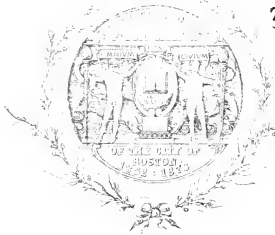




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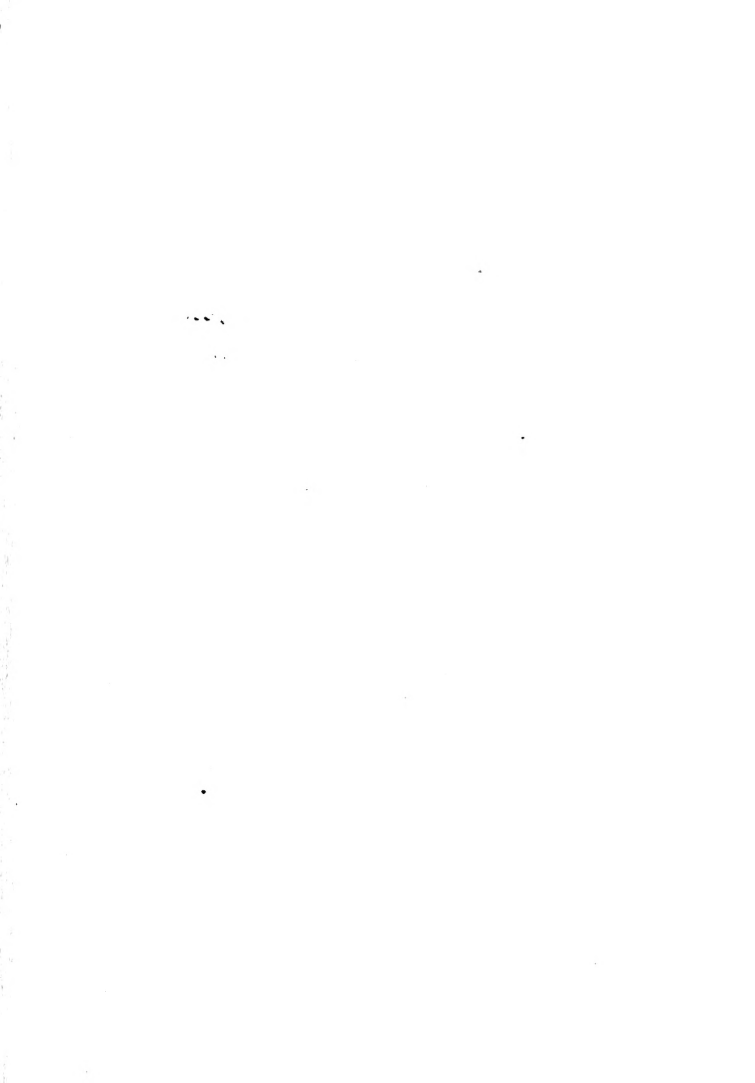


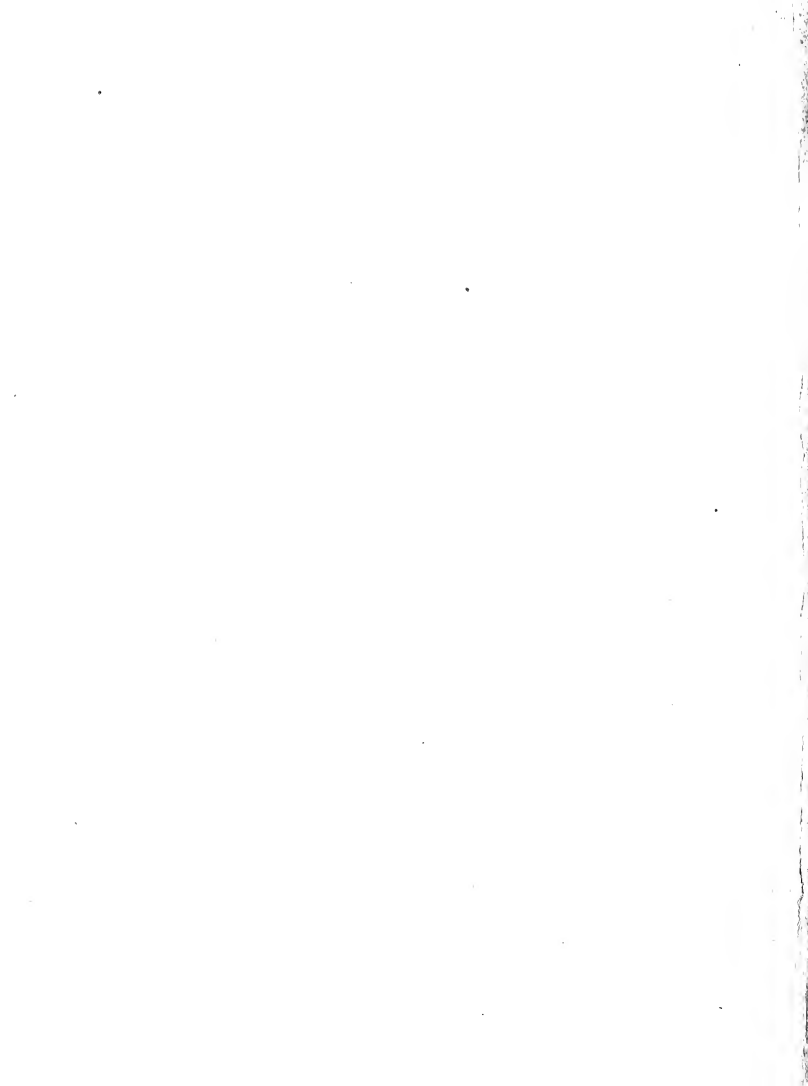
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Work of the United Nations "Legal Committees"

Article by HENRY REIFF¹

TO THE projecting, designing, and construction of the United Nations the so-called "legal committees" which sat at Dumbarton Oaks, San Francisco, and London contributed, according to the record, considerable engineering skill.

At Dumbarton Oaks, in the summer of 1944, one of the four subcommittees set up to assist in the conduct of the Conversations was entitled "Legal Subcommittee". Under the chairmanship of Green H. Hackworth,² then Legal Adviser, Department of State, it held four meetings during the first phase of the Conversations. From its recommendations resulted chapter VII of the Proposals, which dealt with An International Court of Justice.³ It also suggested the desirability of holding a preliminary meeting of jurists for the purpose of drafting the Statute of the proposed Court. Such a Committee of Jurists, to which the governments to be represented at San Francisco were invited to send delegates, met in Washington, D. C., April 9 to 20, 1945, and prepared a draft statute for submission to the forthcoming United Nations Conference on International Organization (UNCIO).⁴

For the successful discharge of the tasks entrusted to the United Nations Conference on International Organization in San Francisco in the spring of 1945 and to the Preparatory Commission and the General Assembly in London in the fall and winter of 1945-1946, it was found necessary to include among the several committees set up for the performance of technical functions at each of these stages a committee, variously called, but uniformly charged with the handling of a miscellany of legal problems. At UNCIO it was Committee IV/2 on "Legal Problems"; in the Executive Committee of the Preparatory Commis-

sion in London it was Committee 5 on "Court and Legal Problems"; in the Preparatory Commission it was Committee 5 on "Legal Questions"; and in the General Assembly it was Committee 6, the "Legal Committee". Except in the case of Com-

¹Dr. Reiff is an officer in the Division of International Organization Affairs, Office of Special Political Affairs, Department of State. He served as a technical expert with the Delegation of the United States to the United Nations Conference on International Organization at San Francisco. For articles by Dr. Reiff on Transition from League of Nations to United Nations, see BULLETIN of Apr. 28, 1946, p. 691, and May 5, 1946, p. 739.

²The other United States representatives on the subcommittee were Benjamin V. Cohen and Stanley K. Hornbeck. The Soviet representatives were Professor Sergei A. Golunsky and Professor Sergei B. Krylov; United Kingdom, Sir William Malkin and Peter Loxley; Denmark, V. Sandifer, Assistant Chief of the Division of International Organization Affairs, Department of State, served as technical adviser to the American members of the subcommittee. Hayden Raynor, Special Assistant to the Under Secretary of State, and the following officers from the Division of International Organization Affairs also assisted the American members: Lawrence Preuss, Alice McDiarmid, Marcia Maylott, and Norman Padelford. See "Subcommittees for the Conversations", BULLETIN of Aug. 27, 1944, p. 203; and James F. Green, "The Dumbarton Oaks Conversations", BULLETIN of Oct. 22, 1944, p. 459.

³"Dumbarton Oaks Documents on International Organization", BULLETIN of Oct. 8, 1944, pp. 365, 370.

⁴Lawrence Preuss, "The International Court of Justice and the Problem of Compulsory Jurisdiction", BULLETIN, Sept. 30, 1945, pp. 471, 473. See also Green H. Hackworth, "The International Court of Justice", BULLETIN of Aug. 12, 1945, p. 216; and by the same author "The International Court of Justice and the Codification of International Law", BULLETIN of Dec. 23, 1945, p. 1000. Cf. *The International Court of Justice, Selected Documents Relating to the Drafting of the Statute* (Department of State publication 2491).

mittee 5 of the Executive Committee, whose membership was confined to the number of states represented on the Executive Committee, i.e. fourteen, these committees were composed of representatives of all of the members of the United Nations. The United States was, of course, represented on each of these committees,⁵ but not on all of the subcommittees which were set up from time to time.

It is with the work of the legal committees set up in San Francisco and in London that the present discussion deals. The work of these committees falls naturally into two periods. At San

⁵ The personnel assigned to UNCIO Commission IV on "Judicial Organization", which embraced both Committee 1 on the "International Court of Justice" and Committee 2 on "Legal Problems", was as follows: Senator Tom Connally and Commander Harold E. Stassen, U. S. N. R., Delegates; Green H. Hackworth, Legal Adviser to the Department of State, and Charles Fahy, Solicitor General of the United States (on June 19, 1946 Mr. Fahy became Legal Adviser to the Department of State), Advisers; Durrward V. Sandifer, Chief, Division of International Organization Affairs, Department of State, a chief technical expert; Miss Marcia Maylott, Miss Marjorie M. Whitman, Philip C. Jessup, Mrs. Alice M. McDiarmid, and Henry Reiff, technical experts. Of this group, Mr. Fahy represented the Delegation regularly on Committee 2, assisted by Dr. Jessup and Dr. Reiff.

The representation on the committees in London was as follows: Committee 5 of the Executive Committee, Dr. Reiff; Committee 5 of the Preparatory Commission, Dr. Reiff, John W. Halderman, Acting Assistant Chief, Division of International Organization Affairs, Department of State, and A. H. Feller, Department of State; Committee 6 of the General Assembly, Frank Walker, Alternate Delegate, Green H. Hackworth, Senior Adviser, Mr. Feller, Mr. Halderman, Dr. Reiff, and William F. Cronin, Assistant to Mr. Walker.

⁶ Subcommittee A of Committee IV/2 at its first meeting invited Judge Manley O. Hudson and Judge J. Gustavo Guerrero of the Permanent Court of International Justice to attend its discussions as observers. The subcommittee frequently availed itself of Judge Hudson's views.

⁷ Thus eight of the first members (15 in number) of the International Court of Justice had served on one or more of these legal committees: Abdel Hamid Badawi Nasha (Egyptian); John Erskine Read (Canadian); Green Haywood Hackworth (American); Sergei Borisovich Krylov (Russian); Jules Basdevant (French); José Gustavo Guerrero (Salvadoran); Bohdan Winiarski (Pole); and Milovan Zoričić (Yugoslav). Two had served on Committee IV/1: Hsu Mo (Chinese) and Charles de Visser (Belgian); and two had served on other committees during these formative stages. Many of the candidates proposed but not elected had also rendered distinguished service to one or another of the legal committees.

Francisco, Committee IV/2 was charged primarily with the preparation of certain provisions for inclusion in the Charter. The several legal committees sitting in London were charged with devising certain of the means of putting the Charter into operation. All of the committees, however, were expected to furnish, and on occasion did furnish, advice to other committees on the legal aspects of problems which confronted them.

The legal committees were fortunate, as indeed were various of the other technical committees, in having among their number members of pre-eminent talent.⁶ Attorneys general and other national law officers of similar rank, judges of the highest tribunals, national and international, legal advisers to foreign offices, counselors of diplomatic missions, experts long associated with the League of Nations, jurists renowned in forum and classroom—these furnished leadership for the committees and seasoned their deliberations with a wisdom born of responsibility.⁷ Enough of those who had served at UNCIO reappeared for the Preparatory Commission and the General Assembly stages to give to the development of the United Nations a most desirable internal consistency.

Debates in Committee IV/2 generally comported with the high purposes for which UNCIO was called. No occlusive political juristic theory held sway. To every proposal advanced was applied the simple touchstone of pragmatism. Though ideals were invoked, decisions reflected experience—experience prior to the League of Nations and in and out of it. The lessons then being learned from World War II were not ignored. Often the discussions had the quality of those recorded in Madison's *Journal*. Both in what it recommended for inclusion in the Charter and in what it declined to so recommend, Committee IV/2 may be thought to have acquitted itself well.

The legal committees in London, charged with the performance of more detailed tasks, witnessed more prosaic discussions. On occasion, however, as when the Australian proposal to postpone election of the judges of the International Court of Justice⁸ and when the amendments to the provisional rules of the General Assembly⁹ were under consideration, debate took on a quality reminiscent of San Francisco's best. Members believed principles were at stake, and they spoke accordingly.

The present discussion seeks only to outline the

⁸ *Infra*.

work of these several committees, to furnish a thread through their labyrinthian records. No attempt will, therefore, be made to set forth the positions of delegations, to summarize debates, or to interpret the provisions or instruments adopted. Official⁹ and unofficial¹⁰ commentaries on the results of UNCIO have already appeared. In due course, no doubt, commentaries will appear on the labors of the Executive Committee, the Preparatory Commission and the first part, the "constitutive part," of the General Assembly. Meanwhile, the present outline may be of service in use of the records.

UNCIO COMMITTEE IV/2 ON LEGAL PROBLEMS OF COMMISSION IV ON JUDICIAL ORGANIZATION

Committee IV/2, unlike other committees at San Francisco, had no sections of the Dumbarton Oaks Proposals specifically assigned to it. The meeting of the chairmen of delegations requested it "to prepare and recommend to Commission IV draft provisions for the Charter . . . relating to matters dealt with in connection with the functioning of the United Nations Organization, . . ." such as (1) registration of treaties; (2) treaty obligations inconsistent with the Charter; (3) the juridical status of the Organization; and (4) privileges and immunities of officials of the Organization.¹¹ These had been omitted from the skeletal Proposals but obviously needed to be inserted in the finished Charter. At the first meeting of the committee, the chairman, Badawi Pasha (Egypt), suggested for consideration (5) codification of international law and (6) revision of treaties (otherwise frequently referred to as the process of "peaceful change").¹² Subsequently the following topics were also placed on the agenda: (7) relation of international law and the Charter to internal law; (8) interpretation of the Charter; and (9) coming into force of the Charter.

Certain other items of a miscellaneous character, though not placed on the agenda of Committee IV/2, were mentioned in connection with its work and may be listed here for disposal presently: (10) definition of acts of aggression; (11) organization of an international bar association; (12) the consequences of taking an "oath of allegiance" to the Organization by members of the Secretariat; and (13) a flag for the United Nations.

In the discussion of these topics, Committee IV/2 was aided by some 85¹³ of the *Comments*

and Proposed Amendments Concerning the Dumbarton Oaks Proposals Submitted by the Delegations to the United Nations Conference on International Organization.¹⁴ These were compiled according to subject-matter by the Secretariat and presented in separate documents to the committee when the corresponding items appeared on the agenda. Numerous additional proposals and suggestions, however, were made from the floor under the generous rules of procedure applied to the discussions of the committee and its subcommittees.

Committee IV/2 utilized for drafting purposes only two small subcommittees, named A and B respectively. To Committee IV/2/B was assigned only one topic, that relating to interpretation of the Charter. The task of examining and reporting on the other proposals committed by Committee IV/2 fell to Committee IV/2/A. Documents prepared for the use of these subcommittees, called "Working Documents", are included in the compilation published by the United Nations Information Organizations.¹⁵ Eleven delegations were represented on subcommittee A¹⁶ and six on subcommittee B,¹⁷ the United States being included in both cases. A verbatim record, not

⁹ *Charter of the United Nations: Report to the President on the Results of the San Francisco Conference by the Chairman of the United States Delegation, The Secretary of State, June 26, 1945* (Department of State Publication 2349, Conference Series 71).

¹⁰ L. M. Goodrich and E. Hambro, *Charter of the United Nations: Commentary and Documents* (World Peace Foundation, Boston, 1946).

¹¹ "Organization of the Conference", UNCIO Doc. 31, DC/6, Apr. 27, 1945, p. 5.

¹² Summary Report of the First Meeting of Committee IV/2, May 5, 1945, UNCIO Doc. 115, IV/2/2, May 6, 1945.

