

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

Agreement (with annex and exchanges of notes) concerning storage of, access to, and release of information from the archives of the Allied High Commission and connected tripartite agencies. Signed at Bonn, on 30 June 1954

Official texts: English and French.

Registered by the United Kingdom of Great Britain and Northern Ireland on 11 February 1955.

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

Accord (avec annexe et échanges de notes) relatif à la conservation et à la consultation des archives de la Haute-Commission alliée et des organismes tripartites rattachés, ainsi qu'à la communication de renseignements provenant de ces archives. Signé à Bonn, le 30 juin 1954

Textes officiels anglais et français.

Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le 11 février 1955.

No. 2752. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, THE FRENCH GOVERNMENT AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA CONCERNING STORAGE OF, ACCESS TO, AND RELEASE OF INFORMATION FROM THE ARCHIVES OF THE ALLIED HIGH COMMISSION AND CONNECTED TRIPARTITE AGENCIES. SIGNED AT BONN, ON 30 JUNE 1954

The Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland, and the French Republic, desiring to provide for the storage of, access to, and release of information from the tripartite archives of the Allied High Commission and connected agencies, have agreed as follows :—

Article 1

The tripartite archives of the Allied High Commission and connected agencies shall be disposed of in accordance with the arrangements made by the Governments of the United Kingdom, France, and the United States and set forth in the annex to the present Agreement.

Article 2

The archives shall be kept intact in a place chosen by the Government having custody of them, which Government shall bear the cost of their maintenance and security.

Article 3

Free access to the archives shall be afforded at any time to official representatives of the Contracting Governments.

Article 4

Requests from any of the Contracting Governments for information from the archives, or for original documents or copies thereof, shall be fulfilled. Costs of reproduction and postal charges shall be paid by the Government making the request. Any original document thus released shall be returned when no longer needed.

¹ Came into force on 30 June 1954, as from the date of signature, in accordance with article 7.

Article 5

The Government having custody of the archives shall designate the agency responsible for authorising access to the archives and the issue of information, original documents, and copies therefrom.

Article 6

Except as provided in the present Agreement, no Contracting Government shall, without the consent of the other two, publish any document from the archives or release any information therefrom, unless the document or information concerned is unclassified. If a Government intends to publish, or to release information from, an unclassified document it shall inform the other two Governments of such intention.

Article 7

The present Agreement shall enter into force on the date of its signature and shall continue in force until terminated by agreement between the Contracting Governments.

The present Agreement shall be reviewed at the end of ten years from the date of its entry into force, or earlier at the request of two of the Contracting Governments.

IN WITNESS WHEREOF the undersigned, having been duly authorised thereto by their respective Governments, have signed the present Agreement.

DONE in triplicate at Bonn on this thirtieth day of June, Nineteen Hundred and Fifty-Four, in the English and French languages, both texts being equally authentic.

On behalf of the Government of the United Kingdom of Great Britain and Northern Ireland :

F. R. HOYER MILLAR

On behalf of the Government of the French Republic :

André FRANÇOIS-PONCET

On behalf of the Government of the United States of America :

James B. CONANT

ANNEX

1. *Allied High Commission Archives*

The tripartite archives of the Allied High Commission shall be left intact and stored in France in the custody of the French Government. All original documents shall be

retained in the Allied General Secretariat's tripartite archives until the Allied High Commission ceases to exist, at which time they shall pass into the custody of the French Government. Photostatic copies of these originals shall be made forthwith and given to the competent authorities of the United Kingdom and United States Governments.

2. *Military Security Board Archives*

The tripartite archives of the Military Board shall be left intact and stored in France in the custody of the French Government. The competent authorities of the United Kingdom and United States Governments shall be provided with microfilm copies of such valuable data as they require.

3. *Combined Coal Control Group Archives*

The tripartite archives of the Combined Coal Control Group fall into two categories : (i) those concerning Allied High Commission Law No. 27 ; and (ii) all others.

The archives in the first category shall be transferred to the Combined Coal Control Group's successor agency if it is established. Such successor agency shall keep them separate from its new archives and shall transfer them, as soon as they are no longer needed, to the custody of the French Government. Should there be no successor agency to the Combined Coal Control Group, the archives in this category shall be transferred directly to the custody of the French Government.

