **The Right of Access to Berlin**

The Western Powers obviously could not perform their duties and exercise their rights in Berlin without the right to transport troops and supplies from their own zones of occupation. Their right of free access to Berlin was thus plainly inherent in their right to be in Berlin. This was confirmed by Stalin in his reply of June 18, 1945, to President Truman's cable of June 14 concerning the withdrawal of American troops from the



Soviet occupation zone and their entry into Berlin. Mr. Truman stipulated, among other things, "free access by air, road, and rail from Frankfurt and Bremen to Berlin for United States forces." Stalin promised to take "all necessary measures" in accordance with the plan stated by Mr. Truman.

Ten days later representatives of the Soviet Union, the United Kingdom, and the United States agreed on arrangements for use by the Western Powers of specific roads, rail lines, and airplanes between the western occupation zones and Berlin. These arrangements were further defined by actions of the Allied control machinery in Berlin and, in due course, extended to the French. With these guarantees, United States troops entered Berlin on July 1, 1945.

The Western rights of access to Berlin plainly embraced the right to transport food and other supplies for the civilian population of Berlin. And the right of the people of Berlin to receive goods from, and export goods to, the western zones and beyond was plainly inherent in the special political status accorded to Berlin. It was further buttressed by the Potsdam agreement that Germany should be treated as an economic unit. In point of fact, in September 1945 the Soviet Commander, Marshal Zhukov, insisted on a step which made Berlin *more* dependent on shipments from the West than it otherwise would have been. He notified his opposite numbers that the Soviet zone could no longer supply the food which normally had gone to Berlin. The Western Powers were thus compelled to assume instantly the responsibility for feeding the inhabitants of the city's western sectors.

### Early Communist Maneuvers

The Western armies could have captured Berlin or at least joined in capturing it. But the Supreme Allied Commander, General Eisenhower, believed that they could be more usefully employed against the major German forces elsewhere. As a result the Soviets captured Berlin, but when Germany surrendered, the Western armies held much more, and the Soviets much less, than the areas assigned to them by the Four Power occupation agreement of September 1944. In return for their admission to Berlin, on July 1, 1945, the British and American forces relinquished to the Russians

*three historic German provinces and part of a fourth with a total population of more than 8,000,000—nearly half the area and half the people of the eastern zone.*

About 70 percent of the buildings in Berlin had been destroyed or severely damaged by Allied bombs and shells. During their 10 weeks of sole occupation, the Soviet authorities systematically removed most of the still usable machinery and equipment. Their spoils included machines and tools from the larger plants, generators from power stations, most of the buses, undamaged streetcars and subway trains, and 52 automatic telephone exchanges with a capacity of 250,000 lines. This systematic Soviet looting added much to the burden of the Western Allies in restoring order and sustaining life in their sectors of Berlin.

The Soviets took advantage of their capture of Berlin to appoint a provisional government of the city and its subdivisions. They took special care to plant reliable agents in the police.

### The Communist Election Failure

The Western Allies, however, successfully insisted on the right of the people of Berlin to elect their own government. In preparation for this the Soviet authorities tried to force a merger of the non-Communist Social Democratic Party (SPD) with the Communist Party (KPD) into the Socialist Unity Party (SED). They succeeded in the eastern zone of Germany, where they held full power. But in Berlin, under joint Allied control, they failed. Even so, they probably expected the Communists to do well in the city elections. Several districts of Berlin had been Communist strongholds during the Weimar Republic, and the Communists appointed to key city and subdivision posts by the Soviets could reasonably be expected to deliver votes.

The Berlin elections were held October 20, 1946. The result: Social Democratic Party (SPD), 48.7 percent; Christian Democratic Party (CDU), 22.2 percent; Socialist Unity Party (SED), 19.8 percent; Liberal Democratic Party (LDP), 9.3 percent. Thus the Communists won less than one-fifth of the vote and only one-fifth of the seats in the city parliament, which proceeded to elect a Social Democrat as mayor. In April 1947 he was repudiated by the parliament because he had signed a promise to cooperate with the SED.

He resigned, and on June 24, 1947, parliament elected Social Democrat Ernst Reuter as Mayor. The Soviets "vetoed" Reuter's election. Until December 1948 a Deputy Mayor conducted the city's affairs.

The Soviets also systematically obstructed the efforts of the legally elected city government to control the city police, as authorized by the Kommandatura (the Allied governing body for Berlin). Instead, Soviet agents in the police took orders only from Soviet officials. Eventually the city government established control over the police in the western sectors. But in the Soviet sector the Communist police officials defied to the end the orders of the Kommandatura and the Berlin Government.

The elections of October 20, 1946, were the last, as well as the first, citywide elections held in post-war Berlin. The Soviets could not prevent self-determination in the western sectors. But never again did they allow the inhabitants of the Soviet sector to choose their government.

### **Imposition of Communist Control on East Germany**

Meanwhile, in the eastern zone of Germany and by its conduct in the Allied Control Council for Germany, the Soviet Union had been making clear its determination to vitiate most of the positive principles of the Potsdam Protocol. Instead of encouraging, or even permitting, reconstruction of German political life on the democratic basis of free choice, it riveted Communist control on government at all levels. It began by appointing seasoned German Communists to key posts. Most of them had spent the Nazi period in the Soviet Union and now returned to Germany with the Soviet armies. Among them was one Walter Ulbricht. He had received intensive training in Communist dogma at the Lenin Institute in Moscow from 1926 to 1929. He had gone back to the Soviet Union in 1937 or 1938 and remained there during the war. He was reported to be a Soviet citizen. In 1945 he returned to Germany as a Colonel in the Soviet Army. He soon emerged as the chief Soviet agent in eastern Germany.

With Soviet backing, these German Communists set out systematically to destroy all opposition. A favorite political device was the single ticket chosen by the Communists. By compelling

the Social Democratic Party to merge with the Communist Party in the Socialist Unity Party, the Communists forged their basic political instrument. Several other political parties were, and still are, allowed to exist for show purposes but are in fact under tight Communist rein. To intimidate and subdue their opponents, the Communists employed all the practices of a police state.

Simultaneously, by similar tactics the Soviets and their local Communist agents were imposing their control on Poland, Rumania, Hungary, Bulgaria, and Albania, in flagrant violation of the pledges of free elections made by Stalin in the Yalta declarations on Poland and on liberated Europe.

In the western zones of Germany, by contrast, the basic right of self-determination was not only permitted but fostered. The political life of Germany was reconstructed on a democratic basis, beginning with local elections and rising, by stages, to state (Land) elections. All non-Nazi parties and candidates, including the Communists, were allowed to compete on even terms. Despite unhampered freedom of activity, the Communists were so unsuccessful in West German elections that they eventually failed to obtain even the 5 percent of the popular vote necessary for seats in parliament.

The Soviets also blocked or evaded execution of the provisions of the Potsdam Protocol for treating Germany as an economic unit and for allowing reconstruction and self-support. In December 1945 they vetoed a proposal to open zonal borders to travel by Germans. When the Western Powers asked them to place manufactures from East Germany in a common pool to meet the costs of essential imports, in accordance with the Potsdam Agreement, they did not deny the agreement but failed to comply with it. Meanwhile, they had looted the eastern zone and refused to account for what they had taken. They also commandeered and shipped eastward almost the entire agricultural yield of their zone.

### **Economic Merger of the Western Zones**

A year after the surrender, the German economy still lay in semichaos. None of the zones was self-supporting. The United States renewed the effort to implement the Potsdam agreement



*View of Lenin Allee in East Berlin.*

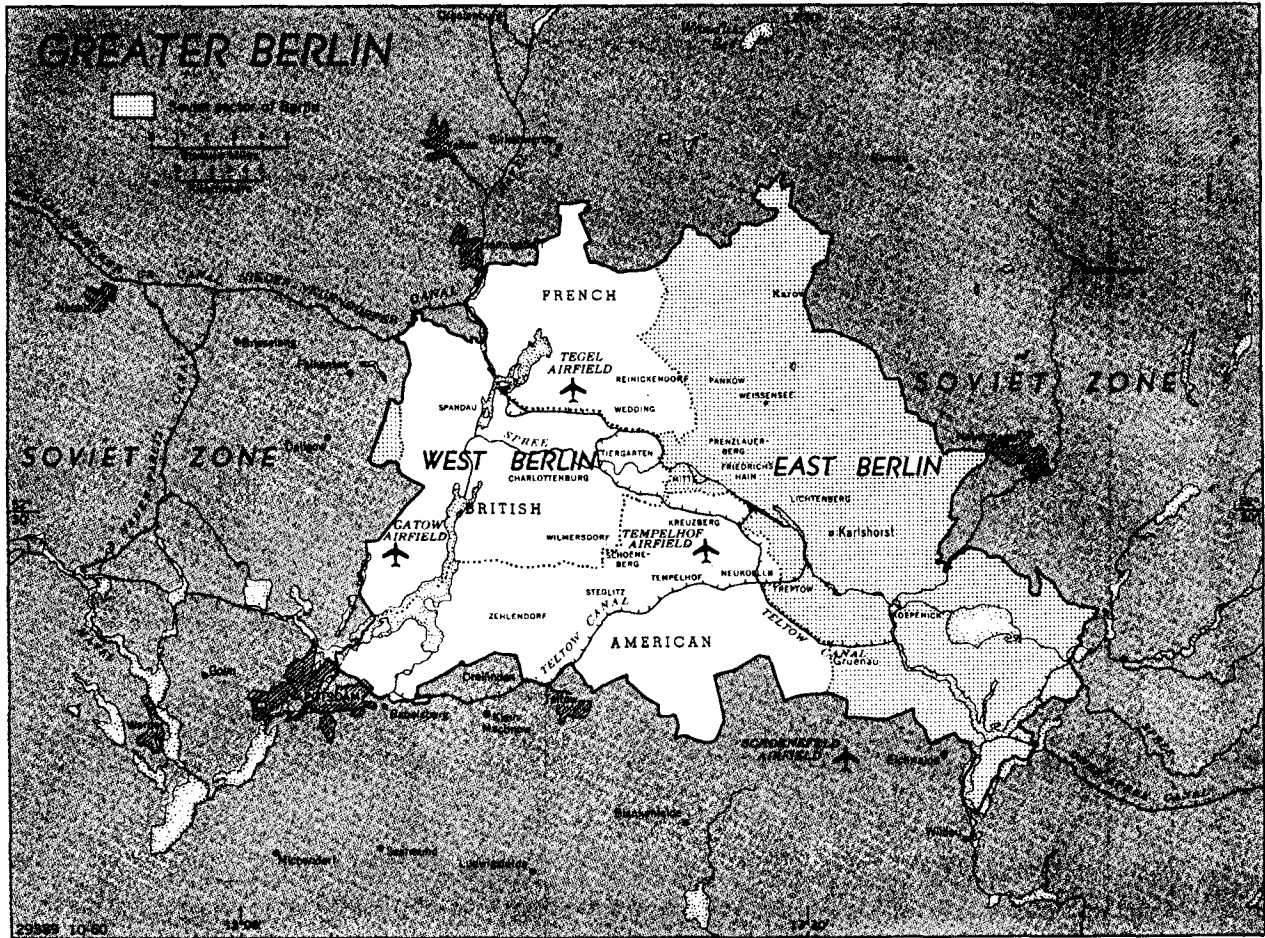
that Germany was to be treated as an economic unit. It proposed prompt establishment of central German administrative agencies, free trade between zones, and a balanced program of imports and exports. The British agreed at once. The French agreed on condition that the Saar be excluded. Using the French condition as a pretext, the Soviets rejected the entire proposal.

On September 6, 1946, Secretary of State James F. Byrnes made a speech at Stuttgart in which he said bluntly that the Allied Control Council was "neither governing Germany nor allowing Germany to govern itself." He explained the impending economic merger of the British and American zones and laid down a positive economic program for all of Germany. This included drastic fiscal reform to prevent ruinous inflation, organization of transportation, communications, and postal service throughout the country without re-

gard to zonal barriers, and a central administrative department for agriculture to improve production and distribution of food. He also stressed the importance of permitting Germany to increase industrial production and organize the most effective use of her raw materials, granting that she must share her coal and iron with the liberated countries of Europe.

That fall the British and American zones were merged for economic purposes. France held back, hoping that differences with the Soviets could be resolved. But the Soviets remained obdurate. At the fifth session of the Council of Foreign Ministers of the four occupation powers, held in November and December 1947, the Western delegates concluded that agreement with the Soviets could be reached "only under conditions which would not only enslave the German people but would seriously retard the recovery of all Europe."





### Soviet Imperialist Aims vs. West European Rehabilitation

Soviet objectives in Europe had become increasingly plain. *The first was to rivet Communist regimes on all the areas of eastern and central Europe which the Red armies had occupied during and at the end of the war. The second and larger objective was to extend Communist domination over western and southern Europe.* The Soviets were actively supporting an aggression against Greece, euphemistically called a "civil war." They were strongly pressing Turkey for concessions which would jeopardize its independence and open the way for further Soviet expansion into the Mediterranean area and beyond. In western Europe they were banking on economic stagnation and political paralysis to set the stage for Communist takeovers.

In March 1947 the United States moved to curb Soviet expansion by extending economic and mili-

tary aid to Greece and Turkey and proclaiming a general policy of such aid to other nations resisting overt or covert aggression. This quickly became known as the Truman Doctrine.

In June 1947, in a speech at Harvard, Secretary of State George C. Marshall set in motion what became a great cooperative European recovery program.

The central conflict of purpose was set forth in Secretary Marshall's report to the Nation in December 1947:

The issue is really clear-cut, and I fear there can be no settlement until the coming months demonstrate whether or not the civilization of western Europe will prove vigorous enough to rise above the destructive effects of the war and restore a healthy society. Officials of the Soviet Union and leaders of the Communist Parties openly predict that this restoration will not take place. We on the other hand are confident in the rehabilitation of western European civilization with its freedoms.

The nations of western Europe responded to the Marshall plan with enthusiasm and vigor.



The next years saw the economic recovery of western Europe, including the western zones of Germany. At the same time, West Germany began a political reconstruction on a democratic basis. On March 6, 1948, with the concurrence of Belgium, the Netherlands, and Luxembourg, the Western Allies agreed to fuse their zones economically and politically. They agreed also on a new Occupation Statute which, while reserving essential powers to the Allies, enabled West Germans to participate in the community of free peoples through a Federal government of their own choosing. On June 18 the Western military governors announced a reform basic to West Germany's economic recovery: the substitution of a sound currency, the Deutschemark (or D-Mark), for the inflated Reichsmark.

The Soviets responded to those constructive

measures by a series of aggressive steps, in violation of solemn commitments, culminating in a total blockade of West Berlin.

### **The Blockade and the Airlift**

On March 20, 1948, the Soviets walked out of the Allied Control Council for Germany. On April 1, they imposed rail and road restrictions on Allied traffic to Berlin. On June 16, they walked out of the Berlin Kommandatura. On June 23, German Communists staged riots around the Berlin City Hall, situated in the Soviet sector. Many of them were carried to the scene in Soviet trucks. This was the day currency reforms were introduced in Berlin. The Western Allies had not previously extended to Berlin the West German currency reform of June

*Berlin children cheer the arrival of a C-54 airlift plane during the Berlin blockade of 1948.*



18. They were willing to retain the old Reichsmark in Berlin, provided that they shared control over the amounts issued. The Soviets refused to share this control. Instead, they introduced a new currency of their own in their zone and sector. The Allies promptly introduced the new D-Mark into the western sectors of the city.

On June 24 the Soviets totally severed all land and water routes between Berlin and the western zones of Germany. Their undisguised intent was

to force the Western Allies out of Berlin and starve the people of the city into the Communist fold.

In response to this bald aggression against their rights and the freedom of the people of Berlin, the Western Allies would have been fully justified in using force, to whatever degree necessary to reopen and maintain surface routes to Berlin. Instead, they chose to supply Berlin by air.

For the next 11 months every pound of food

### **Statement by Vice President Lyndon B. Johnson Upon His Return to Washington From Berlin, August 21, 1961**

My first duty on returning to Washington from our mission to Bonn and Berlin is to present a report to the President on the results of our journey.

May I, at this time, express my thanks to General Lucius Clay and Ambassador Charles Bohlen for their generous and devoted service at every stage of our mission.

I have returned from my conferences with Chancellor Adenauer and Mayor Brandt with even greater confidence in the distinction and responsibility of free German leadership, and with the conviction that the bonds between this country and West Germany and West Berlin, already very strong, have been made even stronger and more enduring.

I would be remiss in my duty if I did not take this first public opportunity to tell the American people of the inspiring and unforgettable welcome accorded us by the citizens of the Federal Republic and West Berlin. The reception given to the American troops which were sent to West Berlin as reinforcements for freedom by direction of President Kennedy was most heartwarming. Our troops know that they carry the honor of America with them as they begin their important task of helping to protect this outpost of peace and freedom. That trust could not be committed to safer or stronger hands.

It is impossible to give an adequate picture, in these few words, of the courage and the dedication to freedom which sustain the people of West Berlin in these difficult days. They are

being tested and harassed by Communist power; but their heroic conduct in this emergency has become one of the major assets of the free world.

I have returned with feelings of unlimited gratitude to the people of West Berlin and West Germany and with feelings of unlimited compassion for the suffering now being endured by the people of East Berlin and East Germany and their relatives and friends in the West. No one who has seen and talked with the refugees from East Germany, as I have done, can fail to realize what a profound human tragedy is involved. That realization must heighten the urgency with which we consider our own responsibilities, and the responsibilities of our allies, in dealing with the issues raised by the Berlin crisis.

When I left Washington on Friday night, I ventured the hope that our journey to West Germany and West Berlin would prove to be a mission for peace that would remove anxieties between friends and strengthen the securities of freedom. It was in that spirit that our mission was undertaken, and it was in that same spirit that we were received and welcomed by everyone in Bonn and in Berlin. The Communist threat to Berlin is very real and is but a part of the continuing struggle between the world of freedom and the world of coercion. As a result of our mission I believe that we will be better able to meet whatever the future may bring because of the greater unity of purpose and the reaffirmation of common policies achieved in our recent discussions.

## Remarks Made by President Kennedy on August 21, 1961, Following Vice President Johnson's Return From His Trip to Berlin

The Vice President has given me a report on his remarkably successful and important trip to West Germany and West Berlin. His report emphasizes the confidence and trust which the people of West Berlin have in this country and in its commitments, and it places a heavy responsibility upon all of us to meet that responsibility.

