

No. 1718

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**UNITED KINGDOM OF GREAT BRITAIN  
AND NORTHERN IRELAND,  
FRANCE and UNITED STATES OF AMERICA**

**Charter of the Allied High Commission for Germany.  
Concluded at Paris, on 20 June 1949**

**Instrument of revision of the Charter of the Allied High  
Commission for Germany (with annex). Signed at  
London, on 6 March 1951**

*Official texts: English and French.*

*Registered by the United Kingdom of Great Britain and Northern Ireland on  
25 April 1952.*

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**ROYAUME-UNI DE GRANDE-BRETAGNE  
ET D'IRLANDE DU NORD,  
FRANCE et ÉTATS-UNIS D'AMÉRIQUE**

**Charte de la Haute Commission alliée en Allemagne.  
Conclue à Paris, le 20 juin 1949**

**Instrument portant revision de la Charte de la Haute Com-  
mission alliée en Allemagne (avec annexe). Signé à  
Londres, le 6 mars 1951**

*Textes officiels anglais et français.*

*Enregistrés par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le  
25 avril 1952.*

No. 1718. CHARTER<sup>1</sup> OF THE ALLIED HIGH COMMISSION FOR GERMANY, CONCLUDED BETWEEN THE GOVERNMENTS OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, FRANCE AND THE UNITED STATES OF AMERICA AT PARIS, ON 20 JUNE 1949

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I

*Establishment of Allied High Commission and Transfer of Control*

1. An Allied High Commission (hereinafter referred to as the "High Commission") is hereby established for the exercise of supreme Allied authority in the Federal Republic of Germany. The High Commission shall be headed by three High Commissioners, one designated by each of the three Powers signatory hereto.

2. As from the date of the entry into force of the Occupation Statute<sup>2</sup> all authority with respect to the control of Germany or over any governmental authority thereof, vested in or exercised by the respective Commanders-in-Chief of the forces of occupation of the three Powers in Germany, from whatever source derived and however exercised, will be transferred to the three High Commissioners respectively to be exercised in accordance with the provisions hereof and of the Occupation Statute.

3. The forces of occupation of the three Powers in Germany shall remain stationed in their respective zones of occupation. Command of the forces of occupation in each zone and control of their related military establishments shall remain with the respective commanders of the forces of occupation in such zone.

4. Legislation of the occupation authorities enacted before the effective date of the Occupation Statute shall remain in force until repealed or amended or otherwise replaced as provided in the Occupation Statute.

II

*Functions of the High Commission*

1. The High Commission shall exercise control over the Federal Government and the Governements of its constituent *Länder*, as provided in the Occupation Statute. In the exercise of the powers reserved to the occupation

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<sup>1</sup> Came into force on 21 September 1949, in accordance with article XI.

<sup>2</sup> United Kingdom: "Germany No. 1 (1949)," Cmd. 7677.

authorities under said Statute, the High Commission shall reach its decisions in accordance with the provisions of the "Agreement as to Tripartite Controls" among the three Powers dated 8th April, 1949, and attached hereto and made part of this instrument as Annex A<sup>1</sup>. These decisions shall constitute a joint exercise of the authority of all the three High Commissioners.

2. The High Commission shall act only through the Federal or appropriate *Land* Government except where direct action or legislation by the High Commission is necessary or appropriate for the due exercise of any of the powers reserved to the occupation authorities under the Occupation Statute.

3. The Headquarters of the High Commission shall be at the seat of the German Federal Government, which, together with a surrounding area to be defined, will constitute a special area directly under the High Commission and excluded from any individual zone of occupation. The necessary special arrangements in connexion with the definition and administration of this area in as far as they concern the Allies will be determined subsequently by the High Commission.

### III

#### *Organisation of the High Commission*

1. The organisation of the High Commission at its headquarters shall be tripartite in character and shall consist of:

(a) An Allied council (hereinafter referred to as "the Council") composed of the three High Commissioners. Each High Commissioner shall nominate a deputy or permanent representative who will take his place on the Council in his absence. The deputies or permanent representatives of the respective High Commissioners acting together may function as an executive committee of the Council if the Council so decides;

(b) Such committees or bodies as the Council may from time to time establish. These committees and bodies shall advise the Council in their respective spheres and shall exercise such executive functions as the Council may delegate to them. The number, functions and organisation of such committees or bodies may be changed, adjusted or eliminated entirely by the Council in the light of experience. Subject to the above, in order to ensure continuity of operation, the Council initially shall be assisted by committees respectively for political affairs, foreign trade and exchange, finance, economics, law and by the Military Security Board. Each committee shall be assisted by such associated staff as it may require and as the Council approve;

(c) An Allied general secretariat.