The archives in the second category shall be left intact and deposited, together with those of the North German Coal Control Group and those of the Bipartite Coal Control Group, in the United Kingdom in the custody of the United Kingdom Government.

4. *Combined Steel Group Archives*

The tripartite archives of the Combined Steel Group shall be transferred to the Combined Steel Group's successor agency if it is established. Such successor agency shall keep them separate from its new archives and shall transfer them, as soon as they are no longer needed, to the custody of the French Government.

Should there be no successor agency to the Combined Steel Group, the archives shall be transferred directly to the custody of the French Government.

5. *Civil Aviation Board Archives*

As soon as the Civil Aviation Board no longer needs its tripartite archives, they shall be stored intact in France in the custody of the French Government.

6. *Tripartite I.G. Farben Control Group Archives*

Those tripartite archives of the Tripartite I.G. Farben Control Group retained by the French representative in the Group shall be deposited with the agency responsible for the maintenance of the Allied High Commission tripartite archives in France.

Those tripartite archives of the Tripartite I.G. Farben Control Group retained by the United States and United Kingdom representatives shall be left to the disposition of the United States and United Kingdom Governments respectively.

It is agreed that no further tripartite instruction is necessary regarding the Tripartite I.G. Farben Control Group's tripartite archives on the understanding that the seized records of I.G. Farben and affiliated enterprises (contracts and agreements, general correspondence files, accounting records, books, &c.) are being disposed of by the Tripar-

tite I.G. Farben Control Group in accordance with instructions given by each High Commission to each national element of the Group.

7. *Combined Travel Board Archives*

It is agreed that no further tripartite instruction is necessary regarding the Combined Travel Board's tripartite archives on the understanding that :—

- (a) the microfilming of the Combined Travel Board policy files shall be completed and the competent authorities of the United Kingdom and French Governments shall each receive a set of the microfilms ;
- (b) the original Combined Travel Board policy and security files shall be kept accessible for use by the competent authorities of the three Governments as at present until the closing of the Mehlem tripartite office of the Combined Travel Board (as distinguished from the Allied Travel Liaison Office in Bonn) ; on the closing of this office, the policy files shall be stored in the United States in the custody of the United States Government, and the security files shall be stored under the supervision of the United States Supervisory Consul-General in Germany, presently situated at Mehlem, and shall come under the terms of the present Agreement ;
- (c) the French element agrees to use its former inter-zonal travel staff at Baden-Baden to screen the unclassified entry-exit case files for original documents which appear likely to be of value to the owners (such as birth certificates, old passports, &c.), which documents shall be transmitted to the Federal Government for return to the owners, and all other contents of these files shall be destroyed ;
- (d) the general correspondence files shall be kept accessible for use by the competent authorities of the three Governments until the closing of the Mehlem tripartite office, at which time they shall be destroyed ; and
- (e) upon their liquidation, Permit Offices shall extract from their files information of value for integration with the headquarters files and destroy the rest.

8. *Joint Export-Import Agency Archives*

It is agreed that the tripartite archives of the Joint Export-Import Agency shall be stored in France under the supervision of the French Government in accordance with the agreement concluded between the Allied High Commission and the French Government on 22 August, 1953. It is understood that the screening party presently at work is disposing of some of the archives in accordance with unilateral instructions from the three Governments.

9. *General*

It is agreed that the Governments not having custody of particular groups of archives shall receive a comprehensive index to each such group of archives. These indices

shall be prepared by the agencies concerned before the archives are transferred to the custodial Governments ; if possible, these indices shall be recorded on microfilm.

It is agreed that French agencies shall undertake the removal of the archives to France for storage in the Metz area in so far as the expenses involved can be met from occupation costs, which are also intended to cover end items such as off-loading. It is also agreed that these expenses shall be shared by one-third payments from the DM. occupation costs funds available to the three Governments. To facilitate this, the French authorities undertake to keep the United States and United Kingdom authorities currently informed concerning expenditures. All three Governments reserve, for the time being, their positions concerning any expenditures which cannot be met from occupation costs funds. These provisions concerning costs do not apply to the disposal of the Joint Export-Import Agency archives inasmuch as the costs of the latter are provided for in the agreement of 22 August, 1953, concluded between the Allied High Commission and the French Government.