I want to express my thanks to him for this most important service he has rendered to our

country, and to General Clay who accompanied him, who was the Commandant in Berlin during the airlift in the late forties—and Mr. Bohlen from the State Department.

The Secretary of State Mr. Rusk and I are most gratified by their visit, and we are aware, and the Vice President has emphasized this, that we are going to pass through difficult weeks and months in the time ahead in maintaining the freedom of West Berlin, but maintain it we will.

and coal, and all else necessary to keep alive the people of West Berlin and supply the forces of the Western Allies in Berlin, was transported by air. In a total of 277,728 flights, American, British, and French airmen brought in 2,343,301 tons of food and supplies. At the peak of the Airlift, planes were landing in West Berlin at the rate of one every 45 seconds.

Why didn't the Soviets try to stop the Airlift? Initially they probably did not dream that it was possible for Western Berlin and the Allied forces in it to be sustained by air. A little later they probably thought that the fog and snows of winter would bring the Airlift to a halt. Perhaps most influential was the fact that they could not seriously interfere with the Airlift without shooting down Allied planes, a course obviously too dangerous to risk.

The Airlift had its casualties, nevertheless—72 men, including 31 Americans, lost their lives in accidents. Their names are perpetuated on a soaring monument in front of Tempelhof Airport. A Berlin foundation, "Airlift Gratitude," provides scholarships for the children of these fallen heroes. In due course, they may, if they wish, attend the Free University of Berlin as guests of the Free Berlin government.

That university was born under the Airlift, when many teachers and students from the old University of Berlin, situated in the Soviet sector, chose freedom in the western sectors. It held its first classes by candlelight in nine cold rooms in an old building. The Free University of Ber-

lin, with more than 12,000 students, has become one of the world's great institutions of higher education. Last year one-fourth of its students came from East Germany and East Berlin.

### The Heroic Stand of the West Berliners

The Airlift is an indelible chapter in the history of the defense of freedom. So is the fortitude of the people of Berlin during the blockade. They subsisted on a slim diet. The Communists offered them food if they would register in East Berlin, but all but a few thousand spurned the offer. During the winter, as fuel was scarce, they were usually miserably cold. For months electric current was on only 3 hours in 24. The Berliners proved themselves worthy of the fraternity of free peoples. Admiration for their courage and endurance helped greatly in rehabilitating the name of the German people in the eyes of the world.

The experience of the blockade forged a lasting bond of friendship among Berliners, Americans, and their allies. Every noon the ringing of the Freedom Bell from the tower of the West Berlin City Hall serves as a reminder of their common cause. The Freedom Bell was a gift from the American people—millions of them, including schoolchildren, voluntarily contributed to the fund to make and install it. It was inspired by the Liberty Bell enshrined in Independence Hall, Philadelphia, which in 1776 pealed the tidings of the American Declaration of Independence, with its immortal truths "that all men are created equal,

that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness," and that governments derive "their just powers from the consent of the governed."

Unhappily, during the Airlift the inhabitants of the eastern sector lost most of the limited freedom they had briefly enjoyed. In addition, the Communists began maneuvers to capture control of the entire city from within. Repeatedly, on Soviet orders, they rioted around City Hall, still located in East Berlin. They even forced their way inside the building and injured some of the West Berlin deputies, including women. On November 30, 1948, the Soviets formally split the city. The vast majority of legally elected deputies withdrew to West Berlin. A new "rump" municipal government was set up in East Berlin, with the promise of free elections. Those elections were never held. Moreover, in violation of a specific pledge given earlier, the Soviets prohibited East Berliners from voting in the citywide elections of December 5, 1948. Barred from returning to City Hall in the Soviet sector, the new parliament set up headquarters in West Berlin and elected Ernst Reuter as Mayor. Legally he was Mayor of the entire city. Actually, of course, he could exercise authority only in its western sectors.

In the spring of 1949 the Soviet Union tacitly admitted failure in its first great effort to oust the Western Powers and swallow all of Berlin. Soviet-U.S. diplomatic conversations in New York led to a Four Power agreement on May 4, 1949,<sup>2</sup> providing in part:

All the restrictions imposed since March 1, 1948, by the Government of the Union of Soviet Socialist Republics on communications, transportation, and trade between Berlin and the Western zones of Germany and between the Eastern zone and the Western zones will be removed on May 12, 1949.

This article was implemented on May 9 by Order No. 56 of the Soviet Military Government and Commander in Chief of the Soviet occupation forces in Germany. It was reaffirmed, strengthened, and amplified the following month by the Council of Foreign Ministers meeting in Paris.

The Soviet Union did not faithfully adhere to

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<sup>2</sup> It is perhaps not insignificant that the North Atlantic defense pact had been signed April 4—exactly 1 month previously.

its renewed pledges. In January 1950 it began a "creeping blockade," designed to wreck the now recovering economy of West Berlin. With persistent interference with transport and deliveries, it combined a violent propaganda campaign intended to frighten the West Berliners. These were only the first of a long series of harassments.

## Berlin After the Blockade

With the end of the blockade, Free Berliners set about energetically to rebuild their city and revive its industries. They completed the task of clearing away war ruins and rubble and of restoring public parks and gardens. They re-equipped factories and powerplants and built new ones. (An immense new electric powerplant, its giant generators flown in piece by piece during the blockade, made West Berlin independent of Communist-controlled sources of power.)

Distance and related handicaps made it hard for Free Berlin's industries to compete with West German and foreign firms. In 1955 the Communists added to these handicaps by increasing drastically tolls on highway traffic between West Germany and Berlin. But through driving initiative, hard work, and Marshall plan aid—which, directly and indirectly, totaled almost \$1 billion—Free Berlin's industrial output rapidly grew. New office buildings, apartment houses, and hotels sprang up. Stores and shops began to bulge with all the goods that the advanced technology and manufacturing techniques of the West can provide.

Free Berlin has again become Germany's greatest industrial city and the greatest metropolis between Paris and Moscow. Since the end of the blockade, approximately 320,000 new jobs have been created in Free Berlin.

Although somewhat below that of West Germany, the average standard of living in Free Berlin is far above that of any city anywhere in the Communist world. Incidentally, more than 200,000 West Berliners own automobiles. In the last few years, the Soviets and their German puppets have striven to make East Berlin a showplace. Despite their efforts, East Berlin remains a drab place compared to Free Berlin.

The high standard of living in Free Berlin is not confined to material things. Free Berlin has become a great cultural center, where one may enjoy not only the best in German culture but



*Night scene of the bustling Kurfuerstendamm, one of West Berlin's principal shopping streets.*

samplings of the culture of other Western nations.

Most important of all, the people of West Berlin read what they please, think and speak as they please, and vote as they please.

### **The Political Reconstruction of West Germany**

The blockade of Berlin did not halt the political reconstruction of West Germany. On September 1, 1948, the West German Parliamentary Council convened in Bonn, under the chairmanship of Dr. Konrad Adenauer, anti-Nazi former Mayor of Cologne, to draft a provisional constitution (or Basic Law, as it is called). The Council completed its work in May 1949. On August 14, 1949, the people of West Germany voted in the first free general election Germany had known since 1932. On September 21 the Federal Republic of

Germany came into being with Dr. Adenauer, leader of the Christian Democratic Party, as its Chancellor.

### **The Soviets Set Up an East German Puppet Regime**

On October 7, 1949, the Soviet authorities set up their puppet regime in the eastern zone of Germany. With Soviet support and in further violation of the Four Power agreements, the imposed East German regime proclaimed the Soviet sector of Berlin to be its capital.

In the spring of 1950 the Soviet Union began arming East German forces, at first under the guise of "People's Police." The Western Allies protested, but to no avail. By the end of 1953, East Germany, with only 17 million people, had



*East Berlin, June 1953. Workers march through the Brandenburg Gate into West Berlin during the revolt against the East German Communist government.*

140,000 military personnel, including three mechanized divisions and an air force, plus 100,000 armed police. *This was more than a year before the establishment of an armed force by the Federal Republic, which had only 150,000 regular police for a population three times that of East Germany.*

In a series of steps in 1954 and 1955 the Soviets purported to grant their East German puppet full sovereignty. Among other things, they transferred to it control of the borders with the Federal Republic and West Berlin and over German traffic between the two areas. The Western Powers emphatically reminded the Soviet Union that these arrangements did not alter its obligations under its prior and overriding agreements with them regarding Germany, including Berlin.

In 1951 the United Nations set up a special commission to determine whether conditions were suitable for the holding of free elections throughout Germany. This U.N. commission was unable to complete its task because it was barred from the Soviet zone of Germany and Soviet sector of Berlin.

As the East German regime was unlawfully created and does not rest on the consent of the governed, but is kept in power by the apparatus

of a police state backed by military forces of the Soviet Union, the Western nations have refused to recognize it. So have all other non-Communist nations.

What a great majority of the East Germans and East Berliners think of their Communist masters has been manifested in many ways. One telling testimonial was the spontaneous strike against new Communist work "norms" which boiled up in East Berlin on June 17, 1953. Almost simultaneously, spontaneous strikes and demonstrations occurred in East German cities. The East German regime was unable to subdue these uprisings with its own police and troops. It had to call for Soviet armed forces. It was saved by Soviet tanks.

Most significantly, these strikes, which became popular uprisings, were led by construction and factory workers and other wage earners—the very people whom the Communists claim particularly to represent. *They were a revolt of the proletariat against the "dictatorship of the proletariat."*

Another telling, and continuing, testimonial was the massive migration of East Germans and East Berliners to freedom in the West. After the experience of 1953, the Soviets and their German

agents decided not to exploit the East German workers quite so ruthlessly. Some foodstuffs have been almost chronically in short supply. In the early summer of 1961 strict rationing of several important foods was reintroduced. Nevertheless, average living levels in East Germany and East Berlin have risen appreciably, although they remain far below those of West Germany and West Berlin.

That material improvement did not, however, stay the exodus of East Germans and East Berliners.

### "People Who Vote With Their Feet"

In the last 16 years an estimated 3,300,000 Germans have fled East Germany and East Berlin. More than 2,600,000 of these have left since records began to be kept in West Berlin and the Federal German Republic in 1949. Since 1953 the border between East Germany and the Federal Republic has been dangerous for a refugee to try to cross. The Communists guard it with barbed wire, watchtowers with sharpshooters, and a "death strip" of plowed earth. However, until August 1961 a refugee who reached East Berlin could cross to West Berlin on foot or by subway or the elevated line—provided he acted like a commuter and carried no telltale luggage. Consequently, a large majority of the refugees from East Germany have escaped via West Berlin, whence most have been transported by air to refugee camps in the German Federal Republic. In these centers arrangements are made for their housing and employment in West Germany.

Over the years, the German Communists applied increasingly strict measures to curb this trek to freedom. A refugee caught in the act was made liable to imprisonment. So were his close relatives if they remained behind. Contrary to Communist propaganda, the German Federal Republic, the government of Free Berlin, and the Western Powers did not encourage the exodus. In fact, high officials of the Federal Republic often appealed to the population of the Soviet zone to remain there as long as possible. They do not want to see East Germany depleted of its most stalwart elements. Above all, they do not want to give the Soviets an excuse to move non-German workers into East Germany. (Communist rule combined with the West Berlin "escape

hatch" to give East Germany a unique distinction in the world of today: a shrinking population.)

Nevertheless, the flow of refugees continued. The rate varied but in recent years averaged about 4,000 a week. The refugees have included a high percentage of East German physicians and men and women of various other professions but *most have been workers fleeing "the paradise of the workers."* Significantly also, a majority have been young people—approximately 50 percent under 25 years of age. They were 9 years or younger when the Soviets and their German puppets began to try to make them into Communists. (Incidentally, the German lass who won the Miss Universe contest at Miami in July 1961, had fled East Germany only a year earlier. She is an electronics engineer.)

The continuing westward trek of East Germans and East Berliners who decided to "vote with their feet" was an eloquent judgment on Communist rule.

*Hungry crowds line up before the Wilmersdorf City Hall in West Berlin to receive U.S. emergency food rations during the 1953 anti-Communist uprisings.*



## The Federal Republic Comes of Age

During the 1950's the German Federal Republic took its place as a partner in the world of self-governing peoples. On May 26, 1952, the three Western Powers signed contractual agreements ending the occupation status of West Germany, to take effect when the Federal Republic was integrated into the western European defense community. They reserved only the rights necessary to fulfill their obligations in regard to Berlin, the unification of Germany, and a final peace settlement. They retained the right to station armed forces in Germany for "defence of the free world, of which the Federal Republic and Berlin form part." On May 27, 1952, they pledged themselves again to maintain armed forces in Berlin "as long as their responsibilities require it" and reaffirmed

their previous declaration that they would "treat any attack against Berlin from any quarter as an attack upon their forces and themselves."

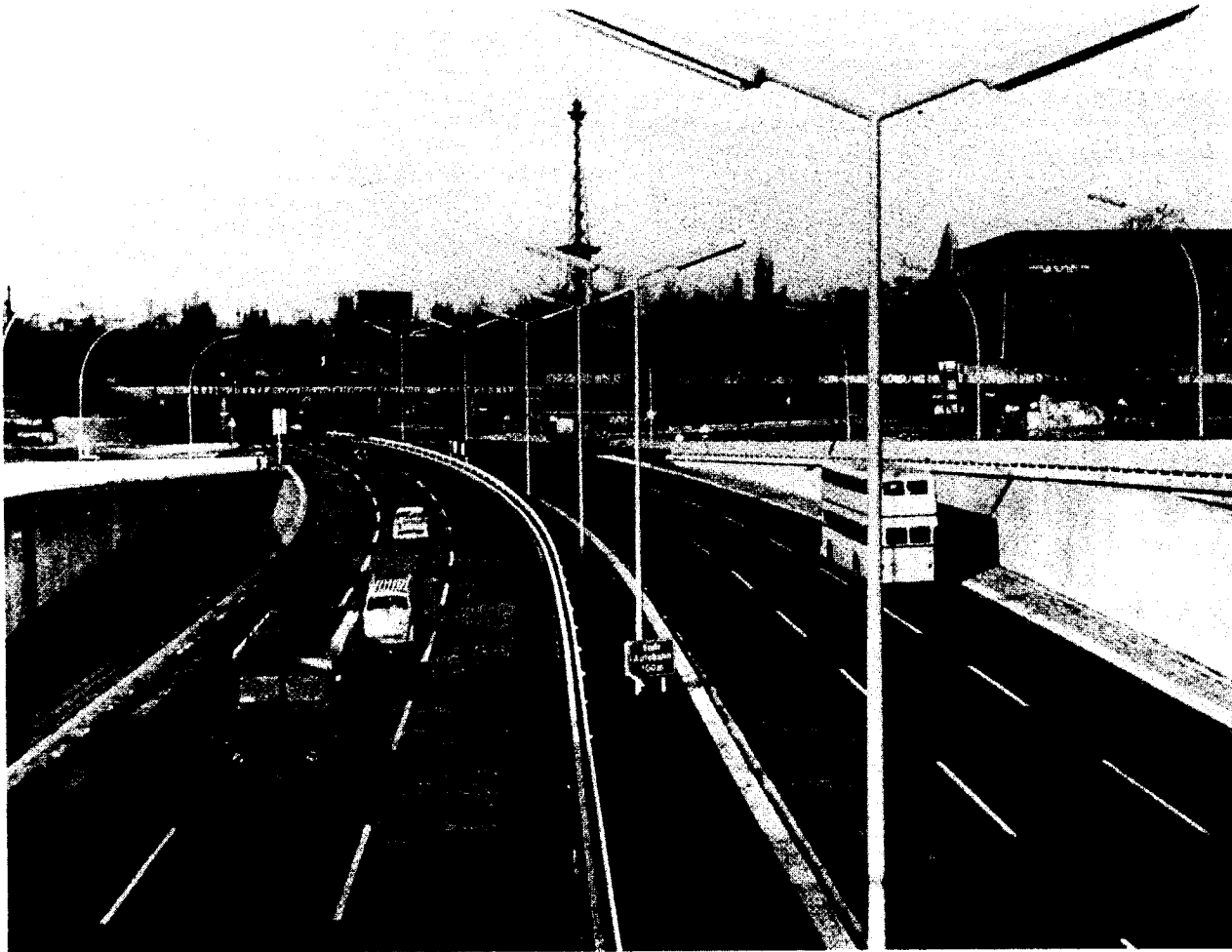
On October 3, 1954, the Federal Republic was admitted to full partnership in the Western European Union (Brussels Treaty) and NATO. It accepted limits on both armaments and independent military action. On its behalf Chancellor Adenauer voluntarily undertook not to manufacture atomic, biological, or chemical weapons. He also undertook not to produce long-range missiles, guided missiles, strategic bombers, and larger warships, except with the approval of the Council of Western European Union by a two-thirds vote. The Federal Republic placed all of its military forces under NATO command—the only NATO member to have done so.

Soviet propagandists attempt to promote the

*Refugees from communism in East Germany crowd into a reception center in West Berlin just before the Communists closed the border in August 1961.*







*Modern freeway, one of the many new thoroughfares in West Berlin.*

myth that the Soviet Union fears a rearmed German Federal Republic. In doing so, the Soviet leaders seek to play on sentiments still remaining from the Nazi experience. However, the fact is that, by deliberate policy of the Federal Republic, legitimate German security requirements are completely tied in with the 15-country NATO alliance and its intricate international staff and command system, in which the United States plays a major role and which is wholly defensive in its nature and objectives. Moreover, the Federal Republic is a strong supporter of the movement toward European integration through the European Common Market, the European Atomic Energy Community, and the European Coal and Steel Community, which are well on the road toward creating a united Europe. These Atlantic and European institutions leave no room for genu-

ine fears of a new German supernationalism, particularly if Germany is permitted to reunite in peace and freedom.

Through wise policies, driving initiative, and hard work, West Germany's economic recovery surged forward. Its rate of increase in gross national product became one of the highest in the world.

For 12 years now West Germany has been a fully functioning political democracy, with regular free elections at all levels from local to national, free speech, and all the other rights and safeguards for individual liberty essential to a self-governing society.

In these same 12 years, East Germany has moved just as rapidly in the opposite direction: toward increasing regimentation, collectivization, and progressive strangulation of individual liberties.

## Free Berlin and Free Germany

As West Berlin remains under joint Allied trusteeship, it is not part of the German Federal Republic. But naturally the association between these two self-governing areas is close. The Federal Republic contributes to the economy and cultural life of Free Berlin. Free Berlin has representatives in the Federal Parliament in Bonn, although they do not vote.