¹³ *Guide to Amendments, Comments and Proposals Concerning the Dumbarton Oaks Proposals for a General International Organization*, UNCIO Doc. 288, G/28, May 14 1945, pp. 70-72.

¹⁴ Compilation so entitled under UNCIO Doc. 2, and dated May 7, 1945.

¹⁵ *Documents of the United Nations Conference on International Organization, San Francisco, 1945: Published in cooperation with the Library of Congress, Washington, New York, United Nations Information Organizations, 1945, 15 vols., index vol. to be issued, vol. VIII: Commission IV, Judicial Organization, pp. 597 ff.*

¹⁶ Belgium, Colombia, France, Iran, New Zealand, Norway, Philippine Commonwealth, Soviet Union, United Kingdom, United States, and Venezuela. The Chairman of Committee IV 2, the delegate of Egypt, served also as chairman of this subcommittee.

¹⁷ Belgium, France, Norway, Yugoslavia, United Kingdom, and United States.

yet published, was kept of the proceedings of Committee IV/2 as of other similar committees, but not of its subcommittees, where the conduct of business was on a very informal level. Members were, however, at liberty at all times to make records of these discussions for the use of their delegations, and some did so regularly. A summary record of the proceedings of Committee IV 2, as of other similar committees, prepared by the Secretariat,¹⁸ was issued promptly after each session. Committee IV/2 held 16 meetings; Committee IV/2/A, 15; and Committee IV/2/B, 1.

MISCELLANEOUS TOPICS

Before taking up serially the items which appeared on the agenda, it may be convenient to dispose of the miscellaneous topics.

It was suggested at the first meeting of Committee IV 2 that the committee undertake a definition of the term *aggressor*. The chairman declared, however, that consideration of that topic belonged properly to other committees.¹⁹ Com-

¹⁸In all of its work, Committee IV/2 naturally relied heavily upon the members of the Secretariat assigned to it. Under the Executive Officer for Commission IV, Norman J. Padelford, the Assistant Executive Officer, Joseph Sweeney, and the Associate Executive Officer, Robert Harpignies, the following officers were assigned to Committee IV/2: Secretary, Edwin D. Dickinson; Assistant Secretaries, Dana Backus, Llewellyn Pfaukuchen, and James Simsarian. UNCTO Doc. 63, IV/1, May 3, 1945. For the list of the personnel of the Secretariat, see *Delegates and Officials of the United Nations Conference on International Organization, Revised to May 28*, San Francisco, California, 1945, UNCTO Doc. 639, G/3(2), May 28, 1945, pp. 79 ff.

¹⁹To Committee III/3, concerned with "Enforcement Arrangements" under the Security Council, had been assigned "matters dealt with in Chapter VIII, Section B . . . of the Dumbarton Oaks Proposals." That section embraced "Determination of Threats to the Peace or Acts of Aggression and Action with Respect Thereto." UNCTO Doc. 31, cited *supra*, n. 11. See Report of Committee III/3 on chapter VIII, section B, UNCTO Doc. 881, III/3 46, June 10, 1945, p. 4.

²⁰UNCTO Doc. 115, cited *supra*, n. 12.

²¹But the records of Committee IV/1 do not reveal consideration of the subject. See, e.g., Report of the Rapporteur of Committee IV/1, UNCTO Doc. 913, IV/1/74 (1), June 12, 1945.

²²The UNCTO Summary Report for this meeting omits this detail. UNCTO Doc. 450, IV/2/20, May 19, 1945. No provision for a flag was made in the Convention on the Privileges and Immunities of the United Nations approved by the General Assembly in London.

²³Draft Report of Subcommittee I/2/D (the Secretariat), June 1, 1945, UNCTO Doc. 720, I/2/D/1, May 31, 1945.

mittee IV 2 therefore did not discuss the problem.²⁰

At the same meeting it was suggested that the committee might consider the organization of an "International Bar Association." The chairman ventured the view that the subject really pertained to Committee IV/1, which dealt with the International Court of Justice. Committee IV 2 thereupon dropped the matter.²¹

In the seventh meeting of Committee IV 2 on May 19, 1945 during the discussion of the report of the subcommittee on privileges and immunities, the Chilean Delegate expressed the view that provision should be made for the use of a flag by the United Nations, as for example, when chartering a ship, and for other purposes. He thought that if reference to the idea appeared in the report it might come in handy later when a convention on privileges and immunities was being drafted. The chairman felt, however, that the report had gone into enough detail. The delegate then did not press the matter.²²

During a discussion in Committee I/2 of a paragraph in a report²³ by the subcommittee on the Secretariat dealing with a proposed undertaking by the members of the United Nations "to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities", the "question was raised whether this paragraph covered the risk which might be faced by a member of the Secretariat as the result of taking an oath of allegiance to the Organization" and as a result of participating "in the preparation of military plans for possible use against his own state". Committee I/2 felt these were matters for the attention of Committee IV 2. The records of Committee IV/2 do not, however, indicate that these matters were presented to it for examination.

AGENDA TOPICS

Of the nine problems dealt with at some length by Committee IV 2 and its subcommittees, four did not become the subject of texts recommended by the committee for inclusion in the Charter. Their disposition will now be outlined.

CODIFICATION OR DEVELOPMENT OF INTERNATIONAL LAW

The wide-spread interest of governments in securing some provision in the Charter devoted to

the development of international law is evidenced by the fact that fifteen governments submitted comments on the subject, eight of them also offering proposed amendments, and that the Four Sponsoring Powers included the subject in one of their joint proposed amendments.²⁴ Accordingly, the topic appeared on the agenda of the tenth meeting of Committee IV 2 for May 23, 1945.²⁵ It was speedily pointed out in debate, however, that Committee II 2 on "Political and Security Functions," was also dealing with this question and had already passed two motions on the matter.²⁶ The questions put to Committee II 2 were: (1) "Should the Assembly be empowered to initiate studies and make recommendations for the codification of international law?" and (2) "Should the Assembly be empowered to initiate studies and make recommendations for promoting the revision of the rules and principles of international law?" For both the vote was in the affirmative. But on the following question, the vote of Committee II 2 was 26 to 1 in the negative: (3) "Should the Assembly be authorized to enact rules of international law which should become binding upon members after such rules shall have been approved by the Security Council?" Confronted with this voting record of a fellow committee, Committee IV 2 declined to proceed with its agenda item.²⁷ In its final report it submitted no recommendation on the subject,²⁸ but the decisions of Committee II 2 are embodied in the clause dealing with international law in article 13 of the Charter.

REVISION OR RECONSIDERATION OF TREATIES

"Should the Charter provide for the reconsideration of treaties and what should be the criteria of such reconsideration?" This question appeared on the agenda for Committee IV 2 for May 21, 1945.²⁹ On opening of the debate, the Delegate of China referred to the proposal put forward by the Four Sponsoring Powers, then before Commission II, empowering the General Assembly "to recommend measures for the peaceful adjustment of any situations, regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations . . ." ³⁰ This, he declared, provided for the principle of revision of treaties. He raised the question whether, in view of the debate occurring in Committee II/2, the present committee would wish to deal with the subject. A division of opinion among delegates thereupon appeared with respect to the nature of the

subject, whether it was political or juridical, or both. Some delegates "felt that there were juridical aspects which could be distinguished from the political nature of the problem and that these should be discussed by the committee." The entire session of the committee was devoted to discussion of the jurisdictional question. In the end it was agreed that "the question of revision of treaties should be postponed until the Steering Committee ³¹ requests Committee IV 2 to take the matter under advisement."³² No such request came to Committee IV 2. Committee II 2, however, after extended and exegetic debate,³³ recommended the provision quoted above for inclusion in the Charter, where it appears in a qualified context in article 14.

RELATION OF INTERNATIONAL LAW AND THE CHARTER TO INTERNAL LAW

Several governments in their comments and proposed amendments in relation to the Dumbarton Oaks Proposals had displayed interest in a provision for the Charter designed expressly to subordinate national internal law to international law and the obligations of the Charter. The text offered by the Belgian Delegation came under discussion first. It read: "No state can evade the authority of international law or the obligations of

²⁴ Documentation for Meetings of Committee IV 2, Development of International Law, UNCIO Doc. 225, IV 2 9, May 11, 1945.

²⁵ UNCIO Doc. 522, IV/2/25, May 23, 1945.

²⁶ Summary Report of Tenth Meeting of Committee II 2, May 21, 1945, UNCIO Doc. 567, II 2 22, May 23, 1945.

²⁷ Summary Report of Tenth Meeting of Committee IV/2, May 23, 1945, UNCIO Doc. 554, IV 2 28, May 25, 1945.

²⁸ Report of the Rapporteur of Committee IV 2, UNCIO Doc. 333, IV 2 42 (2), June 12, 1945, p. 6.

²⁹ UNCIO Doc. 478, IV 2 21, May 20, 1945. For the comments and proposed amendments submitted to the Conference, see UNCIO Doc. 223, IV 2 8, May 11, 1945.

³⁰ Summary Report of Tenth Meeting of Committee II 2, May 9, 1945, UNCIO Doc. 263, II 2 8, May 10, 1945.

³¹ Composed of the chairmen of all the delegations. It had authority to "consider any major policy or procedure question submitted to it during the Conference by the Co-Presidents or by the Chairman of any Delegation," "Organization of the Conference", UNCIO Doc. 31, D¹ 6, Apr. 27, 1945.

³² Summary Report of Eighth Meeting of Committee IV/2, May 21, 1945, UNCIO Doc. 492, IV 2 23, May 22, 1945.

³³ See particularly Summary Reports of the Seventeenth and Eighteenth Meetings, June 1 and June 2, 1945, UNCIO Doc. 748, II 2 39, June 2, 1945, and Doc. 771, II 2/41, June 3, 1945, respectively. Senator Vandenberg's exposition is in Doc. 748.

the present Charter by invoking the provisions of its internal law."³⁴ The summary report for the ninth meeting of Committee IV/2 accurately sums up the debate on the proposal: "There was no disagreement with the principle underlying the proposal before the Committee. It was stated, however, that such a proposal did not need to be inserted in the Charter, but more properly belonged in a codification of international law, if that were later to be undertaken by the General Assembly."³⁵ On the question of inclusion or exclusion of such a clause, the vote of the committee was 21 in favor of insertion and 15 against. The motion was lost, however, for lack of a two-thirds majority. The principal motion having failed of adoption, a subordinate motion to commit the subject for study to the subcommittee, favored by various delegates who had objected to insertion, was lost too. Nevertheless, the chairman, interpreting the "good will" of the committee and in the absence of objection, referred the defeated proposal amidst general laughter to the subcommittee. The subcommittee, IV/2/A, did not, however, resume discussion of the subject.³⁶

INTERPRETATION OF THE CHARTER

At the eleventh meeting of Committee II/2 on Political and Security Functions, on May 23, 1945, the following question was discussed: "Should the General Assembly have sovereign (exclusive) competence to interpret the provisions of the Charter?" After some of the implications of the question were explored, Committee II/2 approved a suggestion that the topic of interpretation should be referred to Committee IV/2 for consideration.³⁷

³⁴ Documentation for Meetings of Committee IV/2, Relation of International Law and the Charter to Internal Law, UNCIO WD 12, IV/2/24, May 22, 1945.

³⁵ May 22, 1945, UNCIO Doc. 527, IV/2/27, May 23, 1945.

³⁶ Report of Committee IV/2, UNCIO Doc. 933, IV/2/42/(2), June 12, 1945.

³⁷ UNCIO Doc. 536, II/2/24, May 24, 1945.

³⁸ Agenda for Twelfth Meeting of Committee IV, 2, May 28, 1945, UNCIO Doc. 623, IV/2/31, May 28, 1945.

³⁹ Summary Report of Twelfth Meeting of Committee IV/2, May 28, 1945, UNCIO Doc. 664, IV/2/33, May 29, 1945. See *supra*, n. 17, for delegations appointed to this subcommittee.

⁴⁰ Report of Special Subcommittee of Committee IV/2 on the Interpretation of the Charter, UNCIO Doc. 750, IV/2/B/1, June 2, 1945.

⁴¹ Revised Summary Report of Fourteenth Meeting of Committee IV/2, June 7, 1945, UNCIO Doc. 873, IV/2/37 (1), June 9, 1945.

For Committee IV/2 the question was rephrased to read: "How and by what organ or organs of the Organization should the Charter be interpreted?"³⁸ The French Delegate reviewed and summarized the discussion in Committee II/2 for the benefit of Committee IV/2 at its twelfth meeting on May 28, 1945. Then followed probably one of the most instructive debates witnessed in any of the technical committees of the Conference. The quintessentials of the role of the interpretative function under various types of fundamental instruments, both national and international, were set forth by experts eminently qualified to speak for diverse juristic and political systems. At the conclusion of the debate the committee decided that a special subcommittee be appointed to investigate the question further and to prepare a report for submission to the full committee.³⁹

When the report of the subcommittee⁴⁰ was presented to Committee IV/2 further debate ensued. After defeat of an amendment which some members believed would have weighted the process unduly in favor of the advisory opinion method of interpretation, Committee IV/2 approved the report without any change in its language.⁴¹ The text of the substantive part of the report follows:

"In the course of the operations from day to day of the various organs of the Organization, it is inevitable that each organ will interpret such parts of the Charter as are applicable to its particular functions. This process is inherent in the functioning of any body which operates under an instrument defining its functions and powers. It will be manifested in the functioning of such a body as the General Assembly, the Security Council, or the International Court of Justice. Accordingly, it is not necessary to include in the Charter a provision either authorizing or approving the normal operation of this principle.

"Difficulties may conceivably arise in the event that there should be a difference of opinion among the organs of the Organization concerning the correct interpretation of a provision of the Charter. Thus, two organs may conceivably hold and may express or even act upon different views. Under unitary forms of national government the final determination of such a question may be vested in the highest court or in some other national authority. However, the nature of the Organization and of its operation would not seem to be such as to invite the inclusion in the Charter

of any provision of this nature. If two member states are at variance concerning the correct interpretation of the Charter, they are of course free to submit the dispute to the International Court of Justice as in the case of any other treaty. Similarly, it would always be open to the General Assembly or to the Security Council, in appropriate circumstances, to ask the International Court of Justice for an advisory opinion concerning the meaning of a provision of the Charter. Should the General Assembly or the Security Council prefer another course, an *ad hoc* committee of jurists might be set up to examine the question and report its views, or recourse might be had to a joint conference. In brief, the members or the organs of the Organization might have recourse to various expedients in order to obtain an appropriate interpretation. It would appear neither necessary nor desirable to list or to describe in the Charter the various possible expedients.

"It is to be understood, of course, that if an interpretation made by any organ of the Organization or by a committee of jurists is not generally acceptable it will be without binding force. In such circumstances, or in cases where it is desired to establish an authoritative interpretation as a precedent for the future, it may be necessary to embody the interpretation in an amendment to the Charter. This may always be accomplished by recourse to the procedure provided for amendment."

PROVISIONS RECOMMENDED FOR CHARTER

On five subjects, Committee IV/2 recommended texts of provisions for inclusion in the Charter. The process of preparing the texts in each case included one or more days of general debate of the subject in the full Committee IV/2; study and detailed discussion by subcommittee IV/2/A in one or more of its meetings; the drafting of a text and a report to accompany it in the subcommittee with the aid of the Secretariat and, on one occasion, of a small special drafting committee set up by the subcommittee; and the submission of the text and the accompanying report to the full committee for its scrutiny, discussion, and approval. Members of the subcommittee would have cause to congratulate themselves in view of the fact that Committee IV/2 made no changes in the texts they submitted and very few changes in their accompanying reports.

PRIVILEGES AND IMMUNITIES

The first substantive topic to which Committee IV/2 turned its attention, after it had organized itself, was privileges and immunities of the Organization, its officials and its staff, and the national representatives accredited to it. The committee had before it for its consideration certain comments and amendments submitted by the delegations of Canada and Mexico.⁴² Subsequently, it had the benefit of a text proposed by the Belgian Delegation, which was included in supplementary documentation.⁴³ After discussion of the questions on the agenda,⁴⁴ one of which referred to "diplomatic" privileges and immunities, and of the Canadian proposal, which envisaged authorizing the General Assembly to adopt a convention on the whole subject of privileges and immunities, "the committee unanimously agreed that the Charter should provide privileges and immunities for: (a) property owned or occupied by the United Nations Organization and devoted to its use, and (b) representatives of members and officials of the United Nations Organization and their staffs." It was also unanimously agreed that the subcommittee should "draft the text of a provision regarding the principle of immunities and privileges to be included in the Charter".⁴⁵

In pursuance of this mandate, Subcommittee IV/2/A devoted its first four meetings to detailed examination of the topic and the preparation of a text for the Charter. Various of the members, including those sitting for the United States and the United Kingdom, offered draft phrasings for the desired text. It was agreed during the lengthy and highly technical discussions: (a) that the subcommittee should in its draft Charter provision avoid the term "diplomatic" and substitute "a more appropriate standard, based, for the purposes of the Organization, on the necessity of realizing its purposes and, in the case of the representatives of its members and the officials of the Organization, on providing for the independent exercise of their functions;" (b) that the provision should be applicable only to organs and agencies established by

⁴² Documentation for Meetings of Committee IV/2, Privileges and Immunities, UNCTAD Doc. 174, IV/2/6, May 9, 1945.

