

July 4, 1961

**Letter from Ambassador Pervukhin to Foreign
Minister Gromyko on the Peace Treaty with East
Germany**

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Summary:

Ambassador Pervukhin sends the views of the Soviet embassy in East Germany regarding the negotiation of a peace treaty between East Germany and the Soviet Union. It notes that "the most difficult issues which will arise after signing a peace treaty are the practical exercise by [the] GDR organs of effective control over the links between West Berlin and the FRG and the establishment of a regime over the movement of the population between West and Democratic Berlin."

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The Embassy of the USSR in the GDR presents its views on practical measures which will arise from the imminent conclusion of a peace treaty with the GDR, which could be used in the preparation of materials for the negotiations with our German friends.

The most difficult issues which will arise after signing a peace treaty are the practical exercise by GDR organs of effective control over the links between West Berlin and the FRG and the establishment of a regime over the movement of the population between West and Democratic Berlin. Control over the links and the right to determine the regime on the sectorial border in Berlin does not only emphasize the full sovereignty of the GDR, but also makes it possible to resolve the GDR's quite difficult problem of the exodus of the population to West Germany.

At the present time, as is known, the exodus of the population from the GDR is enabled by the maintenance of an open border between West and Democratic Berlin and the absence of any sort of control over the aerial communications between West Berlin and the FRG. Therefore, to resolve the problem of flight from the GDR after concluding a peace treaty, we can follow two paths--we can either introduce effective control over the movement of the German population between West Berlin and the FRG on all means of transportation, including air, or close the sectorial border in Berlin.

Regarding individual concrete measures in connection with concluding a peace treaty, in our view it would be useful to implement the following:

1. The establishment of GDR control over the aerial communications of West Berlin with the FRG.

a) After signing a peace treaty, the existing 3 air corridors and the Berlin Center for Air Security, guarding the security of flights in the corridors, must be liquidated, and flights of all planes between West Berlin and the FRG will occur only with GDR permission.

For the establishment of real GDR control over air communications between West Berlin and the FRG, it is necessary to resolve the question of airports, at which there can be stops of planes with passengers coming to and from West Berlin.

At the present time three airports are used in West Berlin for air connections with the FRG: Tempelhof (the main airport), accepting all helical civilian airplanes flying into West Berlin and also American military planes; Tegel for French military planes and jet planes of French civilian air companies; and Gatow for British military planes. Flying into and out of West Berlin daily, there are about 96 civilian and 10 military-transport airplanes.

After signing a peace treaty the GDR should propose that West Berlin use GDR airports located near Berlin (Schönefeld and others) for air connections with the FRG and other Western

countries, instead of the West Berlin airports currently used. In their proposal, our friends could argue that using the West Berlin airports without corresponding control by the GDR is a violation of its sovereign rights. In their argument, they could also point out that their use creates a great threat to the security of the Berlin population, since all planes fly through the entire city. They should also point out the advantage of such a proposal for West Berlin, since being based at GDR airports they could use modern jet planes, whereas the main West Berlin airport Tempelhof generally cannot accept jet planes, and the others (Tegel) accept them in small numbers.

We must expect that against such a proposal an objection could be raised with reference to the GDR wanting by this to deprive West Berlin of its own airports, and demands will be made for the further use of West Berlin airports. The GDR position in this case, of course, will depend on what kind of regime there will be on the sectorial border in Berlin. If the sectorial border is open, as now, then the further use of airports in West Berlin could be agreed to only under the condition of the establishment there of control posts by the GDR customs service and border police, which would control all passengers and departing planes from West Berlin airports. If the border is closed, then the use of airports in West Berlin could be prohibited without the above-mentioned conditions, since it would be ordinary transit.

We should keep in mind that the GDR does not have at its disposal near Berlin airports which could fully handle the arrival of all planes in West Berlin. The civilian airport Schönefeld located near Berlin cannot now accept jet planes (TU-104) and, besides, it hardly will be in shape to accept in addition the number of civilian airplanes which now fly to West Berlin. Therefore, the question may arise of transferring to the GDR one of the airports near Berlin now belonging to the Group of Soviet Forces in the GDR.

b) For the practical implementation in the future of control over the flights of foreign airplanes to West Berlin, the GDR should create now a special air control service with its location in Berlin and cadres at fully prepared strength which would establish close contact with the service of the VNOS* of the Military Air Force of the Group of Soviet Forces in Germany now before the signing of a peace treaty, and for the time that the Berlin Center for Air Security will still exist, also with the main Soviet controller at this center. After signing a peace treaty, this service would stop exercising the function of guarding the security of flights of foreign airplanes to West Berlin and would support towards these goals the necessary contact with our military air forces in the GDR.

