

## Note from the Soviet Union to the United States on the status of Berlin (27 November 1958)

**Caption:** On 27 November 1958, in a note sent to the US Administration, the Government of the Soviet Union questions the division of Berlin into four sectors and expresses its wish to renegotiate the status of the German city.

**Source:** United States-Department of State. Documents on Germany 1944-1985. Washington: Department of State, [s.d.]. 1421 p. (Department of State Publication 9446). p. 552-559.

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**Last updated:** 03/07/2015

## Note From the Soviet Union to the United States regarding the status of Berlin and the Potsdam Agreements (27 November 1958)

The Government of the Union of Soviet Socialist Republics addresses the Government of the United States of America as one of the signatory powers of the Potsdam Agreement on the urgent question of the status of Berlin.

[...]

The policy of the USA, Britain, and France with respect to West Germany has led to the violation of those provisions of the Potsdam Agreement designed to ensure the unity of Germany as a peace-loving and democratic state. And when a separate state, the Federal Republic of Germany, was set up independently [of the Soviet Union] in West Germany, which was occupied by the troops of the Three Powers, East Germany, where forces determined not to allow the German people to be plunged once again into disaster assumed the leadership, had no alternative but to create in its turn an independent State.

Thus, two states came into being in Germany. Whereas in West Germany, whose development was directed by the United States, Britain, and France, a government took office the representatives of which do not conceal their hatred for the Soviet Union and often openly advertise the similarity of their aspirations to the plans of the Hitlerite aggressors, in East Germany a government was formed which has irrevocably broken with Germany's aggressive past. State and public affairs in the German Democratic Republic are governed by a constitution fully in keeping with the principles of the Potsdam Agreement and the finest progressive traditions of the German nation. The rule of monopolies and Junkers has been abolished forever in the GDR. Naziism has been eradicated and a number of other social and economic reforms have been carried out, which have destroyed the basis for the revival of militarism and have made the German Democratic Republic an important factor of peace in Europe. The Government of the GDR has solemnly proclaimed that it will fulfill, to the letter, its commitments under the Potsdam Agreement, which, incidentally, the Government of the FRG obstinately evades.

The inclusion of the FRG in the North Atlantic bloc compelled the Soviet Union to adopt countermeasures, in as much as the commitments binding the Soviet Union, the United States, Great Britain, and France were broken by the Three Western Powers, which united with West Germany, and previously with Italy, against the Soviet Union, which had borne the brunt of the struggle against the Fascist aggressors. That closed military alignment created an equal threat to other countries as well. Such a situation compelled the Soviet Union, as well as a number of other European countries that were victims of aggression by German and Italian Fascism, to establish their own defensive organization, concluding for this purpose the Warsaw Treaty, to which the GDR also acceded.

There is only one conclusion to be drawn from the foregoing: The Potsdam Agreement has been grossly violated by the Western Powers. It is like the trunk of a tree, once mighty and fruitful, but now cut down and with its heart taken out. The lofty goals for which the Potsdam Agreement was concluded have long since been renounced by the Western Powers, and what they are actually doing in Germany is diametrically opposed to what the Potsdam Agreement had envisaged. The crux of the matter is not, of course, that the social and political systems of the GDR and the FRG are basically different. The Soviet Government considers that the solution of the question of social structure of both German states is the concern of the Germans themselves. The Soviet Union stands for complete noninterference in the internal affairs of the German people or in those of any other people. But the GDR's movement toward socialism has given rise to the enmity and profound hostility of the Federal Government toward it — which finds full support and encouragement by the NATO members, and, above all, the United States.

[...]

Actually, of all the Allied agreements on Germany, only one is being carried out today. It is the agreement on the so-called quadripartite status of Berlin. On the basis of that status, the Three Western Powers are ruling the roost in West Berlin, turning it into a kind of state within a state and using it as a center from

which to pursue subversive activity against the GDR, the Soviet Union, and the other parties of the Warsaw Treaty. The United States, Great Britain, and France are freely communicating with West Berlin through lines of communication passing through the territory and the airspace of the German Democratic Republic, which they do not even want to recognize.