⁴³ UNCTAD Doc. 297, IV/2/6, May 15, 1945.

tion on the agenda,⁴⁴ one of which referred to "diplomatic" privileges and immunities, and of the Canadian proposal, which envisaged authorizing the General Assembly to adopt a convention on the whole subject of privileges and immunities, "the committee unanimously agreed that the Charter should provide privileges and immunities for: (a) property owned or occupied by the United Nations Organization and devoted to its use, and (b) representatives of members and officials of the United Nations Organization and their staffs." It was also unanimously agreed that the subcommittee should "draft the text of a provision regarding the principle of immunities and privileges to be included in the Charter".⁴⁵

⁴⁵ Summary Report of Second Meeting of Committee IV/2, May 10, 1945, UNCTAD Doc. 228, IV/2/10, May 11, 1945.

the Charter or in pursuance of the same, and not to international agencies independently established but brought into relation with the Organization; (c) that the General Assembly should have a choice of means in determining the application of the Charter provision, by making recommendations or proposing conventions for the purpose; and (d) that whether or not the General Assembly exercised the authority conferred on it, the rule set forth in the Charter should be obligatory for all members as soon as that instrument became operative.⁴⁶

Accordingly, the subcommittee submitted a text along these lines and a report in explanation of it to Committee IV/2 at its seventh meeting, May 18, 1945.⁴⁷ In the full committee considerable discussion centered on the question whether the International Court of Justice, whose Statute was then being elaborated in Committee IV/1, was covered by the provisions of the suggested article. It was agreed that the article covered the Court as an organ of the United Nations but that the privileges and immunities of the judges remained to be defined in an appropriate article of the Statute of the Court.⁴⁸ The report was amended to clarify this point, but the text proposed by the subcommittee was adopted without change.⁴⁹ The language of the text, including the purely stylistic changes made by the Coordination Committee,⁵⁰ appears in article 105 of the Charter thus:

"1. The Organization shall enjoy in the territory of each of its Members such privileges and immunities as are necessary for the fulfillment of its purposes.

⁴⁶ The subcommittee met on May 14, 15, 16, and 17 respectively. Report Submitted by Subcommittee to Committee IV/2, UNCIO Doc. 412, IV/2/A/2 (1), May 18, 1945.

⁴⁷ Summary Report, UNCIO Doc. 450, IV/2/20, May 19, 1945.

⁴⁸ Art. 19 of the Statute provides: "The members of the Court, when engaged on the business of the Court, shall enjoy diplomatic privileges and immunities."

⁴⁹ Summary Report of Seventh Meeting of Committee IV/2, May 18, 1945, UNCIO Doc. 450, IV/2/20, May 19, 1945. Corrigendum to UNCIO Doc. 412, *supra*, is UNCIO Doc. 412, IV/2/A/2 (2), May 19, 1945.

⁵⁰ Discussed *infra*, n. 84.

⁵¹ Documentation for Meetings of Committee IV/2, Registration and Publication of Treaties and International Agreements, UNCIO Doc. 173, IV/2/5, May 9, 1945.

⁵² Summary Report of Third Meeting of Committee IV/2, May 11, 1945, UNCIO Doc. 261, IV/2/13, May 12, 1945.

⁵³ May 18, 19, 21, 24, and 25, 1945, respectively.

⁵⁴ Cf. *Report to the President*, p. 154, cited *supra*, n. 9.

"2. Representatives of the Members of the United Nations and officials of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization.

"3. The General Assembly may make recommendations with a view to determining the details of the application of paragraphs 1 and 2 of this Article or may propose conventions to the Members of the United Nations for this purpose."

REGISTRATION AND PUBLICATION OF TREATIES AND INTERNATIONAL AGREEMENTS

Sundry governments in their comments on the Dumbarton Oaks Proposals suggested the inclusion of a provision in the Charter for the registration and publication of treaties and international agreements.⁵¹ There was no dissent in Committee IV/2 from the principle of this proposition, but there was general agreement that certain of the stipulations in the correlative provision in the Covenant, article 18, particularly the one relating to the non-binding character of an unregistered treaty, had not been altogether satisfactory. Debate concentrated on three aspects of the question: (a) the scope of a desirable provision, i.e., what types of intergovernmental agreements should be subject to registration; (b) the sanction for non-registration, i.e., what penalty should attach for failure to register; and (c) whether the operation of the obligation should be prospective, i.e., requiring the registration of agreements which become effective after the date of coming into force of the Charter, or whether it should be retroactive, i.e., requiring the registration of agreements which had become effective prior to the date of coming into force of the Charter, back to a date remaining to be agreed upon.⁵²

Subcommittee IV/2/A devoted five entire meetings, its fifth to ninth inclusive,⁵³ to discussion of a suitable text. It examined in detail the aspects explored in the full committee. It discussed over several days the applicability of the principle of registration to agreements which might be concluded in pursuance of the security scheme contemplated for the Organization.⁵⁴ The most difficult of the problems to be solved, however, related to the nature of the sanction for failure to register. The subcommittee took up the suggestion made by the Brazilian Delegate in the discussion in Committee IV/2, to the effect that treaties not regis-

tered should not be invocable in proceedings before the United Nations, and considered various forms of words incorporating the idea. It discussed at some length the possible effects of such a sanction upon treaties to which states not members of the United Nations might be party and agreed that registration would have to be open to states not members of the United Nations. It then charged a small special subcommittee, consisting of the chairman (the Delegate of Egypt) and the Delegates of the United Kingdom and Belgium, all expertly bilingual, with the task of producing drafts in English and French. Even these drafts were subjected to extensive revision by the subcommittee.

When the draft texts and the commentary were presented to Committee IV/2 on May 26, 1945, that committee made no changes in the texts and but a few in the commentary.⁵⁵ These texts, with the necessary stylistic changes made by the Coordinating Committee, became article 102 of the Charter, which reads as follows:

"1. Every treaty and every international agreement entered into by any Member of the United Nations after the present Charter comes into force shall as soon as possible be registered with the Secretariat and published by it.

"2. No party to any such treaty or international agreement which has not been registered in accordance with the provisions of paragraph 1 of this article may invoke that treaty or agreement before any organ of the United Nations."

It should be noted, however, as the commentary of Committee IV/2 on paragraph 1 put it: "The . . . text is general in terms but is not intended to preclude appropriate regulations defining its application."⁵⁶

OBLIGATIONS INCONSISTENT WITH THE CHARTER

The problem of obligations inconsistent with the Charter⁵⁷ was one of the most difficult of those dealt with by Committee IV/2: the committee devoted three entire meetings⁵⁸ to discussion of the subject before agreement was sufficiently advanced to entrust formulation of a text to the subcommittee. Thorough-going as this debate was, the subcommittee found it necessary to spend two whole meetings and parts of two others in preparation of a text and commentary.⁵⁹

On the agenda⁶⁰ for the fourth meeting of Committee IV/2 were the following questions:

Should the Charter provide that members

(a) Agree that all obligations *inter se* which are inconsistent with the Charter are abrogated?

(b) Agree to take immediate steps to secure release from any other obligation which is inconsistent with the Charter?

(c) Agree not to undertake any obligation inconsistent with the Charter?

The debate in the full committee revealed widely divergent approaches to the solution of the problem, some delegates contending that no provision on the subject appear in the Charter at all and others that a provision be inserted requiring automatic abrogation of all treaties inconsistent with the Charter, past and future. There was similar divergence of view with respect to providing or not providing for a procedure to determine alleged inconsistency. There was further difference of opinion as to what organ, if any, of the United Nations should be empowered to apply the procedure. Delegates set forth many of the subtleties involved in the determination of a question of inconsistency. Lessons were drawn from the experience of the League of Nations under article 20 of the Covenant. One delegate drew attention to the case of agreements not inconsistent with the Charter but which could be so used as to frustrate or impede action which the Organization might wish to take. Others referred to the enormous practical difficulties confronting a state on entering the United Nations if it were required at that time to review all of its outstanding treaty obligations on the point of consistency with the Charter. Committee IV/2 appeared to agree generally on

⁵⁵ Report of Subcommittee IV/2/A on Registration and Publication of Treaties, UNCIO Doc. 585, IV/2/A/4, May 25, 1945. As amended by Committee IV/2 it became UNCIO Doc. 651, IV/2/A/4(1), May 28, 1945. Summary Report of Eleventh Meeting of Committee IV/2, May 26, 1945, UNCIO Doc. 629, IV/2/32, May 26, 1945.

⁵⁶ The making of provisions for the adoption of such "appropriate regulations" became one of the tasks of the legal committee's meeting in London. See *infra*.

⁵⁷ Documentation for Meetings of Committee IV/2, Obligations Inconsistent with the Charter of the United Nations Organization, UNCIO Doc. 172, IV/2/4, May 9, 1945.

⁵⁸ Summary Reports for the Fourth, Fifth, and Sixth Meetings of Committee IV/2, May 12, 16, and 17, 1945, respectively; UNCIO Doc. 270, IV/2/14, May 14, 1945; Doc. 378, IV/2/17, May 17, 1945; and Doc. 419, IV/2/19, May 18, 1945.

⁵⁹ Its tenth to thirteenth meetings, May 30 and 31, June 1 and 5, 1945, respectively.

⁶⁰ UNCIO Doc. 248, IV/2/11, May 12, 1945.

at least one point, that members should not *for the future* undertake obligations inconsistent with the Charter.

In the subcommittee, progress toward a solution came with the voicing of this concept: "The Charter covers a much wider field than did the Covenant. It is therefore much more difficult to determine the incompatibility of a treaty theoretically in advance of a concrete case arising." Numerous phrasings of a text embodying this concept of possible future contingency were examined. Finally the subcommittee agreed upon the following:

"In the event of any conflict arising between the obligations of Members of the Organization under the Charter and their obligations under any other international agreement the former shall prevail."

At the fourteenth meeting of Committee IV/2, both the text and the commentary⁶¹ presented by the subcommittee were approved, "almost unanimously," as the chairman put it. Certain objections of the Australian Delegation to both text and commentary were entered on the record.⁶² The language of the text, after stylistic changes by the Coordination Committee, appears in article 103 of the Charter as follows:

"In the event of a conflict between the obligations of the Members of the United Nations under the present Charter and their obligations under any other international agreement, their obligations under the present Charter shall prevail."

JURIDICAL STATUS OF THE ORGANIZATION

Although Committee IV/2 first discussed the question of legal status of the proposed Organ-

⁶¹ Report of Subcommittee IV/2/A on Obligations Inconsistent with the Charter, UNCIO Doc. 798, IV/2/A/6 (1), June 5, 1945.

⁶² Summary Report of Fourteenth Meeting of Committee IV/2, June 7, 1945, UNCIO Doc. 843, IV/2/37, June 7, 1945, the report of the Australian declaration being corrected in UNCIO Doc. 873, IV/2/37 (1), June 9, 1945.

⁶³ Documentation for Meetings of Committee IV/2, Juridical Status of the International Organization, UNCIO Doc. 524, IV/2/26, May 23, 1945.

⁶⁴ Summary Report of Tenth Meeting of Committee IV/2, May 23, 1945, UNCIO Doc. 554, IV/2/28, May 25, 1945.

⁶⁵ Report of Subcommittee IV/2/A on the Juridical Status of the Organization, UNCIO Doc. 803, IV/2/A/7, June 6, 1945.

⁶⁶ Revised Summary Report of Fourteenth Meeting of Committee IV/2, June 7, 1945, UNCIO Doc. 873, IV/2/37 (1), June 9, 1945.

ization at its tenth meeting on May 23, 1945, the subcommittee had already discussed it in a preliminary fashion at its first meeting on May 15, 1945 in the course of its consideration of the larger problem of privileges and immunities. The extensive debate in both committees on this larger question of the functioning of the international entity then in process of creation facilitated agreement on the nature of the status to be accorded the Organization. Since there were several proposals⁶⁵ on the subject and some difference of opinion whether a Charter provision relating to it was really necessary, it was agreed to refer the question to the subcommittee "for consideration and report, with the understanding that the subcommittee might report as it saw fit on the matter."⁶⁴

Early in the twelfth meeting of the subcommittee, delegates compromised between the desire of some of them that no provision go into the Charter and the insistence of others that the several juridical capacities be enumerated by agreeing on a general and simple formula modeled upon that in the privileges and immunities clause. They reported the following text to Committee IV/2:

"The Organization shall enjoy in the territory of each of its members such legal capacity as may be necessary for the exercise of its functions and the fulfillment of its purpose."

In the accompanying report appears the following comment:

"The Organization must be able, in its own name, to contract, to hold movable and immovable property, to appear in court. These are only examples. The Subcommittee has preferred to express no opinion on the procedures of internal law necessary to assure this result. These procedures may differ according to the legislation of each member State. It is possible that among the majority of them it may be indispensable that the Organization be recognized as a juridical personality.

"As regards the question of international juridical personality, the Subcommittee has considered it superfluous to make this the subject of a text. In effect, it will be determined implicitly from the provisions of the Charter taken as a whole."⁶⁵

Both the text and the report were approved by Committee IV/2 without amendment or objection.⁶⁶ The text entered the Charter without any change by the Coordination Committee.

COMING INTO FORCE OF THE CHARTER

The final task of drafting assigned to Committee IV/2 consisted in framing a provision for the coming into force of the Charter and in preparing certain of the so-called "clauses protocolaires," i.e. formal provisions regulating procedural details pertinent to such coming into force.

An amendment dealing with ratification proposed by the Four Sponsoring Powers was discussed by Committee IV/2 at its thirteenth meeting on May 31, 1945. It read:

"The present Charter comes into force after its ratification in accordance with their respective constitutional processes by the members of the Organization having permanent seats on the Security Council and by a majority of the other members of the Organization."⁶⁷

Various questions relating to reservations, date of effectiveness, deposit of ratifications, and adherence were raised in the discussion in Committee IV/2. "Several delegates felt that the right to make reservations was a clear principle of international law, but others felt it was highly controversial and political in nature and should not be discussed by Committee IV/2. It was pointed out that this problem was not on the agenda; that it had not formally arisen; and, therefore, it was not within the competence of Committee IV/2. It was agreed not to discuss this point further." The other questions, however, were entrusted to the subcommittee for consideration.⁶⁸

In the subcommittee,⁶⁹ the Chairman and the Delegate of Norway suggested the "Government of the United States of America" as the depository power. A Chilean proposal for denunciation having appeared among the amendments submitted to Committee IV/2,⁷⁰ the subcommittee discussed it briefly. In view of the fact that the whole question of "universality" and "withdrawal" had been considered in Committee I/2,⁷¹ the subcommittee decided to pass over the question of "denunciation". It then adopted a form of words for a text which included many of the suggestions made in the full committee. It relied on the report to draw to "the attention of the appropriate committee of the Conference the need for considering the inclusion of provisions dealing with the signing of the Charter" and other matters on which it was submitting no text.⁷²

When the subcommittee was examining its provisional report at its next meeting,⁷³ it was in-

formed that the Conference might establish an interim commission and that it might be desired to have the commission, rather than the Government of the United States, act as the depository. An amendment to the report was accordingly drawn up in this sense.

Committee IV/2 examined the provisional report⁷⁴ of the subcommittee and the amendment at its fourteenth meeting.⁷⁵ After deleting from the report mention of the question of denunciation or withdrawal and accepting the subcommittee's amendment to its own report, it approved both report and text, the latter without change.⁷⁶

The text as it came from Committee IV/2 is as follows:

"1. The present Charter shall be ratified by the signatory states in accordance with their respective constitutional processes.

"2. The ratifications shall be deposited with the Government of the United States of America which shall notify all the signatory states of each deposit.

"3. As soon as ratifications have been deposited by each of the states entitled to a permanent seat on the Security Council and by a majority of the other signatory states, the Charter shall come into force for those states which have deposited their ratifications.

"4. The Charter shall come into force for each of the other signatory states on the date of the deposit of its ratification."

With certain changes and additions made by the Coordinating Committee,⁷⁷ the text relating to

⁶⁷ Documentation for Meetings of Committee IV/2, Coming into Force of the Charter, UNCTO Doc. 621, IV/2/30, May 26, 1945.

⁶⁸ Summary Report of Thirteenth Meeting of Committee IV/2, May 31, 1945, UNCTO Doc. 721, IV/2/35, May 31, 1945.

⁶⁹ Thirteenth meeting, June 5, 1945.

⁷⁰ Cited *supra*, n. 67.

⁷¹ Cf. Report of the Rapporteur (Membership) of Committee I/2 on chapter III, UNCTO Doc. 606, I/2/43, May 26, 1945, pp. 3-4.

⁷² *Infra*, n. 74.

⁷³ Fourteenth meeting, June 7, 1945.

⁷⁴ Provisional Report of Subcommittee IV 2 A on Coming into Force of the Charter, UNCTO Doc. 820, IV 2 A/8, June 6, 1945.

