

## CONTROL MACHINERY IN AUSTRIA

*Agreement signed in the European Advisory Commission at London  
July 4, 1945*

*Notification of United States approval dated July 24, 1945*

*Entered into force July 24, 1945*

*Terminated by agreement of June 28, 1946*<sup>1</sup>

Department of State files

### AGREEMENT ON CONTROL MACHINERY IN AUSTRIA

The Governments of the United States of America, the Union of Soviet Socialist Republics and the United Kingdom of Great Britain and Northern Ireland and the Provisional Government of the French Republic;

in view of the declaration issued at Moscow on the 1st November 1943,<sup>2</sup> in the name of the Governments of the United States of America, the Union of Soviet Socialist Republics and the United Kingdom, whereby the three Governments announced their agreement that Austria should be liberated from German domination, and declared that they wished to see re-established a free and independent Austria; and in view of the subsequent declaration issued at Algiers on 16th November, 1943, by the French Committee of National Liberation, concerning the independence of Austria;

have reached the following agreement with regard to the Allied Control Machinery which will operate in Austria until the establishment of a freely elected Austrian government recognized by the four Powers:

#### ARTICLE 1

The Allied Control Machinery in Austria will consist of an Allied Council, an Executive Committee and staffs appointed by the four Governments concerned, the whole organisation being known as the Allied Commission for Austria.

#### ARTICLE 2

(a) The Allied Council will consist of four Military Commissioners, one appointed by each of the Governments concerned. In addition to being members of the Allied Council, the Military Commissioners will each be in supreme command of the forces of occupation in Austria furnished by his Government.

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<sup>1</sup> TIAS 2097, *post*, vol. 4.

<sup>2</sup> *Ante*, p. 827.

Supreme authority in Austria will be exercised jointly, in respect of matters affecting Austria as a whole, by the Military Commissioners on instructions from their respective Governments, in their capacity as members of the Allied Council. Subject to this, each Military Commissioner, in his capacity as Commander-in-Chief of the forces of occupation furnished by his Government, will exercise supreme authority in the zone occupied by those forces. Each Commander-in-Chief in his zone of occupation will have attached to him for liaison duties military, naval and air representatives of the other Commanders-in-Chief of forces of occupation in Austria.

(b) The Allied Council will meet at least once in ten days; and it will meet at any time upon request of any one of its members. Decisions of the Allied Council shall be unanimous. The Chairmanship of the Allied Council will be held in rotation by each of its four members.

(c) Each Military Commissioner will be assisted by a political adviser who will, when necessary, attend meetings of the Allied Council.

#### ARTICLE 3

The Executive Committee will consist of one high-ranking representative of each of the four Commissioners. Members of the Executive Committee will, when necessary, attend meetings of the Allied Council.

#### ARTICLE 4

(a) The staffs of the Allied Commission in Vienna, appointed by their respective national authorities, will be organised in the following Divisions:

Military; Naval; Air; Economic; Finance; Reparation, Deliveries and Restitution; Internal Affairs; Labour; Legal; Prisoners of War and Displaced Persons; Political; and Transport.

Adjustments in the number and functions of the Divisions may be made in the light of experience.

(b) At the head of each Division there will be four officials, one from each Power. Heads of Divisions will take part in meetings of the Executive Committee at which matters affecting the work of their Divisions are on the agenda.

(c) The staffs of the Divisions may include civilian as well as military personnel. They may also, in special cases, include nationals of other United Nations, appointed in a personal capacity.

#### ARTICLE 5

The Allied Council will

(a) initiate plans and reach decisions of the chief military, political, economic and other questions affecting Austria as a whole, on the basis of instructions received by each Commissioner from his Government;

(b) ensure appropriate uniformity of action in the zones of occupation.