The governments of the Three Powers are seeking to keep in force the long-since obsolete part of the wartime agreements that governed the occupation of Germany and entitled them in the past to stay in Berlin. At the same time, as stated above, the Western Powers have grossly violated the Four-Power agreements, including the Potsdam Agreement, which is the most concentrated expression of the obligations of the Powers with respect to Germany. Moreover, the Four-Power agreements on the occupation of Germany, which the governments of the USA, Great Britain, and France invoke in support of their rights in West Berlin, were approved by the Potsdam Agreement or adopted for its implementation. In other words the Three Powers are demanding, for their own sake, the preservation of the occupation privileges based on those Four-Power agreements, which they themselves have violated.

[...]

At present, the USA, Great Britain, and France are opposed, as follows from their notes of September 30, of this year, to the latest proposals for a peaceful settlement with Germany put forward by the Soviet Union and the GDR, while making no proposals of their own on this question, just as they have made none throughout the postwar period. As a matter of fact, the last note of the US Government is a restatement of the position that proved to be utterly unrealistic, whereby Germany's national unity is to be re-established by the USSR, the USA, Great Britain, and France rather than by the German states that are to unite. It also follows from the US Government's note that it is once again avoiding negotiations with the Soviet Union and other interested states for the purpose of preparing a peace treaty with Germany. The result is a veritable vicious circle: The US Government is objecting to the drafting of a German peace treaty by referring to the absence of a united German state while at the same time hampering the reunification of Germany by rejecting the only real possibility of solving this problem through agreement between the two German states.

[...]

At one time, the agreement on the Four-Power status of Berlin was an agreement providing for equal rights of the Four-Powers, which was concluded for peaceful democratic purposes, which purposes later became known as the Potsdam principles. At that time, this agreement met the requirements of the day and was in accordance with the interests of all its signatories — the USSR, the USA, Great Britain, and France. Now that the Western Powers have begun to arm West Germany and turn it into an instrument of their policy directed against the Soviet Union, the very essence of this erstwhile Allied agreement on Berlin has disappeared. It was violated by three of its signatories, who began using it against the fourth signatory, i.e., against the Soviet Union. It would be ridiculous to expect that in such a situation the Soviet Union or any other self-respecting state in its place would pretend not to notice the changes that have occurred.

An obviously absurd situation has thus arisen, in which the Soviet Union seems to be supporting and maintaining favorable conditions for the Western Powers in their activities against the Soviet Union and its Allies under the Warsaw Treaty.

It is obvious that the Soviet Union, just as the other parties to the Warsaw Treaty, cannot tolerate such a situation any longer. For the occupation regime in West Berlin to continue would be tantamount to recognizing something like a privileged position of the NATO countries, for which there is, of course, no reason whatsoever.

It is hardly possible seriously to believe that the Soviet Union will help the forces of aggression to develop subversive activities, much less to prepare an attack on Socialist countries. It should be clear for anybody with common sense that the Soviet Union cannot maintain a situation in West Berlin that is detrimental to its lawful interests, its security, and the security of other Socialist countries. It would be well to bear in mind that the Soviet Union is not a Jordan or an Iran and will never tolerate any methods of pressure upon it for

the purpose of imposing conditions advantageous to the opposing NATO military bloc. But this is precisely what the Western Powers are trying to get the Soviet Union to endorse in their attempts to retain their rights of occupants in West Berlin.

Can the Soviet Union disregard all these facts, which affect the vital security interests of the Soviet Union, of its ally — the German Democratic Republic — and of all the member states of the Warsaw Defense Treaty? Of course not! The Soviet Government can no longer consider itself bound by that part of the Allied agreements on Germany that has assumed an inequitable character and is being used for the purpose of maintaining the occupation regime in West Berlin and interfering in the internal affairs of the GDR.

In this connection, the Government of the USSR hereby notifies the United States Government that the Soviet Union regards as null and void, the “Protocol of the Agreement between the Governments of the Union of Soviet Socialist Republics, the United States of America, and the United Kingdom on the zones of occupation in Germany and on the administration of Greater Berlin,” of September 12, 1944, and the related supplementary agreements, including the agreement on the control machinery in Germany, concluded between the governments of the USSR, the USA, Great Britain, and France on May 1, 1945, i.e., the agreements that were intended to be in effect during the first years after the capitulation of Germany.

