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INTERNATIONAL LAW DOCUMENTS

1944-1945

U.S. Naval War College (Editor)

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transmitted to the governments of the signatory states. The Government of the United States of America shall transfer the original to the Executive Secretary on his appointment.

9. This document shall be effective as from this date, and shall remain open for signature by the states entitled to be the original Members of the United Nations until the Commission is dissolved in accordance with paragraph 7.

In faith whereof, the undersigned representatives having been duly authorized for that purpose, sign this document in the English, French, Chinese, Russian, and Spanish languages, all texts being of equal authenticity.

Done in the City of San Francisco, this twenty-sixth day of June, 1945.

IX. INSTRUMENTS OF GERMAN SURRENDER

A. ALL GERMAN ARMED FORCES IN HOLLAND, NORTHWEST GERMANY AND DENMARK

(The Department of State Bulletin, Vol. XII, No. 317, July 22, 1945)

1. The German Command agrees to the surrender of all German armed forces in HOLLAND, in northwest GERMANY including the FRISIAN ISLANDS and HELIGOLAND and all other islands, in SCHLESWIG-HOLSTEIN, and in DENMARK, to the C.-in-C. 2 Army Group. This to include all naval ships in these areas. These forces to lay down their arms and to surrender unconditionally.

2. All hostilities on land, on sea, or in the area by German forces in the above areas to cease at 0800 hrs. British Double Summer Time on Saturday 5 May 1945.

3. The German command to carry out at once, and without argument or comment, all further orders that will be issued by the Allied Powers on any subject.

4. Disobedience of orders, or failure to comply with them, will be regarded as a breach of these surrender terms and will be dealt with by the Allied Powers in accordance with the accepted laws and usages of war.

5. This instrument of surrender is independent of, without prejudice to, and will be superseded by any general instrument of surrender imposed by or on behalf of the Allied Powers and applicable to Germany and the German armed forces as a whole.

6. This instrument of surrender is written in English and in German. The English version is the authentic text.

7. The decision of the Allied Powers will be final if any doubt or dispute arises as to the meaning of interpretation of the surrender terms.

B. L. MONTGOMERY

Field Marshal

4 May 1945

1830 hrs.

FRIEDEBURG.

KINSEL.

G. WAGNER.

POLECK.

FRIEDEL.

B. ACT OF MILITARY SURRENDER (RHEIMS)

1. We the undersigned, acting by authority of the German High Command, hereby surrender unconditionally to the Supreme Commander Allied Expeditionary Force and simultaneously to the Soviet High Command all forces on land, sea, and in the air who are at this date under German control.

2. The German High Command will at once issue orders to all German military, naval and air authorities and to all forces under German control to cease active operations at 2301 hours Central European time on 8 May and to remain in the positions occupied at that time. No ship, vessel, or aircraft is to be scuttled, or any damage done to their hull, machinery or equipment.

3. The German High Command will at once issue to the appropriate commanders, and ensure the carrying out of any further orders issued by the Supreme Commander, Allied Expeditionary Force and by the Soviet High Command.

4. This act of military surrender is without prejudice to, and will be superseded by any general instrument of surrender imposed by, or on behalf of the United Nations and applicable to GERMANY and the German armed forces as a whole.

5. In the event of the German High Command or any of the forces under their control failing to act in accordance with this Act of Surrender, the Supreme Commander, Allied Expeditionary Force and the Soviet High Command will take such punitive or other action as they deem appropriate.

Signed at Rheims at 0241 on the 7th day of May, 1945.

France

On behalf of the German High Command.

JODL

IN THE PRESENCE OF:

On behalf of the Supreme
Commander, Allied Ex-
peditionary Force.

W. B. SMITH

F. SEVEZ

Major General, French Army
(Witness)

On behalf of the Soviet
High Command.

SOUSLOPAROV.

C. ACT OF MILITARY SURRENDER (BERLIN)

1. We the undersigned, acting by authority of the German High Command, hereby surrender unconditionally to the Supreme Commander, Allied Expeditionary Force and simultaneously to the Supreme High Command of the Red Army all forces on land,

at sea, and in the air who are at this date under German control.

2. The German High Command will at once issue orders to all German military, naval and air authorities and to all forces under German control to cease active operations at 2301 hours Central European time on 8th May 1945, to remain in the positions occupied at that time and to disarm completely, handing over their weapons and equipment to the local allied commanders or officers designated by Representatives of the Allied Supreme Commands. No ship, vessel, or aircraft is to be scuttled, or any damage done to their hull, machinery or equipment, and also to machines of all kinds, armament, apparatus, and all the technical means of prosecution of war in general.

3. The German High Command will at once issue to the appropriate commanders, and ensure the carrying out of any further orders issued by the Supreme Commander, Allied Expeditionary Force and by the Supreme High Command of the Red Army.

4. This act of military surrender is without prejudice to, and will be superseded by any general instrument of surrender imposed by, or on behalf of the United Nations and applicable to GERMANY and the German armed forces as a whole.

5. In the event of the German High Command or any of the forces under their control failing to act in accordance with this Act of Surrender, the Supreme Commander, Allied Expeditionary Force and the Supreme High Command of the Red Army will take such punitive or other action as they deem appropriate.

6. This Act is drawn up in the English, Russian and German languages. The English and Russian are the only authentic texts.

Signed at Berlin on the 8. day of May, 1945

FRIEDEBURG KEITEL STUMPF
On behalf of the German High Command

IN THE PRESENCE OF:

On behalf of the Supreme Commander Allied Expeditionary Force A W TEDDER	On behalf of the Supreme High Command of the Red Army G ZHUKOV
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At the signing also were present as witnesses:

F. DE LATTRE-TASSIGNY General Commanding in Chief First French Army	CARL SPAATZ General, Commanding United States Stra- tegic Air Forces
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X. PROCLAMATION DEFINING TERMS FOR JAPANESE SURRENDER

(The Department of State Bulletin, Vol. XIII, No. 318, July 29, 1945)

(1) We—the President of the United States, the President of the National Government of the Republic of China, and the Prime Minister of Great Britain, representing the hundreds of millions of our countrymen, have conferred and agree that Japan shall be given an opportunity to end this war.

(2) The prodigious land, sea and air forces of the United States, the British Empire and of China, many times reinforced by their armies and air fleets from the west, are poised to strike the final blows upon Japan. This military power is sustained and inspired by the determination of all the Allied Nations to prosecute the war against Japan until she ceases to resist.

(3) The result of the futile and senseless German resistance to the might of the aroused free peoples of the world stands forth in awful clarity as an example to the people of Japan. The might that now converges on Japan is immeasurably greater than that which, when applied to the resisting Nazis,