<sup>1</sup> See p. 158 of this Volume.

## 2. *The Council*

The Council shall constitute the supreme authority of the High Commission. The Council shall meet as frequently as it considers necessary and at any time upon the request of any of its members. The chairmanship of the Council and its various committees shall be held in monthly rotation by each of its members. The Council shall fix the time and place of its meetings, and shall establish appropriate rules and procedures for the conduct of its business. Decisions of the Council shall be reached in accordance with Annex A hereof.

## 3. *Committees*

The composition of each committee and its terms of reference shall be fixed by the Council. Initially, such Committees, together with their respective terms of reference, shall be as follows :

(a) The Political Affairs Committee, consisting of the political advisers to the respective High Commissioners, will be concerned with all political and foreign affairs of the German Federal and *Land* Governments coming within the competence of the Council;

(b) A foreign trade and exchange committee consisting of the respective economic and finance advisers of each of the High Commissioners.

(i) The Committee shall observe the economic, financial and foreign trade policies of the German authorities and shall advise the Council of such policies or any action taken or proposed to be taken pursuant thereto is likely to have such adverse effect on the foreign trade or foreign exchange resources of the German Government as is likely to increase its need for external assistance;

(ii) The members of the Committee shall automatically be members of the Board of Directors of the Joint Export-Import Agency (hereinafter referred to as "J.E.I.A."), and in conjunction with the other directors shall be charged with the orderly liquidation of J.E.I.A. at the earliest practicable date. The Committee shall assume any control functions presently exercised by J.E.I.A. as may warrant retention when the liquidation of J.E.I.A. is completed;

(iii) It is understood that the German Federal Republic will become a party to the Convention for European Economic Co-operation and will execute a bilateral agreement with the Government of the United States. It is further understood that thereafter the functions of the High Commission in respect of the matters referred to in (i) will be appropriately modified;

(c) The Economics Committee, consisting of the economic advisers to the respective High Commissioners, shall observe the general economic policies of the German authorities and shall advise the Council as to the exercise of its

powers in this connexion reserved under the Occupation Statute. The Committee shall advise the Council on all matters relating to the decartelisation and deconcentration of German industry;

(d) The Finance Committee, consisting of the finance advisers to the respective High Commissioners, shall observe the general financial policies of the German authorities, and shall advise the Council as to the exercise of its powers in this connexion reserved under the Occupation Statute. To the extent necessary within the limits of the provisions of the Occupation Statute, the Finance Committee shall succeed to and shall assume the functions heretofore exercised by the Allied Bank Commission;

(e) The Law Committee, consisting of the legal advisers to the respective High Commissioners, shall advise the Council and its committees on all legal and judicial affairs arising out of the work of the High Commission;

(f) The Military Security Board shall deal with all matters of demilitarisation, disarmament, industrial prohibitions and limitations and scientific research in accordance with its existing terms of reference.

#### 4. *Committee staffs and subordinate groups*

(a) Within numerical limitations established by the Council, each of the Committees designated pursuant to paragraph 3 of this Article III shall establish such tripartite subordinate committees or other groups as may be necessary to the performance of its functions and as the Council may approve;

(b) Except as specifically otherwise provided in sub-paragraph (c) of this paragraph 4, personnel for such subordinate committees or groups shall be appointed by each of the High Commissioners on a basis of parity among the three Allied nations. They may include military personnel. The number, functions and organisation of such subordinate committees or groups may be changed, adjusted or eliminated entirely by the Council in the light of experience. Each subordinate committee or group shall be answerable to the committee responsible for its creation and shall report to the Council through such committee. Each subordinate agency shall be physically located at the headquarters of the High Commission except as may be otherwise determined by the Council;

(c) The subordinate committees and groups established pursuant to sub-paragraph (a) of this paragraph 4 shall include :

- (i) Joint Export-Import Agency which, until liquidated as provided in sub-paragraph (b) of paragraph 3 hereof shall function under its existing terms of reference with an integrated staff and shall report to the Committee on Foreign Trade and Exchange through its Director-General who together with the deputy Directors-General shall be members of the Board of Directors of J.E.I.A.;

- (ii) The Decartelisation and Industrial Deconcentration Group, the Coal Control Group and the Steel Control Group, all of which shall report through the Economics Committee;
- (iii) The Combined Travel Board which shall report through the Political Affairs Committee;
- (iv) A Civil Aviation Board which shall report as determined by the Council;
- (v) An Information and Cultural Affairs sub-committee which shall report through the Political Affairs Committee;
- (vi) A sub-committee on Foreign Interests which shall report as determined by the Council.