Both the GDR and we must be prepared that the USA, England and France, which currently use the air corridors for flights of their military-transport planes, and mainly of planes of their commercial air companies, will refuse to recognize the right of the GDR to control these flights and will try to carry them out without prior arrangement.

In view of this possibility, the GDR must have at its disposal at the moment of the signing of the peace treaty all technical means for detecting planes violating its airspace and also the airports and the necessary number of military planes for the forced landing of violating planes. Our military command in the GDR must give aid to the GDR military if necessary for

* Not further defined and not defined in Russian military dictionaries; perhaps an air observation service.

familiarization with such technical means, to agree with them on the isolation of airports which would be used for the forced landing of possible violating planes, etc.

In addition, precise agreement on mutual action in the detection and interception of violating planes must be reached in good time between the GDR Military Air Force and the Military Air Force of the Group of Soviet Forces in Germany.

For the preparation of these practical measures it would be useful to begin consultations on all questions concerning this between the military commands of the USSR and the GDR.

2. The regime on the sectorial border in Berlin

About 250,000 people now cross the sectorial border in Berlin every day, mainly on the railway [the largely above-ground express S-bahn], the G-bahn, by foot and also in automobiles. The GDR police carry out selective checking of people going through the sectorial border into West Berlin and in practice cannot really arrest citizens illegally leaving the GDR.

More active measures against the exodus of the population of the GDR would be the introduction of restrictive measures for the visitation by GDR citizens of both Democratic and West Berlin, strengthening the guarding of the border around Berlin, and also limiting free movement between Democratic and West Berlin. However the closing of the sectorial border would bring about displeasure not only in West Berlin but also among the GDR population, which would be used by hostile propaganda for discrediting a peace treaty with the GDR, for kindling anti-governmental feelings.

We must also keep in mind the serious technical difficulties in connection with closing the sectorial border. This would necessitate building obstructive structures for the whole expanse of the border within the city (46 km) and adding a large number of additional police posts, establishing constant police control at the points of crossing the sectorial border by the railway and metro. If the question is raised of organizing the use of the city railway separately in Democratic and West Berlin, then this will cause much inconvenience for the population of both parts of the city and will require a lot of work on the railways in both Democratic and West Berlin. In addition, if this occurs the West Berlin authorities could hinder the GDR from managing the city railway S-bahn in West Berlin, and even remove it from the technical protection of the rail lines between West Berlin and the FRG, which would not be favorable to the GDR.

In view of political considerations and the technical difficulties of closing the sectorial border in Berlin, we must secure the establishment of effective control over the movement of the German populace between West Berlin and the FRG not only by land transport, but also by air, with which the regime on the sectorial border in Berlin could remain without fundamental changes.

At the same time, it would be incorrect to exclude in general the possibility of closing the sectorial border in Berlin in one or another way, since with the exacerbation of the political situation, closed borders could be necessary. Therefore, it is necessary also to prepare a plan of measures in the event of the introduction of a state border regime on the sectorial border.

3. GDR control over rail and highway links between West Berlin and the FRG

a) At the present time, citizens of the FRG and the inhabitants of West Berlin can travel freely between Berlin and the FRG by rail and automobile transport freely by presenting their identity card to be checked by the GDR police. This transit regime, created by the GDR Ministry of Internal Affairs, has been in effect since 1953.

The question arises of what kind of transit regime for citizens of the FRG and inhabitants of West Berlin going through the GDR should be introduced after the signing of a peace treaty.

We must expect that if the existing regime on the sectorial border in Berlin remains unchanged, then even with the establishment of GDR control over air communications, the Bonn regime could organize the transfer of refugees from the GDR to the FRG through West Berlin by fictitious documents, under the guise of West German citizens or West Berliners. So as to prevent this, our friends should examine the question of the possible introduction of a visa regime for all people, including Germans, using the links [transit routes] between West Berlin and the FRG, as is done now regarding all foreigners.

