

2. Will the power of the Allies as occupants of Germany cease when the war against Germany terminates?

It seems clear that irrespective of how the war with Germany ultimately comes to an end, there will be no practical problem concerning the right of the Allies to continue military occupation of German soil in the postwar period.

In the event that the war should end with a treaty of peace, the occupation of Germany in the ensuing period will be governed by the terms of the treaty.

If the war ends because of the annexation by other countries of all German territory, there will be no problem of occupation of Germany since Germany, as such, will have ceased to exist.

If the war should end by a "cessation of hostilities" i.e., after a prolonged period in which there is no fighting and during which troops are withdrawn and peaceful relations re-established, no one will be interested in whether the United Nations have a right to occupy Germany. The question at that point will be academic.