⁷⁵ *Op. cit. supra*, n. 66.

⁷⁶ Report of Subcommittee IV 2 A on Coming into Force of the Charter, UNCTO Doc. 837, IV 2 A 8(1), June 7, 1945.

⁷⁷ Summary Report of Eighteenth Meeting of Coordinating Committee, June 13, 1945, UNCTO WD 314, CO/126, June 14, 1945.

coming into force as it appears in article 110 of the Charter is as follows:

"1. The present Charter shall be ratified by the signatory states in accordance with their respective constitutional processes.

"2. The ratifications shall be deposited with the Government of the United States of America, which shall notify all the signatory states of each deposit as well as the Secretary-General of the Organization when he has been appointed.

"3. The present Charter shall come into force upon the deposit of ratifications by the Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, and by a majority of the other signatory states. A protocol of the ratifications deposited shall thereupon be drawn up by the Government of the United States of America which shall communicate copies thereof to all the signatory states.

"4. The states signatory to the present Charter which ratify it after it has come into force will become original Members of the United Nations on

⁷⁸ UNCIO Doc. 899, IV 2/40, June 10, 1945, with Annexed Docs. 886 and 887.

⁷⁹ Summary Report, UNCIO Doc. 917, IV/2/41, June 12,

⁸⁰ Draft Report of the Rapporteur of Committee IV/2: (as submitted to the subcommittee) UNCIO WD 269, IV/2/42, June 12, 1945; (as presented to committee) IV/2, WD 269, IV/2/42 (1), June 12, 1945.

⁸¹ Report of the Rapporteur of Committee IV/2, as approved by the Committee, UNCIO Doc. 933, IV/2/42 (2), June 12, 1945.

⁸² Summary Report, UNCIO Doc. 934, IV/2/43, June 12, 1945.

⁸³ Verbatim Minutes of Second Meeting of Commission IV, June 15, 1945, UNCIO Doc. 1007, IV/12, June 15, 1945, pp. 12 ff.

⁸⁴ "Organization of the Conference", UNCIO Doc. 31, DC/6, Apr. 27, 1945. The Executive Committee was composed of the chairmen of the delegations of the Sponsoring Governments, namely, China, Union of Soviet Socialist Republics, United Kingdom, United States, and the chairmen of the delegations of ten additional governments, namely, Australia, Brazil, Canada, Chile, Czechoslovakia, France, Iran, Mexico, the Netherlands, Yugoslavia. The functions of the Executive Committee were to make recommendations to the Steering Committee for its consideration and otherwise to assist the Steering Committee as the latter might authorize. For the personnel of these conference committees, as well as the officers of Commission IV and its committees, see the handbook cited in n. 18, *supra*.

the date of the deposit of their respective ratifications."

FINAL REPORT OF COMMITTEE IV/2

The draft report of the rapporteur of Committee IV 2⁷⁸ submitted to the full committee at its fifteenth meeting on June 11, 1945,⁷⁹ was thought by

1945.
the committee to be too brief. It was sent to the subcommittee with instructions to include the fuller reports previously adopted by Committee IV/2 and for the achievement of clearer conformity in the English and French texts. The rapporteur of Committee IV/2 (the delegate of Nicaragua) was added to the subcommittee for the purpose in hand.

The revised draft report approved by the subcommittee at its fifteenth and final meeting on June 12, 1945 contained the texts of the reports of subcommittees A and B, which had been approved by the full committee, with an appropriate editing out of material of a non-final character.⁸⁰ Committee IV 2 at its sixteenth meeting on June 12, 1945 approved this report⁸¹ without comment or objection.⁸² Commission IV at its second meeting, June 15, 1945, received the report and formally approved each of the texts proposed for insertion in the Charter.⁸³

REVIEW BY COORDINATION COMMITTEE

Meanwhile, after completion of the work of Committee IV/2, the texts of the proposed Charter had been transmitted to the Coordination Committee. This committee, set up by the meeting of the chairmen of delegations, and under the chairmanship of Leo Pasvolovsky of the United States Delegation, consisted of 14 members, one representing each member of the Executive Committee. It was charged with assisting the Executive Committee in the performance of the latter's functions.⁸⁴ More specifically, among its other tasks, it received and scrutinized texts prepared for insertion in the Charter, making the necessary changes in the language to produce a uniform style and to eliminate repetitions and contradictions in the final instrument. Where any proposed change in language was thought to amount to a change in substance, the technical committee whence the text emanated was consulted for its

opinion.⁸⁵ The Coordination Committee was assisted by a small Advisory Committee of Jurists,⁸⁶ under the chairmanship of Green H. Hackworth of the United States Delegation, consisting of six distinguished international lawyers, three of whom, Jules Baslevant of France, S. A. Gohinsky of the Soviet Union, and Sir William Malkin of the United Kingdom, had served on Committee IV/2. The Coordination Committee was also assisted by an Advisory Committee on Languages whose function it was to review approved texts from the point of view of language only, in order to assure accuracy and uniformity in all the five languages in which the final text of the Charter was to be signed, that is, English, French, Russian, Chinese, and Spanish.⁸⁷

Stylistic and other necessary changes made by the Coordinating Committee in the texts approved by Committee IV/2 have already been noted. One proposed alteration in language, however, was finally thought likely to involve a change in substance. In the Coordination Committee the phras-

ing of the article on inconsistent obligations was rendered as follows:⁸⁸

"In the event of a conflict between the obligations of the Members of the United Nations under the present Charter and *any other international obligations to which they are subject*, their obligations under the present Charter shall prevail."⁸⁹ The corresponding original phrasing referred to "their obligations under any other international *agreement*".⁹⁰ There being doubt in the Coordination Committee as to whether the new language involved a change of substance, the committee agreed to refer the article to the officers of Committee IV/2 for their opinion. At the request of the president of Commission IV, the original phrasing was restored "with a view to making the text correspond more exactly to the thoughts and decisions of Technical Committee IV/2 and of Commission IV".⁹⁰

As this précis of the work of Committee IV/2 indicates, every proposal considered by it which resulted in a provision for the Charter was debated, committed, discussed, examined, drafted, amended, revised, reported, approved, and otherwise technically dealt with repetitively during the conference. Indeed, some wag seeking verbs-of-action to describe every step in this elaborate process might not unreasonably be reminded of Rabelais' famous tale of Diogenes and his tub. In view of this intricate drafting process, it is unlikely then that any word or phrase has entered the Charter inadvertently.

FINAL ACTION BY UNCIO

After the Steering Committee had examined and approved⁹¹ the final draft of the Charter emanating from the Coordination Committee, the Conference approved it at its ninth plenary session on June 25, 1945.⁹² In an impressive ceremony, the delegates signed the Charter on June 26, 1945.

[EDITOR'S NOTE: The work of the United Nations legal committees which met in London will be discussed in a forthcoming issue of the BULLETIN.]

⁸⁵ Coordination Committee, Proposed Conference Procedure on Drafting Final Charter, UNCIO Doc. 178, CO/1, May 9, 1945, as amended and explained in the first meeting of the Coordination Committee. See Summary (Report) of First Meeting of Coordination Committee, May 9, 1945, UNCIO Doc. 198, CO/2, May 10, 1945.

⁸⁶ *Ibid.*

⁸⁷ Three panels were set up, one each for Russian, Chinese, and Spanish. On each panel were five experts, representing each of the five official languages but all of them knowing the language of the panel on which they served.

⁸⁸ UNCIO Doc. 1058, CO/132 (1), June 18, 1945, in compilation under FNCIO Doc. 1140, CO 179, June 21, 1945.

⁸⁹ Italics are the author's.

⁹⁰ Final Changes Made by the Coordination Committee in the Text of the Charter of the United Nations, as Approved by the Steering Committee, June 23, 1945. UNCIO Doc. 1192, CO/185, June 25, 1945.

⁹¹ Summary Report of Eleventh Meeting of the Steering Committee, June 23, 1945. UNCIO Doc. 1213, ST/23, June 28, 1945.

⁹² Verbatim Minutes of the Ninth Plenary Session, June 25, 1945, UNCIO Doc. 1210, P/20, June 27, 1945.

Peace Goals

By SENATOR AUSTIN

THIS FIRST ANNIVERSARY of the signing of the Charter of the United Nations is fittingly celebrated by concentrating on peace goals.

They are those objectives which the nations might practically achieve together before some world leader announces them as war goals. The achievement of them through the machinery of the United Nations, developing a habit among free peoples of collaboration on a world program, would give vitality to the Charter and demonstrate that we can peacefully attain the broader objectives.

Working together patiently under God's guidance is the only way to that understanding and confidence which will make the United Nations effective.

The machinery of general international organization cannot run itself. Only men who know what they want to achieve, and who have the united support of their several peoples, can supply the energy that will make the wheels turn.

Therefore, through national organizations of business, labor, agriculture, veterans, women, education, religion, and international relations, we strive to—

Plan a nation-wide educational program on the United Nations;

Inspire Americans, especially such citizens' organizations as the 150 conferring under the sponsorship of the Foreign Policy Association today, to look ahead and discuss what they hope

An address delivered before the Foreign Policy Association in New York, N. Y., on June 26, 1946 the text of which was released to the press on the same date. The dinner was given on the occasion of the anniversary of the signing of the United Nations Charter. Mr. Austin, presently U. S. Senator from Vermont, has been nominated as U. S. Representative to the United Nations.

to see accomplished through United Nations machinery, particularly the goals toward which they want their representatives in the various organs, commissions, and specialized agencies to work;

Relate the main lines of American foreign policy to the task of clarifying our peace goals;

Suggest a few of the specific goals on which to exercise the relatively new function of acting together internationally.

Our deeds will count, not only in the attainment of their beneficent objectives, but also in building up morale to wage peace generally.

Every strategic point gained in collaboration with our Allies in the peace struggle will bring the world nearer to the final victory over the impersonal enemies of mankind.

In warfare we have defeated the enemy. In peace we have not consolidated the victory. This will not be achieved unless the purposes and principles of the United Nations are made living motives in the souls of men.

To bring this about, two immediate steps are necessary:

The holding action to prevent threats to peace defined in article 2 of the Charter. Thus, as in the shadow of a great rock, we could enjoy the security in which the other, and corresponding step, can be taken.

Operation of the machinery in definite, specific, common enterprises.

For example, the International Labor Organization, having more than 50 member states, has the basic purpose of promoting improved labor standards and social security in all countries. It aims to eliminate sub-labor standards, which cause unrest and disturbance, socially and economically.

It is one of the specialized agencies enabled by article 57 of the Charter to be brought into relationship with the United Nations. This must be done by agreement with the Economic and Social Council, subject to approval by the General Assembly.

At the Paris Conference, held last December, the International Labor Organization prepared to sever its loose ties with the League of Nations and to affiliate with the United Nations.

The necessary steps of severing connections with the League of Nations were initiated at the Paris Conference, subject to ratification by the member states of the International Labor Organization. A draft agreement of relationship between the International Labor Organization and the United Nations was approved by the Economic and Social Council during the Council's present session here in New York.

It is hoped that this agreement will be approved by the General Assembly and by the General Conference of the International Labor Organization next September.

This International Labor Organization is a vigorous, going concern. Its practical effect on international cooperation is indicated by the fact that at Paris it readmitted into membership a former enemy state—Italy. Here is a twentieth century tool of great effectiveness for peace, whose energy could be employed on a constructive program against common impersonal enemies. In developing its process of working, new patterns of thinking and common understanding would be crystallized into custom and habit. If it should become an agency of the United Nations, it would bring to our peace objective vast manpower for production, trade, and reconstruction. It might contribute to industrial peace a mode of relations between employer and employee that would reduce work-stoppages which endanger the chances of winning the peace, just as lost man-hours endanger success in the battles of war.

Another illustration of positive operation of United Nations machinery in common enterprises is the Food and Agriculture Organization, consisting of 42 member states. This is a world organization for pooling the best knowledge and experience relating to nutrition, agricultural production, and marketing, and the best use of farm, fishery, and forestry resources. It is strictly a fact-finding and advisory body. It does not put

into effect any of its recommendations. This approach, unspectacular though it be, implemented one of our specific peace goals.

The work of the Food and Agriculture Organization is designed to be integrated with that of the United Nations Economic and Social Council. It can, without loss of identity, constitute a part of the United Nations.

May I here quote from the report of the Committee on Foreign Relations, filed in the Senate by me June 11, 1945:

"No lasting peace is possible until the nations of the world work together successfully to reduce the underlying social and economic causes of aggression and war, or, if possible, to remove them entirely. The prosperity of this country, as well as the peace of the world, is at stake. Without economic collaboration and improved levels of living and of production throughout the world, or at least in most of it, the maintenance and improvement of production and levels of living in the United States will be impossible. We cannot hope to have prosperity in this country if the other countries are sunk in depression.

"The proposed Food and Agriculture Organization, by providing the nations of the world a new means of working together to improve the efficiency of food and agriculture production, and distribution, the living conditions of food and agriculture producers, and the levels of consumption of users of those products, can make a great contribution to world security in an important economic sphere."

Definitely, one peace goal is to give the power of active public opinion to this common enterprise.

Another good habit-forming exercise should have positive stimulation; namely, the system of consultation consolidated by the Act of Chapultepec. The 21 republics of the Western Hemisphere constituting the Pan American Union are also members of the United Nations.

The Final Act of the Inter-American Conference on Problems of War and Peace at Mexico City, in February and March, 1945, comprehended juridical, economic, social, political, and security programs designed to preserve the independence and dignity of each member state, and to provide for determination of controversies which might arise among them. At that time, before the Charter had been formulated, the regional organization

could initiate the ultimate sanction of military force in the event of a threat or act of aggression.

The Act of Chapultepec, which provided especially for reciprocal assistance and American solidarity, was so designed that it must conform to the principles and policies of the United Nations Charter subsequently to be adopted. Within the letter and spirit of the Charter which we celebrate, this benevolent organization of American republics is striving to carry into effect article 52 of the Charter, namely:

"The Members of the United Nations entering into such arrangements or constituting such agencies shall make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council.

"The Security Council shall encourage the development of pacific settlement of local disputes through such regional arrangements or by such regional agencies either on the initiative of the states concerned or by reference from the Security Council."

The effect of the ratification of the Charter upon the Act of Chapultepec was principally to take away from the Union of American Republics the right of regional enforcement action without the previous authorization of the Security Council.

Thus, a threat of aggression may not now be met without first obtaining direction of the Security Council.

However, it left to the regional organization two extremely important functions:

1st. The right and the duty to consult among themselves in order to agree upon the measures that may be advisable to take;

2d. The inherent right of individual or collective self-defense if an armed attack should occur against a member of the United Nations, until the Security Council has taken the measures necessary to maintain international peace and security.

The system of consultation has developed in the Western Hemisphere during the past 56 years, and has gradually become a substitute for the use of armed force.

During the past year, the harmony of the Western Hemisphere has been disturbed, but no war has occurred, and none will occur.

The situation calls for the exercise of great wisdom, poise, patience, and consideration of all the various points of view. Here is an opportunity to strengthen the habit of collaboration and achieve both restoration of harmony in this hemisphere, and the strengthening of the machinery of the United Nations.

Other illustrations of goals and of public participation are the high points advanced by speakers today covering eight areas. They avoid generalities and advance highly significant and realizable objectives. Categorically, they are—

- Expansion of trade and employment.
- Reconstruction and development.
- Human rights—freedom of information and education.
- Health and social welfare.
- Peaceful settlements.
- United military defense.
- Atomic energy—control and utilization.
- Trusteeship and self-government for dependent areas.

Consideration of your time impels me to omit discussion of these goals now, notwithstanding that these, too, are objectives which the nations might practically achieve together before some world leader announces them as war goals.

Our best hope for preventing war is international collaboration on positive goals:

(1) Developing large-scale plans to which each country can contribute in terms of its ability—really investing the peaceful struggles in a co-operative program as we did in the violent struggle. The way to stay united is to get busy on common enterprises that we can agree on.

(2) Concentrating the forces and facilities we have on specific objectives that we feel confident we can take within a reasonable time—and then to apply the principles of logistics to make an effective and concerted drive. Resolutions and recommendations on principles and purposes are not enough; we must be very specific on exactly what each country can do in a plan of combined operations, organize task forces, pool resources, bring the experts and organizers of the various countries together for united effort to get things done. People can't act unless they see clearly where we are headed and what is required of them.

(3) By doing important things together at a few strategic points we will gain strength and

build up morale in the peaceful struggles as we did in the war. Only by taking next steps with precision and determination will people learn to win the final victory over the impersonal enemies of mankind. There is danger in dissipating our forces on too many fronts, trying to lick tough problems with phrases and speeches. Acting together is the purpose of talking things over together. Start with the goals we most universally agree on and thus create a pattern of common action to move forward in the more controversial areas.

(4) Behind whatever programs we agree on must be a popular will and determination to risk and sacrifice and persist.