#### 5. *Allied general secretariat*

The High Commission shall be served by a tripartite general secretariat. The Secretariat will receive and despatch all communications to or from the High Commission, prepare the agenda and materials for the meetings of the Council and shall keep the minutes of their meetings. The Secretariat or its appropriate branches shall act as the channel of communication between the High Commission and the agencies of the Federal Government, and between the Council and the several *Land* commissioners with respect to matters affecting said *Land* Governments. The Secretariat shall maintain the records of the High Commission and be responsible for such other tasks as the Council may decide.

### IV

#### *Land commissioners*

1. All powers of the High Commission shall be uniformly exercised in the constituent *Länder* of the Federal Republic, in accordance with tripartite policies and the directions of the Council.

2. To achieve uniformity in the exercise of its powers, the High Commission shall be represented at the seat of government of each of the constituent *Länder* by an Allied *Land* commissioner who shall be solely responsible to the Council for ensuring due compliance on the part of the *Land* authorities with the Council's decisions and directives. The *Land* commissioner shall report and be solely responsible to the Council for all matters of tripartite concern in the *Land* and shall be the exclusive channel of communication and liaison between the Council and the *Land* Government with respect to such matters.

3. In particular each *Land* commissioner shall be responsible to the Council for :

(a) Initial consideration and prompt transmittal to the Council of *Land* legislation, together with his recommendations thereon;

(b) Observing and ensuring due compliance on the part of the *Land* Government which the provisions of the Federal and *Land* constitutions, the Occupation Statute and the laws of the occupation authorities in force;

(c) Providing information as required by the Military Security Board and giving all necessary assistance to the inspectorate of the Military Security Board and such other bodies as may be authorised by the Council;

(d) The preparation of such periodic or special reports as the Council may request.

4. Each *Land* commissioner and the members of his staff shall be nationals of the power in whose zone the *Land* is situated, and shall be appointed by, and administratively responsible to, the High Commissioner designated by such power. Each *Land* commissioner shall be accountable exclusively to his High Commissioner and shall be his channel of communications and liaison with the *Land* Government with respect to :

(a) All matters which are listed in Article V, paragraph 2;

(b) Conduct of all relationships between the forces of occupation stationed in the *Land* and the governmental agencies thereof except to the extent that direct communications and relations may be authorised by him.

5. Each High Commissioner shall designate an observer together with a small personal staff to be agreed in each case by the High Commissioners concerned, to each of the *Land* commissioners outside of his own zone for purposes of consultation and information.

## V

### *Individual responsibilities of the High Commissioners*

1. Each High Commissioner shall maintain at the seat of government of each of the *Länder* in his zone a *Land* commissioner with the minimum staff and facilities required for the purposes set forth in Articles IV and V hereof. He shall ensure the due implementation by each of the said *Land* commissioners of the decisions and directions of the Council. He shall also ensure that all powers of the High Commission are uniformly exercised within the said *Länder* in accordance with tripartite policy and the decisions of the Council.

2. Each High Commissioner shall be responsible to his Government with respect to the *Länder* of his zone for the matters in fields reserved to occupation authorities listed below. Nevertheless, so far as possible, he shall coordinate the general policies which he may pursue in these fields with those of the other High Commissioners and exercise these powers in accordance with such tripartite legislation or policies as the Council may adopt :

(a) Maintenance of law and order if the responsible German authorities are unable to do so;

(b) Ensuring the protection, prestige, security and immunities of the Allied forces of occupation, of the Allied occupation authorities, their dependents, employees and official representatives;

(c) The delivery of reparations and restitutable property;

(d) Care and administration of displaced persons;

(e) The disposition of war criminals;

(f) Administration of justice in cases falling within the jurisdiction of Allied courts;

(g) Control of the care and treatment in German prisons of persons charged before or sentenced by the courts or tribunals of the occupation authorities, over the carrying out of sentences imposed on them and over questions of amnesty, pardon or release in relation to them.

3. Each High Commissioner shall be individually responsible for the formulation annually, in accordance with tripartite policies and criteria, of a budget of occupation costs and other requirements within his zone. Such budget shall be formulated and submitted to the Council, on a date to be determined by it, for consideration and approval by the Council and for consolidation in a total budget of the occupation authorities for transmission to the German Government. Each High Commissioner shall be responsible to the Council for control of the approved budget for his zone in accordance with accounting standards and procedures established by the Council.