## The Quest for a German Peace Settlement

After Stalin's death and the Korean truce in 1953, the Western Allies resumed their efforts to obtain a peace settlement for Germany as a whole. Another meeting of the foreign ministers, convened in Berlin January 25, 1954, proved fruitless. The Soviets made plain their resolve to keep East Germany in captivity and to permit its unification with West Germany only under conditions which would favor the extension of Communist control over all of Germany.

The Austrian peace treaty, formally known as the Austrian State Treaty, to which the Soviets finally acceded in May 1955, rekindled hope. And at the summit conference in Geneva in July 1955, the Heads of Government of the Big Four agreed, in a directive to their foreign ministers, that "the settlement of the German question and the reunification of Germany by means of free elections shall be carried out in conformity with the national interests of the German people and the interests of European security."

At the subsequent foreign ministers meeting, convened in October 1955, the Western Powers submitted proposals in full harmony with that directive. The Soviets insisted that unification be effected only by agreement between "two German states." The fruitless conference adjourned on November 16.

In 1956 and 1957, President Eisenhower and other Western leaders sought further clarification of Soviet views. Moscow's responses were rigid. But in 1957, Premier Bulganin of the U.S.S.R. sought to persuade the Federal Republic to negotiate directly with the East German regime, first on trade, then on loose confederation. As the latter proposal, publicly advanced by the East German puppet President, made no provision for central authority or free elections, the Federal Re-

public rejected it. In this decision Chancellor Adenauer was fully supported by the leader of the opposition, the Social Democrat, Erich Ollenhauer.

In July 1957 the Western Powers, including the Federal Republic, tried again to reopen negotiations, coupling the reunification of Germany with European security arrangements which offered far-reaching assurances to the Soviet Union. Again they found themselves up against a stone wall.

In December 1957 the Soviet Union called for a new summit conference. After consultation with NATO members President Eisenhower agreed to participate, provided that the groundwork was laid through diplomatic channels and the foreign ministers. But the exchanges which followed yielded no progress.

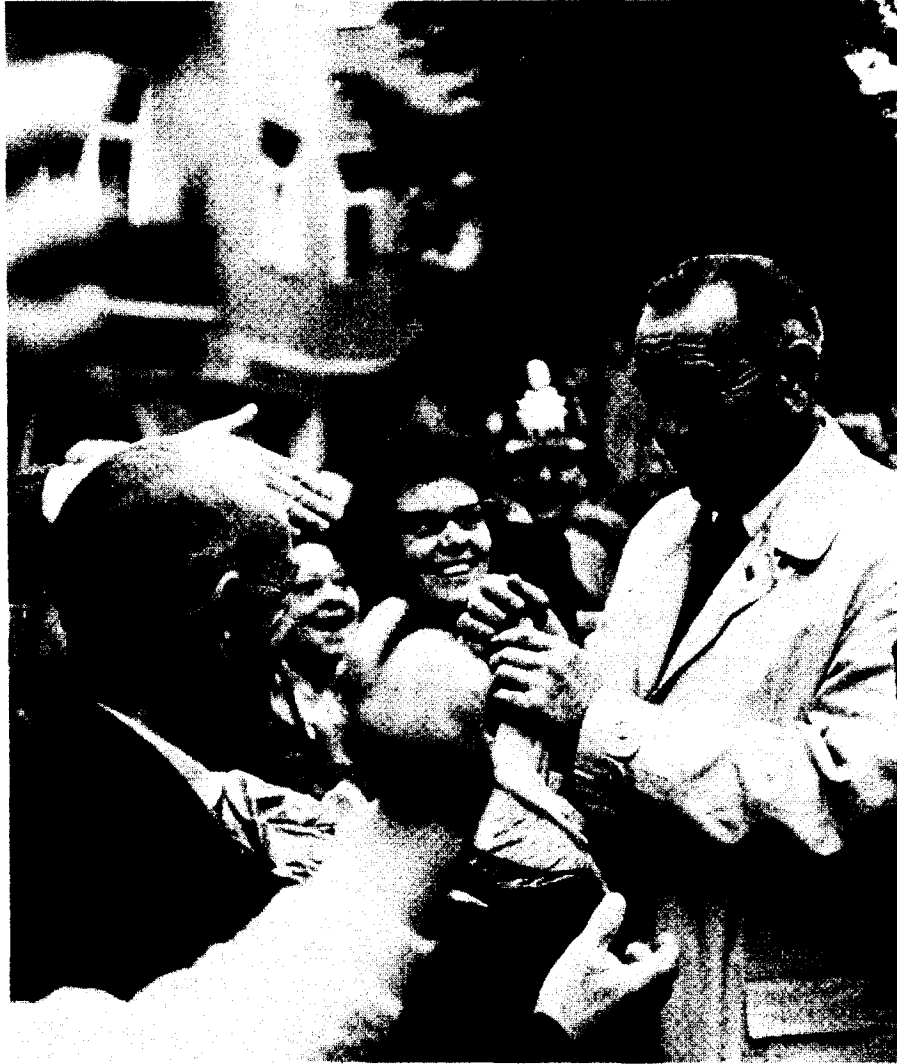
## The Second Major Assault on Free Berlin

Late in 1958 the Soviet Union launched its second major assault on the freedom of West Berlin. The attack began with a speech by Khrushchev on November 10, another on November 26, and a note to the Western Powers on November 27, 1958. In that note the Soviet Union said that it considered null and void all of its agreements with the Western Allies as to Berlin and demanded the withdrawal of Western military forces from the city. It proposed to make West Berlin a demilitarized "free city." As to the reunification of Germany, it proposed that "the two German states" enter into negotiations looking toward a confederation (without free elections in the eastern zone).

The Soviet note set a deadline of 6 months. It said that if the Western Allies had not acceded to its demands by then, the Soviet Union would sign a peace treaty with the "German Democratic Republic" and turn over to it control of all access routes to Berlin.

The Soviet note, like so many other documents emanating from Moscow, was replete with omissions and distortions.<sup>3</sup>

<sup>3</sup> Corrections of some of the more obvious of these may be found in a pamphlet, Department of State publication 6757, released in January 1959, and entitled *The Soviet Note on Berlin: An Analysis*. As the Communists have continued to propagate these same distortions and to ignore the same significant facts, reading of this pamphlet is still recommended.



*Vice President Lyndon B. Johnson being greeted in West Berlin, August 1961.*

### **Mr. Johnson Speaks to the People of West Berlin**

“I have come to Berlin by direction of President Kennedy.

“He wants you to know—and I want you to know—that the pledge he has given to the freedom of West Berlin and to the rights of Western access to Berlin is firm. To the survival and to the creative future of this city we Americans have pledged, in effect, what our ancestors pledged in forming the United States: ‘. . . our Lives, our Fortunes and our sacred Honor.’

“I come here at a moment of tension and danger—in your lives, the lives of my countrymen, and the common life of the free world.

“A barrier of barbed wire has been thrown across your city. It has broken for you—and more important, for your brethren to the east—vital human and communal ties, ties that reach back into the lives of families and friends and into the long life of this great city.”

A few fundamental points may be noted here: *The Soviet Union cannot take away the rights and obligations of the Western Powers to remain in and protect Free Berlin.* Those rights and obligations were not conferred by the Soviet Union but are rooted in the Nazi surrender. They include the right of access to Berlin. Likewise, the Soviet Union cannot unilaterally annul or modify its agreements with the Western Allies as to Berlin, including its guarantees of access to the city. Those agreements can be altered only by consent of all Four Powers.

In its reply of December 31, 1958, the United States rejected the Soviet demands and said that it could not embark on discussions with the Soviet Union "under menace or ultimatum." It nevertheless inquired if the Soviet Union were ready to enter into discussions among the Four Powers on the question of Berlin "in the wider framework of negotiations for a solution of the German problem as well as that of European security."

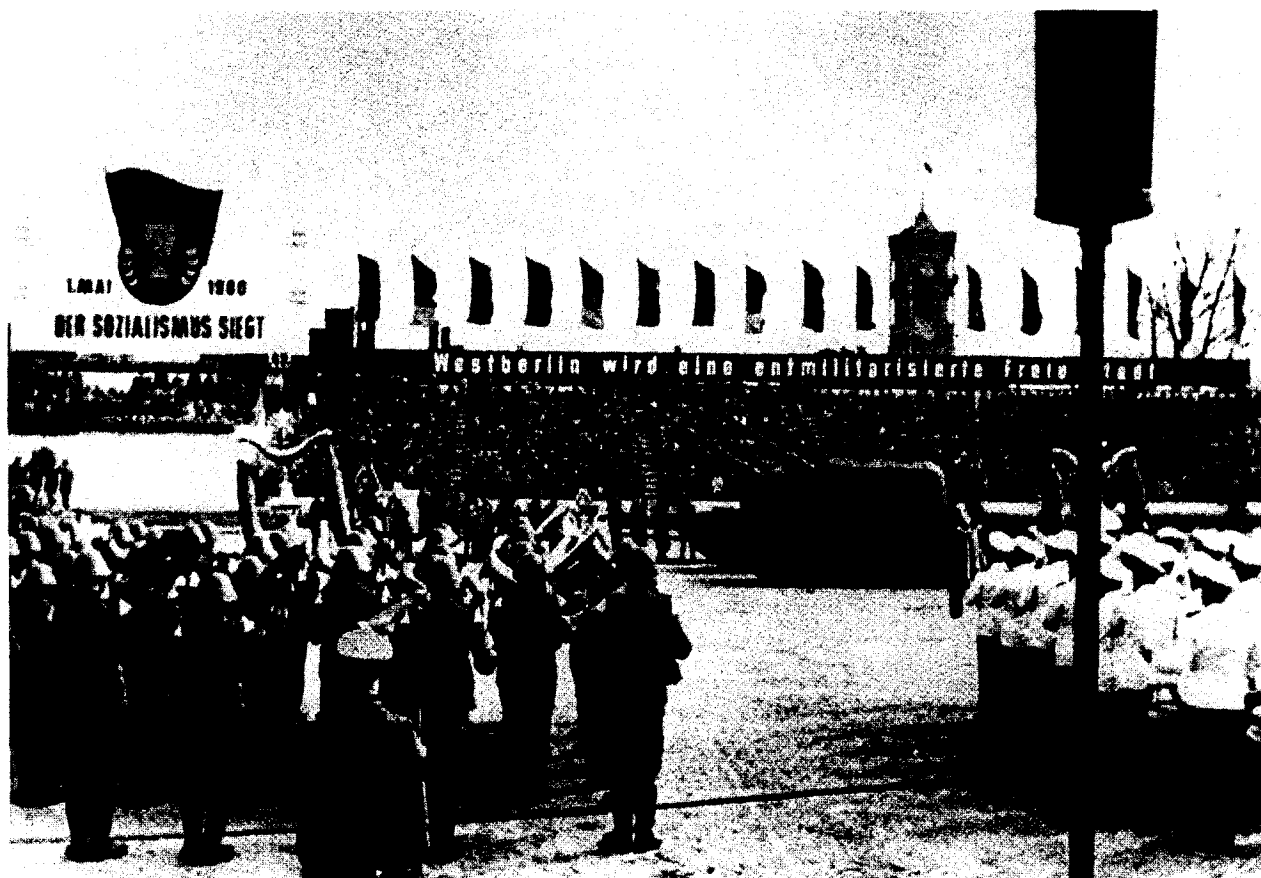
Similar replies were sent by the United Kingdom and France.

On January 10, 1959, the Soviet Union proposed the calling of a peace conference and summit talks on Berlin and Germany, with participation by the "German Democratic Republic" and the Federal Republic of Germany. It did not mention, although it did not withdraw, the 6-month deadline.

Construing this as an implicit retreat from duress, the Western Powers on February 16 informed the Soviet Government that they were prepared to take part in a Four Power Conference of Foreign Ministers to deal with the problem of Germany in all its aspects. They consented that German "advisers" be invited.

The Soviets eventually agreed. The Foreign Ministers Conference opened in Geneva on May 11, 1959. Representatives of the Federal Republic and of the East German regime were permitted to be present as advisers.

*May Day 1960 in East Berlin—East German tanks roll past the reviewing stand. Sign in background calls for demilitarization of West Berlin.*



## The Western Peace Plan

On May 14, 1959, the Western Allies put forward a comprehensive peace plan which reached far to accommodate Soviet interests and views. It was a phased plan which did not insist on immediate free elections in East Germany but provided time for a mixed German committee to draft an electoral law and work out plans for increased trade and other contacts between the two parts of Germany. Interlocked with a series of steps toward the reunification of Germany were provisions for measures against surprise attack and for progressive reductions in military forces both in an area of Europe and by overall ceilings on Soviet and U.S. military personnel.

*This far-reaching plan, to be applied by stages, was designed to consolidate peace in Europe, east and west. The Soviets rejected it out of hand.*

## The Soviet Plan

The Soviet plan, presented on May 15, called for:

1. Separate peace treaties with the "two German states," the negotiation of reunification to be left to them, with no time limit, thus no assurance that Germany would ever be reunited or that free elections would ever be permitted in East Germany.
2. Pending German reunification, West Berlin to become a "free, demilitarized city," thus "occupation" by the Western Powers to end.
3. The NATO powers to withdraw their forces and dismantle all military bases on "foreign territory." The Soviets, in return, to withdraw their forces from East Germany, Poland, and Hungary.

The first point, when combined with the third, became a plan to weaken the security of West Germany, and indeed of all Free Europe, thus opening the way for eventual extension of the Communist domain.

The withdrawal of military forces from, and dismantling of military bases on, "foreign territory" is a staple item in Communist "peace" and "disarmament" proposals. It means the expulsion of American military power from the Eurasian continent and adjacent islands and the dissolution of NATO and the other alliances which restrain Communist expansion by military means.

These alliances were brought into being by Communist threats and aggressions, notably the takeover in Czechoslovakia, the Berlin blockade, and the attack in Korea. All are defensive, freely entered into by their members, and in strict conformity with the United Nations Charter. The participation of the United States is what gives them sufficient strength to deter or cope with major aggression. And the presence of American military forces at various key points on and near the Eurasian continent is the visible proof, to friend and foe alike, that we will honor our obligations.

In return for the withdrawal of Allied forces from West Germany and of American forces from all of Europe to the United States, more than 3,000 miles across the ocean, the Soviets offered to withdraw their forces a few hundred miles, whence they could return quickly. This was not a peace proposal but a design for conquest by making the free nations of Europe vulnerable to Communist threats and eventually to outright attack.

## The Plan for a "Demilitarized Free City"

The term "demilitarized free city" is appealing. As West Berlin is already a free city, the key word is "demilitarized."

No one could seriously argue that the small contingents of Western troops in West Berlin, which in July 1961 numbered only 11,000, are a threat to peace. They are surrounded by 22 or more Soviet divisions plus the armed forces of the East German regime. In 16 years they have not been responsible for a single provocative incident. They are kept there as proof and warning that the Western Allies will protect the freedom of West Berlin, come what may.

West Berlin has no troops of its own. And, as it is not part of the Federal Republic, no West German troops are stationed there. By contrast, East German armed forces are stationed in East Berlin. In the Communist May Day celebrations in 1959, 1960, and 1961 calling for the demilitarization of West Berlin, these East German forces, including tanks, were ostentatiously paraded in East Berlin. Those Communist military displays were an ominous hint of the probable eventual fate of West Berlin if it were stripped of military defenses. The hint became even plainer in August 1961, when the East German regime deployed



*Modern architecture of the Hansa Viertel, which was completely destroyed during the war, typifies West Berlin's reconstruction.*

large military forces, including tanks, in East Berlin.

At various times the Soviets have suggested or hinted at certain modifications of their proposal to demilitarize West Berlin. Khrushchev has said that he "would even agree to the United States, Great Britain, France and the U.S.S.R. or neutral countries maintaining some sort of minimum forces in West Berlin." He has suggested also the possibility of a United Nations guarantee.

If the Soviets really want to see the freedom of West Berlin preserved, why do they insist on a change in the present arrangement, which guarantees that freedom while preserving the peace? Khrushchev says that, since many years have elapsed since the Nazi surrender, it is time to do away with the occupation agreements. Those agreements could have been dispensed with years ago if the Soviets had complied with them. If they had done so, or would do so now, there would be no Berlin problem and no German problem. But they still prevent by force both the unification

of Germany, which would automatically settle the Berlin question, and a free expression of will by the people of East Germany and East Berlin on that or anything else.

The Western Powers have made it clear that they are not wedded to any particular form of protection for the freedom of West Berlin, provided that it does not weaken the protection which now keeps West Berlin free. Suggestions that this task be turned over to the United Nations must be considered in the light of Khrushchev's assault on the U.N. Secretary-General, Dag Hammarskjöld, and his demand for a three-headed secretariat, or "troika." That plan, if adopted, would paralyze the executive functions of the U.N. Secretariat.

In gaging Khrushchev's real intentions regarding West Berlin, one should observe that the Soviet note of November 27, 1958, stated that "the most correct and natural" solution would be to absorb West Berlin into the "German Democratic Re-

public." Soviet Foreign Minister Andrei Gromyko reiterated on May 30:

If we are to speak frankly, the Soviet Government considers the creation of a Free City far from being an ideal solution of the West Berlin question. The most equitable approach to this question would be, of course, the extension to West Berlin of the full sovereignty of the German Democratic Republic. I think that the German Democratic Republic, whose capital the division of the city continues to mutilate, could with the fullest justification demand such a solution of the question.

The Soviet plan to make West Berlin a "demilitarized free city" is thus obviously intended as a temporary way station on the road to "the most correct and natural" solution. If Khrushchev himself has left any doubt about that, Walter Ulbricht, the number-one East German Communist, has not. Ulbricht's statements, several of which appear as annex VI, at times have the brutal candor of Hitler's *Mein Kampf*.

### Khrushchev's War Threat

Since November 1958, Khrushchev has repeatedly warned that if the Western Allies did not settle the Berlin and German questions on terms satisfactory to him he would sign a separate peace treaty with the East German regime and turn over to it control of the access routes to Berlin.

Nobody can prevent Moscow from signing a "peace treaty" with this or any other of its puppets. Such an act would be simply a ventriloquist stunt.