It is easy to see that all the Soviet Government is doing by making this statement is to recognize the actual state of affairs, which consists in the fact that the USA, Great Britain, and France have long since rejected the essentials of the treaties and agreements concluded during the war against Hitler Germany and after its defeat. The Soviet Government is doing no more than drawing conclusions that inevitably ensue for the Soviet Union from this actual state of affairs.

Pursuant to the foregoing and proceeding from the principle of respect for the sovereignty of the German Democratic Republic, the Soviet Government will enter into negotiations with the Government of the GDR at an appropriate time with a view to transferring to the German Democratic Republic the functions temporarily performed by the Soviet authorities by virtue of the above-mentioned Allied agreements and under the agreement between the USSR and the GDR of September 20, 1955. The best way to solve the Berlin problem would undoubtedly be to adopt a decision based on the enforcement of the Potsdam Agreement on Germany. But this is possible only in the event that the three Western Powers return to a policy in German affairs that would be pursued jointly with the USSR and in conformity with the spirit and principles of the Potsdam Agreement. In the present circumstances this would mean the withdrawal of the Federal Republic of Germany from NATO with the simultaneous withdrawal of the German Democratic Republic from the Warsaw Treaty [organization], and an agreement whereby, in accordance with the principles of the Potsdam Agreement, neither of the two German states would have any armed forces except those needed to maintain law and order at home and guard the frontiers.

Should the Government of the United States be unwilling to contribute in such a way to the implementation of the political principles of the Allied agreements on Germany, it will have no reason, either legal or moral, for insisting on the preservation of the Four-Power status of Berlin ...

[...]

An independent solution to the Berlin problem must be found in the very near future since the Western Powers refuse to take part in the preparation of a peace treaty with Germany and the Government of the FRG, supported by the same powers, is pursuing a policy hampering the unification of Germany. It is necessary to prevent West Berlin from being used any longer as a springboard for intensive espionage, sabotage, and other subversive activities against Socialist countries, the GDR, and the USSR or, to quote the leaders of the United States Government, to prevent its being used for “indirect aggression” against the countries of the Socialist camp.

[...]

The Soviet Government makes this approach to the Government of the USA, guided by the desire to achieve

a relaxation of international tension; to put an end to the state of “cold war” and pave the way for the restoration of good relations between the Soviet Union and the United States, as well as Great Britain and France; to clear away everything that gives rise to clashes and quarrels between our countries; and to reduce the number of causes leading to conflicts. Indeed, one cannot escape the fact that West Berlin, in its present status, is just such a source of discord and suspicion between our countries.

Of course, the most correct and natural way to solve the problem would be for the western part of Berlin, now actually detached from the GDR, to be reunited with its eastern part and for Berlin to become a unified city within the state in whose territory it is situated.

However, the Soviet Government, taking into account the present unrealistic policy of the USA as well as of Great Britain and France with respect to the German Democratic Republic, cannot but foresee the difficulties the Western powers have in contributing to such a solution of the Berlin problem. At the same time, it is guided by the concern that the process of liquidating the occupation regime may not involve any painful break in the established way of life of the West Berlin population.

One cannot of course fail to take into account the fact that the political and economic development of West Berlin during the period of its occupation by the three Western powers has progressed in a different direction from the development of East Berlin and the GDR, as a result of which the way of life in the two parts of Berlin are at the present time entirely different. The Soviet Government considers that when the foreign occupation is ended the population of West Berlin must be granted the right to have whatever way of life it wishes for itself. If the inhabitants of West Berlin desire to preserve the present way of life, based on private capitalistic ownership, that is up to them. The USSR, for its part, would respect any choice of the West Berliners in this matter.

In view of all these considerations, the Soviet Government on its part would consider it possible to solve the West Berlin question at the present time by the conversion of West Berlin into an independent political unit — a free city, without any state, including both existing German states, interfering in its life. Specifically, it might be possible to agree that the territory of the free city be demilitarized and that no armed forces be contained therein. The free city, West Berlin, could have its own government and run its own economic, administrative, and other affairs.

The Four Powers which shared in the administration of Berlin after the war could, as well as both of the German states, undertake to respect the status of West Berlin as a free city, just as was done, for instance, by the Four Powers with respect to the neutral status which was adopted by the Austrian Republic.