## ARTICLE 6

The Executive Committee, acting on behalf of the Allied Council, will

- (a) ensure the carrying out of the decisions of the Allied Council through the appropriate Divisions of the Allied Commission referred to in Article 4;
- (b) co-ordinate the activities of the Divisions of the Allied Commission, and examine and prepare all questions referred to it by the Allied Council.

## ARTICLE 7

The Divisions of the Allied Commission will

- (a) advise the Allied Council and the Executive Committee;
- (b) carry out the decisions of the Allied Council conveyed to them through the Executive Committee.

## ARTICLE 8

The primary tasks of the Allied Commission for Austria will be

- (a) to ensure the enforcement in Austria of the provisions of the Declaration regarding the defeat of Germany signed at Berlin on 5th June, 1945;
- (b) to achieve the separation of Austria from Germany;
- (c) to secure the establishment, as soon as possible, of a central Austrian administrative machine;
- (d) to prepare the way for the establishment of a freely elected Austrian government;
- (e) meanwhile to provide for the administration of Austria to be carried on satisfactorily.

## ARTICLE 9

In the period before the establishment of departments of a central Austrian administration, which period shall be as short as possible, the decisions of the Allied Commission, insofar as they may require action in the respective zones, will be carried out through the occupation authorities. The necessary instructions to those authorities will be given by the respective Military Commissioners, in their capacity as Commanders-in-Chief, on the basis of decisions of the Allied Council.

## ARTICLE 10

As soon as departments of a central Austrian administration are in a position to operate satisfactorily, they will be directed to assume their respective functions as regards Austria as a whole. In the fulfilment of its tasks, the Allied Commission will thenceforward work through such departments. It will then be the duty of the Divisions of the Allied Commission to control the activities of the respective departments and to communicate to them the decisions of the Allied Council and Executive Committee.

## ARTICLE 11

(a) An Inter-Allied Governing Authority (Komendatura) consisting of four Commandants, one from each Power, appointed by their respective Commissioners, will be established to direct jointly the administration of the City of Vienna. Each of the Commandants will serve in rotation, in the position of Chief Commandant, as head of the Inter-Allied Governing Authority.

(b) A Technical Staff, consisting of personnel of each of the four Powers, will be established under the Inter-Allied Governing Authority, and will be organised for the purpose of supervising and controlling the activities of the organs of the City of Vienna responsible for its municipal services.

(c) The Inter-Allied Governing Authority will operate under the general direction of the Allied Council and will receive orders through the Executive Committee.

## ARTICLE 12

The necessary liaison with the Governments of other United Nations chiefly interested will be ensured by the appointment by such Governments of military missions (which may include civilian members) to the Allied Council.

## ARTICLE 13

United Nations' organisations which may be admitted by the Allied Council to operate in Austria will, in respect to their activities in Austria, be subordinate to the Allied Commission and answerable to it.

## ARTICLE 14

The nature and extent of the Allied direction and guidance which will be required after the establishment of a freely elected Austrian Government recognised by the four Powers will form the subject of a separate agreement between those Powers.

The above text of the Agreement on Control Machinery in Austria between the Governments of the United States of America, the Union of Soviet Socialist Republics and the United Kingdom and the Provisional Government of the French Republic has been prepared and unanimously adopted by the European Advisory Commission at a meeting held on 4th July, 1945.<sup>3</sup>

Representative of the Government of the  
United States of America on the Euro-  
pean Advisory Commission:  
JOHN G. WINANT

Representative of the Government of the  
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the European Advisory Commission:  
F. T. GOUSEV

<sup>3</sup> Notices of approval were dated as follows: by the United Kingdom July 12, 1945; by France July 12, 1945; by the Union of Soviet Socialist Republics July 21, 1945; and by the United States July 24, 1945.

Representative of the Government of the  
United Kingdom on the European  
Advisory Commission:  
RONALD I. CAMPBELL

Representative of the Provisional Govern-  
ment of the French Republic on the  
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R. MASSIGLI

LANCASTER HOUSE,  
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*4th July, 1945.*