In the war we were very specific; we said we had to use inland shipping facilities to rush war materials to ports and to bring up troops; and this meant saving fuel, dim-outs, getting people to do specific things to help reach the goal. The same kind of specific thinking and planning is needed for peace goals. They have to be the accepted goals of the people—not only our people but the people of the other cooperating nations. And the people have to understand clearly why such goals are given priority attention, what it will take to realize them, what others are prepared to do and are doing.

Now that the United Nations machinery is set up, we and all the other United Nations peoples have to make up our minds what we want to accomplish with it and in what order—putting first things first. This is a challenge to all the citizen groups that have taken such an active interest in American participation in the United Nations. We're now ready to participate—to do something. What? And how? This is a challenge to the writers and broadcasters and film makers: to make the goals of peace as vivid and as urgent as the goals in the war.

Let's talk about the real things we want to do, and spend less time speculating about whether there'll be another war and what this nation or that politician may be maneuvering for.

We need a vast educational program to make the possibilities of peace goals understood and to help people to understand what they can do to cooperate.

So, this is an invitation on the first anniversary of the signing of the Charter for public participation in the setting of peace goals and the task of organizing collaboration of the nations to achieve the goals agreed upon.

Henry James talked about the moral equivalent for war. He thought it involved mobilizing people for common struggle against the common impersonal enemies. If once they could get the exhilaration of planning campaigns against disease and hunger, of collaborating in vast projects of construction and development, they might bring to bear on constructive programs all of the forces they expend in the fury of destructive warfare. In the process of working and planning together they might develop new patterns of thinking and come to understand each other.

For centuries men fought to take things away from each other in a world of low productivity and to collect tribute from the conquered. In the twentieth century the wars are started by organizers who claim they want to introduce new orders. They gain their dynamic from an appeal to the sense of national superiority. Behind all this is a powerful drive toward applying the science and "know-how" of our times, and breaking down the interfering barriers that frustrate large-scale organization and exchange. Either we do by agreement and free collaboration through the United Nations what we know is possible to give peoples everywhere opportunity to fashion their futures with twentieth-century tools, or we confront the almost inevitable task of resisting in war the attempt of another set of strong men to impose order and to organize the world as a whole.

Peace goals, then, are those objectives which the nations might practically achieve together before some world leader announces them as war goals.

We in the United States assert the belief that we can do cooperatively and by agreement what must somehow be done—that we can peacefully apply what science has taught us—that we can find ways of releasing and organizing the productive and creative powers of people on a world-wide basis through the processes of democracy. To make good on this belief, we must move quickly to collaborate with other free peoples on a program of action through the machinery of the United Nations.

India on the Threshold

Article by RAY L. THURSTON¹

VERY LITTLE has been written about India from an American point of view. Too often we are inclined to look upon that great country through the eyes and prejudices of the present protagonists in the struggle there for power. If there is a well-considered, long-run American perspective toward India, we should start thinking in these American terms and avoid the clichés and stereotypes that have long prevented a constructive approach on our part to the Indian problem. It is time that we approach the subject of India with a sense of purpose and direction, for India today is on the threshold of a new era—an era of momentous political, economic, and social change.

It is customary to characterize the Orient as "placid" and "changeless". As applied to rural India these descriptions still have a degree of validity. But when we turn to the great cities of India we find the normal laws of social dynamics in full operation. In Bombay, for example, Hindus of different castes work side by side in the textile mills and endeavor to fight for a common cause through their trade unions. In the same city capitalists, managers, and their white-collared subordinates have begun to emerge as a middle class. Around the University of Bombay and its numerous colleges and libraries there has developed an intelligentsia. All three groups are extremely sensitive to the impact of Western culture and technology; at the same time they are becoming increasingly conscious of their national identity as Indians. Out of this cross fertilization, which is going on throughout the urban centers, will be born a revitalized India.

What does a revitalized India mean to us as Americans? How will the United States be affected by the emergence as a full member of the family of nations of this far-away country hitherto

popularly cataloged as a land of cobras and elephants and esoteric religions? India, one may say, is figuratively "out of this world," so why should we concern ourselves with the Hindu-Muslim question and the activities and programs of Mr. Gandhi and Mr. Jinnah?

That is a valid question and one that must be answered if the American public is to appraise intelligently the significance of India's achievement of full stature.

As is generally known, there are 490,000,000 Indians—that is, one out of five human beings is an Indian. This great concentration of population is only three days from New York by air. In this bold new world of skyways, India and America are neighbors. Neighbors usually find that they have common interests and problems, and they get acquainted with one another.

As a matter of fact Americans and Indians have been influencing each other for many years. In the nineteenth century Ralph Waldo Emerson and some of his literary associates were strongly influenced by Hindu philosophy. By a curious twist of linguistic reference certain social strata in New England have become known as the "Boston Brahmins".

American missionaries who have long been in India have made a deep impression on the Indian scene through their humanitarian efforts. They have established schools, experimental farms, and hospitals far from the amenities and conveniences of the port cities. The story of Christianity in India is a fascinating chapter among the many religious chapters of Indian history. Students of Indian history point out that over the centuries a strong tradition of religious tolerance has persisted in India. Certainly it is true that in no other country do so many large religious communities live side by side: Hindus, Muslims, Sikhs, Christians, and Parsees, to name the leading ones.

The religions of India represent an aspect of

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Indian life with which many Americans are familiar. Not so well known are the economic ties that have long linked our country with India. The American economy is usually considered self-sufficient, but our industry and commerce would find it difficult indeed to operate without the gunny sack made of Indian jute; without the manganese, mineral sands, and mica that are imported from India in large quantities each year; and without some of the Indian short-staple cotton that, curiously enough, our textile manufacturers require in addition to large supplies of domestic cotton.

Our leather industry looks to the Indian ports of Karachi and Bombay for fine quality hides and skins, and carpet wool is also exported in considerable quantity to America from these ports. The largest American manufacturer of musical records imported in one year almost one half the Indian shellac output. India provides the tasty cashew nut, tea, and many of our table spices. The products of Indian soil and of Indian labor enter both our factories and our homes.

Turning to the other side of the ledger, we discover that Indians have been buying our automobiles, typewriters, electrical equipment and appliances, chemicals, drugs and medicines, machinery, and—not least—our Hollywood films. To sell their products in the Indian market, American business houses have established agencies in the more important Indian cities, and a number of American firms keep American businessmen in India as resident salesmen. In India American firms carry on banking activities, assemble automobiles, manufacture tires, and engage in a large-scale petroleum business.

For some time, then, American relations with India have been important, but World War II has quickened in many ways the tempo and the significance of this relation.

The enhanced position of India, arising from its use as an important supply base for the war against the Axis, led, shortly before Pearl Harbor, to the inauguration of direct diplomatic relations between the Governments of the United States and India. In Washington the Indian Agent-General is in daily touch with the Department of State, and the American Commissioner in New Delhi has frequent occasion to take up important matters with the Indian Department of External Affairs. It is anticipated that these direct relations will expand in scope and significance in the years immediately ahead.

The outbreak of war with Japan, it will be recalled, was followed quickly by the Japanese conquest of Burma, which had been until that time the only supply route to the besieged Chinese nation. In 1942 it appeared possible that India might become the meeting point of the Japanese and German forces. India suddenly leaped into prominence as one of the most strategic areas in the war picture. General Brereton and a few heroic air-men arrived from Java to set up the U. S. 10th Air Force with headquarters at New Delhi; General Wheeler was ordered from Baghdad to India to lay the groundwork for a military supply operation in China, Burma, and India; the Air Transport Command began operating a regular service to Karachi and thence "over the hump" to China.

First came the generals and their staff colonels and majors, then the G.I.s—by the thousands. India had known the American missionary with his dedicated purpose; the resourceful and energetic American businessman; and the wealthy American tourist. Now India met the ordinary G.I., the ambling, joke-cracking, open-handed, friendly American, and liked him. Although cultural differences were great, real friendships grew out of the presence on Indian soil of these many thousands of American young men.

The arrival of American troops coincided with a political and economic crisis in India. Dr. Henry Grady with a group of American technical experts came to India to survey the possibilities of improving Indian production for the war effort. President Roosevelt sent Colonel Louis Johnson and, later, William Phillips to New Delhi as his personal representatives to keep abreast of the acute political situation. The Office of War Information came on the scene to tell the Indian people why the United States was fighting the war. Lend-lease and procurement activities of the United States in India brought many other Americans to that country. The net result of these developments was a great upsurge in Indian interest in things American, an interest which, if genuinely reciprocated, will lead to the cementing of an enduring cooperation and friendship between the two countries.

It has already been mentioned that an Indian Agency General was established in Washington in the latter part of 1941. Somewhat later, an India Supply Mission, staffed principally by Indians, was instituted at Washington to coordinate lend-lease and procurement questions. Despite

MACHINERY AND PROCEDURE TO FORMULATE NEW CONSTITUTION OF INDIA

UNION CONSTITUENT ASSEMBLY

BRITISH INDIA PROVINCES

PROVINCIAL LEGISLATIVE ASSEMBLIES

PROVINCIAL ASSEMBLIES

elect the following numbers of Representatives, each part (General, Muslim or Sikh) electing its own by a method of proportional representation with a single transferable vote.

	GENERAL	MUSLIM	SIKH	TOTAL
HABRAS	45	4		49
BOMBAY	19	2		21
UNITED PROVINCES	47	8		55
BIHAR	31	5		36
CENTRAL PROVINCES	16	1		17
ORISSA	9			9
PUNJAB	8	16	4	28
N. W. FRONTIER		3		3
SIND	1	3		4
BENGAL	27	33		60
ASSAM	7	3		10

SECTION A		
167	20	187

1670
1 rep. from Delhi in central legislative council
1 rep. from Ajmer-Merwara in cent. leg. council
1 rep. elected by Coorg legislative council.

SECTION B			
9	22	4	35

1610
1 rep. from British Baluchistan

SECTION C			
34	36		70

BRITISH INDIA
296
REPRESENTATIVES

UNION
CONSTITUENT
ASSEMBLY
389
REPRESENTATIVES

ADVISORY COMMITTEE
on rights of citizens,
minorities, tribal &
excluded areas.

INDIAN STATES

WESTERN INDIA STATES
RAJPUTANA
CENTRAL INDIA
GWALIOR
EASTERN STATES
HYDERABAD
MYSORE
MADRAS STATES
PUNJAB
JAMMU & KASHMIR
ASSAM STATES
SIKKIM, etc.

THE INDIAN STATES SET UP
NEGOTIATING COMMITTEE ON
REPRESENTATION, ETC.

INDIAN STATES
93
REPRESENTATIVES
(Maximum if chosen on
basis of population)

- Meets to:
 - decide general order of business
 - elect chairman and other officers
 - set up Advisory Committee

- Meets in Sections A, B, & C to:
 - formulate constitutions for provinces
 - decide whether to form a group with Executive & Legislature with what powers. (Province has full power to withdraw from its group by action of its legislature after first general election held under its new constitution.)

- Reconvenes to:
 - draw up union constitution
 - receive recommendations of Advisory Committee
 - negotiate treaty with United Kingdom on matters arising out of transfer of power

RECOMMENDED UNION

- Constituted of British India and the States (as they decide). States retain subjects and powers not ceded to union!
- Jurisdiction (including power to finance):
Foreign Affairs
Defense
Communications
(all other subjects and residuary powers reside in provinces)
- Has Executive Legislature (any communal issue requires majority vote of members present and voting of 3/4 of communities and of whole)
- Constitution reconsidered at 10 yearly intervals if a province demands

Note: Any change in proposals or recommendations for Union Constitution, or any communal issue, requires majority vote of representatives present and voting of each of the two major communities of Union Constituent Assembly. Chairman decides, with advice of Federal Court if requested by majority of either community, whether issue is communal.

the difficult transportation problem a number of Indian students and businessmen came to America during the war. There were, as well, very articulate delegations at the International Business Conference at Rye, N.Y., and at Bretton Woods. In December 1944, Dr. J. M. Kumarappa, Director of the Tata Institute of Social Sciences at Bombay and the first Indian ever to be invited to the United States as the official guest of the State Department, arrived in this country to make a survey of American progress in the various fields of practical social work including the care of physically and mentally handicapped persons.

Although it is obvious that the war years brought America and India closer together, the pattern of our future relations remains to be described.

One strong tendency in India which interests Americans is the importance which both the Government of India and the various political parties attach to ambitious programs for the industrial and agricultural development of the country. India looks to America as an important source for the capital equipment and the technical assistance that must be provided if Indian plans are to be carried out. To the economist it is obvious that India must have a balanced economy—a better balance between agriculture and industry than now exists, if there is to be a steadily rising standard of living in that country. It is only a steadily rising standard of living that will act as a sociological check on the rapid increase in the population of India and the resultant poverty in the present economic environment. A generally higher standard of living for India will create an effective demand for commodities from abroad far in excess of that which prevails now, even though certain articles now imported into India would eventually be replaced by Indian manufacturers. The United States, as one of the technologically advanced nations of the world, would certainly be able to export an increasing quantity of its products to an expanding Indian market, thereby helping to maintain high production and employment levels in this country.

It is, therefore, in our own interest to do what we can to help the Indians with their projected industrial plans, as well as to give all possible assistance in connection with their agricultural problems. At the present time about 200 Indian students are enrolled in American universities for

scientific and technical training under an official program for Indian industrialization. Several hundred additional students will come during the next year. A leading American firm of engineering consultants has recently been selected by the Government of India to advise it with respect to industrial plans. American technical experts are much in demand in India now to advise on such matters as irrigation, highway construction, and soil erosion, and we shall receive requests for technical assistance from India for many years to come, provided we continue to base our policy toward India on the principles of mutual respect, friendship, and cooperation.

It is to be hoped, however, that our relations with India will not be characterized only by considerations of mutual economic benefits. The educated Indian is culturally sensitive and remarkably acute in psychological and philosophical perception. It would be well to encourage a greater interchange of ideas and information between India and America. This interchange will be stimulated by the Office of International Information and Cultural Affairs in the State Department, which is actively working to promote more intimate relations between American scholars, scientists, and professional groups and similar elements in other countries, including India. One of the most popular actions of the United States Government in India was the opening in 1944 of an information library in Bombay. This library, which contains more than 3,000 well-selected books on all aspects of American life, is always crowded.

From a long-run point of view there are several basic factors favorable to the strengthening of our friendly relations with India. One factor is linguistic. The educated Indian has an excellent command of English, but Americans have been slow in acquiring fluency in tongues other than their own. Another favorable factor is the rough similarity between India and the United States in terms of size, variety of climates and regions, and diverse ethnic stocks. This similarity makes a comparison of notes on agricultural and industrial problems profitable and also produces a parallelism in the field of constitutional and legal affairs.

It was asserted at the outset that India is on the threshold of momentous political change. It is not intended here to attempt a detailed account of political conditions in India or to make predictions regarding them. Although the post-war period

in India has been characterized by public unrest and sporadic violence, it must be recognized that such phenomena are the inevitable accompaniment of political transition. The fact is that considerable political progress has been made in the past year. Popularly elected governments have once again taken control of provincial affairs. The rulers of Indian states have declared their willingness to cooperate in the building of the new India. Most important of all, the British Cabinet Mission now leaving India after three months of negotiation with political leaders has succeeded in obtaining the adherence of the Congress and the Muslim League to a plan under which a new constitution for a completely self-governing India will be formulated. The plan envisages an Indian Union with a central government having jurisdiction over defense, foreign affairs, and communications, residual powers being vested in the provinces and princely states. It is anticipated that the constituent assembly will convene in New Delhi in the very near future.

Although the Cabinet Mission failed to bring the two main political parties together in an interim cabinet to govern India while the constitution-making is in progress, it has emphasized that the present Government of India is to be considered as only a "caretaker" regime. Under the circumstances there is little doubt that this "caretaker" government will be extremely sensitive to Indian

public opinion as expressed by representative political leaders.

As Americans we are all interested in an early and amicable political settlement in India. On January 29, 1945 the American official view was expressed in a press conference by the then Acting Secretary of State Joseph C. Grew, who said that the American Government had continued to follow with sympathetic interest developments in the Indian question and that it was naturally hopeful that progress would be made in this difficult matter and that it would be happy to contribute in any appropriate manner to the achievement of a satisfactory settlement. He added that this Government had close ties of friendship both with the British and with the people of India and that these ties had been strengthened by our common participation in the war effort.

We as Americans should rightly be interested in the future of India. One thing is certain: India will keep and develop for her own use the scientific and industrial apparatus of the West. Even should we be so disposed, it is too late to turn the clock back. Only by accepting the heavy responsibility of fostering in every possible way the growth of friendly cooperation and tolerance between India and ourselves, based on an intelligent understanding and appreciation of our mutual interests, can we meet the challenge represented by the emergence of this new power in Asia.

Progress Made by the Economic and Social Council

Statement by THE U. S. REPRESENTATIVE¹

The first meeting of the Economic and Social Council in the United States was necessarily organizational. The Council's only previous meeting was a brief session in London when it was brought into existence. I believe substantial progress has been made at this session toward making it possible for the Council, its commissions, and its related agencies to embark before the end of this year on a comprehensive program toward carrying out the economic and social objectives of the United Nations Charter.