It is agreed that the National Secretaries shall be charged with the supervision of the implementation of these measures to dispose of tripartite archives, which shall be begun without delay and concluded as soon as is practicable taking into consideration the essential needs of the agencies concerned. The National Secretaries shall submit progress reports to the A.H.C. Working Party on Political Affairs and the General Committee. Estimates of the costs involved should be included in the first report. The availability of funds and the extent to which occupation costs funds, if not actually paid out before the entry into force of the Bonn Conventions,¹ can be committed before that date must be co-ordinated with the appropriate budgetary authorities and with the Occupation Requirements and Charges Sub-Committee.

EXCHANGES OF NOTES

I

*The United Kingdom High Commissioner for Germany to the United States
High Commissioner for Germany*

June 30, 1954

Your Excellency,

In connexion with the Agreement between the Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland, and the French Republic concerning the storage of, access to and the release of information from the archives of the Allied High Commission and connected

¹ United Kingdom : "Germany No. 6 (1952)" Cmd. 8571.

tripartite agencies, which has been signed today, I have the honour to propose on instructions from Her Majesty's Principal Secretary of State for Foreign Affairs that the archives of the Bipartite Coal Control Group shall be left intact and deposited with the Government of the United Kingdom on the understanding that :

- (a) As between the Government of the United Kingdom and the Government of the United States, the provisions of the aforesaid Tripartite Agreement shall be applicable to those archives ; and
- (b) The French Government shall be accorded access, on the same terms and conditions as are set forth in the aforesaid Tripartite Agreement, to those portions of the archives of the Bipartite Coal Control Group in which the French Government determine that they have an interest.

I have the honour further to state that the Government of the United Kingdom are willing to accord to the Government of the United States access, on the same terms and conditions as are set forth in the aforesaid Tripartite Agreement, to those portions of the archives of the North German Coal Control Group deposited with the Government of the United Kingdom, in which the United States Government determine that they have an interest.

If the foregoing proposals are acceptable to the United States Government, I have the honour to suggest that the present note and your reply in that sense, in conjunction with an exchange of notes of even date in similar terms between the undersigned and the French High Commissioner and with a like exchange between the latter and yourself, should be regarded as placing formally on record the agreement of the three Governments in this matter.

I take this opportunity to renew to Your Excellency the assurance of my highest esteem.

F. R. HOYER MILLAR.

His Excellency Dr. James B. Conant
United States High Commissioner in Germany
Mehlem

I (a)

*The United Kingdom High Commissioner for Germany to the High
Commissioner of the French Republic in Germany*

June 30, 1954

Your Excellency,

[See note I]

I take this opportunity to renew to Your Excellency the assurance of my highest esteem.

F. R. HOYER MILLAR

His Excellency Monsieur André François-Poncet
Ambassador of France and High Commissioner
of the French Republic in Germany
Bad Godesberg

II

*The United States High Commissioner for Germany to the
United Kingdom High Commissioner for Germany*

June 30, 1954

Excellency :

I have the honor to acknowledge the receipt of your note of June 30, 1954 and, in reply, to inform you that, in connection with the Agreement between the Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland, and the French Republic concerning the storage of, access to, and release of information from the tripartite archives of the Allied High Commission and connected tripartite agencies, which has been signed today, the United States Government agrees to your proposal that the archives of the Bipartite Coal Control Group shall be left intact and deposited with the Government of the United Kingdom on the understanding that :

[See note I]

I have the honor further to state that the Government of the United States accepts the offer of the Government of the United Kingdom to accord to the Government of the United States access, on the same terms and conditions as are set forth in the aforesaid Tripartite Agreement, to those portions of the archives

of the North German Coal Control Group deposited with the Government of the United Kingdom, in which the United States Government determines that it has an interest.

Inasmuch as the foregoing proposals are acceptable to the United States Government, I have the honor to agree that your note and this reply, in conjunction with an exchange of notes of even date in similar terms between yourself and the French High Commissioner and with a like exchange between the latter and myself, should be regarded as placing formally on record the agreement of the three Governments in this matter.

Accept, Excellency, the renewed assurances of my highest consideration.