The threat to peace begins with the Communist contention, contrary to international law, that such a "peace treaty" would annul Western rights pertaining to Berlin. The threat to destroy those rights implies action to prevent their exercise. The Western Allies can accept neither the legality nor the potential practical consequences of that position. For example, as free access is indispensable to the survival in freedom of West Berlin, it is the inescapable duty of the Western Allies to see that free access is not blocked, interrupted, or whittled away. Yet the East German regime, which according to Khrushchev would control all access routes on conclusion of a "peace treaty," is a member of the Warsaw military pact, of which the Soviet Union is the architect and chief member. *This, in essence, is what makes Khrushchev's declared intention a grave threat to peace.*

### Impasse and Another Approach to the Summit

In mid-June 1959 the Soviets brought the Foreign Ministers Conference in Geneva to a crisis. The conference recessed June 20, resumed July 13, and adjourned without tangible progress on August 5. Meanwhile, President Eisenhower invited Khrushchev to the United States. They conferred at some length during the Soviet leader's visit, which lasted from September 15 to September 27, 1959, and carried him from coast to coast. Khrushchev suspended his threat to sign a separate peace treaty with the East Germans. These talks and others at high level led to a Big Four summit meeting in Paris on May 15, 1960. That conference was never formally convened, although all the principals were on hand. Khrushchev used the U-2 incident to break it up.

The blowup at the summit and the 1960 national elections in the United States brought a pause in discussions with Moscow. Khrushchev did not remain silent or inactive, however. Among other things, he attended the U.N. General Assembly in New York from September 20 to October 13.<sup>4</sup>

After the elections, conversations between Washington and Moscow were resumed through various channels. Certain small frictions between Moscow and Washington were eased.

### The Third Assault

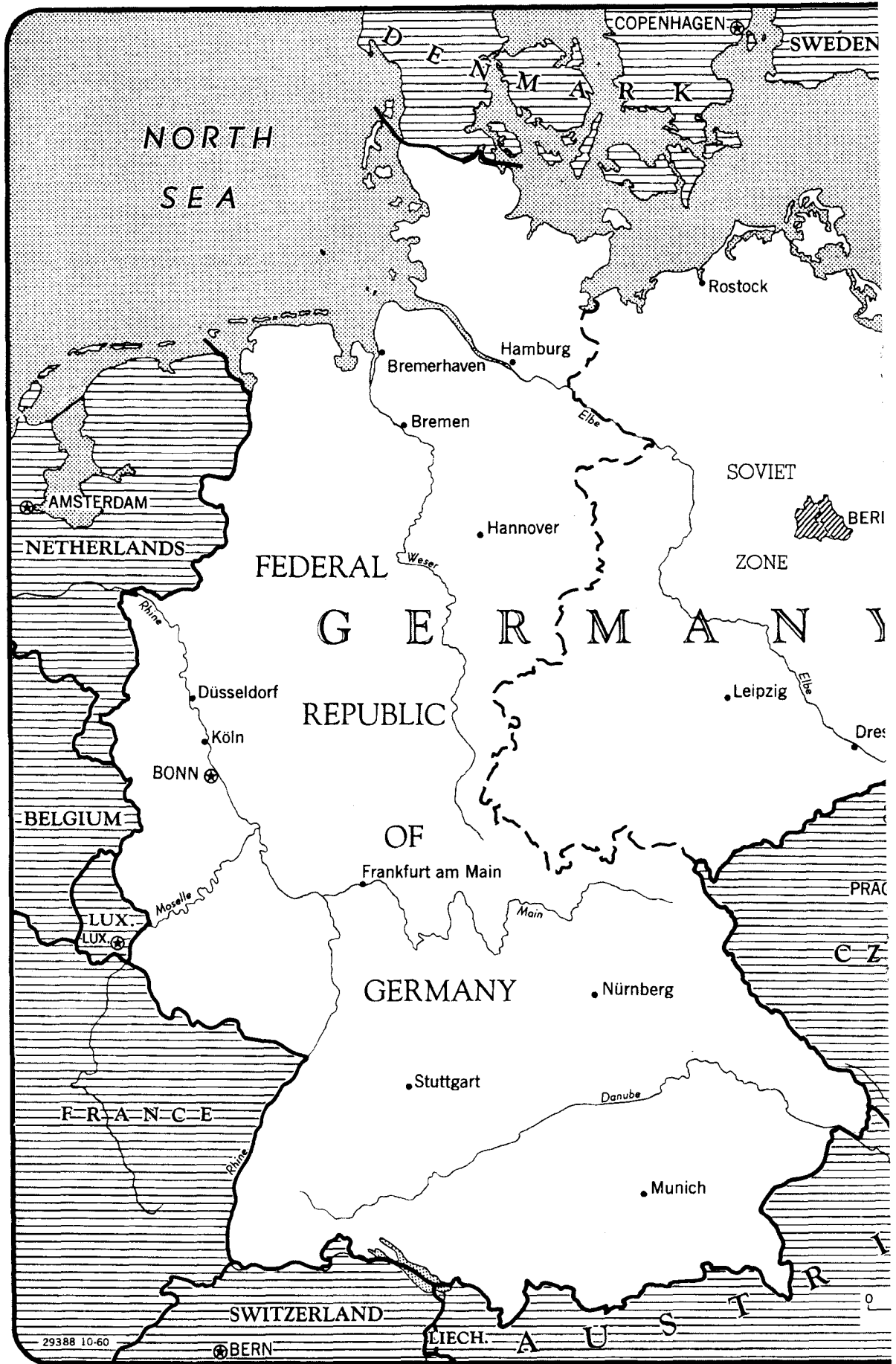
Khrushchev did not wait long, however. He indicated during the winter and early spring months that he still regarded Berlin and Germany as urgent questions. Meanwhile he was promoting or aggravating trouble in Laos and elsewhere and making bellicose speeches.

President Kennedy decided, and Khrushchev concurred, that a direct exchange of views, without attempting negotiations, might be useful. These talks were held June 3-4, 1961, in Vienna. They were, in President Kennedy's word, "somber."

A Soviet aide memoire on Germany and Berlin, delivered June 4, marked the formal beginning of the third great assault on the freedom of Berlin.

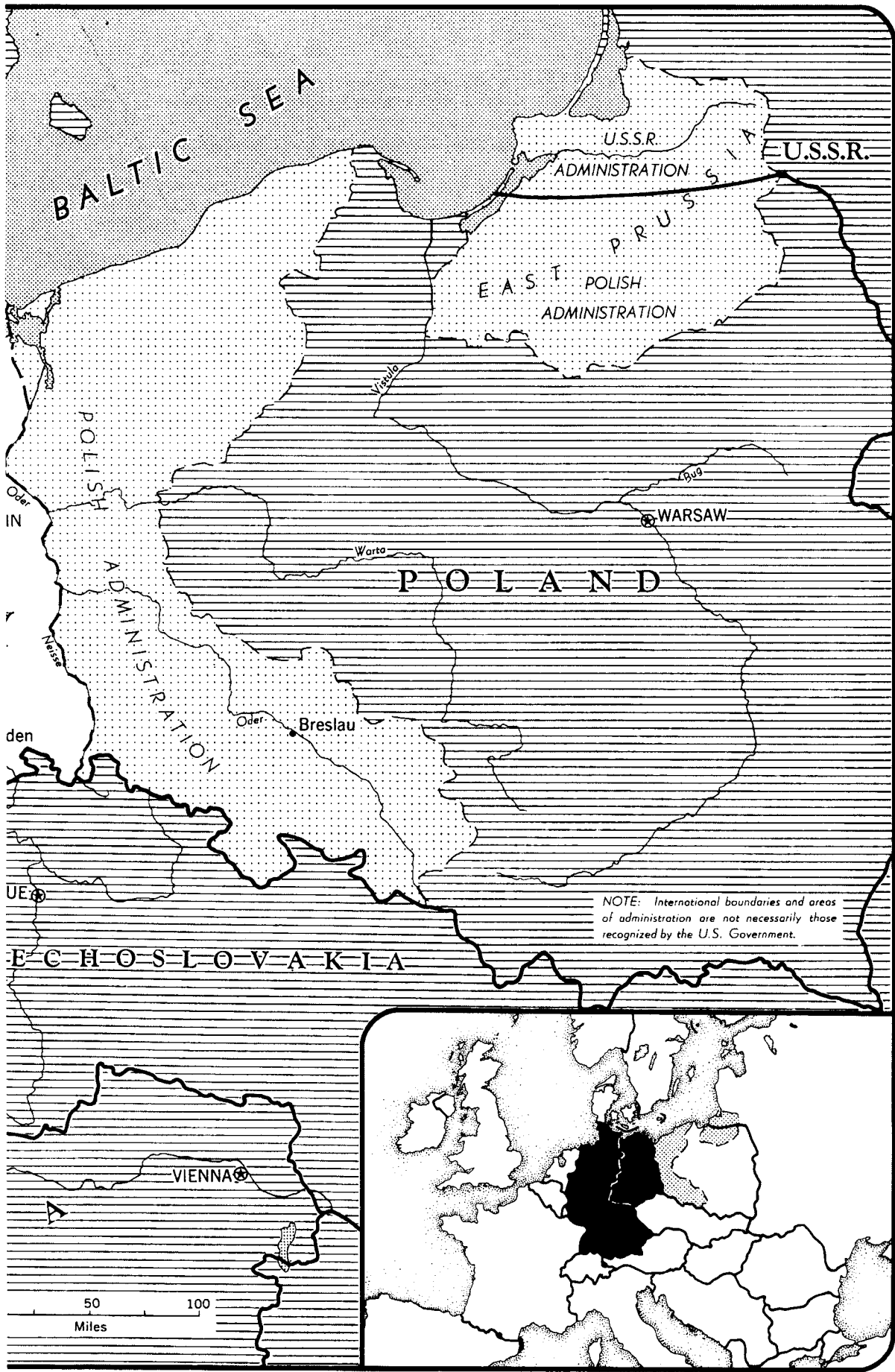
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<sup>4</sup> It was on this trip that he launched his savage attack on the Secretary-General and became the first man in the history of the United Nations to express displeasure by taking off a shoe and pounding it on the table.



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once again was it demonstrated that the Communists can maintain their rule only by force.

The closing of the sector border and the deployment of East German troops in East Berlin were further violations of Soviet pledges. The Western Allies protested (see annexes VIII and IX), but with no immediate result.

### **The Allied Trusteeship—What the Record Shows**

The record shows that the Western Allies have been faithful to the trusteeship they assumed in 1945. They have fostered the reconstruction of Germany as a peaceable, self-governing nation. They have fostered and protected free institutions in West Berlin.

The record shows that the Soviet Union, which joined in the same pledges, has dishonored them by a long series of nonfeasances, misfeasances, and malfeasances. It shows that the Soviet Union has violated, flagrantly and repeatedly, its wartime and postwar agreements on the occupation and rehabilitation of Germany and on the special status of Berlin.

The Soviet Union has prevented the reunification of Germany. It has denied democratic self-government and self-determination to the people of East Germany and East Berlin, instead imposing on them and maintaining by force a police-state regime. It armed that regime. In these and many other ways it broke its agreements.<sup>5</sup>

<sup>5</sup> For a list of major Soviet violations of its agreements concerning Germany and Berlin, see annex X.

*East German soldiers with armored cars and high pressure water trucks bar passage through the Brandenburg Gate on the East-West border in Berlin, August 1961.*





*An elderly East German couple, seeking to join the millions of East Germans who have fled to freedom in the West, are turned back by Communist guards at the West Berlin border.*

The Soviet Union separated East Berlin from the rest of the city. It permitted its East German puppet to proclaim Berlin as its capital. It permitted its East German puppet to parade, and finally to station, troops and tanks in East Berlin. It has now sealed the sector border against East Germans and East Berliners wishing to go to West Berlin. In these and many other ways it has broken its clear-cut agreements with its wartime allies as to the special status of Greater Berlin.

Not content with inflicting its will on the peoples of East Germany and East Berlin, the Soviet Union has repeatedly tried to force or suffocate the people of West Berlin into submission to Communist tyranny.

### **What the Free Berliners Want**

No one who believes in self-determination could be deaf to the clearly expressed wish of the people of Free Berlin. They have made it unmistakably clear that they want the Western Allies to stay as guardians and are adamantly opposed to any weakening in the protection they now enjoy.

The status of Berlin was a key issue in the West Berlin elections of December 1958, held just after Khrushchev issued his ultimatum. The candidates

of the SED (Communist Party) advocated a change. All other candidates of all other parties opposed any change. The Communists were as free as the others to advocate their cause. (Indeed, West Berlin police and firemen broke up anti-Communist demonstrations against Communist political rallies.) Ninety-six percent of the electorate voted. The Communists received only 1.9 percent of the vote cast. Such was the verdict of a people who know what communism means because they are surrounded by it.

### **The Free World's Stake in Berlin**

West Berlin is a lighthouse of freedom in a dark totalitarian sea. It demonstrates the material superiorities of a free society which allows and encourages individual initiative. More important, it is a shining model of political, intellectual, and spiritual freedom in which individual liberties are assured and the people choose those who govern them.

Khrushchev and his followers profess to want "peaceful coexistence" and "peaceful competition." For more than a decade Berlin has been a test tube of peaceful competition. Hundreds of thousands of visitors have seen at first hand the result—that the difference between West and East Berlin is the difference between day and night.

For the peoples of East Berlin and East Germany, the special status of Berlin holds the hope of their eventual reunion with the people of the Federal Republic in a united democratic German nation. For many of them, until mid-August 1961, West Berlin was a venthole in the prison wall—a place they could visit now and then for a life-sustaining breath of free air.<sup>6</sup> For those of them who could no longer endure Communist tyranny it was, until then, the escape hatch to freedom.

For all the peoples held in captivity in the vast detention camp which is Eastern Europe, West Berlin is a beacon of hope—a hope nourished since 1948 by the ability of the Western Powers and the Berliners to maintain its freedom.

Of all this, Khrushchev and his German Communist puppets are painfully aware. That is why West Berlin is to Khrushchev a “cancerous tumor” and a “bone stuck in our throat.” That is why he has publicly declared his resolve “to eradicate this splinter from the heart of Europe.”

For the Western Allies, Free Berlin is the symbol, the evidence, and the acid test of their unity, strength, and determination. It has become in a real sense the keystone of the defensive arch of NATO. Were the Western Allies to permit the freedom of West Berlin to be lost, whether by direct assault or by erosion, they would be false to their pledges. Who would trust their word again? And if they, who are the backbone of the security of the free world, should falter and fall apart, what hope would remain for freedom anywhere?

Berlin is a focal point in a worldwide struggle. The central issue in that struggle is, in the words of Secretary of State Dean Rusk: “. . . the announced determination to impose a world of coercion upon those not already subjected to it. . . . At stake is the survival and growth of the world of free choice and . . . free cooperation.” That central issue, he pointed out, “is posed between the Sino-Soviet empire and all the rest, whether allied or neutral; and it is now posed in every continent.”<sup>7</sup>

All peoples throughout the globe who enjoy or

<sup>6</sup> In 1960, East Berliners and East Germans borrowed 250,000 books from West Berlin libraries and bought 560,000 tickets to West Berlin theaters and operas and 10 million admissions to West Berlin movie houses.

<sup>7</sup> Address at the National Press Club, Washington, D.C., July 10, 1961.

aspire to freedom, including the captive peoples of the Communist empires, have a vital interest in the preservation of freedom—of self-determination—in West Berlin. In defending Free Berlin we defend not only Bonn, Paris, London, Oslo, Ottawa, Washington, Kansas City, Boise, but, in fact, every citizen in the North Atlantic community. Equally we defend New Delhi, Kuala Lumpur, Tokyo, Lagos, Tunis, Cairo, Rio de Janeiro, Montevideo, and every other city and village and people who wish to be free.<sup>8</sup>

Everyone who treasures freedom can join the stouthearted Free Berliners in saying to Khrushchev and his Communist satraps what two emissaries of a free city of ancient Greece said to a Persian satrap who asked them why they did not submit to the Persian tyrant Xerxes. They replied, according to Herodotus: “You have experience of half the matter; but the other half is beyond your knowledge. The life of a slave you understand; but, never having tasted liberty, you can never know whether it be sweet or not. But ah! had you known what freedom is, you would bid us fight for it, not with the spear only, but with the battle-axe.”

<sup>8</sup> It is pertinent to note that approximately 20 of the independent nations belonging to the United Nations are less populous than West Berlin and that more than 50 have a gross national product smaller than West Berlin's.

*An East Berliner pleads vainly with Communist soldiers for permission to cross the closed border between East and West Berlin.*



## ANNEX I

### Soviet Aide Memoire of June 4, 1961<sup>1</sup>

Official translation

1. The years-long delay in arriving at a peace settlement with Germany has largely predetermined the dangerous course of events in Europe in the post-war period. The major decisions of the Allies on the eradication of militarism in Germany, which once were considered by the Governments of the United States and the U.S.S.R. as the guarantee of stable peace, have been implemented only partially and now are actually not being observed in the greater part of German territory. Of the Governments of the two German States that were formed after the war, it is only the Government of the German Democratic Republic that recognizes and adheres to those agreements. The Government of the Federal Republic of Germany openly proclaims its negative attitude to those agreements, cultivates sabre-rattling militarism and advocates the review of the German frontiers and the results of the Second World War. It tries to establish a powerful military base for its aggressive plans, to kindle a dangerous hotbed of conflicts on German soil, and to set the former Allies in the anti-Hitler coalition against each other.

The Western Powers have allowed the Federal Republic of Germany to start accumulating armaments and setting up an army, which are clearly in excess of defense needs. The NATO Powers took new, dangerous steps when they gave the Federal Republic of Germany permission to build warships of up to 6 thousand tons displacement and also to use the territory of the United Kingdom, France and Italy for military bases of the Federal Republic of Germany.

2. The Soviet Government is earnestly striving towards removing the sources of tension between the United States and the U.S.S.R. and to proceed to constructive, friendly cooperation. The conclusion of a German peace treaty would allow the two countries to come much closer to the attainment of this goal. The U.S.S.R. and the United States fought together against Hitlerite Germany. Their common duty is to conclude a German peace treaty and thereby create a reliable guarantee that German soil will never again give birth to forces that could plunge the world into a new and even more devastating war. If the desire of the Soviet Union to consolidate peace and to prevent the unleashing of a new world war in Europe does not run counter to the intentions of the United States Government, then it will not be difficult to reach agreement.

3. Proceeding from a realistic evaluation of the situa-

tion, the Soviet Government stands for the immediate conclusion of a peace treaty with Germany. The question of a peace treaty is one that concerns the national security of the U.S.S.R. and of many other States. The time has already passed for allowing the situation in Germany to remain unchanged. All the conditions for the conclusion of a peace treaty matured a long time ago and this treaty must be concluded. The point is who will conclude it and when, and whether this will entail unnecessary costs.

