

**The Moscow Declaration by the U.S.-U.K., U.S.S.R.-China
Moscow, U.S.S.R.
October 30, 1943**

The governments of the United States of America, United Kingdom, the Soviet Union, and China;

United in their determination, in accordance with the declaration by the United Nations of January, 1942, and subsequent declarations, to continue hostilities against those Axis powers with which they respectively are at war until such powers have laid down their arms on the basis of unconditional surrender; Conscious of their responsibility to secure the liberation of themselves and the peoples allied with them from the menace of aggression; Recognizing the necessity of insuring a rapid and orderly transition from war to peace and of establishing and maintaining international peace and security with the least diversion of the world's human and economic resources for armaments; Jointly declare:

1. That their united action, pledged for the prosecution of the war against their respective enemies, will be continued for the organization and maintenance of peace and security.
2. That those of them at war with a common enemy will act together in all matters relating to the surrender and disarmament of that enemy.
3. That they will take all measures deemed by them to be necessary to provide against any violation of the terms imposed upon the enemy.
4. That they recognize the necessity of establishing at the earliest practicable date a general international organization, based on the principle of the sovereign equality of all peace-loving states, and open to membership by all such states, large and small, for the maintenance of international peace and security.
5. That for the purpose of maintaining international peace and security pending the re-establishment of law and order and the inauguration of a system of general security they will consult with one another and as occasion requires with other members of the United Nations, with a view to joint action on behalf of the community of nations.
6. That after the termination of hostilities they will not employ their military forces within the territories of other states except for the purposes envisaged in this declaration and after joint consultation.
7. That they will confer and cooperate with one another and with other members of the United Nations to bring about a practicable general agreement with respect to the regulation of armaments in the post-war period.

DECLARATION REGARDING ITALY

The Foreign Secretaries of the United States, the United Kingdom and the Soviet Union have established that their three governments are in complete agreement that Allied policy toward Italy must be based upon the fundamental principle that Fascism and all its evil influence and configuration shall be completely destroyed and that the Italian people shall be given every opportunity to establish governmental and other institutions based on democratic principles.

The Foreign Secretaries of the United States and the United Kingdom declare that the action of their governments from the inception of the invasion of Italian territory, in so far as paramount military requirements have permitted, has been based upon this policy.

In furtherance of this policy in the future the Foreign Secretaries of the three governments are agreed that the following measures are important and should be put into effect:

1. It is essential that the Italian Government should be made more democratic by inclusion of representatives of those sections of the Italian people who have always opposed Fascism.
2. Freedom of speech, of religious worship, of political belief, of press and of public meeting, shall be restored in full measure to the Italian people, who shall be entitled to form anti-Fascist political groups.
3. All institutions and organizations created by the Fascist regime shall be suppressed.
4. All Fascist or pro-Fascist elements shall be removed from the administration and from institutions and organizations of a public character.
5. All political prisoners of the Fascist regime shall be released and accorded full amnesty.
6. Democratic organs of local government shall be created.
7. Fascist chiefs and army generals known or suspected to be war criminals shall be arrested and handed over to justice.

In making this declaration the three Foreign Secretaries recognize that so long as active military operations continue in Italy the time at which it is possible to give full effect to the principles stated above will be determined by the Commander-in-Chief on the basis of instructions received through the combined chiefs of staff.

The three governments, parties to this declaration, will, at the request of any one of them, consult on this matter. It is further understood that nothing in this resolution is to operate against the right of the Italian people ultimately to choose their own form of government.

DECLARATION ON AUSTRIA

The governments of the United Kingdom, the Soviet Union and the United States of America are agreed that Austria, the first free country to fall a victim to Hitlerite aggression, shall be liberated from German domination.

They regard the annexation imposed on Austria by Germany on March 15, 1938, as null and void. They consider themselves as in no way bound by any charges effected in Austria since that date. They declare that they wish to see re-established a free and independent Austria and thereby to open the way for the Austrian people themselves, as well as those neighboring States which will be face with similar problems, to find that political and economic security which is the only basis for lasting peace.

Austria is reminded, however that she has a responsibility, which she cannot evade, for participation in the war at the side of Hitlerite Germany, and that in the final settlement account will inevitably be taken of her own contribution to her liberation.

STATEMENT ON ATROCITIES

Signed by President Roosevelt, Prime Minister Churchill and Premier Stalin.

The United Kingdom, the United States and the Soviet Union have received from many quarters evidence of atrocities, massacres and cold-blooded mass executions which are being perpetrated by Hitlerite forces in many of the countries they have overrun and from which they are now being steadily expelled. The brutalities of Nazi domination are no new thing, and all peoples or territories in their grip have suffered from the worst form of government by terror. What is new is that many of the territories are now being redeemed by the advancing armies of the advancing armies of the liberating powers, and that in their desperation the recoiling Hitlerites and Huns are redoubling their ruthless cruelties. This is now evidenced with particular clearness by monstrous crimes on the territory of the Soviet Union which is being liberated from Hitlerites, and on French and Italian territory.

Accordingly, the aforesaid three Allied powers, speaking in the interest of the thirty-two United Nations, hereby solemnly declare and give full warning of their declaration as follows:

At the time of granting of any armistice to any government which may be set up in Germany, those German officers and men and members of the Nazi party who have been responsible for or have taken a consenting part in the above atrocities, massacres and executions will be sent back to the countries in which their abominable deeds were done in order that they may be judged and punished according to the laws of these liberated countries and of free governments which will be erected therein. Lists will be compiled in all possible detail from all these countries having regard especially to invaded parts of the Soviet Union, to Poland and Czechoslovakia, to Yugoslavia and Greece including Crete and other islands, to Norway, Denmark, Netherlands, Belgium, Luxembourg, France and Italy.

Thus, Germans who take part in wholesale shooting of Polish officers or in the execution of French, Dutch, Belgian or Norwegian hostages of Cretan peasants, or who have shared in slaughters inflicted on the people of Poland or in territories of the Soviet Union which are now being swept clear of the enemy, will know they will be brought back to the scene of their crimes and judged on the spot by the peoples whom they have outraged.

Let those who have hitherto not imbued their hands with innocent blood beware lest they join the ranks of the guilty, for most assuredly the three Allied powers will pursue them to the uttermost ends of the earth and will deliver them to their accusers in order that justice may be done.

The above declaration is without prejudice to the case of German criminals whose offenses have no particular geographical localization and who will be punished by joint decision of the government of the Allies.

“The Moscow Conference.” Yale Law School Lillian Goldman Law Library: The Avalon Project. 10/24/2010. <http://avalon.law.yale.edu/wwii/moscow.asp>