We must keep in mind that a visa system would lead to great inconveniences for Germans and would bring about displeasure both in the FRG and in West Berlin. Therefore, at first we should keep the transit order unchanged. If GDR control over the transit routes by the checking of documents by the border police does not lead to a reduction in the exodus of the GDR population through West Berlin, then we will have to introduce a visa regime on the transit routes between Berlin and the FRG for all transit passengers and in the extreme case close the sectorial border in Berlin. It is obvious that in both cases we would have to expect political difficulties.

b) The GDR currently controls all cargo transit between West Berlin and the FRG. It would be important politically that after signing the peace treaty cargo transit between West Berlin and the FRG would continue uninterrupted and would maintain the existing control procedure. This would demonstrate the groundlessness of current allegations that signing a peace treaty with the GDR will allegedly create a threat to West Berlin.

The GDR should define its position regarding payment for this cargo transit. Cargo transit between West Berlin and the FRG occurs now by rail, water and automobile transport. Payment for transit of West German and West Berlin cargo on GDR railways is made by rates which were established for the payment of cargo transport in trade between the GDR and the FRG. These rates are roughly equal to the internal rail rates of the FRG and exceed the internal rail rates of the GDR. Charges for rail transit of cargo between the FRG and West Berlin through the GDR are made under the terms of the agreement of the GDR and FRG on payments which is part of the agreement on inner-German trade. The revenue from this transit is 235 million Westmarks per year.

For FRG and West Berlin cargo transit on GDR waterways a small toll, which was established in 1941 for all of Germany, is levied for the use of canals. Charges for transit by water ways are made the same way as for rail transit under the terms of the above-mentioned agreement of the GDR and the FRG on payments. Revenues for the GDR budget from these duties are 2.7 million Westmarks per year.

For cargo traffic between the FRG and West Germany on the GDR highways, tolls are levied which were introduced by the GDR in 1951. They are paid in cash by automobile drivers. The amount of the toll was raised in 1955. Yearly revenues for the GDR budget from these tolls is about 36 million Westmarks.

Our friends should make the maintenance of the current amount of tariffs and tolls for the transit of West German and West Berlin cargo on the land links of the GDR dependent on the West German extension of trade with the GDR after the signing of a peace treaty. If the FRG stops trade with the GDR in response to the conclusion of a peace treaty, our friends could raise several times the tariffs and tolls which currently exist for the use of their transit routes. This could enable the GDR to compensate for the severing of trade with the FRG to a limited extent.

These measures do not affect the interests of particular firms which conduct transit between West Berlin and the FRG, since all additional expenses connected with this transit are paid by Bonn out of the state budget.

c) Our friends must prepare to exercise control over the transit of military personnel and freight of the US, British and French garrisons in West Berlin, which, obviously, will remain there for a certain period of time after the signing of a peace treaty. For this they should prepare beforehand personnel of the Border Police or National Army who will exercise such control in practice.

We must keep in mind that the current supervision by Soviet military forces of the transit of military personnel and cargo of the US, England, and France between West Berlin and the FRG is really just formal. The [officials at the] Soviet checkpoints do not go into the loads of military convoys, they do not check the documents of each person, and they are limited to the examination of a general list of travellers, presented by the leader of the military echelon. Checking of the group of military personnel which follow in automobiles is also limited to examination of the list. Travel documents are issued by the US, English and French authorities in the name of the ambassadors and of commanding forces of these countries in the FRG and their military commandants in West Berlin. Military transports conveyed in trains and cars are not inspected by Soviet controllers. Thus, the US, England, and France can in reality transport any people and any freight in military echelons, i.e., there is not really control.

In our opinion, this situation should be corrected and effective control be established before a peace treaty comes into force so as to facilitate the exercise of control functions by GDR authorities. For this it would be necessary that Soviet controllers check the documents of every passenger travelling in a military echelon or military automobile and examine all military cargo. In these actions we could refer to the fact that the agreement of the four powers on communications (protocol of the meeting at the headquarters of Marshal Zhukov on June 29, 1945 and the decision of the Control Council of November 10, 1945) provided for the transport of military personnel and cargo of the US, England, and France between West Berlin and the FRG "under Russian control and management." Our right to change the control regime can be deduced from this formula.

d) In our opinion, we should also change the existing practice of payment for the military transport of the US, England, and France on railways and highways before the signing of a peace treaty.

The payment for the transportation of military cargo on railways has been made until now on easy terms, and military personnel are transported for free. The transport of cargo is paid for according to rates which were introduced on September 1, 1939, for the transport of Hitler's army, and after Germany's capitulation it was adapted to the military transport of the occupation forces by resolution of the four powers. At this rate, the transport of military cargo is paid for at a rate of 25 pfennigs per axle per kilometer and for every truck there is a one-time toll of 3.20 marks.