4. The Soviet Government is not pursuing the goal of harming the interests of the United States or other Western Powers in Europe. It does not propose to change anything either in Germany or in West Berlin in favor of any one State or group of States. The U.S.S.R. deems it necessary in the interests of consolidating peace formally to recognize the situation which has developed in Europe after the war, to legalize and to consolidate the inviolability of the existing German borders, to normalize the situation in West Berlin on the basis of reasonable consideration for the interests of all the parties concerned.

In the interests of achieving agreement on a peace treaty the Soviet Union does not insist on the immediate withdrawal of the Federal Republic of Germany from NATO. Both German States could for a certain period, even after the conclusion of a peace treaty, remain in the military alliances to which they now belong.

The Soviet proposal does not tie the conclusion of a peace treaty to the recognition of the German Democratic Republic or the Federal Republic of Germany by all the parties to this treaty. It is up to each Government to decide whether or not to recognize this or that State.

If the United States is not prepared to sign a joint peace treaty with the two German States, a peaceful settlement could be achieved on the basis of two treaties. In that case the States that participated in the anti-Hitlerite coalition would sign a peace treaty with two German States or with one German State, at their own discretion. These treaties need not be completely identical in wording but they must contain the same kind of provisions on the most important points of a peaceful settlement.

5. The conclusion of a German peace treaty would also solve the problem of normalizing the situation in West Berlin. Deprived of a stable international status, West Berlin at present is a place where the Bonn revanchist circles continually maintain extreme tension and organize all kinds of provocations very dangerous to the cause of peace. We are duty-bound to prevent a development where intensification of West German militarism could lead to irreparable consequences due to the unsettled situation in West Berlin.

At present, the Soviet Government does not see a better way to solve the West Berlin problem than by transforming it into a demilitarized free city. The implementation of the proposal to turn West Berlin into a free

<sup>1</sup> Handed to President Kennedy by Premier Khrushchev during their meeting at Vienna June 3-4.

city, with the interests of all parties duly taken into consideration, would normalize the situation in West Berlin. The occupation regime now being maintained has already outlived itself and has lost all connection with the purposes for which it was established, as well as with the Allied agreements concerning Germany that established the basis for its existence. The occupation rights will naturally be terminated upon the conclusion of a German peace treaty, whether it is signed with both German States or only with the German Democratic Republic, within whose territory West Berlin is located.

The position of the Soviet Government is that the free city of West Berlin should have unobstructed contacts with the outside world and that its internal regulations should be determined by the freely expressed will of its population. The United States as well as other countries would naturally have every possibility to maintain and develop their relations with the free city. In short, West Berlin, as the Soviet Government sees it, should be strictly neutral. Of course, the use of Berlin as a base for provocative activities, hostile to the U.S.S.R., the G.D.R. or any other State, cannot be permitted in the future, nor can Berlin be allowed to remain a dangerous hotbed of tension and international conflicts.

The U.S.S.R. proposes that the most reliable guarantees be established against interference in the affairs of the free city on the part of any State. Token troop contingents of the United States, the United Kingdom, France and the U.S.S.R. could be stationed in West Berlin as guarantors of the free city. The U.S.S.R. would have no objections, either, to the stationing in West Berlin, for the same purpose, of military contingents from neutral States under the aegis of the U.N. The status of free city could be duly registered by the United Nations and consolidated by the authority of that international organization. The Soviet side is prepared to discuss any other measures that would guarantee the freedom and independence of West Berlin as a free demilitarized city.

All this considered, the settlement of the West Berlin problem should naturally take into account the necessity of respecting and strictly observing the sovereign rights of the German Democratic Republic, which, as is well known, has declared its readiness to adhere to such an agreement and respect it.

6. The Soviet Government proposes that a peace conference be called immediately, without delay, that a German peace treaty be concluded, and that the problem of West Berlin as a free city be solved in this way. If for any motives the Governments of the United States or other Western Powers are not ready for this at the present time, an interim decision could be adopted for a specified period of time.

The Four Powers would appeal to the German States to come to an agreement in any form acceptable to them on problems relating to a peace settlement with Germany and its reunification. The Four Powers would declare in advance that they would recognize any agreement achieved by the Germans.

In the event of a favorable outcome of the negotiations between the G.D.R. and the F.R.G. a single German

peace treaty would be agreed upon and signed. If the two German States fail to reach agreement on the above-mentioned issues, steps would be taken to conclude a peace treaty with the two German States or with one of them, at the discretion of the States concerned.

To avoid delaying a peace settlement it is essential to fix a time limit within which the Germans should seek possible ways for agreements on problems within their internal competence. The Soviet Government considers that not more than 6 months are needed for such negotiations. This period is quite sufficient for the G.D.R. and F.R.G. to establish contacts and to negotiate, since an understanding of the necessity of putting an end to the vestiges of the Second World War in Europe has matured during the sixteen post-war years.

7. The Soviet Government is prepared to consider any constructive proposals of the United States Government on a German peace treaty and on normalizing the situation in West Berlin. The Soviet Government will show a maximum of good will in order that the question of a German peace treaty may be settled by mutual agreement between the U.S.S.R., the United States, and other States concerned. The signing of a German peace treaty by all the members of the anti-Hitlerite coalition and the settlement of the question of a neutral status for West Berlin on this basis would create better conditions for trust among States and for the solution of such important international problems as disarmament and others. But, if the United States does not show that it realizes the necessity of concluding a peace treaty, we shall deplore it because we shall be obliged to sign a peace treaty, which it would be impossible and dangerous to delay, not with all the States but only with those that wish to sign it.

The peace treaty would specifically define the status of West Berlin as a free city and the Soviet Union, just as the other parties to the treaty, would of course observe it strictly; measures would also be taken to ensure that this status be respected by other countries as well. At the same time, this would mean putting an end to the occupation regime in West Berlin with all its implications. In particular, questions of using the means of communication by land, water or air within the territory of the G.D.R. would have to be settled solely by appropriate agreements with the G.D.R. That is but natural, since control over such means of communication is an inalienable right of every sovereign State.

8. The conclusion of a German treaty would be an important step towards the final post-war settlement in Europe for which the Soviet Union is persistently striving.

## ANNEX II

### U.S. Note of July 17, 1961<sup>2</sup>

The United States Government has given careful consideration to the Soviet Government's aide-memoire received on June 4, 1961, in Vienna. It has consulted with

<sup>2</sup> Delivered to the Soviet Ministry of Foreign Affairs at Moscow on July 17. Similar notes were delivered on the same day by the French and British Ambassadors.

its British and French Allies and has found itself in full agreement with them. It has also consulted the Government of the Federal Republic of Germany, and the other member Governments of the North Atlantic Treaty Organization.

The United States Government fully concurs with the Soviet Government that a peace settlement is long overdue. It is clear from the public record of efforts on the part of the Western Powers to reach agreement with the Soviet Union on the terms of such a peace settlement that it is the Soviet Union which has blocked all progress. The United States first suggested in 1946 that a special commission be appointed to draft a German peace treaty. It has continued its efforts throughout all the intervening years but without avail because of Soviet efforts to obtain special advantages for itself and the Soviet bloc in any such settlement at the expense of a lasting peace.

The United States Government would like to be able to believe the Soviet Government's statement that it sincerely desires to remove the sources of tension between the United States and the Soviet Union and to proceed to constructive friendly cooperation. This aim is close to the hearts of the American people and their Government. It found its expression in wartime cooperation, and the United States was deeply disappointed when Soviet postwar actions disrupted the conditions for its continuation. The conclusion of a German treaty in peace and freedom and based on the freely expressed will of the German people would, indeed, allow the U.S.S.R. and the U.S. to come much closer to the attainment of this goal.

With regard to Berlin, the United States is not insisting upon the maintenance of its legal rights because of any desire merely to perpetuate its presence there. It is insisting on, and will defend, its legal rights against attempts at unilateral abrogation because the freedom of the people of West Berlin depends upon the maintenance of those rights. The support and approval of the people of West Berlin for the system under which they live has been made amply clear over the years. Their overwhelming support for their government in free elections is a dramatic example of this. That the United States is not wedded to one particular arrangement for Berlin is demonstrated by the all-Berlin solution which was proposed at Geneva in 1959. It has accepted the possibility of practical arrangements intended to improve the present situation in Berlin until such time as an over-all solution of the German problem can be achieved. It is sorry to note that all the proposals it has made to that end have been rejected by the Government of the U.S.S.R. However, the United States also supports the clearly expressed wish of the West Berliners that no change be made in the status of their city which would expose them, at once or gradually over a longer time, to the domination of the regime which presently controls the surrounding areas.

The United States Government continues to believe that there will be no real solution of the German problem, nor any real tranquillity in Central Europe, until the German people are reunified in peace and freedom on the basis of the universally recognized principle of self-determination. It is because of this conviction that the United

States Government, with its Allies, has repeatedly proposed solutions for the German problem based on these principles—unfortunately without evoking a positive response from the Soviet Government.

Thus, they proposed to the Soviet Government on May 14, 1959 the Western Peace Plan, which was acclaimed throughout the world as a constructive offer. The detailed proposals in the Peace Plan were intended as a practical step-by-step approach to the problem of a Central European settlement based on the principle of self-determination, to which the Soviet Government professes to adhere, but which is conspicuous by its absence in Soviet proposals.

The Soviet aide-memoire argues that the time has already passed when the situation in Germany could be left unchanged. The United States Government is persuaded that a change for the better is to be desired. But at the same time it is certain that world opinion has noted that in the decade between the end of the Soviet blockade of Berlin and the renewed threat to Berlin in the Soviet note of November 27, 1958 the German problem did not disturb world peace. And just as the world could not fail to note who was responsible for disturbing the peace on those two occasions, it will surely condemn any attempt by any one of the Four Powers to change the existing situation in West Berlin against the will of the other Three and against the overwhelming desire of the vast majority of the people of Berlin and Germany, who are most directly concerned.

To justify the action it wishes to take, the Government of the U.S.S.R. alleges that without a peace treaty there is danger of conflagration in Europe. The U.S. Government does not consider that this argument has any merit. Minor incidents which occur from time to time in the present situation are settled through exercise of those quadripartite responsibilities which, in themselves, constitute the most effective protection against any local aggravation of the situation growing into a real threat to the peace.

Contrary to the unfounded assertion in the Soviet aide-memoire, the Western Powers vigorously carried out the programs to eradicate Nazi militarism, to eliminate vestiges of the Third Reich, to prevent the rebirth of aggressive forces, and to chart a course by which Germany could recover its respect and play a constructive role in international affairs. The Federal Republic of Germany is the proof of the successful achievement of these aims by the West.

The Federal Republic's foreign and military policies accept significant restraints. It has undertaken not to manufacture atomic, chemical, and biological weapons, and has accepted international control to insure that this undertaking is honored. All of the Federal Republic's combat forces are completely integrated into NATO, which has only defensive—not aggressive—aims. The Federal Republic does not seek, or intend to develop, an independent nuclear capability or the transfer of nuclear weapons to its national jurisdiction. It looks to its legitimate defense requirements entirely within the NATO framework. In addition, the Federal Government has publicly stated that the Federal Republic does not con-

template the use of force to achieve reunification or to alter existing boundaries. It has also consistently taken significant steps to integrate itself peacefully and firmly into the Western European community—steps which would never be taken by a government bent on a militaristic course.

After the end of World War II, the United States and its Western Allies demobilized their military forces in the expectation of a peaceful world order. However, post-war Soviet policies compelled the organization of the military defense of the North Atlantic Treaty area. Without the armed threat to Western Europe, the purely defensive Alliance to which the United States is fully committed and in which the Federal Republic participates might well never have developed. The pursuit by the U.S.S.R. of its unilateral objectives in Eastern Europe convinced the present members of NATO that Soviet power would be extended into any area westward which did not have the ability to defend itself. Should the U.S.S.R. make unilateral moves in its German policy, contrary to binding international agreements, the NATO countries could only interpret such moves as a purposeful threat to their national interests.

The Soviet Government, in its aide-memoire, is presenting the Western Powers with a demand that they accept its solution of the German problem. Despite the protestations of the Soviet Government that it does not intend to harm the interests of the United States or other Western Powers in Europe, it remains the firm conviction of the Western Powers that the end result of the Soviet proposals would harm not only their interests, but also those of the German people, and—since they endanger the peace—those of the entire world.

The counterpart of the Soviet position is that unless the Western Powers accept its German solution, the Soviet Government will try to obtain what it wants by unilateral action.

The Soviet Government thus threatens to violate its solemn international obligations, to determine unilaterally the fate of millions of Germans without their consent, and to use force against its World War II Allies if they do not voluntarily surrender their rights and vital positions. The Soviet Government must understand that such a course of action is not only unacceptable, but is a more serious menace to world peace, for which it bears full responsibility before all mankind.

At the end of World War II, the victorious Powers entered into a number of agreements to settle the German problem, based on the principle that questions concerning Germany as a whole were a matter for joint action by the victorious Powers. A peace settlement with Germany is foremost among those questions. The Potsdam Agreement of 1945, for instance, refers to "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."

Under international law, the Soviet Government cannot ignore these agreements in order to conclude unilateral arrangements with a part of Germany; nor would such action invalidate the rights of the United States Government and the other governments responsible for

the settlement of the German question, since these rights derive absolutely from the unconditional surrender of Nazi Germany, and were not granted by, or negotiated with, the Soviet Union. This has repeatedly been acknowledged by the Soviet Government, as recently as at the Vienna meetings and in Chairman Khrushchev's address of June 15, 1961. For the same reasons, the United States Government does not admit that its rights and obligations toward Germany as a whole can be affected by unilateral negotiations of peace settlements with a part of Germany.

The obligation to maintain the unity of Germany was affirmed by the victorious Powers from the beginning. It was acknowledged by the Soviet Union in 1955, at a Conference attended by Chairman Khrushchev, in the Geneva directive of the Four Heads of Government, which says:

"The Heads of Government [of France, the United Kingdom, the Soviet Union, and the United States], recognizing their common responsibility for the settlement of the German question and the re-unification of Germany, have agreed that the settlement of the German question and the re-unification of Germany by means of free elections shall be carried out in conformity with the national interests of the German people. . . ."

What the Soviet Union proposes, unless the Three Powers formally abandon their efforts to reunify Germany, is to determine by itself the fate of Germany through an agreement with the authorities of the so-called "German Democratic Republic," which is not freely chosen, but has been created by the Soviet Union as an instrument of Soviet foreign policy.

By its signature of the United Nations Charter and in numerous statements, the Soviet Government is committed to respect for the principle of self-determination. But, in contradiction of this, by denying freedom of choice to seventeen million East Germans it has not permitted freedom of choice to the German people as a whole. And it is now proposing to perpetuate that denial by concluding a final settlement with a regime which is not representative of these people, does not enjoy their confidence, and is, in fact, no more than its own creation and an extension of its own authority. Under these circumstances, the part of Germany subject to that regime cannot be regarded as an independent sovereign state, and a "peace treaty" with the part of Germany's territory termed "German Democratic Republic" by the Soviet Government could have no validity in international law, nor could it affect in any way whatsoever the rights of the Western Powers.

According to the thesis repeatedly expounded by the Soviets, the "separate peace treaty" would, upon its conclusion, terminate the rights of the West in, and with regard to, Berlin. These assertions are untenable and fallacious from a legal point of view, both because such a separate treaty would be legally ineffective, and because neither the Soviet Union nor East Germany can, for the reasons stated above, unilaterally deprive the three Western Powers of their original rights in, and regarding, Berlin. Rights of access to Berlin are inherent in the



rights of the Western Powers to be in Berlin. The procedures for the exercise of these rights have been defined in numerous agreements between the Four Governments and were confirmed by the Soviet Government in the Paris Agreement of June 20, 1949 on the termination of the Berlin blockade, and in practice over many years. They cannot be unilaterally abrogated by any act of the Soviet Government. If any one of the Four withdraws from these arrangements, then it is clearly the responsibility of the other Three to make such dispositions with respect to the exercise of their access rights as they deem appropriate.

The Soviet Union further asserts that a "peace treaty," whether signed by all the interested parties or not, would bring about the establishment of West Berlin as a "demilitarized Free City." As proposed, this would bring with it the cessation of the rights of the Western Allies in Berlin, including the right of access.

The United States considers entirely unfounded the Soviet claims that this unilateral act could deprive the other three participants in the joint occupation of Berlin of their basic rights in the City—rights derived from the Nazi surrender, as indicated, and expressed in binding and valid agreements, to which the Soviet Union is a party. The agreements of September 12, 1944 and May 1, 1945 establishing the occupation arrangements for the City were joint undertakings by the occupying powers, all of whom derived rights and obligations from them. The obligation of the Soviet Union to assure the normal functioning of transport and communication between Berlin and the western zones of Germany was reaffirmed in the Four Power Agreement of June 20, 1949. This legal situation was thus jointly created by the Four Powers and cannot be altered except by the common consent of all of them.

The United States wishes particularly to reiterate, in discussing the legal aspects of Berlin's status, that Soviet references to Berlin as being situated on the territory of the so-called "German Democratic Republic" are entirely without foundation. This can be readily and clearly established by reference to the attached copy of the Protocol of September 12, 1944. The Protocol makes clear that Berlin was not a part of, or located on, the territory to be occupied as a zone by any one of the powers under the Agreement. With respect specifically to the area now constituting the so-called "German Democratic Republic" the Protocol clearly stated that a specified area, described by metes and bounds, "will be occupied by armed forces of the U.S.S.R., with the exception of the Berlin area, for which a special system of occupation is provided below." The Protocol subsequently clearly specified that "The Berlin area . . . will be jointly occupied by armed forces of the U.S., U.K., and U.S.S.R., assigned by the respective Commanders-in-Chief." The Soviet Government approved the Protocol on February 6, 1945, and since that time there have been no legal alterations in the special status of Berlin.

The Soviet Union claims that the "free city" of West Berlin would be able to maintain freely its communications with the outside world and determine its domestic order by the free expression of the will of its people.

Since, however, the "free city" would in fact be isolated within the so-called "German Democratic Republic," which according to the Soviet proposal would control all access to and from the city, it is of significance to examine the stated intentions of the leaders of that regime with respect to West Berlin.

The United States notes in particular the statements made by Mr. Ulbricht on June 15 in which he made clear his regime would seek to close Tempelhof Airport, West Berlin's principal airport and a vital part of its communications with the outside world. In addition, Mr. Ulbricht announced he "considered it a matter of course" that the refugee centers in West Berlin would be closed. These camps are maintained by West Berlin for the constant stream of refugees fleeing from East Germany, and Ulbricht's statement makes clear the degree to which his regime intends to interfere in West Berlin where it suits his purpose. In view of such statements, it is not surprising if neither the West Berliners nor the Western Powers are reassured by professions of peaceful intent. In this connection, it is relevant to ask why the Soviet Union has chosen to raise the question at all if it has not had in mind a fundamental change in West Berlin.