## VI

### *Decisions of the Council*

1. Formal decisions and directions of the Council affecting the Federal Government or any agency thereof shall be in writing and shall be communicated to the Chancellor by or on behalf of the Council.

2. Formal communications involving matters of lesser import or of a routine character may be addressed to the Minister concerned by the appropriate organ of the Council.

3. Formal decisions or directions of the Council affecting a *Land* Government or any agency thereof shall be in writing and shall be communicated to its Minister President through the *Land* commissioner, in the name of the Council.

4. Formal decisions of the Council shall be recorded in an official gazette maintained by the High Commission at the Allied seat of control in Germany which shall be published in the English, French and German languages. Publication of any such decision in the official gazette of the High Commission shall be conclusive evidence that the recorded action or decision was taken pursuant to the powers vested in the occupation authorities under the Occupation Statute.

## VII

*International Authority for the Ruhr*

The High Commission shall take all necessary steps to give effect to Article 22 of the Agreement establishing the International Authority for the Ruhr of 28th April, 1949.<sup>1</sup>

## VIII

*Foreign missions in Germany*

The necessary liaison with the Governments of other nations especially interested will be ensured by the appointment by such Governments of appropriate missions to the Council of the High Commission having access, by procedures to be determined, to its subordinate bodies, and to the German Government.

## IX

*United Nations organisations in Germany*

United Nations organisations and specialised agencies may operate in the Federal Republic of Germany on such terms as may be agreed by the Council.

## X

*Official languages*

The official languages of the High Commission shall be English and French. Authoritative German texts of documents shall be provided as necessary.

## XI

IN WITNESS WHEREOF the foregoing agreement has been duly executed by the respective representatives thereunto duly authorised of the Governments of the United Kingdom of Great Britain, the United States of America and the Republic of France, in triplicate in the French and English languages, each text being equally authentic, and shall come into effect on the date of the entry into force of the Occupation Statute.

(Signed) Ernest BEVIN

(Signed) SCHUMAN

(Signed) Dean ACHESON

Paris, 20th June, 1949

<sup>1</sup> United Nations, *Treaty Series*, Vol. 83, p. 105.

## ANNEX A

*Agreement as to tripartite controls*

The Governments of the United Kingdom, France and the United States agree to enter into a trizonal fusion agreement prior to the entry into effect of the Occupation Statute. The representatives of the three occupying Powers will make the necessary arrangements to establish tripartite control machinery for the western zones of Germany, which will become effective at the time of the establishment of a provisional German government. The following provisions agreed by the Governments of the United Kingdom, France and the United States shall form the basis of those arrangements:—

1. An Allied High Commission composed of one High Commissioner of each occupying power or his representative shall be the supreme Allied agency of control.

2. The nature and extent of controls exercised by the Allied High Commission shall be in harmony with the Occupation Statute and international agreements.

3. In order to permit the German Federal Republic to exercise increased responsibilities over domestic affairs and to reduce the burden of occupation costs, staff personnel shall be kept to a minimum.

4. In the exercise of the powers reserved to the Occupation Authorities to approve amendments to the Federal Constitution, the decisions of the Allied High Commission shall require unanimous agreement.

5. In cases in which the exercise of, or failure to exercise, the powers reserved under paragraph 2 (g) of the Occupation Statute would increase the need for assistance from United States Government appropriated funds, there shall be a system of weighted voting. Under such system the representatives of the Occupation Authorities will have a voting strength proportionate to the funds made available to Germany by their respective Governments. This provision shall not, however, reduce the present United States predominant voice in Joint Export-Import Agency and Joint Foreign Exchange Agency while these organisations, or any successor organisation to them, continue in existence and are charged with the performance of any of their present functions. No action taken hereunder shall be contrary to any inter-governmental agreement among the signatories or to the principles of non-discrimination.

6. On all other matters action shall be by majority vote.

7. (a) If a majority decision alters or modifies any inter-governmental agreement which relates to any of the subjects listed in paragraph 2 (a) and 2 (b) of the Occupation Statute, any dissenting High Commissioner may appeal to his Government. This appeal shall serve to suspend the decision pending agreement between the three Governments.