This tariff on easy terms is illegal, since the resolution of the USSR Council of Ministers of September 20, 1955 provided for the repeal of operation on GDR territory of all laws, directives, orders and other resolutions of the Control Council which were made from 1945-1948.

With this advantageous tariff in the GDR, only the transport of cargo of the National Army and the Soviet forces are paid for. In the FRG, tariffs for the transport of military cargo were raised in 1957. If the rail transport of cargo by the US, Britain, and France through the GDR was paid for according to the rate which exists for the payment of military transport in the FRG, the GDR would have an addition revenue of about 2 million marks (now the GDR receives 700-800,000 marks per year). We must keep in mind that the US, Britain and France settle accounts for the transport of their military cargo on the railways of the GDR not with the GDR department of railways, but with the FRG federal direction of railways.

The US, Britain, and France use for free the highways between Berlin and the FRG for the transport of their military personnel and cargo. The GDR 1951 resolution on the levying of tolls on auto transport of the FRG and West Berlin was not applied to the auto transport of the US, Britain, and France. This system, which corresponded to the conditions of occupation, has no basis at the present time. The GDR could apply to the auto transport of these powers the same regime of payment for transit through the GDR which exists with regard to West German and West Berlin auto transport.

4. On the garrison of Soviet forces in Berlin

After a peace treaty is signed the commandant of the garrison of Soviet forces in Berlin must cease ties with the military commandants of the US, Great Britain and France in West Berlin, since their further existence will be illegal.

With regard to the Spandau prison which is now guarded by a subdivision of the Soviet garrison in Berlin together with subdivisions of the US, British, and French garrisons in West Berlin, we should assume that the status of the prison will remain unchanged after the signing of the peace treaty, since it was not brought about by the occupation. The guarding of the prison will be exercised as before by USSR, US, British, and French personnel.

Since the demand for the removal of occupation forces from West Berlin will be recorded in the peace treaty, we should discuss the question of the time for the removal of the garrison of

Soviet forces from Democratic Berlin. It is obvious that our garrison will be removed from Berlin simultaneously with the evacuation of the occupation troops from West Berlin.

5. Economic questions

In the event of the conclusion of a peace treaty with the GDR, we must expect a severing by West Germany of trade ties with the GDR, and also the organization of an economic blockade of the Republic by the NATO countries. Issues of the economic situation of the GDR are illuminated in the political note of the Soviet embassy of July 4, 1961, # 0459/gdr. It is necessary to examine the proposals of the Soviet embassy put forward in the note referred to. In particular, we should speed up the creation in the Soviet Union of the corresponding raw material supplies for the GDR so as to provide these goods to the GDR in the event of an economic blockade of the GDR by the Western powers.

We must keep in mind that the GDR does not have its own resources of basic industrial raw materials. The interruption in supplies as a result of an economic blockade could complicate the already grave domestic political situation in the Republic. Therefore, it is politically important that after the signing of the peace treaty, supplies to the GDR industry and population at least do not worsen.

6. Several other issues

a) The Soviet Union and the GDR must work out a position in case the West Berlin senate declares the nonrecognition of free city status for West Berlin, [which would be] announced to us and the GDR in a unilateral way after the signing of a peace treaty with the GDR, and organizes a referendum in West Berlin in favor of the preservation of the existing situation and the maintenance of the Western forces there. In this event we could adopt the following position:

The issue of the occupation regime in West Berlin and the character of its status does not fall within the competence of the West Berlin authorities and cannot be decided by a referendum. If an attempt will be made to proclaim in one or another form the absorption of West Berlin into the FRG, we could declare that the territory of West Berlin is a constituent part of the territory of the GDR and that its status cannot be determined without the agreement of the GDR.

b) Our friends must consider possible measures in case the West Berlin regime continues hostile activity against the GDR after the signing of a peace treaty. In our opinion, in order to exert influence on West Berlin, our friends could utilize their opportunities [to put pressure] on the transit routes between West Berlin and the FRG.

Since what has been set forth above, as well as other practical questions which arise in connection with the imminent conclusion of a peace treaty with the GDR, demands serious preliminary preparation and agreement with the GDR, the Soviet embassy would consider it desirable in the near future to direct these measures to the attention of the USSR government so that we can carry out the necessary consultations with our German friends and prepare agreed upon measures in a timely fashion.

USSR Ambassador in the GDR, M. Pervukhin