It is evident that the present status of the City, which the Soviet Union chooses to characterize as an "occupation regime" which "has already outlived itself," is actually an arrangement that—under the existing abnormal division of Germany—does not constitute any threat to peace. Attempts by the Soviet Union to destroy that arrangement, in pursuit of its political goals, are certain to jeopardize gravely the very peace in the name of which the Soviet action is taken. With respect to the nature of these goals in Berlin itself, it is significant that the Soviet Union, having previously occupied East Berlin and violated its Four Power status by establishing there an alleged "G.D.R." government, now proposes that its troops will be among those stationed in a "free city" of West Berlin. The Soviet Government would thus seek to extend its postwar empire by the absorption of the Eastern sector of Berlin and to shift the Four Power principle from all of Berlin to the Western part of the city alone.

The immediate cause of this threat to peace arises from the announced intention of the Soviet Government to present the three Western Powers with a *de facto* situation based on the false assertion that they would no longer be entitled to remain in Berlin, or to have free access thereto. Such a move could lead to highly dangerous developments, and would be totally devoid of legal effect. The United States considers the exercise of its rights together with its British and French Allies, in order to maintain the freedom of over two million people in West Berlin, a fundamental political and moral obligation.

The international dispute arising out of Soviet claims would have the gravest effects upon international peace and security and endanger the lives and well-being of millions of people. It would be irresponsible on the part of the nations directly concerned not to use available means to settle such a dispute in a peaceful manner.

As in the past, the United States Government is always prepared to consider in agreement with its Allies a freely negotiated settlement of the unresolved problems of Ger-

many. Such a settlement must be in conformity with the principle of self-determination and with the interests of all concerned. The United States Government for its part has never contemplated confronting the Soviet Union with a *fait accompli*. It hopes that for its part the Soviet Government will renounce any idea of taking such action, which, as noted, would have unforeseeable consequences. It thinks it necessary to warn the Soviet Government in all seriousness of the grave dangers of such a course, and to express the hope that the Soviet Government will rather aim, as does the United States Government, at the creation of conditions in which a genuine and peaceful settlement of outstanding problems can be pursued.

Peace and freedom are not merely words nor can they be achieved by words or promises alone. They are representative of a state of affairs.

A city does not become free merely by calling it free. For a city or a people to be free requires that they be given the opportunity without economic, political or police pressure to make their own choice and to live their own lives. The people of West Berlin today have that freedom. It is the objective of our policy for them to continue to have it.

Peace does not come automatically from a "peace treaty." There is peace in Germany today even though the situation is "abnormal." A "peace treaty" that adversely affects the lives and rights of millions will not bring peace with it. A "peace treaty" that attempts to affect adversely the solemn commitments of three great powers does not bring peace with it.

There is no reason for a crisis over Berlin. If one develops it is because the Soviet Union is attempting to invade the basic rights of others. All the world will plainly see that the misuse of such words as "peace" and "freedom" cannot conceal a threat to raise tension to the point of danger and suppress the freedom of those who now enjoy it.

### ANNEX III

#### Three Power Agreement of 1944

##### PROTOCOL

between the Governments of the United States of America, the United Kingdom, and the Union of Soviet Socialist Republics, on the zones of occupation in Germany and the administration of "Greater Berlin".

—oOo—

The Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics have reached the following agreement with regard to the execution of Article 11 of the Instrument of Unconditional Surrender of Germany:—

1. Germany, within her frontiers as they were on the 31st December, 1937, will, for the purposes of occupation, be divided into three zones, one of which will be allotted to

each of the three Powers, and a special Berlin area, which will be under joint occupation by the three Powers.

2. The boundaries of the three zones and of the Berlin area, and the allocation of the three zones as between the U.S.A., the U.K. and the U.S.S.R. will be as follows:—

##### *Eastern Zone*

The territory of Germany (including the province of East Prussia) situated to the East of a line drawn from the point on Lübeck Bay where the frontiers of Schleswig-Holstein and Mecklenburg meet, along the western frontier of Mecklenburg to the frontier of the province of Hanover, thence, along the eastern frontier of Hanover, to the frontier of Brunswick; thence along the western frontier of the Prussian province of Saxony to the western frontier of Anhalt; thence along the western frontier of the Prussian province of Saxony and the western frontier of Thuringia to where the latter meets the Bavarian frontier; thence eastwards along the northern frontier of Bavaria to the 1937 Czechoslovakian frontier, will be occupied by armed forces of the U.S.S.R., with the exception of the Berlin area, for which a special system of occupation is provided below.

##### *North-Western Zone*

The territory of Germany situated to the west of the line defined above, and bounded on the south by a line drawn from the point where the western frontier of Thuringia meets the frontier of Bavaria; thence westwards along the southern frontiers of the Prussian provinces of Hessen-Nassau and Rheinprovinz to where the latter meets the frontier of France will be occupied by armed forces of.....

##### *South-Western Zone*

All the remaining territory of Western Germany situated to the south of the line defined in the description of the North-Western Zone will be occupied by armed forces of.....

The frontiers of States (Länder) and Provinces within Germany, referred to in the foregoing descriptions of the zones, are those which existed after the coming into effect of the decree of 25th June, 1941 (published in the Reichsgesetzblatt, Part I, No. 72, 3rd July, 1941).

##### *Berlin Area*

The Berlin area (by which expression is understood the territory of "Greater Berlin" as defined by the Law of the 27th April, 1920) will be jointly occupied by armed forces of the U.S.A., U.K., and U.S.S.R., assigned by the respective Commanders-in-Chief. For this purpose the territory of "Greater Berlin" will be divided into the following three parts:—

*North-Eastern part of "Greater Berlin"* (districts of Pankow, Prenzlauerberg, Mitte, Weissensee, Friedrichshain, Lichtenberg, Treptow, Köpenick) will be occupied by the forces of the U.S.S.R.:

*North-Western part of "Greater Berlin"* (districts of Reinickendorf, Wedding, Tiergarten, Charlottenburg,

Spandau, Wilmersdorf) will be occupied by the forces of

-----  
*Southern part of "Greater Berlin"* (districts of Zehlendorf, Steglitz, Schöneberg, Kreuzberg, Tempelhof, Neukölln) will be occupied by the forces of-----

The boundaries of districts within "Greater Berlin", referred to in the foregoing descriptions, are those which existed after the coming into effect of the decree published on 27th March, 1938 (Amtsblatt der Reichshauptstadt Berlin No. 13 of 27th March, 1938, page 215).

3. The occupying forces in each of the three zones into which Germany is divided will be under a Commander-in-Chief designated by the Government of the country whose forces occupy that zone.

4. Each of the three Powers may, at its discretion, include among the forces assigned to occupation duties under the command of its Commander-in-Chief, auxiliary contingents from the forces of any other Allied Power which has participated in military operations against Germany.

5. An Inter-Allied Governing Authority (Komendatura) consisting of three Commandants, appointed by their respective Commanders-in-Chief, will be established to direct jointly the administration of the "Greater Berlin" Area.

6. This Protocol has been drawn up in triplicate in the English and Russian languages. Both texts are authentic. The Protocol will come into force on the signature by Germany of the Instrument of Unconditional Surrender.

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The above text of the Protocol between the Governments of the United States of America, the United Kingdom and the Union of Soviet Socialist Republics, on the zones of occupation in Germany and the administration of "Greater Berlin" has been prepared and unanimously adopted by the European Advisory Commission at a meeting held on 12th September, 1944, with the exception of the allocation of the North-Western and South-Western zones of occupation in Germany and the North-Western and Southern parts of "Greater Berlin", which requires further consideration and joint agreement by the Governments of the U.S.A., U.K. and U.S.S.R.

LANCASTER HOUSE,  
London, S.W. 1.  
12th September, 1944.

Representative of the Government of the U.S.A.  
on the European Advisory Commission:

JOHN G. WINANT

Representative of the Government of the U.K.  
on the European Advisory Commission:

WILLIAM STRANG

Representative of the Government of the U.S.S.R.  
on the European Advisory Commission:

F. T. GOUSEV

## ANNEX IV

### Statement by President Kennedy, July 19, 1961

In consultation and full agreement with its British and French allies, and with the benefit of the views of the Federal Republic of Germany, and after consultation with the other member governments of the North Atlantic Treaty Organization, the United States on Monday delivered through its Embassy in Moscow its reply to the aide memoire on Germany and Berlin received from the Soviet Government on June 4. Our reply speaks for itself and advances what I believe to be an irrefutable legal, moral, and political position. In this statement I should like to convey to the American people and the people of the world the basic issues which underlie the somewhat more formal language of diplomacy.

The Soviet aide memoire is a document which speaks of peace but threatens to disturb it. It speaks of ending the abnormal situation in Germany but insists on making permanent its abnormal division. It refers to the Four Power alliance of World War II but seeks the unilateral abrogation of the rights of the other three powers. It calls for new international agreements while preparing to violate existing ones. It offers certain assurances while making it plain that its previous assurances are not to be relied upon. It professes concern for the rights of the citizens of West Berlin while seeking to expose them to the immediate or eventual domination of a regime which permits no self-determination. Three simple facts are clear:

1. Today there is peace in Berlin, in Germany, and in Europe. If that peace is destroyed by the unilateral actions of the Soviet Union, its leaders will bear a heavy responsibility before world opinion and history.

2. Today the people of West Berlin are free. In that sense it is already a "free city"—free to determine its own leaders and free to enjoy the fundamental human rights reaffirmed in the United Nations Charter.

3. Today the continued presence in West Berlin of the United States, the United Kingdom, and France is by clear legal right, arising from war, acknowledged in many agreements signed by the Soviet Union, and strongly supported by the overwhelming majority of the people of that city. Their freedom is dependent upon our exercise of these rights—an exercise which is thus a political and moral obligation as well as a legal right. Inasmuch as these rights, including the right of access to Berlin, are not held from the Soviet Government, they cannot be ended by any unilateral action of the Soviet Union. They cannot be affected by a so-called "peace treaty," covering only a part of Germany, with a regime of the Soviet Union's own creation—a regime which is not freely representative of all or any part of Germany and does not enjoy the confidence of the 17 million East Germans. The steady stream of German refugees from East to West is eloquent testimony to that fact.

The United States has been prepared since the close of the war, and is prepared today, to achieve, in agreement with its World War II allies, a freely negotiated

peace treaty covering all of Germany and based on the freely expressed will of all of the German people. We have never suggested that, in violation of international law and earlier Four Power agreements, we might legally negotiate a settlement with only a part of Germany, or without the participation of the other principal World War II allies. We know of no sound reason why the Soviet Government should now believe that the rights of the Western Powers, derived from Nazi Germany's surrender, could be invalidated by such an action on the part of the Soviet Union.

The United States has consistently sought the goal of a just and comprehensive peace treaty for all of Germany since first suggesting in 1946 that a special commission be appointed for this purpose. We still recognize the desirability of change—but it should be a change in the direction of greater, not less, freedom of choice for the people of Germany and Berlin. The Western peace plan and the all-Berlin solution proposed by the Western allies at Geneva in 1959<sup>3</sup> were constructive, practical offers to obtain this kind of fair settlement in central Europe. Our objective is not to perpetuate our presence in either Germany or Berlin—our objective is the perpetuation of the peace and freedom of their citizens.

But the Soviet Union has blocked all progress toward the conclusion of a just treaty based on the self-determination of the German people and has instead repeatedly heightened world tensions over this issue. The Soviet blockade of Berlin in 1948, the Soviet note of November 27th, 1958,<sup>4</sup> and this most recent Soviet aide memoire of June 4, 1961, have greatly disturbed the tranquillity of this area.

The real intent of the June 4 aide memoire is that East Berlin, a part of a city under Four Power status, would be formally absorbed into the so-called "German Democratic Republic" while West Berlin, even though called a "free city," would lose the protection presently provided by the Western Powers and become subject to the will of a totalitarian regime. Its leader, Herr Ulbricht, has made clear his intention, once this so-called "peace treaty" is signed, to curb West Berlin's communications with the free world and to suffocate the freedom it now enjoys.

The area thus newly subjected to Soviet threats of heightened tension poses no danger whatsoever to the peace of the world or to the security of any nation. The world knows that there is no reason for a crisis over Berlin today and that, if one develops, it will be caused by the Soviet Government's attempt to invade the rights of others and manufacture tensions. It is, moreover, misusing the words "freedom" and "peace." For, as our reply states, "freedom" and "peace" are not merely words—nor can they be achieved by words or promises alone. They are representative of a state of affairs.

<sup>3</sup> For texts of Western proposals at the Conference of Foreign Ministers at Geneva in 1959, see *Department of State Bulletin* of June 1, 1959, p. 775; June 8, 1959, p. 819; June 15, 1959, p. 859; June 29, 1959, p. 943; Aug. 3, 1959, p. 147; Aug. 10, 1959, p. 191; and Aug. 24, 1959, p. 265.

<sup>4</sup> For text of Soviet note of Nov. 27, 1958, and U.S. reply of Dec. 31, 1958, see *ibid.*, Jan. 19, 1959, p. 79.

A city does not become free merely by calling it a "free city." For a city or a people to be free requires that they be given the opportunity, without economic, political, or police pressure, to make their own choice and to live their own lives. The people of West Berlin today have that freedom. It is the objective of our policy that they shall continue to have it.

Peace does not come automatically from a "peace treaty." There is peace in Germany today even though the situation is "abnormal." A "peace treaty" that adversely affects the lives and rights of millions will not bring peace with it. A "peace treaty" that attempts to affect adversely the solemn commitments of three great powers will not bring peace with it. We again urge the Soviet Government to reconsider its course, to return to the path of constructive cooperation it so frequently states it desires, and to work with its World War II allies in concluding a just and enduring settlement of issues remaining from that conflict.

## ANNEX V

### The Berlin Crisis—Report to the Nation by President Kennedy, July 25, 1961<sup>5</sup>

Seven weeks ago tonight I returned from Europe to report on my meeting with Premier Khrushchev and the others. His grim warnings about the future of the world, his aide memoire on Berlin, his subsequent speeches and threats which he and his agents have launched, and the increase in the Soviet military budget that he has announced have all prompted a series of decisions by the administration and a series of consultations with the members of the NATO organization. In Berlin, as you recall, he intends to bring to an end, through a stroke of the pen, first, our legal rights to be in West Berlin and, secondly, our ability to make good on our commitment to the 2 million free people of that city. That we cannot permit.

We are clear about what must be done—and we intend to do it. I want to talk frankly with you tonight about the first steps that we shall take. These actions will require sacrifice on the part of many of our citizens. More will be required in the future. They will require, from all of us, courage and perseverance in the years to come. But if we and our allies act out of strength and unity of purpose—with calm determination and steady nerves, using restraint in our words as well as our weapons—I am hopeful that both peace and freedom will be sustained.

The immediate threat to free men is in West Berlin. But that isolated outpost is not an isolated problem. The threat is worldwide. Our effort must be equally wide and strong and not be obsessed by any single manufactured crisis. We face a challenge in Berlin, but there is also a challenge in southeast Asia, where the borders are less guarded, the enemy harder to find, and the danger of communism less apparent to those who have so little. We face a challenge in our own hemisphere and indeed

<sup>5</sup> Delivered from the White House by television and radio.

wherever else the freedom of human beings is at stake.

Let me remind you that the fortunes of war and diplomacy left the free people of West Berlin in 1945 110 miles behind the Iron Curtain. This map makes very clear the problem that we face. The white is West Germany, the East is the area controlled by the Soviet Union; and as you can see from the chart, West Berlin is 110 miles within the area which the Soviets now dominate—which is immediately controlled by the so-called East German regime.

We are there as a result of our victory over Nazi Germany, and our basic rights to be there deriving from that victory include both our presence in West Berlin and the enjoyment of access across East Germany. These rights have been repeatedly confirmed and recognized in special agreements with the Soviet Union. Berlin is not a part of East Germany, but a separate territory under the control of the allied powers. Thus our rights there are clear and deep-rooted. But in addition to those rights is our commitment to sustain—and defend, if need be—the opportunity for more than 2 million people to determine their own future and choose their own way of life.

#### **Determination To Maintain Rights in Berlin**

Thus our presence in West Berlin, and our access thereto, cannot be ended by any act of the Soviet Government. The NATO shield was long ago extended to cover West Berlin, and we have given our word that an attack in that city will be regarded as an attack upon us all.

For West Berlin, lying exposed 110 miles inside East Germany, surrounded by Soviet troops and close to Soviet supply lines, has many roles. It is more than a showcase of liberty, a symbol, an island of freedom in a Communist sea. It is even more than a link with the free world, a beacon of hope behind the Iron Curtain, an escape hatch for refugees.

West Berlin is all of that. But above all it has now become, as never before, the great testing place of Western courage and will, a focal point where our solemn commitments, stretching back over the years since 1945, and Soviet ambitions now meet in basic confrontation.

It would be a mistake for others to look upon Berlin, because of its location, as a tempting target. The United States is there, the United Kingdom and France are there, the pledge of NATO is there, and the people of Berlin are there. It is as secure, in that sense, as the rest of us, for we cannot separate its safety from our own.

I hear it said that West Berlin is militarily untenable. And so was Bastogne. And so, in fact, was Stalingrad. Any dangerous spot is tenable if men—brave men—will make it so.

We do not want to fight, but we have fought before. And others in earlier times have made the same dangerous mistake of assuming that the West was too selfish and too soft and too divided to resist invasions of freedom in other lands. Those who threaten to unleash the forces of war on a dispute over West Berlin should recall the words of the ancient philosopher: "A man who causes fear cannot be free from fear."

We cannot and will not permit the Communists to

drive us out of Berlin, either gradually or by force. For the fulfillment of our pledge to that city is essential to the morale and security of Western Germany, to the unity of Western Europe, and to the faith of the entire free world. Soviet strategy has long been aimed not merely at Berlin but at dividing and neutralizing all of Europe, forcing us back to our own shores. We must meet our oft-stated pledge to the free peoples of West Berlin—and maintain our rights and their safety, even in the face of force—in order to maintain the confidence of other free peoples in our word and our resolve. The strength of the alliance on which our security depends is dependent in turn on our willingness to meet our commitments to them.

#### **Preparations To Defend the Peace**

So long as the Communists insist that they are preparing to end by themselves unilaterally our rights in West Berlin and our commitments to its people, we must be prepared to defend those rights and those commitments. We will at all times be ready to talk, if talk will help. But we must also be ready to resist with force, if force is used upon us. Either alone would fail. Together, they can serve the cause of freedom and peace.