(b) If a High Commissioner considers that a majority decision conflicts with any inter-governmental agreement which relates to any of the subjects in paragraph 2 (a) and 2 (b) of the Occupation Statute or with the fundamental principles for the conduct of Germany's external relations or with matters essential to the security, prestige, and

requirements of the occupying forces, he may appeal to his Government. Such an appeal shall serve to suspend action for 30 days, and thereafter unless two of the Governments indicate that the grounds do not justify further suspension.

(c) If such appeal is from an action of the Allied High Commission either declining to disapprove or deciding to disapprove German legislation, such legislation shall be provisionally disapproved for the duration of the appeal period.

8. A High Commissioner who considers that a decision made by less than unanimous vote involving any other matter reserved by the Occupation Statute is not in conformity with basic tripartite policies regarding Germany or that a *Land* constitution, or an amendment thereto, violates the Basic Law, may appeal to his Government. An appeal in this case shall serve to suspend action for a period not to exceed 21 days from the date of the decision unless all three Governments agree otherwise. If such appeal is from an action of the Allied High Commission, either declining to disapprove or deciding to disapprove German legislation, such legislation shall be provisionally disapproved for the duration of the appeal period.

9. All powers of the Allied High Commission shall be uniformly exercised in accordance with tripartite policies and directives. To this end in each *Land* the Allied High Commission shall be represented by a single *Land* commissioner who shall be solely responsible to it for all tripartite affairs. In each *Land* the *Land* commissioner shall be a national of the Allied Power in whose zone the *Land* is situated. Outside his own zone each High Commissioner will delegate an observer to each of the *Land* commissioners for purposes of consultation and information. Nothing in this paragraph shall be construed to limit the functions of bodies established pursuant to inter-governmental agreement.

10. To the greatest extent possible, all directives and other instruments of control shall be addressed to the Federal and/or *Land* authorities.

11. The Trizonal Fusion Agreement will continue in force until altered by agreement among the Governments.

INSTRUMENT<sup>1</sup> OF REVISION OF THE CHARTER<sup>2</sup> OF THE ALLIED  
HIGH COMMISSION FOR GERMANY. SIGNED AT LONDON,  
ON 6 MARCH 1951

The following modifications are hereby made to the Charter of the Allied High Commission for Germany signed in Paris on the 20th day of June, 1949,<sup>2</sup> which, as modified by this Instrument, continues in force :—

1. *Article I, paragraph 3*, is amended to read as follows :

(a) The stationing within Germany of forces of the three Occupying Powers outside of their respective zones of occupation will be as agreed between appropriate High Commissioners and the respective Commanders-in-Chief. The forces of any other Allied Nation participating in the defence of Western Europe and deployed within Germany for that purpose may be stationed in such areas of a zone of occupation as are agreed by the High Commissioner and the Commander-in-Chief of the zone of occupation concerned.

(b) Command of the forces of the three Occupying Powers is vested in their respective Commanders-in-Chief, regardless of their location within the three zones of occupation. If, however, operational control of all or part of any of the forces of one Occupying Power located in the zone of occupation of one of the other two Occupying Powers becomes necessary, such operational control, together with necessary administrative arrangements, will be mutually agreed between the High Commissioners and the Commanders-in-Chief in the zones of occupation concerned.

(c) Control of the related military establishments and services of the three Occupying Powers is vested in their respective Commanders-in-Chief regardless of their location within the three zones of occupation. Administrative arrangements for forces of one Occupying Power when located in the zone of occupation of one of the other two Occupying Powers will be as mutually agreed between the High Commissioners and Commanders-in-Chief of the two Occupying Powers concerned.

(d) Command and administrative arrangements of the forces of any Allied Nation other than the three Occupying Powers stationed within Germany will be a matter for governmental agreement between such Nation and the Occupying Power concerned.

<sup>1</sup> Came into force on 7 March 1951, in accordance with the final paragraph.

<sup>2</sup> See p. 142 of this volume.

(e) Existing agreements which have been concluded between two or all of the three Occupying Powers will not be altered by the foregoing without the mutual agreement of the High Commissioners and Commanders-in-Chief in the zones of occupation concerned.

2. *Article I, paragraph 4* is deleted.

3. *Article II, paragraph 1* is amended to read as follows :

The High Commission shall exercise control over the Federal Government and the Governments of its constituent *Länder*, as provided in the Occupation Statute.<sup>1</sup> In the exercise of the powers reserved to the Occupation Authorities under said Statute, the High Commission shall reach its decisions in accordance with the provisions of Annex A hereof. These decisions shall constitute a joint exercise of the authority of all the three High Commissioners.