Four weeks spent on organizational problems at a time when human misery is so widespread and human need so pressing has been a difficult and at times discouraging discipline. But this Council is the nearest thing the world has yet achieved to a combined Chiefs of Staff in the economic and social field, and staff coordination and organization are just as essential to the successful launching of a long-range campaign for peace as they are in a military campaign.

Two of the most urgent tasks before us are the reconstruction of devastated areas and the repatriation or resettlement of hundreds of thousands of men, women, and children who were driven from their homes by oppression and war and will still be homeless when UNRRA ends next year. The world cannot be restored to economic health until substantial progress has been made on both these tasks. On both of them, despite some sharp differences of opinion as to methods, the Council has now taken the first steps. It has voted to establish an International Refugee Organization

to take up where UNRRA will leave off. A draft constitution has been approved for circulation to all members of the United Nations so that it can be put into final form and ready for signature during the Assembly meeting in September. In the case of the United States, it will have to be accepted by Congress in the same way as the International Bank and Fund and the other specialized agencies. Some other countries will have to go through similar legislative steps. The United States, however, will do everything in its power toward bringing the new refugee organization into existence by the end of this year. Entirely aside from its humanitarian aspects, the presence in and out of camps of large numbers of refugees and displaced persons will be a continuing source of political friction until they can be returned to their homes or resettled.

In the field of reconstruction the Council has established a Temporary Subcommission on Economic Reconstruction of Devastated Areas which will divide itself into two working teams, one for Europe and one for the Far East. They will survey the needs of all devastated countries except Germany and Japan this summer. The United States felt it was essential that this survey include the ex-satellite countries, since the chances for a speedy economic recovery of many of our wartime allies is so much affected by conditions in neighboring areas. The Council accepted this point of view.

When this Subcommission has done its work the Council and its Economic and Employment Commission will then have the necessary facts at their disposal to work out and recommend to the nations a coordinated and practical program for reconstruction.

¹ Made by John G. Winant, U.S. Representative on the Economic and Social Council, on June 24, 1946 and released to the press by the U.S. Delegation to the United Nations on the same date.

International cooperation in health is another field of activity which has both urgent and long-range problems. Recognizing the danger of widespread epidemics resulting from the dislocations and hardships of the war and the present period of readjustment, the Council called an International Health Conference to establish as quickly as possible a World Health Organization. This conference has already begun its meetings here in New York.

Responding to requests from the Food and Agriculture Organization and the newly established International Emergency Food Council, the Secretary-General has been authorized to offer the full assistance and cooperation of the United Nations Secretariat in working on the critical food shortage.

The Council also made important progress in organizing its work for the main objectives assigned to it by the United Nations Charter.

It approved reports of its six nuclear Commissions, which makes possible their establishment on a full working basis at the next session of the Council. These Commissions are the working teams of the Council. The United States is eager to see them fully manned and operating at the earliest possible date.

The report of the Commission on Human Rights, as it was finally adopted by unanimous vote, included provisions particularly desired by the United States.

One of these was a recommendation that human rights provisions be written into future international treaties, and particularly into the peace treaties. We do not want to permit future regimes in the ex-enemy states to violate basic human rights as was done by the Nazis and Fascists.

A second important recommendation was the unanimous agreement to authorize the Commission on Human Rights to establish a Subcommission on Freedom of Information, as proposed by the United States. At the suggestion of the Soviet Union, the Council also voted to authorize establishment of Subcommissions on the Protection of Minorities and the Prevention of Discrimination. The United States supported the establishment of these Subcommissions. The world is still a long way from the universal respect for human rights and fundamental freedoms to which the Charter pledges all the member states, and it was impor-

tant that an effective beginning be made without delay.

A third important recommendation in the field of human rights strongly supported by the United States was to create a full Commission on the Status of Women to replace the present Subcommission.

By another major decision the Council organized the Economic and Employment Commission. It will be the Council's chief adviser on coordinating international action for the achievement and maintenance of full employment with higher standards of living. An International Trade Conference, authorized by the Council, will meet in London in October.

The Council must have the facts and figures on which to base sound recommendations for international economic and social action. It approved proposals of its Statistical Commission which will make possible for the first time development of reliable world statistics and the drawing up of a world economic balance sheet as a basis for action.

In the field of communications and transport the Council took an important step that also has its bearing on the development of freedom of information by endorsing a world telecommunications conference. The United States has already taken the first steps toward calling this conference to meet in this country. Machinery was also set in motion to bring the Provisional International Civil Aviation Organization and the Universal Postal Union into relationship with the Council and to examine the question of establishing an international shipping organization on technical matters. We have, in fact, worked out a general pattern of cooperation in international transport and communications.

Most of the basic executive functions of the United Nations in economic and social cooperation will be performed by specialized agencies which are based on separate intergovernmental agreements. We therefore completed arrangements to coordinate the work of the Council with that of the International Labor Office, the Food and Agriculture Organization, and the United Nations Educational, Scientific and Cultural Organization. Similar action will be taken with respect to the International Bank and the Monetary Fund at the next session of the Council which meets at the end of August.

The Economic and Social Council deals with matters that affect individual human beings. Its

successes and its failures will have a bearing on the security a man has in his job, and his old age, on the kind of housing and food and clothing and medical care he can provide for his wife and children, on the educational opportunities that will be open to his children and on the opportunities for advancement that will be open to himself. It is of great importance, therefore, that the Council keep in touch with the peoples of the world, not only through governments, but also through the many non-governmental organizations through which people make their desires known and their opinions felt.

The Council, after close examination and extended debate, approved a plan by which this direct contact can be carried out on a democratic basis. Special arrangements were made to permit organizations of labor, of management and busi-

ness, of farmers and consumers to join in the work of the Council and its Commissions. Provision also was made for seeking the advice and securing the help of other non-governmental organizations.

Disagreements always make news and the Council has had its share of them during the session just ended. I think, however, that from the long-range point of view it is significant for the future of the Economic and Social Council's work that so much agreement was reached in four weeks of discussion among representatives of nations with such wide differences in history, culture, race, religion, and economic and social systems.

We have already moved forward by patient and persistent negotiation. This experience of working together and finding agreement on specific problems is providing the basis for the world we seek to build.

International Organizations and Conferences

Calendar of Meetings

Council of Foreign Ministers:		
Meeting of Foreign Ministers	Paris	June 15
Meeting of Deputies	Paris	May 27 temporarily adjourned
Far Eastern Commission	Washington	February 26
Allied-Swedish Negotiations for German External Assets	Washington	May 31
Inter-American Conference of Experts on Copyright	Washington	June 1-June 22
Proposed International Emergency Food Council	Washington	June 20
U. S.-Mexican Discussions on Air Services Agreement	Mexico City	June 24
International Institute of Agriculture:		
Meeting of the General Assembly	Rome	July 8
Caribbean Commission	Washington	July 8-14
Conference on German-Owned Patents Outside Germany	London	July 10
International Meeting of the Sugar Council	London	July 15
International Council of Scientific Unions: Meeting of the General Assembly	London	July 24-27
International Union of Geodesy and Geophysics: Extraordinary General Assembly	Cambridge, England	July 29
The United Nations:		
Security Council	New York	March 25
Military Staff Committee	New York	March 25
Economic and Social Council	New York	May 25
Commission on Atomic Energy	New York	June 14
International Health Conference	New York	June 19
UNESCO: Preparatory Commission	London	July 5-13
General Assembly: Second Part of First Session	New York	September 3

The dates in the calendar are as of June 30.

Activities and Developments

Inter-American Copyright Convention Signed¹

Representatives of the American Republics meeting in conference at the Pan American Union signed on June 22 an inter-American convention on copyright protection. The conference had been in session since June 1 and was convened by the Governing Board of the Pan American Union pursuant to a resolution of the Eighth International Conference of American States held at Lima, Peru.

The convention recognizes the exclusive right of an author of a literary, scientific, and artistic work to use and transfer his work in any manner, and to transmit it by will or by operation of intestate laws.

The works of a literary, scientific, and artistic nature covered by the convention include books and

¹Released to the press by the Pan American Union June 22.

pamphlets; written or recorded versions of lectures, addresses and sermons; dramatic or dramatico-musical works; choreographic works and pantomimes; musical compositions; drawings, illustrations, paintings, sculptures, engravings, lithographs; photographic and cinematographic works; globes, maps, plans, and sketches or plastic works relating to geography, geology, topography, architecture, or any science.

Translations, adaptations or other versions of literary, scientific and artistic works, including photographic and cinematographic adaptations, are protected as original works.

Articles on current events in newspapers and magazines may, by the terms of the convention, be reproduced by the press unless such reproduction is prohibited by a specific or general reservation. The convention does not give protection to the factual contents of news published in newspapers.

The duration of copyright protection is governed by the law of the country in which protection was originally obtained, but it may not exceed the duration fixed by the law of the country in which protection is claimed.

Copyright protection obtained in one state shall automatically be granted protection in the other states, without the necessity of registration, deposit, or other formality. To facilitate the utilization of literary, scientific, and artistic works,

the contracting states agree to encourage the use on such works of the expression "Copyright" or its abbreviation "Copr." or the letter "C" enclosed within a circle, followed by the year in which protection begins, the name and address of the copyright owner, and the place of origin of the work.

In disposing of his copyright by sale, assignment, or otherwise, the author, by the terms of Article 11 of the convention, retains the right to claim the paternity of the work and to oppose any modification or use of it prejudicial to his reputation as an author, unless he consents to waive this right in accordance with the law of the country in which the contract is made.

The new convention, which is subject to ratification by the signatory states, replaces the 1910 convention of Buenos Aires and the revision signed at Habana in 1928, and all earlier inter-American conventions on copyright, but does not affect rights acquired under these conventions.

The conference also adopted a number of supplementary resolutions, including provision for periodic meetings of registrars of copyrights of the several countries, and the exchange among all the countries of copyright information, including official lists in card or book form of copyrighted works, assignments thereof, and licenses for their use.

Record of the Week

Contribution of U.S. in Meeting World Food Needs

STATEMENT BY THE PRESIDENT

[Released to the press by the White House June 27]

The impressive record made by the United States in shipping food grains abroad for famine relief is shown in a report I have just received from John W. Snyder, former Director of War Mobilization and Reconversion and now Secretary of the Treasury.

In six months, this country has shipped over 5,500,000 tons of bread grains to help feed the hungry people of other lands. In another three weeks, we shall have met our half-year goal of 6,000,000 tons.

The very fact that housewives today often find it hard to buy a loaf of bread is evidence of the success of our famine emergency program. The loaf of bread and the bag of flour that they don't buy mean that much more for hungry children abroad.

A REPORT TO THE PRESIDENT BY JOHN W. SNYDER

June 26, 1946.

The United States will fully meet its half-year goal of 6,000,000 tons of food grains for famine relief throughout the world, but final shipments to complete the total will not leave our ports until after the first of July.

By the end of June, an estimated total of 5,500,000 long tons of food grains will have been sent abroad since January 1. The remainder of the 6,000,000 total goal is already in possession of the Government, much of it on the way to ports or at ports ready for loading. The high rate of export shipments which has been reached in June will be continued until the full goal is reached—probably before the middle of July.

The shipments already made and those to be made by the end of June include 5,077,500 long tons of wheat and flour (in wheat equivalent), and 423,000 tons of corn and corn products especially assigned for export under the Corn Bonus Plan.

The good record we have made is due to the splendid cooperation of Americans in conserving bread at home and in public eating places, the remarkable production by American farmers, the unstinting cooperation of millers and bakers, and the united efforts of the Famine Emergency Committee and the various agencies of our Government.

But the crisis is not over. It will not be over when we reach our half-year goal. Cooperation and determined effort by the public—by each one of us—must be continued during the coming months of hunger abroad.

Soon after July 1, I will receive from the Secretary of Agriculture final figures not only on food grains but on the entire contribution of the United States toward meeting world food needs during the last full year.

In addition, but not counted as a part of the 6,000,000-ton goal, there has been sent abroad since January 1 a total of 294,500 long tons of other grains—oats, rye, barley, and corn shipped before the special bonus corn was procured for famine relief.

Only those grains which will have actually left port by June 30 are included as shipments; not included is grain now in elevators, en route to port or at the port for loading after June 30.

As soon as the total actual June shipments are known, the subcommittee on grain of the Inter-Departmental Committee on Transportation will be able to determine the exact date in July on which the United States goal of 6,000,000 tons of bread grains for famine relief can be reached.

The committee, established by the Office of War Mobilization and Reconversion last January, has performed an outstanding job in solving problems impeding the shipment of grain.

The record of over 5,500,000 tons of bread grains in the first half of this year is a tremendous one, of which the Government and the people can be proud.

Not only have the people of our country co-operated by reducing their own consumption of wheat and other bread grains. The agencies of Government have helped achieve this export record by combined and diligent effort. These agencies include the Department of Agriculture, which procured the wheat and other grains, the Office of Defense Transportation, which got it to ports, and the War Shipping Administration, which made the vessels available to take it abroad.

The Famine Emergency Committee has been of invaluable assistance at every stage of the program, and much of the credit for its success is due to the work of Mr. Chester Davis, the chairman of the committee, and Mr. Herbert Hoover, the Honorary Chairman.

In meeting the goal, there were many obstacles to overcome—including time. Not only did we have to reappportion our total grain supply in order to share more liberally with the peoples abroad, but it was necessary to procure bagging and containers, which are short, to work out a timetable to facilitate transportation of the grain to ports, and finally to load it as expeditiously as possible,

so as to make the best use of all our transportation facilities. The Office of Defense Transportation and the War Shipping Administration, as well as the other agencies concerned, have done a remarkable job in this respect.

Through their efforts and those of the Secretary of Agriculture, under whose direction the procurement program was so successfully managed, we have been able in the past crop year to ship through our ports a record amount of U.S. wheat and flour. The June shipments of U.S. bread grains are the highest on record.

The July shipments necessary to reach the 6,000,000-ton goal, and representing slightly more than 8 percent of the total, will not be deducted from the 250,000,000 bushels of grain which are scheduled for export during the crop year beginning July 1, but will be *in addition to* that goal.

The Secretary of Agriculture has wisely laid plans to continue the acquisition of wheat from the new 1946 crop, since world needs will still be great for many months to come. Americans must continue to conserve wheat, fats, and oils in order to share our plenty with those who are starving.

The following table of shipments compiled by the subcommittee on grain of the Inter-Departmental Committee on Transportation shows the record by month and by grain categories:

S U M M A R Y

GRAIN AND FLOUR SHIPMENTS—January 1 to June 30, 1946

(Figures in thousands, long-weight tons)

	Jan.	Feb.	Mar.	Apr.	Est. May	Est. June	Total
Wheat	809.5	528.0	671.1	457.7	303.0	700.0	3,469.3
Flour (Wheat equivalent).	306.0	291.1	248.5	242.9	219.7	300.0	1,608.2
Total	1,115.5	819.1	919.6	700.6	522.7	1,000.0	5,077.5
Shipping from stocks accumulated under Corn Bonus Plan:							
Corn					63.0	300.0	363.0
Corn Products (Grain equivalent)						60.0	60.0
Total							423.0
Total corn and wheat Jan. 1 to June 30							5,500.5
Other grain—not including grain prod- ucts:							4 Months Only
Corn	5.4	9.8	12.2	2.3			29.7
Rye	11.9	9.0	10.5	38.2			69.6
Barley	2.8	.1	5.9	4.0			12.8
Oats	40.9	76.7	26.5	38.3			182.4
Total	61.0	95.6	55.1	82.8			294.5

Financing of International Reconstruction

STATEMENT BY THE PRESIDENT

[Released to the press by the White House June 26]

I have appointed a committee of industrialists and bankers to make a report and recommendation on the financing of international reconstruction. They will work closely with the National Advisory Council, which has the duty of formulating our national policy on foreign lending.

I have appointed this committee of citizens of knowledge and experience because our foreign trade, export and import, must in the long run be privately handled and privately financed if it is to serve well this country and world economy.

It is true that, for the immediate present, governmental help is needed in order to get our foreign trade under way. But I am anxious that there shall be the fullest cooperation between the governmental agencies and private industry and finance. Our common aim is the return of our foreign commerce and investments to private channels as soon as possible.

The committee which I have appointed is as follows:

HERBERT H. PEASE, president, New Britain Machine Co., New Britain, Conn.

CHAMP CARRY, president, Pullman-Standard Car Manufacturing Corp., Chicago, Ill.

WALTER J. CUMMINGS, chairman, Continental-Illinois National Bank and Trust Co., Chicago, Ill.

L. M. GIANNINI, president, Bank of America, San Francisco, Calif.

PAUL G. HOFFMAN, president, Studebaker Corp., South Bend, Ind.

EDWARD HOPKINSON, Jr., partner, Drexel and Company, Philadelphia, Pa.

FOWLER McORMICK, chairman, International Harvester Co., Chicago, Ill.

IRVING S. OLDS, chairman, U. S. Steel Corp., New York, N.Y.

GORDON S. RENTSCHLER, chairman, National City Bank of New York, New York, N.Y.