The new preparations that we shall make to defend the peace are part of the long-term buildup in our strength which has been under way since January. They are based on our needs to meet a worldwide threat, on a basis which stretches far beyond the present Berlin crisis. Our primary purpose is neither propaganda nor provocation—but preparation.

A first need is to hasten progress toward the military goals which the North Atlantic allies have set for themselves. In Europe today nothing less will suffice. We will put even greater resources into fulfilling those goals, and we look to our allies to do the same.

The supplementary defense buildups that I asked from the Congress in March and May have already started moving us toward these and our other defense goals. They included an increase in the size of the Marine Corps, improved readiness of our reserves, expansion of our air- and sealift, and stepped-up procurement of needed weapons, ammunition, and other items. To insure a continuing invulnerable capacity to deter or destroy any aggressor, they provided for the strengthening of our missile power and for putting 50 percent of our B-52 and B-47 bombers on a ground alert which would send them on their way with 15 minutes' warning.

These measures must be speeded up, and still others must now be taken. We must have sea- and airlift capable of moving our forces quickly and in large numbers to any part of the world.

But even more importantly, we need the capability of placing in any critical area at the appropriate time a force which, combined with those of our allies, is large enough to make clear our determination and our ability to defend our rights at all costs and to meet all levels of aggressor pressure with whatever levels of force are required. We intend to have a wider choice than humiliation or all-out nuclear action.

While it is unwise at this time either to call up or send

abroad excessive numbers of these troops before they are needed, let me make it clear that I intend to take, as time goes on, whatever steps are necessary to make certain that such forces can be deployed at the appropriate time without lessening our ability to meet our commitments elsewhere.

Thus, in the days and months ahead, I shall not hesitate to ask the Congress for additional measures or exercise any of the Executive powers that I possess to meet this threat to peace. Everything essential to the security of freedom must be done; and if that should require more men, or more taxes, or more controls, or other new powers, I shall not hesitate to ask them. The measures proposed today will be constantly studied, and altered as necessary. But while we will not let panic shape our policy, neither will we permit timidity to direct our program.

Accordingly I am now taking the following steps:

(1) I am tomorrow requesting of the Congress for the current fiscal year an additional \$3,247,000,000 of appropriations for the Armed Forces.

(2) To fill out our present Army divisions and to make more men available for prompt deployment, I am requesting an increase in the Army's total authorized strength from 875,000 to approximately 1 million men.

(3) I am requesting an increase of 29,000 and 63,000 men, respectively, in the active-duty strength of the Navy and the Air Force.

(4) To fulfill these manpower needs, I am ordering that our draft calls be doubled and tripled in the coming months; I am asking the Congress for authority to order to active duty certain ready reserve units and individual reservists and to extend tours of duty; and, under that authority, I am planning to order to active duty a number of air transport squadrons and Air National Guard tactical air squadrons to give us the airlift capacity and protection that we need. Other reserve forces will be called up when needed.

(5) Many ships and planes once headed for retirement are to be retained or reactivated, increasing our airpower tactically and our seairlift, airlift, and antisubmarine warfare capability. In addition, our strategic airpower will be increased by delaying the deactivation of B-47 bombers.

(6) Finally, some \$1.8 billion—about half of the total sum—is needed for the procurement of nonnuclear weapons, ammunition, and equipment.

The details on all these requests will be presented to the Congress tomorrow. Subsequent steps will be taken to suit subsequent needs. Comparable efforts for the common defense are being discussed with our NATO allies. For their commitment and interest are as precise as our own.

And let me add that I am well aware of the fact that many American families will bear the burden of these requests. Studies or careers will be interrupted; husbands and sons will be called away; incomes in some cases will be reduced. But these are burdens which must be borne if freedom is to be defended. Americans have willingly borne them before, and they will not flinch from the task now.

## A New Start on Civil Defense

We have another sober responsibility. To recognize the possibilities of nuclear war in the missile age without our citizens' knowing what they should do and where they should go if bombs begin to fall would be a failure of responsibility. In May I pledged a new start on civil defense. Last week I assigned, on the recommendation of the Civil Defense Director, basic responsibility for this program to the Secretary of Defense, to make certain it is administered and coordinated with our continental defense efforts at the highest civilian level. Tomorrow I am requesting of the Congress new funds for the following immediate objectives: to identify and mark space in existing structures—public and private—that could be used for fallout shelters in case of attack; to stock those shelters with food, water, first-aid kits, and other minimum essentials for survival; to increase their capacity; to improve our air-raid warning and fallout detection systems, including a new household warning system which is now under development; and to take other measures that will be effective at an early date to save millions of lives if needed.

In the event of an attack, the lives of those families which are not hit in a nuclear blast and fire can still be saved—if they can be warned to take shelter and if that shelter is available. We owe that kind of insurance to our families—and to our country. In contrast to our friends in Europe, the need for this kind of protection is new to our shores. But the time to start is now. In the coming months I hope to let every citizen know what steps he can take without delay to protect his family in case of attack. I know that you will want to do no less.

## Meeting the Costs

The addition of \$207 million in civil defense appropriations brings our total new defense budget requests to \$3.454 billion and a total of \$47.5 billion for the year. This is an increase in the defense budget of \$6 billion since January and has resulted in official estimates of a budget deficit of over \$5 billion. The Secretary of the Treasury and other economic advisers assure me, however, that our economy has the capacity to bear this new request.

We are recovering strongly from this year's recession. The increase in this last quarter of our year of our total national output was greater than that for any postwar period of initial recovery. And yet wholesale prices are actually lower than they were during the recession, and consumer prices are only one-fourth of 1 percent higher than they were last October. In fact this last quarter was the first in 8 years in which our production has increased without an increase in the overall-price index. And for the first time since the fall of 1959 our gold position has improved and the dollar is more respected abroad. These gains, it should be stressed, are being accomplished with budget deficits far smaller than those of the 1958 recession.

This improved business outlook means improved revenues; and I intend to submit to the Congress in January a budget for the next fiscal year which will be strictly in balance. Nevertheless, should an increase in

taxes be needed—because of events in the next few months—to achieve that balance, or because of subsequent defense rises, those increased taxes will be requested in January.

Meanwhile to help make certain that the current deficit is held to a safe level, we must keep down all expenditures not thoroughly justified in budget requests. The luxury of our current post-office deficit must be ended. Costs in military procurement will be closely scrutinized—and in this effort I welcome the cooperation of the Congress. The tax loopholes I have specified—on expense accounts, overseas income, dividends, interest, cooperatives, and others—must be closed.

I realize that no public revenue measure is welcomed by everyone. But I am certain that every American wants to pay his fair share and not leave the burden of defending freedom entirely to those who bear arms. For we have mortgaged our very future on this defense, and we cannot fail to meet our responsibility.

#### **Source of Tension Is Moscow, Not Berlin**

But I must emphasize again that the choice is not merely between resistance and retreat, between atomic holocaust and surrender. Our peacetime military posture is traditionally defensive; but our diplomatic posture need not be. Our response to the Berlin crisis will not be merely military or negative. It will be more than merely standing firm. For we do not intend to leave it to others to choose and monopolize the forum and the framework of discussion. We do not intend to abandon our duty to mankind to seek a peaceful solution.

As signers of the U.N. Charter we shall always be prepared to discuss international problems with any and all nations that are willing to talk—and listen—with reason. If they have proposals, not demands, we shall hear them. If they seek genuine understanding, not concessions of our rights, we shall meet with them. We have previously indicated our readiness to remove any actual irritants in West Berlin, but the freedom of that city is not negotiable. We cannot negotiate with those who say, "What's mine is mine and what's yours is negotiable." But we are willing to consider any arrangement or treaty in Germany consistent with the maintenance of peace and freedom and with the legitimate security interests of all nations.

We recognize the Soviet Union's historical concerns about their security in central and eastern Europe after a series of ravaging invasions, and we believe arrangements can be worked out which will help to meet those concerns and make it possible for both security and freedom to exist in this troubled area.

For it is not the freedom of West Berlin which is "abnormal" in Germany today but the situation in that entire divided country. If anyone doubts the legality of our rights in Berlin, we are ready to have it submitted to international adjudication. If anyone doubts the extent to which our presence is desired by the people of West Berlin, compared to East German feelings about their regime, we are ready to have that question submitted to a free vote in Berlin and, if possible, among all the German people. And let us hear at that time from the

2½ million refugees who have fled the Communist regime in East Germany—voting for Western-type freedom with their feet.

The world is not deceived by the Communist attempt to label Berlin as a hotbed of war. There is peace in Berlin today. The source of world trouble and tension is Moscow, not Berlin. And if war begins, it will have begun in Moscow and not Berlin.

For the choice of peace or war is largely theirs, not ours. It is the Soviets who have stirred up this crisis. It is they who are trying to force a change. It is they who have opposed free elections. It is they who have rejected an all-German peace treaty and the rulings of international law. And as Americans know from our history on our own old frontier, gun battles are caused by outlaws and not by officers of the peace.

In short, while we are ready to defend our interests, we shall also be ready to search for peace—in quiet exploratory talks, in formal or informal meetings. We do not want military considerations to dominate the thinking of either East or West. And Mr. Khrushchev may find that his invitation to other nations to join in a meaningless treaty may lead to *their* inviting *him* to join in the community of peaceful men, in abandoning the use of force, and in respecting the sanctity of agreements.

#### **A Challenge to All Free Nations**

While all of these efforts go on, we must not be diverted from our total responsibilities, from other dangers, from other tasks. If new threats in Berlin or elsewhere should cause us to weaken our program of assistance to the developing nations who are also under heavy pressure from the same source, or to halt our efforts for realistic disarmament, or to disrupt or slow down our economy, or to neglect the education of our children, then those threats will surely be the most successful and least costly maneuver in Communist history. For we can afford all these efforts, and more—but we cannot afford *not* to meet this challenge.

And the challenge is not to us alone. It is a challenge to every nation which asserts its sovereignty under a system of liberty. It is a challenge to all who want a world of free choice. It is a special challenge to the Atlantic Community, the heartland of human freedom.

We in the West must move together in building military strength. We must consult one another more closely than ever before. We must together design our proposals for peace and labor together as they are pressed at the conference table. And together we must share the burdens and the risks of this effort.

The Atlantic Community, as we know it, has been built in response to challenge: the challenge of European chaos in 1947, of the Berlin blockade in 1948, the challenge of Communist aggression in Korea in 1950. Now, standing strong and prosperous after an unprecedented decade of progress, the Atlantic Community will not forget either its history or the principles which gave it meaning.

The solemn vow each of us gave to West Berlin in time of peace will not be broken in time of danger. If we do not meet our commitments to Berlin, where will we later

## ANNEX VI

### Excerpts From Statements by Walter Ulbricht<sup>6</sup>

stand? If we are not true to our word there, all that we have achieved in collective security, which relies on these words, will mean nothing. And if there is one path above all others to war, it is the path of weakness and disunity.

Today the endangered frontier of freedom runs through divided Berlin. We want it to remain a frontier of peace. This is the hope of every citizen of the Atlantic Community, every citizen of Eastern Europe, and, I am confident, every citizen of the Soviet Union. For I cannot believe that the Russian people, who bravely suffered enormous losses in the Second World War, would now wish to see the peace upset once more in Germany. The Soviet Government alone can convert Berlin's frontier of peace into a pretext for war.

The steps I have indicated tonight are aimed at avoiding that war. To sum it all up: We seek peace, but we shall not surrender. That is the central meaning of this crisis—and the meaning of your Government's policy.

With your help, and the help of other free men, this crisis can be surmounted. Freedom can prevail, and peace can endure.

#### The Need for Courage and Perseverance

I would like to close with a personal word. When I ran for the Presidency of the United States, I knew that this country faced serious challenges, but I could not realize—nor could any man realize who does not bear the burdens of this office—how heavy and constant would be those burdens.

Three times in my lifetime our country and Europe have been involved in major wars. In each case serious misjudgments were made on both sides of the intentions of others, which brought about great devastation. Now, in the thermonuclear age, any misjudgment on either side about the intentions of the other could rain more devastation in several hours than has been wrought in all the wars of human history.

Therefore I, as President and Commander in Chief, and all of us as Americans are moving through serious days. I shall bear this responsibility under our Constitution for the next 3½ years, but I am sure that we all, regardless of our occupations, will do our very best for our country and for our cause. For all of us want to see our children grow up in a country at peace and in a world where freedom endures.

I know that sometimes we get impatient; we wish for some immediate action that would end our perils. But I must tell you that there is no quick and easy solution. The Communists control over a billion people, and they recognize that if we should falter their success would be imminent.

We must look to long days ahead which, if we are courageous and persevering, can bring us what we all desire. In these days and weeks I ask for your help and your advice. I ask for your suggestions, when you think we could do better.

All of us, I know, love our country, and we shall all do our best to serve it.

In meeting my responsibilities in these coming months as President, I need your good will and your support—and above all, your prayers.

"We consider it a matter of course that the so-called refugee camps in West Berlin must be closed down. . . ."

". . . those who obtain permission from the GDR (German Democratic Republic) authorities, i.e., from the Ministry of the Interior, may leave the GDR, and those who fail to obtain this permission must not leave. . . ."

"A further point is that West Berlin today is situated on GDR territory, that under constitutional law it forms part of GDR territory. . . ."

"As regards the state frontier—our frontier runs along the Elbe and so on, and the territory of West Berlin forms part of the territory of the GDR. . . ."

In answer to questions about control of air traffic to and from West Berlin:

"Think of the West Berliners. . . . Today they are constantly disturbed by the noise of aircraft and they are exposed to the danger—as happened in Munich—of the aircraft crashing into buildings."

(Question: "Am I right in inferring from your words that in the event of such an agreement Tempelhof Airport would be closed down?")

". . . Perhaps the airport will close itself down. . . ."

". . . I should like to tell the questioner that I am sure he is familiar with the international regulations regarding travel, which respect the sovereignty of the individual states. The same arrangements applying to other states must also apply to the GDR. Whether it be by water, land, or in the air, they will be entering the GDR, they will be subject to our control, for these are our communications. We have said so a hundred times. There is no doubt at all. . . ."

## ANNEX VII

### Statement by Secretary of State Dean Rusk, August 13, 1961

The authorities in East Berlin and East Germany have taken severe measures to deny to their own people access to West Berlin. These measures have doubtless been prompted by the increased flow of refugees in recent weeks. The refugees are not responding to persuasion or propaganda from the West but to the failures of communism in East Germany. These failures have created great pressures upon communist leaders who, in turn, are trying to solve their own problems by the dangerous course of

<sup>6</sup> Mr. Ulbricht, No. 1 East German Communist, made these statements in answer to questions at a press conference on June 15, 1961.



threats against the freedom and safety of West Berlin. The resulting tension has itself stimulated flights from the East.

Having denied the collective right of self-determination to the peoples of East Germany, communist authorities are now denying the right of individuals to elect a world of free choice rather than a world of coercion. The pretense that communism desires only peaceful competition is exposed; the refugees, more than half of whom are less than 25 years of age, have "voted with their feet" on whether communism is the wave of the future.

Available information indicates that measures taken thus far are aimed at residents of East Berlin and East Germany and not at the allied position in West Berlin or access thereto. However, limitation on travel within Berlin is a violation of the four-power status of Berlin and a flagrant violation of the right of free circulation throughout the city. Restrictions on travel between East Germany and Berlin are in direct contravention of the Four Power agreement reached at Paris on June 20, 1949. These violations of existing agreements will be the subject of vigorous protest through appropriate channels.

## ANNEX VIII

### **Text of Protest Letter From the Three Western Commandants to the Soviet Commandant, August 15, 1961**

During the night of August 12-13 the East German authorities put into effect illegal measures designed to turn the boundaries between the West sectors of Berlin and the Soviet sector into an arbitrary barrier to movement of German citizens resident in East Berlin and East Germany.

Not since the imposition of the Berlin blockade has there been such a flagrant violation of the Four-Power agreements concerning Berlin. The agreement of June 20, 1949, in which the U.S.S.R. pledged itself to facilitate freedom of movement within Berlin and between Berlin and the rest of Germany, has also been violated.

In disregard of these agreements and of the wishes of the population of this city, for the welfare of which the Four Powers are jointly responsible, freedom of circulation throughout Berlin has been severely curtailed. Traffic between the East sector and the Western sectors of Berlin has been disrupted by the cutting of S-Bahn and U-Bahn service, the tearing up of streets, the erection of road blocks, and the stringing of barbed wire. In carrying out these illegal actions, military and paramilitary units, which were formed in violation of Four-Power agreements and whose very presence in East Berlin is illegal, turned the Soviet sector of Berlin into an armed camp.

Moreover, the East German authorities have now prohibited the many inhabitants of East Berlin and East Germany who were employed in West Berlin from continuing to pursue their occupations in West Berlin. They

have thus denied to the working population under their control the elementary right of free choice of place of employment.

It is obvious that the East German authorities have taken these repressive measures because the people under their control, deeply perturbed by the threats on Berlin recently launched by Communist leaders, were fleeing in large numbers to the West.

We must protest against the illegal measures introduced on August 13 and hold you responsible for the carrying out of the relevant agreements.

## ANNEX IX

### **U.S. Note of August 17, 1961, to Soviet Government, Protesting Closure of Soviet Sector Border in Berlin**

The Embassy of the United States presents its compliments to the Minister of Foreign Affairs and upon instructions of its Government has the honor to direct the most serious attention of the Government of the U.S.S.R. to the following.

On August 13, East German authorities put into effect several measures regulating movement at the boundary of the western sectors and the Soviet sector of the City of Berlin. These measures have the effect of limiting, to a degree approaching complete prohibition, passage from the Soviet sector to the western sectors of the city. These measures were accompanied by the closing of the Sector boundary by a sizeable deployment of police forces and by military detachments brought into Berlin for this purpose.

All this is a flagrant, and particularly serious, violation of the quadripartite status of Berlin. Freedom of movement with respect to Berlin was reaffirmed by the quadripartite agreement of New York of May 4, 1949, and by the decision taken at Paris on June 20, 1949, by the Council of the Ministers of Foreign Affairs of the Four Powers. The United States Government has never accepted that limitations can be imposed on freedom of movement within Berlin. The boundary between the Soviet sector and the western sectors of Berlin is not a state frontier. The United States Government considers that the measures which the East German authorities have taken are illegal. It reiterates that it does not accept the pretension that the Soviet sector of Berlin forms a part of the so-called "German Democratic Republic" and that Berlin is situated on its territory. Such a pretension is in itself a violation of the solemnly pledged word of the U.S.S.R. in the agreement on the zones of occupation in Germany and the administration of Greater Berlin. Moreover, the United States Government cannot admit the right of the East German authorities to authorize their armed forces to enter the Soviet sector of Berlin.