4. *Article II, paragraph 3* is amended to read as follows :

The Headquarters of the High Commission shall be at the seat of the German Federal Government. The area defined as the Bonn Enclave will continue to constitute a special area directly under the administration of the High Commission and excluded from any individual zone of occupation.

5. *Article III, paragraph 1*. The introductory sentence is amended to read as follows :

The central organisation of the High Commission shall be tripartite in character and shall consist of : [&c.].

6. *Article III, paragraph 1 (b)* is amended to read as follows :

such committees, including the Military Security Board, and such sub-committees and subordinate groups, with such membership and such terms of reference, as the Council may from time to time approve ;

7. *Article III, paragraph 2*. The final sentence is amended to read as follows :

Decisions of the Council shall be reached in accordance with Annex A.

8. *Article III, paragraph 3 and paragraph 4* are deleted.

9. *Article IV, paragraph 3 (a)* is amended to read as follows :

recommending repeal or annulment of legislation enacted by the *Land* Government where he considers such action appropriate under paragraph 5 of the Occupation Statute ;

10. *Article IV, paragraph 3 (b)* is amended to read as follows :

ensuring due compliance on the part of the *Land* Government with the Occupation Statute and with legislation and decisions of the Occupation Authorities thereunder ;

<sup>1</sup> United Kingdom : " Germany No. 1 (1949)," Cmd. 7677 (Annex I).

11. *Article V, paragraph 3* is amended to read as follows :

Each High Commissioner shall be individually responsible to the Council for the formulation annually, in accordance with tripartite policies and criteria, of his budget of occupation costs and other requirements. Such budget shall be formulated and submitted to the Council, on a date to be determined by it, for consideration and approval by the Council and for consolidation in a total budget of the Occupation Authorities for transmission to the Federal Government. Each High Commissioner shall be responsible to the Council for control of his approved budget in accordance with accounting standards and procedures established by the Council.

12. *Article VIII* is amended to read as follows :

Foreign diplomatic representatives accredited to the Federal Government, together with any foreign representatives accredited to the Allied High Commission, shall have access to the latter by procedures determined by the Council.

13. *Article IX* is deleted.

14. In the Charter of the Allied High Commission for Germany as revised by this Instrument, the expression "Occupation Statute" shall, where the context requires, mean the Occupation Statute as from time to time modified by the Council of the Allied High Commission.

15. The "Agreement as to Tripartite Controls" among the Three Powers dated 8th April, 1949, previously attached to and made a part of the Charter as Annex A, is terminated.

In the Charter as revised by this Instrument of Revision the expression "Annex A" shall mean the Annex A attached to this Instrument of Revision.

IN WITNESS WHEREOF the foregoing agreement has been duly executed by the respective representatives thereunto duly authorised of the Governments of the Republic of France, the United Kingdom of Great Britain and Northern Ireland and the United States of America in triplicate in the French and English languages, each text being equally authentic, and shall come into effect on the 7th day of March, 1951.

DONE in London on the 6th day of March, 1951.

For the French Republic :

R. MASSIGLI

For the United Kingdom of Great Britain and Northern Ireland :

D. St. Clair GAINER

For the United States of America :

J. C. HOLMES

## ANNEX A

1. In the exercise of the powers reserved to the Occupation Authorities to approve amendments to the Basic Law, the decisions of the Allied High Commission shall require unanimous agreement.

2. In cases in which the exercise of, or failure to exercise, the powers reserved under paragraph 2 (g) of the Occupation Statute would increase the need for assistance from United States Government appropriated funds, there shall be a system of weighted voting. Under such system the representatives of the Occupation Authorities will have a voting strength proportionate to the funds made available to Germany by their respective Governments. No action taken hereunder shall be contrary to any inter-governmental agreement among the signatories or to the principles of non-discrimination.

3. On all other matters action shall be by majority vote. It is understood that agreements between the Governments of the three Occupying Powers relating to any of the subjects listed in paragraph 2 (a) and (b) of the Occupation Statute may not be modified by a majority decision of the Allied High Commission.

4. If a High Commissioner considers that a decision taken by a majority vote conflicts with an intergovernmental agreement which relates to any of the subjects listed in paragraph 2 (a) and (b) of the Occupation Statute, or with basic tripartite policy he may appeal to his Government. Such appeal shall serve to suspend action for a period of thirty days and for such further period of suspension as any two of the Governments agree. If such appeal is from a decision of the Allied High Commission to repeal or annul German legislation, the repeal or annulment shall not become effective until the expiry of the appeal period.

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