A. W. ROBERTSON, chairman, Westinghouse Electric Corp., Pittsburgh, Pa.

WINTHROP W. ALDRICH, chairman, The Chase National Bank of the City of New York, New York, N.Y.

TOM K. SMITH, president, The Boatmen's National Bank of St. Louis, St. Louis, Mo.

Resumption of Surplus-Property Deliveries to Poland

[Released to the press June 26]

On April 24, 1946 notes were exchanged between the Polish Ambassador and the Acting Secretary of State regarding the conclusion of negotiations for the extension of an Export-Import Bank credit to Poland of \$40,000,000 and for an additional credit of up to \$50,000,000 for the purchase by Poland of United States surplus property held abroad.¹ When these notes were exchanged, the Polish Provisional Government undertook certain obligations.

Subsequently, on May 10, 1946, the Acting Secretary of State announced the suspension of deliveries of surplus property to Poland under the \$50,000,000 credit by reason of the fact that the Polish Provisional Government, in the view of this Government, had failed fully to carry out the obligations undertaken at the time the credits were authorized. Specifically, (1) the texts of the notes exchanged had not been published in Poland, (2) it appeared that American press dispatches from Poland were being subjected to censorship, and (3) the texts of Poland's economic agreements with other countries had not been made available to this Government as promised.²

The Polish Provisional Government has recently published the exchange of notes concerning the credits and the question of censorship has been satisfactorily clarified. Assurances have now been given to the American Ambassador at Warsaw indicating that the texts of Poland's economic agreements will be furnished to this Government.

In view of these assurances and in consideration of the important role which these surplus materials are to play in assisting the Polish people to rebuild their devastated country, this Government has acceded to the request of the Polish Provisional Government and has authorized the resumption of surplus property deliveries to Poland.

¹ BULLETIN of May 5, 1946, p. 761.

² Oral announcement at Acting Secretary Acheson's press and radio news conference of May 10. Not printed.

U.S. Objectives and Policies in Affording Aid to China

[Released to the press June 28]

Recent press reports from China indicate a misunderstanding or misconstruction by various Chinese elements of our objectives and policies in affording assistance to China.

The various moves taken by this Government to aid China are but steps in the complete implementation of a long-agreed program for helping the Chinese nation as a whole to rid itself of the effects of a long and devastating war against Japan. They cannot rightfully be interpreted as current support of any factional military group in China. They will not fully materialize for many months. Their purpose is to cement rather than to destroy unity; to encourage the Chinese to find a solution of their internal problems by the democratic process of peaceful agreement rather than by resort to military force.

In the foregoing connection it is pertinent to quote from the President's public statement on policy towards China of December 15, 1945. He said: "As China moves toward peace and unity . . . the United States would be prepared to assist the National Government in every reasonable way to rehabilitate the country, improve the agrarian and industrial economy, and establish a military organization capable of discharging China's national and international responsibilities for the maintenance of peace and order."

There is now in Congress a bill authorizing advice and assistance to the Chinese Government in the creation of a modern, moderately sized Chinese army. One of the principal objectives of this legislation is to provide practical assistance to the Chinese in implementing the agreement reached in Chungking on February 25 this year for the reorganization and unification of the armed forces of China. This agreement provides for a single, non-political, national army made up of troops drawn from the presently existing Communist and Central Government armies. In testifying before the Foreign Affairs Committee of the House in regard to this legislation, the Acting Secretary of State indicated that there was a di-

rect relation between the successful implementation of the plan for the reduction and unification of Chinese military forces and steps that might be taken under the authority provided in the bill before Congress to give military aid and assistance to the Chinese Army.

Many of the contemplated measures for aid to China involve a time-consuming procedure of negotiation, agreements, legislative action, and, lastly, decisions by the President in the light of the situation existing at the time implementation is to be undertaken. These various steps consume many months, more than a year in the case of the legislation now in the Congress for military advice and assistance to China, and, if interrupted in any particular stage, could not be readily resumed without running the risk of encountering considerable difficulty.

Publicity has recently been given to a pipeline lend-lease agreement with China for approximately \$58,000,000. This agreement simply formalized an understanding reached shortly after V-J Day that China would purchase those lend-lease supplies which were being processed or were en route to China. Measures to provide economic aid to China in the form of supplies and credits are an impartial American effort to contribute toward a solution of the acute economic crisis in China and to forestall a financial and economic break-down. Too much stress cannot be laid on the hope of this Government that our economic assistance be carried out in China through the medium of a government fully and fairly representative of all important Chinese political elements, including the Chinese Communists. This Government has felt that some measures of economic assistance could not be held in abeyance pending agreement among the Chinese political parties to come together in a unified government. Failure to afford such minimum economic assistance would needlessly invite danger of an economic collapse which would bring great tragedy to the common people of China.

Position on Admission of Correspondents to Areas Receiving UNRRA Aid

LETTER FROM ASSISTANT SECRETARY OF STATE CLAYTON TO SENATOR KENNETH McKELLAR

[Released to the press July 3]

July 3, 1946.

MY DEAR SENATOR McKELLAR:

Since the fundamental objective of our foreign policy is to create conditions in the world under which we can live in friendship and peace with all nations, I am gravely concerned about the action recently taken in the House of Representatives in adopting the so-called Dirksen Amendment to the Third Deficiency Appropriation Bill.

This Amendment, as you know, would deny use of the U.S. contribution to UNRRA for aid to any country which refused to agree not to censor the reports of American press representatives concerning the distribution and use of UNRRA supplies. As the record of the debate in the House of Representatives will show, this Amendment was directed at the Soviet Union. This action was taken in consequence of a reply received from the Soviet Government, in answer to a request by the President that that Government undertake to permit reporting, with respect to UNRRA operations, free of the censorship rules which have been established in Soviet territories. The President made his request pursuant to the direction of Congress as expressed in Public Laws 259 and 262, 79th Congress.

I should like to take this opportunity to give you my views on this matter. At the outset let me say that I believe no one is more firmly convinced than the Secretary and I that the free interchange of information between the peoples and countries of the world is essential to the creation of a secure peace. We in the Department of State are constantly seeking to achieve this objective. My concern about the Dirksen Amendment therefore is not because I do not seek the freedom of information which I feel certain the House had in mind when it approved this Amendment, but because I feel that its passage would achieve precisely the opposite result.

The facts are these: While Russia, in its reply to the President's request, has not agreed to remove established general rules of censorship with re-

spect to despatches from our correspondents on the use of UNRRA supplies, we have abundant evidence that no attempt has in fact been made to restrain the free flow of information regarding the distribution of UNRRA supplies.

Recently a group of correspondents, including representatives of the *New York Times*, *Newsweek* and the Associated Press have made an extensive tour of the Ukraine and White Russia—the Soviet Republics in which UNRRA is furnishing relief—and have been permitted to report freely and fully on the use which is being made of UNRRA supplies. In addition, UNRRA itself has missions in each of these two areas, both headed by Americans of unquestioned courage, integrity and high standing, and these missions have had complete freedom to travel about the country, to observe anything they wished to see and to report without interference of any sort. Both the UNRRA missions and our news correspondents report that these areas of Russia have suffered destruction greater than we had imagined, that the conditions are pitiful and the need most urgent, and finally that UNRRA supplies are being distributed with scrupulous attention to the principles which guide UNRRA's operations in all areas. In addition, there are reliable reports that the common people of these areas are not only fully aware that the supplies are coming from UNRRA, but are inclined to give the whole credit for UNRRA's activities to the United States. As a result, the good will being created for our country by the UNRRA programs is so great as to astonish the Americans who are there with the UNRRA missions.

One of the reasons why we are so concerned to promote the free interchange of information between countries is that only by such a process will the common people of all countries come to know and appreciate the achievements and points of view of each other. I believe from all I can discover that the UNRRA program in the two Soviet Republics is serving most effectively to promote the accomplishment of these objectives.

I am convinced that the adoption of the Dirksen Amendment would set us back immeasurably in this respect. I think I can indicate why I feel

this way by examining the effect its adoption would have upon the Russian people. Undoubtedly, the Soviet Government and the people who are in such dire need and who are now receiving some relief through the UNRRA program would say, and I fear, with considerable justification, "We are scrupulously living up to the UNRRA principles of distribution; there has never been any attempt here to cover up what is being done with these supplies which are being sent in; there has, in fact, been complete freedom to American press representatives and to the Americans on the UNRRA missions to report anything they wish to report. What, then, is the reason the relief has stopped? Even if we should agree under pressure that we will never apply our rules of censorship to reports about UNRRA, it would not change the situation at all because we have never applied that censorship and we don't intend to. However, we are not going to have anyone dictate to us. We would rather suffer without help than bow to a threat of this kind."

I am sure you will agree with me that any proud people would react this way. As a result, we shall, if we insist on this point, merely give those who may be working against friendship and free interchange of information, a real basis for making the charge that we are using relief for political purposes and that we are making threats to achieve our objectives. We may very well, by such action, wipe out the gains we have already made toward this friendship and interchange of information through the activities of UNRRA in these areas.

This whole issue, of course, has a far wider significance than its effect on the UNRRA program. I feel sure that adoption of the Amendment would seriously complicate all our relations with the Soviet Union and would, without achieving any tangible benefit for us, make far more difficult negotiations on many other issues.

I should like to assure you that if there were not in fact freedom of observation for the UNRRA missions and for our correspondents to report on the use of UNRRA supplies in these two Soviet Republics, I should strongly advocate that the furnishing of supplies cease. In such a case there would be a real matter of principle involved, for we and other contributing nations to have the right to full information concerning the use of UNRRA supplies. Director General LaGuardia feels just as strongly on this point as we do.

I would like to point out further, that all of the members of UNRRA, in approving the UNRRA agreement, subscribed to the policies and regulations governing its operations which had been set up by mutual agreement. If each of the contributing members should now by its own unilateral action attempt to establish new and special conditions, the operation of UNRRA would become impossible. There is no question but that the UNRRA Council and the UNRRA Administration have taken steps to assure adequate observation and complete reporting without censorship by UNRRA missions and by press representatives with respect to all matters of concern to UNRRA in the two Soviet Republics.

There is one other point which seems to me of great significance. One of our important concerns today is to demonstrate that international organizations can succeed in dealing with matters which affect the interests of all nations. This is not an easy task, as recent experience clearly proves, and we have made less progress at it than we had hoped for. Every success we do have, however, by showing that success can be achieved, tends to develop confidence in international organizations generally, and thus promotes success in other cases. Conversely every failure has the opposite effect. With all the difficulties which have beset UNRRA and with all the differences of opinion that have developed from time to time, nevertheless it cannot be denied that it is one of the international organizations that has succeeded, on the whole, in accomplishing the objectives for which it was designed. It has effectively brought relief to millions of people in the war-devastated areas, it has produced vast good will for this country and for the other contributing countries, it has increased contacts between citizens of all nations and promoted knowledge and understanding of each other among peoples throughout the world. It has demonstrated the fact that men of many different nations can work together successfully to solve a world-wide problem. It would be a tragic thing, in this critical period in international affairs, with UNRRA so close to the end of its period of operations, to destroy in large part the effect which UNRRA has had in promoting confidence and understanding between nations and to turn its success as an operating international organization into failure during the last months of its existence. I should very much regret to see

such an outcome of an international effort which, otherwise, has such bright prospects of confounding those who doubt that any attempt at cooperation by nations in a common cause is possible.

I apologize for having burdened you with such a long discussion of this subject, but it is, in my opinion, of such vital importance in the whole field of our foreign relations that I must put before you fully the considerations which I believe would make the adoption of the Dirksen Amendment a very grave mistake.

Sincerely yours,

W. L. CLAYTON

Assistant Secretary

[EDITOR'S NOTE: This letter is made public as the BULLETIN goes to press.]

EXCHANGE OF NOTES BETWEEN ACTING SECRETARY ACHESON AND THE SOVIET CHARGÉ D'AFFAIRES

[Released to the press June 25]

Acting Secretary of State Acheson made public on June 25 the text of the note dated January 8, 1946 which he addressed to the Soviet Chargé d'Affaires ad interim with respect to the admission into areas receiving UNRRA aid of properly accredited members of the American press and radio. The text follows:

The Acting Secretary of State presents his compliments to the Chargé d'Affaires ad interim of the Union of Soviet Socialist Republics and informs him of the decision of the Congress of the United States in voting the American contribution to the United Nations Relief and Rehabilitation Administration whereby the Congress requests the President to facilitate, through the appropriate channels, the admission into areas receiving UNRRA aid of properly accredited members of the American press and radio in order that they may be permitted to report without censorship on the utilization and distribution of UNRRA supplies and services.

It would accordingly be appreciated if the competent Soviet authorities, in the interest of better understanding between the peoples of the Union of Soviet Socialist Republics and the United States, would extend all necessary facilities to enable properly accredited representatives of the

American press and radio to exercise their functions fully and freely in accordance with the expressed desire of the Congress of the United States.

Since it is proposed to advise the Congress of the United States of the response to this request, it would also be appreciated if the Soviet Government would be so kind as to inform this Government of any steps which may be taken in this connection.

DEPARTMENT OF STATE,

Washington, January 8, 1946.

Following is a translation of the reply received by the Secretary of State from the Chargé d'Affaires of the Union of Soviet Socialist Republics:

The Chargé d'Affaires of the Union of Soviet Socialist Republics presents his compliments to the Secretary of State and with reference to the note of the Acting Secretary of State of January 8, 1946, has the honor to communicate the following:

Inasmuch as special commissions of the United Nations Relief and Rehabilitation Administration will be sent to the Ukrainian S.S.R. and Byelorussian S.S.R., American official circles and the public will have the possibility of receiving information of interest to them concerning the utilization and distribution of the supplies and services of the United Nations Relief and Rehabilitation Administration through these commissions.

With reference to the request of the State Department for granting representatives of the American press and radio the possibility for full and free execution of their functions in accordance with the desire expressed by the Congress of the United States, representatives of the American press and radio on the territories of the Ukrainian S.S.R. and the Byelorussian S.S.R. should be guided by the rules in effect on all the territory of the Union of Soviet Socialist Republics and for that reason the establishment of any special rules regulating the activities of representatives of the American press and radio on the territories of the Ukrainian S.S.R. and the Byelorussian S.S.R. is not contemplated.

EMBASSY OF THE UNION OF

SOVIET SOCIALIST REPUBLICS

WASHINGTON, March 12, 1946

LETTER FROM THE PRESIDENT TO THE PRESIDENT OF THE SENATE¹

THE WHITE HOUSE,

Washington, June 21, 1946.

TO THE PRESIDENT OF THE SENATE:

In accordance with the recommendation in paragraph B of Public Law 262, 79th Congress, I have, through appropriate channels, taken steps to advise countries receiving UNRRA assistance of the desire of the United States Government that the admission to those countries of properly accredited members of the American press and radio be facilitated in order that they might be permitted to report without censorship on the utilization and distribution of UNRRA supplies and services.

I am advised that satisfactory arrangements are in effect to permit American press and radio representatives to report without censorship on the UNRRA programs in all UNRRA receiving countries except the Union of Soviet Socialist Republics. There is attached a translation of a communication dated March 12, 1946, to the Secretary of State from the *Chargé d'Affaires*² of the U.S.S.R. with reference to the situation in that country, which in effect states that the censorship rules in force for all correspondents in the Soviet Union will be applied to correspondents desiring to report on the utilization and distribution of UNRRA supplies.

I am also advised that accredited representatives of UNRRA have been given necessary facilities for observing and reporting on the distribution of

¹ An identical letter was addressed to the Speaker of the House.

² Printed above.

UNRRA supplies in all receiving countries including Ukrainian and Byelo-Russian Soviet Socialist Republics and have submitted extensive and detailed reports.

HARRY S. TRUMAN

At Acting Secretary of State Acheson's press and radio news conference on June 25 a correspondent asked for information concerning the American note requesting complete freedom from news censorship in countries receiving UNRRA aid. Mr. Acheson referred to the letter from President Truman to the Congress, dated June 21, which was in accordance with provisions of an Act which appropriated funds for UNRRA and which required the President to work out with countries receiving UNRRA aid complete freedom from censorship. Mr. Acheson pointed out that the President had reported that such arrangements had been made with all countries except the Soviet Union. The Soviet reply to the American note, Mr. Acheson explained, had said that the same provision will apply on filing of news within the two Soviet republics receiving UNRRA aid—Byelorussia and the Ukraine—as applies elsewhere in the Soviet Union.

Mr. Acheson said that so far as is known, no reports have yet been censored, but that the Soviet Government has not stated that it will not in the future take some action.

Mr. Acheson said also that a group of newspapermen which included Americans—Mr. Middleton of the *New York Times*, Mr. James of the Associated Press, and Mr. Fowle of *Newsweek* magazine—had made tours of the Ukraine and Byelorussia and were about to make another.

Treaty Obligations and Philippine Independence

REPLY OF NORWEGIAN GOVERNMENT TO U.S. NOTE¹

NORWEGIAN EMBASSY,

Washington, D. C.,

July 8, 1946.