By the very admission of the East German authorities, the measures which have just been taken are motivated by the fact that an ever increasing number of inhabitants of East Germany wish to leave this territory. The rea-

sons for this exodus are known. They are simply the internal difficulties in East Germany.

To judge by the terms of a declaration of the Warsaw Pact powers published on August 13, the measures in question are supposed to have been recommended to the East German authorities by those powers. The United States Government notes that the powers which associated themselves with the U.S.S.R. by signing the Warsaw Pact are thus intervening in a domain in which they have no competence.

It is to be noted that this declaration states that the measures taken by the East German authorities are "in the interests of the German peoples themselves." It is difficult to see any basis for this statement, or to understand why it should be for the members of the Warsaw Pact to decide what are the interests of the German people. It is evident that no Germans, particularly those whose freedom of movement is being forcibly restrained, think this is so. This would become abundantly clear if all Germans were allowed a free choice, and the principle of self-determination were also applied in the Soviet sector of Berlin and in East Germany.

The United States Government solemnly protests against the measures referred to above, for which it holds the Soviet Government responsible. The United States Government expects the Soviet Government to put an end to these illegal measures. This unilateral infringement of the quadripartite status of Berlin can only increase existing tension and dangers.

## ANNEX X

### Soviet Violations of International Treaties and Agreements Relating to Germany Prior to August 1961.

*In war never tie your hands with considerations of formality. It is ridiculous not to know the history of war, not to know that a treaty is the means of gaining strength . . . the history of war shows as clearly as clear can be that the signing of a treaty after defeat is a means of gaining strength. . . . Yes, of course, we are violating the [Brest-Litovsk] treaty; we have violated it thirty or forty times.*

—Lenin, Selected Works, vol. VII, pp. 301, 309.

*A diplomat's words must have no relation to action—otherwise what kind of diplomacy is it? Words are one thing, actions another. Good words are a mask for the concealment of bad deeds. Sincere diplomacy is no more possible than dry water or iron wood.*

—Stalin, Works, vol. II, p. 277.

The Soviet Union has systematically and flagrantly violated the wartime and postwar agreements concluded by the Allies to govern the administration of the occupation and rehabilitation of Germany. In addition to violating those parts of the agreements which were designed to insure the peaceful, democratic, and balanced economic development of all Germany, the U.S.S.R. has persistently sought to terminate unilaterally the rights of the Western Allies which resulted from the victory over

Nazi Germany and which were formalized in the agreements concluded with the Soviet Government.

#### 1. Democracy

The Potsdam Protocol of August 1, 1945, and subsequent decisions by the Allied Control Commission guaranteed certain fundamental personal and political freedoms to the German people.

(a) "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." (Potsdam Protocol, II, 8)

(b) "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." (Potsdam Protocol, II, 10)

These basic human freedoms have been consistently and flagrantly violated by the Soviet Union. The legal system was put on a political basis and thousands of people in the Soviet zone were arrested and deported to the U.S.S.R. or sent to concentration camps.

There is no freedom of speech or of the press in the Soviet zone, and freedom of religion has been greatly limited, as in the U.S.S.R. Education has been subordinated to communist aims and principles. Soviet military forces cooperated with the East German regime in putting down the uprisings and strikes which occurred in June 1953.

The increasing flow of refugees escaping from the eastern zone testifies to the continuing denial of basic human freedoms to the people of East Germany.

(c) "So far as is practicable, there shall be uniformity of treatment of the German population throughout Germany." (Potsdam Protocol, II, 2)

The Soviet-dominated East German authorities in June 1952 began an extensive program aimed at the complete isolation of the East German population from contact with the West and particularly with the population of West Germany. Soviet actions included complete closure of the interzonal frontier with the exception of crossing points for carefully channeled and controlled traffic to and from West Berlin, and prohibition of all visits of West Germans to the Soviet zone except by rarely issued special permits. The U.S.S.R. created a 5-kilometer blocked zone along the frontier from which a substantial portion of the population, including entire villages, was forcibly evacuated.

(d) Free exchange of printed matter and films was authorized in all occupation zones of Germany and Berlin. (Control Council Directive No. 55, June 25, 1947)

Soviet authorities have repeatedly barred from the Soviet zone or Soviet sector of Berlin such materials originating in other zones.

(e) "Local self-government shall be restored through-

out Germany on democratic principles. . . ." (Potsdam Protocol, II, 9, i)

(f) "All democratic political parties with rights of assembly and of public discussion shall be allowed and encouraged throughout Germany." (Potsdam Protocol, II, 9, ii)

(g) "The purposes of the occupation of Germany . . . are to prepare for the eventual reconstruction of German political life on a democratic basis and for eventual peaceful cooperation in international life by Germany."

In April 1946 the Soviet authorities forced the merger of the Socialist Party of Germany with the Communist Party of Germany, forming the SED or Socialist Unity Party, with the aim of "capturing" the Socialist voters of Berlin and the east zone. In June 1947 the Soviets "vetoed" the election of Ernst Reuter as Governing Mayor of Berlin and installed their representatives in the police who, operating under Soviet orders, openly defied the legally-elected Berlin government. On June 23, 1948, the Soviets ordered the SED to carry out riots around the City Hall of Berlin and brought the demonstrators to the scene in Russian Army trucks.

In East Germany the so-called German Democratic Republic was established in October 1949 by Soviet order, without prior discussion or free elections. The regime's first elections were held in 1950 under the "bloc-party" system and the National Front, a communist cover organization. In 1952 the U.S.S.R. refused to grant entry into East Berlin and East Germany of the U.N. Commission to investigate whether there were conditions conducive to free elections.

## 2. Economic Questions

The Potsdam Protocol of August 1, 1945, provided for the treatment of Germany as a single economic unit, envisaged the equitable distribution of essential commodities between the various zones, and limited excessive reparations.

(a) "During the period of occupation Germany shall be treated as a single economic unit." (Potsdam Protocol, II, 14)

(b) "To this end common policies shall be established in regard to . . . import and export programs for Germany as a whole . . . reparation and removal of industrial war potential, transportation and communications." (Potsdam Protocol, II, 14)

(c) "Allied controls shall be imposed upon the German economy but only to the extent necessary . . . to ensure in the manner determined by the Control Commission equitable distribution of essential commodities between the several zones so as to produce a balanced economy throughout Germany and reduce the need for imports." (Potsdam Protocol, II, 15)

On April 5, 1946, in the Allied Control Council's Economic Directorate, the Soviet Union stated that each zone should be responsible for its own trade. The U.S.S.R. thereafter consistently refused to make a common import-export plan workable by submitting a plan for its own

zone, even though the Control Council, on September 20, 1945, had approved the establishment of a common program.

(d) "Payment of Reparations should leave enough resources to enable the German people to subsist without external assistance." (Potsdam Protocol, II, 19)

(e) ". . . industrial capital equipment . . . 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." (Potsdam Protocol, III, 4, a)

The U.S.S.R. exploited and drained German resources in a manner not authorized by the Potsdam Protocol, took large amounts of reparations from current production, and absorbed a substantial part of German industry in the Soviet zone into Soviet state-owned concerns. Although the United States had made 11,100 tons of reparations equipment available to the U.S.S.R. by August 1, 1946, the Soviet Union did not live up to its agreement to ship goods in return to the western zones of Germany.

The result of the Soviet violations of the agreement on reparations and the U.S.S.R.'s refusal to treat Germany as an economic unit was that the United States and the United Kingdom were obliged to give financial support to their zones in Germany to maintain a minimum economy. In effect, the United States, in shipping reparations to the Soviet Union while supporting its own zone to make up deficiencies caused by Soviet violations of the Potsdam Protocol, was permitting the U.S.S.R. to collect reparations from the United States itself, rather than from Germany.

(f) German external assets in Finland, Eastern Austria, Hungary, Bulgaria and Rumania were to be vested in the German External Property Commission. (Control Council Law No. 5, October 30, 1945)

The U.S.S.R. directly appropriated German external assets in these countries without unvesting and assignment by the German External Property Commission.

(g) In conformity with paragraph 14 of the Potsdam Protocol, quadripartite legislation was enacted to provide tax uniformity and stabilization of wages in all zones. (Control Council Laws Nos. 12, February 11, 1946, and 61, December 19, 1947; Control Council Directive No. 14, October 12, 1945)

Soviet authorities permitted the Land governments of Brandenburg and Saxony-Anhalt to grant partial tax exemptions to large groups of wage and salary earners in violation of this legislation. This move was intended to stop the exodus of skilled workers to the western zones, to encourage qualified workers to take jobs in Soviet-owned factories, and to make propaganda for improving the living standards of Soviet Zone workers.

## 3. Demilitarization

On repeated occasions during and after the war, the

U.S.S.R. agreed that demilitarization of Germany should be one of the cardinal aims of the occupation.

(a) "The purposes of the occupation of Germany . . . are the complete disarmament and demilitarization of Germany. . . ." (Potsdam Protocol, II, 3)

(b) "All armed forces of Germany or under German control . . . shall be completely disarmed. . . . Detachments of civil police to be armed with small arms only, for the maintenance of order and for guard duties, will be designated by the Allied Representatives." (Declaration Regarding Defeat of Germany, June 5, 1945, Art. 2)

(c) "All forms of military training, military propaganda and military activities of whatever nature, on the part of the German people, are prohibited, as well as the formation of any organization initiated to further any aspect of military training and the formation of war veterans' organizations or other groups which might develop military characteristics or which are designed to carry on the German military tradition, whether such organizations or groups purport to be political, educational, religious, social, athletic or recreational or of any other nature." (Four Power Agreement on Additional Requirements to be Imposed on Germany, Sept. 20, 1945, Section I, Paragraph 2)

In 1948 Soviet authorities began building up a sizable "police force" in the Soviet Zone. On May 23, 1950, the United States protested to the U.S.S.R. against the remilitarization of the Soviet zone, calling attention to the fact that some 40,000 to 50,000 men in so-called "Police Alert Units" were receiving basic infantry, artillery and armored training and were equipped with Soviet military weapons.

By the end of 1953 the Soviet zone had a "police force" of 100,000 men, supplemented by an additional 140,200 military personnel, including three mechanized divisions and an air force. By June 1959 East German military and paramilitary forces totaled more than 700,000 men.

Although the U.S.S.R. now admits the continuation of the four-power occupation status of Berlin (the Soviets had denied this in 1948, 1952, and 1958 but subsequently reversed their position), it has allowed the presence of East German paramilitary units and armament factories in East Berlin in violation of the Four Power Agreement. Military parades have taken place annually on May Day in East Berlin.

#### 4. Allied Occupation of Germany

In violation of wartime and postwar agreements, the Soviet Union has sought to destroy the organs established for the occupation of Germany and to deny to the Western Allies their rights stemming from the military conquest of Germany.

(a) ". . . supreme authority in Germany will be exercised, on instructions from their Governments, by the Soviet, British, United States, and French Commanders-in-Chief, each in his own zone of occupation, and also jointly in matters affecting Germany as a whole. The four Commanders-in-Chief will together constitute the

Control Council." (Four Power Statement on Control Machinery in Germany, June 5, 1945, Paragraph 1)

On March 20, 1948, the Soviet commander unilaterally adjourned a meeting of the Council and abruptly walked out, thereby precipitating a rupture of the operations.

(b) "The administration of the 'Greater Berlin' area will be directed by an Inter-Allied Governing Authority, which will operate under the general direction of the Control Council and will consist of four Commandants, each of whom will serve in rotation as Chief Commandant." (Four Power Statement on Control Machinery in Germany, June 5, 1945, Paragraph 7)

On June 16, 1948, the Soviet representative walked out of a meeting of the Inter-Allied Governing Authority (*Kommandatura*). On July 1, 1948, Soviet authorities announced that they would no longer participate in any meetings. These acts finally destroyed the quadripartite control machinery of Berlin.

(c) [Occupation of Berlin will be carried out] . . . in accordance with arrangements between the respective commanders, including in these arrangements simultaneous movement of the national garrisons into Greater Berlin and provision of free access by air, road, and rail from Frankfurt and Bremen to Berlin for United States forces." (Letter of the President of the United States to Soviet Premier Stalin of June 14, 1945, to which Stalin replied on June 18, 1945: "On our part all necessary measures will be taken in Germany and Austria in accordance with the above stated plan.")

The Soviets imposed rail and road restrictions on Allied traffic to Berlin from the western zones on April 1, 1948. The Allies inaugurated a "little airlift" which was expanded to a full airlift on June 26, 1948, 2 days after the Soviets imposed a total blockade. On July 1, 1948, the Soviet Chief of Staff of the U.S.S.R. delegation to the Inter-Allied Governing Authority told his British, French, and American counterparts that four-power administration of Berlin no longer existed.

(d) ". . . the occupation authorities, each in his own zone, will have an obligation to take the measures necessary to ensure 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." (Council of Foreign Ministers Communique, Paris, June 20, 1949, Paragraph 5)

On September 20, 1955, the U.S.S.R. transferred to the East German Government control over road, railroad and air traffic in and out of Berlin in violation of the 1949 agreement. In December 1955 the Soviets threatened to interrupt the Berlin barge service and higher tolls were levied on barges bound for Berlin in May 1958. Since January 13, 1950, the Soviet authorities have intermittently interfered with traffic between Berlin and Western Germany.

#### 5. Prisoners of War

(a) "German prisoners of war located in the territory

of the Allied Powers and in all other territories will be returned to Germany on December 31, 1947." (Report of the Council of Foreign Ministers, April 23, 1947)

The Soviet Union reaffirmed this obligation in submitting its plan for repatriation on June 30, 1947. On January 3, 1949, the United States protested to the Soviet Union for its failure to furnish information on repatriation of war prisoners, noting that only 447,367 prisoners were known to have been repatriated out of the 890,532 war prisoners which Soviet Foreign Minister Molotov announced on March 12, 1947, were still in Soviet custody.

(b) ". . . repatriation of war prisoners will be completed during 1949." (Soviet note of January 24, 1949)

On May 5, 1952, the Soviet news agency Tass announced that the last group of German POW's numbering 17,538 had been repatriated. It added that there were 9,717 prisoners still being held, because they had been convicted of grave crimes, and 3,815 in addition still being investigated. At this time it was estimated that the Soviet Government held more than 100,000 German prisoners, most of whom had been convicted on various pretexts to hard labor and were therefore no longer considered war prisoners. During the period from May 1950 to August 1955, some 11,000 German prisoners were released by the U.S.S.R. and following a special plea by the West German Government during the negotiations leading to the exchange of diplomatic representatives in September 1955, the Soviets released 11,000 additional prisoners. In addition, the Soviet Government has refused to repatriate more than 100,000 German civilians deported during and after the war from eastern Germany and eastern Europe. The Ad Hoc Commission on repatriation of war prisoners reported in September 1957 that the Soviet Government had not even replied to a request to discuss further the prisoner of war issue.

#### 6. Eastern Frontiers

Both the Yalta Agreement and the Potsdam Protocol stipulated that final delimitation of the German-Polish frontier should await a peace settlement with Germany.

(a) ". . . the final delimitation of the Western frontier of Poland should thereafter await the Peace Conference." (Yalta Agreement, VII)

(b) "The three Heads of Government reaffirm their opinion that the final delimitation of the western frontier of Poland should await the peace settlement." (Potsdam Protocol, VIII B)

Immediately after this pledge was made, the U.S.S.R. in effect recognized the Oder-Western Neisse line as the German-Polish frontier, allowing the Soviet-controlled Lublin Polish Government to occupy the land and evacuate the Germans who had been living there. On July 6, 1950, the Soviet controlled governments of Poland and eastern Germany signed an agreement recognizing the Oder-Western Neisse line, in violation of the Yalta and Potsdam Agreements.

## ANNEX XI

### Selected Bibliography

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### **Five Successive Secretaries of State on Berlin**

“The United States and its allies have assumed certain basic obligations to protect the freedom of the people of West Berlin. Western forces are in the city by right and remain there to protect those freedoms. The people of West Berlin welcome and support those forces, whose presence gives tangible expression to our obligation. It is obvious that the United States could not accept the validity of any claim to extinguish its position in Berlin by unilateral action.”

SECRETARY OF STATE DEAN RUSK  
(Statement at news conference, June 22, 1961)

“One fact must be faced squarely. Fear and appeasement will not in the long run reduce the danger of war. Only courage and a firm stand on our rights and principles can do this. Once the Communist rulers soberly realize the depth of our solemn Berlin commitment, we believe they will refrain from putting to trial by force the present right and obligation of the Western Powers to preserve the freedom of the people of West Berlin.”

SECRETARY OF STATE CHRISTIAN A. HERTER  
(Radio-television address to the Nation, May 7, 1959)

“We possess rights in relation to Berlin which derive from the wartime agreements. We do not believe that the Soviet Union can evade those obligations by setting up a puppet regime in East Germany and East Berlin and claim that it now has authority. We plan to hold the Soviet Union to its very formal and clear obligations with respect to Berlin and access to Berlin. . . .”


SECRETARY OF STATE JOHN FOSTER DULLES  
(Statement at news conference, December 20, 1955)

“We have given notice, in plain and unmistakable language, that we are in Berlin as a matter of right and of duty, and we shall remain in Berlin until we are satisfied that the freedom of this city is secure. We have also indicated in unmistakable terms that we shall regard any attack on Berlin from whatever quarter as an attack against our forces and ourselves.”

SECRETARY OF STATE DEAN G. ACHESON  
(Address at laying of cornerstone of American Memorial Library, Berlin,  
June 29, 1952)

“We are in Berlin as a result of agreements between the Governments on the areas of occupation in Germany, and we intend to stay.”

SECRETARY OF STATE GEORGE C. MARSHALL  
(Press statement, June 30, 1948)

<b>CROSS-REFERENCE</b> <i>(Name, number, or subject under which this form is filed)</i>		Berlin
<b>IDENTIFICATION OF RECORD</b>	DATE	1 Sept. 1961
	TO	Mundt, Karl, U. S. Senate, Washington, D. C.
	FROM	DDE
	BRIEF SUMMARY OF CONTENTS	Re: Document entitled "Background Berlin, 1961."
<b>FILED</b> <i>(Name, number, or subject under which the document itself is filed)</i>		Mundt, Karl
<small>Optional Form 21 Feb. 1962 GSA Circular 259</small>		
<b>CROSS-REFERENCE</b>		