

Memorandum relating to Inter-Allied Reparation Agency (15 October 1945)

Caption: On 15 October 1945, the French, British and American Governments propose the creation of an Inter-Allied Reparation Agency.

Source: Archives Nationales du Luxembourg, Luxembourg. Ministère des Affaires étrangères. Traités. Traités - Guerre et suites de la guerre. Accord concernant les réparations à recevoir de l'Allemagne l'institution d'une agence interalliée des réparations et la restitution de l'or monétaire signé à Paris, le 14 janvier 1946 - Négociations, AE 8040.

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Memorandum relating to Inter-Allied Reparation Agency (15 October 1945)

1. The Governments of the French Republic, the United Kingdom of Great Britain and Northern Ireland, and the United States of America propose the establishment of an Inter-Allied Reparation Agency (hereinafter referred to as the Agency) to which the countries entitled to reparations from Germany, other than the U.S.S.R. and Poland shall be invited to appoint members. It will be recollected that the share of these two countries has been otherwise dealt with.
2. The functions of the Agency will be:—
 - (a) To receive from the Control Council in Germany lists (with valuations) of the industrial capital equipment available to member Governments for reparation under Articles 6 and 7 of Section IV of the Potsdam Protocol.
 - (b) To receive from the member Governments lists of the industrial capital equipment from the Western zones which they desire to receive as reparation under the above-mentioned Articles 6 and 7.
 - (c) To allocate material between the member Governments.
 - (d) To perform such other functions as are entrusted to it in regard to the allocation of reparation.
3. The President and Secretary-General of the Agency and the Chairman of the Committee of Five referred to below will be appointed by the Governments of the U.K., U.S.A. and France.
4. The Secretariat General will draw up programmes for the allocation of material between the member countries taking into account their respective needs, and will submit their programmes to the Agency. In case two or more countries desire to receive the same material, the matter will be referred to a Committee of Five of which the delegations to the Agency representing the Governments of the U.K., U.S.A. and France shall be permanent members. The other two members shall hold office in rotation for a period of two months and shall be the delegates of the other member Governments chosen in the alphabetical order of the names of the countries concerned in the French language. The decisions of the Committee of Five shall be final; they shall be taken by a majority vote, each member having one vote.
5. On all questions other than those referred to in the preceding paragraph and in paragraph 7 the Agency will decide by a majority vote, each delegate being entitled to one vote.
6. The question of fixing the seat of the Agency in Brussels is under discussion with the Belgian government. The Agency will also have an office at such place or places in Germany as may be agreed with the Control Council.
7. Each member's Government will meet the expenses of its own delegation. The common expenses of the Agency (other than those met by the German Government in accordance with paragraph 8 below) will be borne by the member Governments in proportion to their shares in German reparations. The annual budget of the Agency will be subject to the approval of the Agency, and for this purpose the voting powers of each member Government will be in proportion to its share in German reparations.
8. (i) The Control Council and the Commanders-in-Chief in their several zones will be requested to ensure to the Agency, to its members, and to the staff of the Agency and of its members (other than German nationals and other persons recruited locally) the following facilities:—

- (a) the free provision, at the cost of the German authorities, of such local services and local currency as may be required in Germany for their accommodation and transport and approved by the zone Commander concerned;
 - (b) their exemption from all German taxation, including customs duties;
 - (c) their exemption from exchange restrictions and from suit and legal process in any German court;
 - (d) the inviolability of their premises and their archives, subject to the right of search where a crime has been committed under Military Government law.
 - (e) appropriate freedom of communication, by cypher and otherwise, with their respective Governments to the same extent as that enjoyed by military missions attached to the Control Council.
- (ii) The above facilities shall only be granted to any of the personnel specified in this paragraph when his name has been notified to the Control Council.

9. All other facilities which the Agency may require in Germany shall be the subject of agreement between it and the Control Council or the Commanders-in-Chief in their respective zones.

10. Subject to the provisions of paragraph 8 the personnel mentioned therein shall be subject in each zone to the same regulations as apply in that zone to officers of corresponding rank, status and nationality in the service of, or attached to the Commanders-in-Chief of that zone or the Control Council.

15th October 1945.