James B. CONANT
United States High Commissioner for Germany

His Excellency Sir Frederick Hoyer Millar
United Kingdom High Commissioner for Germany

II (a)

[TRANSLATION — TRADUCTION]

*The High Commissioner of the French Republic in Germany to the
United Kingdom High Commissioner for Germany*

THE HIGH COMMISSIONER OF THE FRENCH REPUBLIC IN GERMANY

No. 2326

Bad Godesberg, 30 June 1954

Your Excellency,

I have the honour to acknowledge receipt of your note of 30 June 1954 and in reply to inform you, in connexion with the Agreement signed today between the Governments of the French Republic, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, concerning the storage of, access to and the release of information from the archives of the Allied High Commission and connected tripartite agencies, that the French Government agrees to your proposal that the archives of the Bipartite Coal Control Group shall be left intact and deposited in a place selected by the United Kingdom Government, on the understanding that :

[See note I]

I have the honour to note also that the United Kingdom Government is willing to accord to the Government of the United States access on the same terms and conditions as are set forth in the aforesaid Tripartite Agreement, to those portions

of the archives of the British Coal Control Group retained by the United Kingdom Government, in which the United States Government determines that it has an interest.

Such proposals have been approved by the French Government, I have the honour to express my agreement that your note and the present reply, in conjunction with an exchange of notes of even date in similar terms exchanged between the undersigned and the United States High Commissioner and with a like exchange between the latter and yourself, shall be regarded as placing formally on record the agreement of the three Governments in this matter.

I have the honour, etc.

(Signed) André FRANÇOIS-PONCET

His Excellency Sir Frederick Hoyer Millar
United Kingdom High Commissioner for Germany

III

*The United States High Commissioner for Germany to the High
Commissioner of the French Republic in Germany*

June 30, 1954

Excellency :

In connection with the Agreement between the Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland, and the French Republic concerning the storage of, access to, and release of information from the tripartite archives of the Allied High Commission and connected tripartite agencies, which has been signed today, I have the honor to state that the United States Government agrees to the United Kingdom High Commissioner's proposal that the archives of the Bipartite Coal Control Group shall be left intact and deposited with the Government of the United Kingdom on the understanding that :

[See note I]

I have the honor further to state that the Government of the United States accepts the offer of the Government of the United Kingdom to accord to the Government of the United States access, on the same terms and conditions as are set forth in the aforesaid Tripartite Agreement, to those portions of the archives of the North German Coal Control Group deposited with the Government of the United Kingdom, in which the United States Government determines that it has an interest.

Inasmuch as the foregoing proposals are acceptable to the United States Government, I have the honor to agree that the United Kingdom High Commissioner's note and my reply, in conjunction with an exchange of notes of even date in similar terms between yourself and the United Kingdom High Commissioner and with this note and yours of even date in similar terms, should be regarded as placing formally on record the agreement of the three Governments in this matter.

Accept, Excellency, the renewed assurances of my highest consideration.

James B. CONANT
United States High Commissioner for Germany

His Excellency Ambassador André François-Poncet
High Commissioner of the French Republic in Germany

III (a)

[TRANSLATION — TRADUCTION]

*The High Commissioner of the French Republic in Germany to the
United States High Commissioner for Germany*

30 June 1954

Your Excellency,

I have the honour to acknowledge receipt of your note of 30 June 1954 and in reply to inform you, in connexion with the Agreement signed today between the Governments of the French Republic, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, concerning the storage of, access to and the release of information from the archives of the Allied High Commission and connected tripartite agencies, that the French Government agrees to the proposal of the United Kingdom High Commissioner that the archives of the Bipartite Coal Control Group shall be left intact and deposited in a place selected by the United Kingdom Government, on the understanding that :

[See note I]

I have the honour to note also that the United Kingdom Government is willing to accord to the Government of the United States access on the same terms and conditions as are set forth in the aforesaid Tripartite Agreement, to those portions of the archives of the British Coal Control Group retained by the United Kingdom Government, in which the United States Government determines that it has an interest.

Such proposals having been approved by the French Government, I have the honour to express my agreement that your note and the present reply, in conjunc-

tion with an exchange of notes of even date in similar terms between the undersigned and the United Kingdom High Commissioner and with a like exchange between the latter and yourself shall be regarded as placing formally on record the agreement of the three Governments in this matter.

I have the honour, etc.

(Signed) A. FRANÇOIS-PONCET

Mr. James B. Conant
United States High Commissioner for Germany
Mehlemeraue