For its part, the Soviet Government would have no objection to the United Nations also sharing, in one way or other, in observing the free-city status of West Berlin.

It is obvious that, considering the specific position of West Berlin, which lies within the territory of the GDR and is cut off from the outside world, the question would arise of some kind of arrangement with the German Democratic Republic concerning guarantees of unhindered communications between the free city and the outside world — both to the East and to the West — with the object of free movement of passenger and freight traffic. In its turn West Berlin would undertake not to permit on its territory any hostile subversive activity directed against the GDR or any other state.

The above-mentioned solution of the problem of West Berlin’s status would be an important step toward normalizing the situation in Berlin, which, instead of being a hotbed of unrest and tension, could become a center for contacts and cooperation between both parts of Germany in the interest of her peaceful future and the unity of the German nation.

The establishment of free-city status for West Berlin would firmly ensure the development of West Berlin’s economy, due to its contacts on all sides with the states of the East and the West, and would ensure a decent standard of living for the city’s population. For its part, the Soviet Union states that it would contribute in every way toward the achievement of these ends, in particular by placing orders for industrial goods and

amounts that would fully ensure the stability and prosperity of the free city's economy, and by regular deliveries on a commercial basis of the necessary quantities of raw materials and food stuffs to West Berlin. Thus, by the liquidation of the occupation regime, not only would the more than two million people of West Berlin not be harmed but on the contrary they would have every opportunity to raise their living standard.

In case the Government of the USA and the governments of Great Britain and France express their agreement to consider the question of liquidating the present occupation regime in West Berlin by setting up a free city within its territory, the Soviet Government would be willing on behalf of the Four Powers to enter into official contact on this matter with the Government of the German Democratic Republic, with which it has already had preliminary consultations prior to the sending of the present note.

Naturally, it would also be realized that the GDR's agreement to set up on its territory such an independent political organism as a free city of West Berlin would be a concession, a definite sacrifice on the part of the GDR for the sake of strengthening peace in Europe, and for the sake of the national interest of the German people as a whole.

The Soviet Government, guided by a desire to normalize the situation in Berlin in the interest of European peace and in the interest of a peaceful and independent development of Germany, has resolved to effect measures on its part designed to liquidate the occupation regime in Berlin. It hopes that the Government of the USA will show a proper understanding of these motives and make a realistic approach to the Berlin question.

At the same time, the Soviet Government is prepared to enter into negotiations with the governments of the United States of America and with those of the other states concerned on granting West Berlin the status of a demilitarized free city. In case this proposal is not acceptable to the Government of the USA then there will no longer remain any topic for negotiations between the former occupying powers on the Berlin question.

The Soviet Government seeks to have the necessary change in Berlin's situation take place in a cold atmosphere, without haste and unnecessary friction, with maximum possible consideration for the interests of the parties concerned. Obviously, a certain period of time will be necessary for the powers which occupied Germany after the defeat of Hitler's Wehrmacht to agree on proclaiming West Berlin a free city provided, naturally, that the Western powers display due interest in this proposal.

It should also be taken into consideration that the necessity may arise for talks between the municipal authorities of both parts of Berlin and also between the GDR and the FRG to settle any questions that may arise. In view of this, the Soviet Government proposes to make no changes in the present procedure for military traffic of the USA, Great Britain, and France from West Berlin to the FRG for half a year. It regards such a period as fully sufficient to provide a sound basis for the solution of the questions connected with the change in Berlin's situation and to prevent a possibility of any complications, provided, naturally, that the governments of the Western powers do not deliberately seek such complications. During the above-mentioned period the parties will have an opportunity to prove in practice their desire to ease international tension by settling the Berlin question.

If the above-mentioned period is not utilized to reach an adequate agreement, the Soviet Union will then carry out the planned measures through an agreement with the GDR. It is envisaged that the German Democratic Republic, like any other independent state, must fully deal with questions concerning its space, i.e., exercise its sovereignty on land, on water, and in the air. At the same time, there will terminate all contacts still maintained between representatives of the armed forces and other officials of the Soviet Union in Germany and corresponding representatives of the armed forces and other officials of the USA, Great Britain, and France on questions pertaining to Berlin.