EXCELLENCY:

I have the honor to refer to your note of May 4th, 1946 in which you proposed that the most-favored-nations provisions of the Treaty of Friendship, Commerce and Consular Rights between Norway and the United States of America signed June 5th, 1928, shall not be understood to require the extension to Norway of advantages

accorded by the United States to the Philippines during a transitional period following the proclamation of Philippine independence.

I am happy to reply that in appreciation of the need for such concessions and as an act of friendship toward the Republic of the Philippines my Government has instructed me to accept your Excellency's proposal.

Please accept [etc.] W. MORGENSTERNE

HIS EXCELLENCY DEAN ACHESON,

Acting Secretary of State,

Washington 25, D.C.

¹ U.S. note is similar to note sent to Bolivian Government as printed in BULLETIN of June 16, 1946, p. 1049.

Inquiry on Palestine Situation

[Released to the press June 29]

In response to inquiries whether this Government had advance information regarding the raid on the Jewish Agency Headquarters in Palestine, the Department of State stated on June 29 that it received no information until after the raid apparently had taken place.

The British Embassy in Washington on June 29 informed the Department that it was proposed to raid the Jewish Agency in Palestine early that morning.

The Department is not in possession of sufficient information to enable it to make any comment with regard to this matter.

Procedure for Furnishing Affidavits for Immigration Visas

[Released to the press June 25]

The Department of State is informed by the American Consulate General in Munich, Germany, that it has received many affidavits of support for use by individuals applying for immigration visas. Addresses given of the persons for whom the affidavits are intended are usually either insufficient or inaccurate. As a result of this situation, less than 10 percent of these affidavits can be delivered to the persons for whom they are intended.

Affidavits should be forwarded in support of applications of only those persons who are eligible for visas under the present immigration program; that is, either displaced persons who are sponsored by persons in the United States, or wives, husbands, minor children, mothers, and fathers of citizens of the United States.

The Department suggests that, since mails are open, affidavits in each case should be forwarded directly to the person at interest for his use in filing an application for an immigration visa. No useful purpose will be served in forwarding the affidavits, either to the individuals or to the Consulate General, unless the local addresses of the persons at interest are known. The Consulate General has

no way of determining such addresses, and in most cases the United Nations Relief and Rehabilitation Administration does not have sufficient data in any central file to determine the whereabouts of such persons.

Appointment of Allan Nevins as Public Affairs Officer in London

The appointment of Allan Nevins as Public Affairs Officer in charge of information and cultural affairs at the American Embassy in London was announced on June 28 by William T. Stone, Director of the Office of International Information and Cultural Affairs. He will succeed Herbert S. Agar, former editor of the Louisville (Ky.) *Courier-Journal*, who had accepted the post on a temporary basis.

Twice winner of the Pulitzer Prize for biography, Dr. Nevins has been serving as professor of American history at Columbia University. He will go to London shortly but will return to this country to meet his teaching engagements at Columbia for the fall term before resuming his duties as Public Affairs Officer in England.

Assistant Secretary Russell To Inspect Foreign Service Installations

[Released to the press June 28]

Donald R. Russell, Assistant Secretary of State for Administration, left on Wednesday, June 26, for a long-deferred inspection trip of Foreign Service installations in Europe.

Accompanied by a Foreign Service inspector, he will visit a number of Foreign Service posts including Paris, Berlin, and Moscow. The purpose of his trip, which is coincident with the end of the fiscal year, is to check on administrative operations in the field.

Proposed Double-Taxation Convention With France

[Released to the press June 12]

As a result of *ad referendum* negotiations which took place in Washington during March and April,¹ a convention between the United States and France for the avoidance of double taxation and the prevention of fiscal evasion in the case of taxes on estates and inheritances and for the purpose of modifying and supplementing certain provisions of the convention relating to income taxation signed at Paris on July 25, 1939, has been drafted by representatives of the United States Government and representatives of the French Government.

The draft convention is being submitted by the representatives to their respective governments for consideration with a view to signature, if possible, in the near future.

The negotiations were conducted for the United States by Eldon P. King, Special Deputy Commissioner of Internal Revenue, and officers of the Departments of State and Treasury and of the Bureau of Internal Revenue; for France by Aedeodat Boissard, Director General in the Ministry of Finance; Philip Perier, Director of Administrative Conventions; and Jean Deciry, of the Foreign Office; and Jacques Certoux and Marcel Serre, of the Ministry of Finance.

In the course of the exploratory conversations attention was given also to certain current questions concerning the interpretation and administration of French taxes in their application to American nationals. The position of the French Government, pending the signature and coming into force of the new convention, with respect thereto, and with respect to the application of certain provisions of the 1939 convention has been made the subject of record in correspondence between the French Ambassador in Washington and the Secretary of State.

The texts of the notes exchanged are as follows:

[Translation]

FRENCH EMBASSY TO THE UNITED STATES

Washington, May 6, 1946

DEAR MR. SECRETARY OF STATE:

At the request of the Government of the United States of America, conversations took place in Paris between the 10th and 18th of October, 1945, between an American dele-

gation and representatives of the Ministry of Foreign Affairs and the Ministry of Finance with a view to modifying and supplementing certain provisions of the Convention of July 25, 1939 relating to income taxation, and to laying the bases of a new Convention for the avoidance of double taxation in the field of estate and inheritance taxes and for the prevention of fiscal evasion.

During these conversations the question of determining the scope of application of the National Solidarity Tax to American nationals was also examined.

These questions have recently been the subject of new exchanges of views in Washington between a French delegation and an American delegation.

I am happy to find that, as Your Excellency knows, the two delegations have agreed on a draft of a new Convention for the avoidance of double taxation with respect to estate and inheritance taxes, for the purpose of modifying and supplementing certain provisions of the Convention of July 25, 1939, and for the prevention of fiscal evasion.

Pending signature and ratification of this Convention by our two governments, I have the honor to communicate at once to Your Excellency, with a view to immediate application, the agreement of the French Government on the following points.

(1) Article 7 of the Convention of July 25, 1939 provides that royalties paid in France to an American natural or juridical person are exempt from taxation in France, provided that the natural or juridical person does not have a permanent establishment in France.

It is understood that these provisions shall be applicable in the case of royalties paid to American producers of films for the exploitation in France of these films, provided that the income arising from the exploitation of the films in question cannot be considered as belonging to a permanent establishment in France of the American producer.

(2) According to Article 9 of the Convention of July 25, 1939, income from labor or personal services, with the exception of the income referred to in Article 8, is taxable only in the State where the taxpayer carries on his personal activity.

It is understood that Article 9 applies only when a taxpayer is in the position of being taxed by both contracting states.

This interpretation follows the principle established by Article VI of the Protocol annexed to the Convention of 1939 according to which the provisions of the Convention must not have the effect of increasing the tax burden of the taxpayer.

(3) The American delegation has called the attention of the French delegation to the case of American businessmen whom American companies by which they are employed send to France in order to carry on an activity paid for by these companies.

It has been taken into consideration that American businessmen who establish themselves in France receive because of this establishment a higher salary than they would have received if they had stayed in the United

¹ BULLETIN OF MAY 17, 1946, p. 451.

States. This higher salary is justified by increased cost (maintenance of their establishment in the United States, education of their children, etc.). Consequently it has been agreed that the Direction Generale des Contributions Directes will proceed in a liberal spirit at the request of the interested persons to examine each particular case in order to establish, if necessary before the establishment of the American companies in France, exactly what will be the situation of their personnel with regard to the Scheduling Tax on salaries and wages (having regard in particular to the importance of the professional expenses the deduction of which might be authorized in the computation of the tax).

On the other hand, the members of the French delegation, on behalf of the French Fiscal Administration, have reserved the possibility of calling the attention of the competent American authorities to the case of French nationals who might feel that they are excessively taxed in the United States.

(4) The American delegation has asked that derogations from the French exchange regulations be permitted in favor of the American nationals referred to above who may not desire to transfer into France income obtained outside of France.

The French exchange regulations do in fact put foreign nationals domiciled in France under obligation to repatriate income received outside of French territory.

The American delegation has been advised that no decision of principle could be taken but that each particular case will be examined in as liberal a spirit as possible, taking into account the length of the sojourn in France of the interested persons.

(5) With respect to Article 14, B, of the Convention of July 25, 1939, it has been agreed to increase to 25% the lump sum reduction of 12% to be imputed to the French income tax rate on income from securities, debts and trusts having its source in the United States of America, under conditions fixed by French law without the necessity of establishing the nationality of the beneficiary of the said income.

(6) The American delegation has called to the attention of the French delegation the case of an American wife, married to a Frenchman, who has kept her American citizenship. By virtue of the French law the income having its source in the United States which she receives is mixed with the income of her husband and taxed in the name of the latter. Although this income has been subjected to American taxation, the deduction which would otherwise be allowed by the provisions of Article 14 of the Code General Français des Impôts Directes is not applicable since only taxpayers of foreign nationality taxable in France are authorized to exclude income of foreign origin from their taxable income if they prove that it was subjected to a personal tax on global income in the country from which they originate.

It has been recognized that the solution of this difficulty can be found within the framework of Article 25 of the Convention of 1939 and that it will be the task of the Administration des Contributions Directes to take all measures which are useful for the prevention of the double taxation in question.

(7) The Franco-American Convention of April 27, 1932

provides that American corporations which have permanent establishments in France and are subject to the French Income Tax can elect to be taxed on only $\frac{3}{4}$ of the profits which they withdraw from these establishments. Similarly (Article VI) an American company has the option within six months after the Convention became effective to be exempted from income tax liability in respect of participation in the management or the capital of a French company on condition that the indirect advantages which it draws from this participation be merged with the profits distributed by the French company and become subject to the French tax on income from securities. This option, which had to be exercised jointly with the French company, was to be effective within a period of six months after the coming into force of the Convention or within six months after the acquisition of the participation in the French company.

Article 17 of the Convention of July 25, 1939 accorded the companies referred to above a new period of six months to exercise the option referred to by the provisions in question.

The American delegation has stated that in numerous cases this additional period could not be availed of because of war conditions.

Under these conditions it seemed to the French delegation both logical and equitable to grant the American companies a supplementary period which will run from the date of the present note to the date of the coming into force of the new Convention which will settle this matter.

(8) Article 4 of the Ordinance of August 15, 1945 provides that the National Solidarity Tax is applicable in the case of persons having either a domicile or habitual residence in France.

The American delegation expressed a desire to know the meaning of the words "habitual residence".

It is hereby confirmed that the words "habitual residence" will be interpreted by the French Fiscal Administration as being identical with domicile de facto.

(9) With regard to the application of the National Solidarity Tax established by the Ordinance of August 15, 1945 it is confirmed that:

(a) funds brought into France by American nationals after the liberation of French territory will be subject to the capital tax after deduction of the abatements allowed by the Ordinance without distinction as to whether the funds were brought by natural or juridical persons, an exception being made in the case of juridical persons exempt from the tax;

(b) such funds are subject to the tax on enrichment only when in the hands of natural persons, juridical persons being exempt. However, it is recognized that the application to such funds of the tax on enrichment would not be in harmony with the spirit of the Ordinance of August 15, 1945 and that there would be no occasion to apply it.

(10) American holdings blocked in France during the war cannot be exempted from the tax on capital established by the Ordinance of August 15, 1945. However, a distinction must be made between the tax on enrichment and the tax on capital.

The French delegation has agreed that if the blocking

in France of holdings of citizens of the United States not resident in France has been effectuated at the instigation of the French or German authorities, the French Administration will not take advantage of the measure which prevented the transfer of these holdings to the United States so as ultimately to attribute to them the character of an enrichment. Consequently these funds will be exempt from the tax on enrichment and will be subject only to the capital tax.

It is understood that, as indicated under number (9) above, juridical persons are not subject to the tax on enrichment.

11) With reference to the bonds of the French Republic payable in dollars, sometimes called the Morgan bonds, which are exempt from present and all future taxes, it is hereby confirmed that these bonds, and indeed all bonds having the same fiscal advantages, will be exempt from the National Solidarity Tax when held by nationals of the United States, including both natural and juridical persons, whether or not domiciled in France.

I have the honor to inform Your Excellency that my Government will consider this note, together with your note in reply thereto as confirming the understanding of our two Governments in relation to the application of the principles outlined above.

I take this occasion [etc.]

H. BONNET

May 31, 1946

EXCELLENCY:

I have the honor to acknowledge your note of May 6, 1946, in which you refer to conversations which have taken place in Paris and Washington between officials of the Government of the United States of America and officials of the French Government, and to the draft of a new convention for the avoidance of double taxation with respect to estate and inheritance taxes, for the purpose of modifying and supplementing certain provisions of the Convention of July 25, 1939 relating to income taxation, and for the prevention of fiscal evasion in respect of such taxation.

With a view to immediate application, you have been kind enough to communicate through me to my Government a confirmation of the position of the French Government with respect to the treatment to be accorded American nationals by the French Government in regard to certain matters, including the interpretation and application of certain provisions of the Convention of July 25, 1939, and the scope of application to American nationals of the French National Solidarity Tax established by the Ordinance of August 15, 1945.

On behalf of the Government of the United States of America, I have the honor to express appreciation for the confirmation, given in Your Excellency's note, with respect to the position of the French Government as outlined therein.

Accept [etc.]

DEAN ACHESON

His Excellency

HENRI BONNET,

Ambassador of the French Republic.

The Department

Appointment of Officers

Just Lunning as Chief, Division of Management Planning, effective June 25, 1946.

William T. Stone, Director of the Office of International Information and Cultural Affairs of the State Department, announced on June 26 the appointment of Fitzhugh Granger as Chief of OIC Area Division IV (the American Republics). Mr. Granger was formerly Public Affairs Officer in Argentina for the OIC.

William Schurz, who has been Acting Chief of the Division, will continue as Associate Chief.

The Foreign Service

Consular Offices

The American Consulate at Dairen, China, was opened to the public May 20, 1946.

The American Consulate General at Brazzaville, French Equatorial Africa, was closed to the public June 16, 1946.

The American Consulate at Tapachula, Mexico, was closed June 25, 1946.

Foreign Commerce Weekly

The following article of interest to readers of the BULLETIN appeared in the June 8 issue of the *Foreign Commerce Weekly*, a publication of the Department of Commerce, copies of which may be obtained from the Superintendent of Documents, Government Printing Office, for 10 cents each:

"Paper Business Today in France and Low Countries", based on reports from Winslow Lamont Gooch, Senior Economic Analyst, American Embassy, Paris.

The Congress

To Deny Admission to the United States of Certain Aliens and to Reduce Immigration Quotas: Hearings Before the Committee on Immigration and Naturalization, House of Representatives, Seventy-ninth Congress, second session, on H.R. 3063, a bill to amend the immigration and naturalization laws to deny admission to the United States of certain aliens who have served in the armed forces of countries at war with the United States, also members of certain parties and organizations, and to deny naturalization to such persons, and to reduce immigration quotas. Part 2, March 20, 27, May 8, 1946. iii, 68 pp. [Department of State, pp. 103-125.]

Administration of Alien Property: Hearings Before Subcommittee No. 1 of the Committee on the Judiciary, House of Representatives, Seventy-ninth Congress, second session, on H.R. 5089, a bill to amend the first War Powers Act, 1941. February 7, May 16, 21, and 23, 1946. Serial No. 20. iii, 159 pp. [Department of State, pp. 28-30, 97-99.]

To Amend the Surplus Property Act: Hearings Before the Committee on Expenditures in the Executive Depart-

ments, House of Representatives, Seventy-ninth Congress, second session, on H.R. 5329, H.R. 5517, H.R. 4432, and Others relating to the disposition of Surplus Property, February 14, 15, 19, 20, 21, 27, March 1, 5, 6, 7, 8, 12, and 13, 1946. iii, 533 pp. [Department of State, p. 363.]

Extension of Second War Powers Act, 1942, as Amended (Re: Transportation, Rationing, Priorities, etc.): Hearing Before a Subcommittee of the Committee on the Judiciary, United States Senate, Seventy-ninth Congress, second session, on H.R. 5716, an act to amend the Second War Powers Act, 1942, as Amended. May 31, 1946. iii, 52 pp.

Departments of State, Justice, Commerce, and the Judiciary Appropriation Bill for 1947: Hearings Before the Subcommittee of the Committee on Appropriations, United States Senate, Seventy-ninth Congress, second session, on H.R. 6056, a bill making appropriations for the Departments of State, Justice, Commerce, and the Judiciary for the fiscal year ending June 30, 1947, and for other purposes. Part 2: State Department—Informational and Cultural Program, World Wide Broadcasting Foundation. ii, 23 pp. [Indexed.]

Training Announcements

Foreign Service Officer Training

"Economic Objectives of American Foreign Policy": Fisher Howe, Special Assistant to the Assistant Secretary of State for economic affairs, will outline the economic objectives of American foreign policy at 9 a.m., Thursday, July 18, in Room 474, main State Department building, as a part of the Foreign Service Orientation Series.

Training Course in Budget Preparation

Through the cooperation of the Office of Budget and Finance, the Office of Departmental Administration, the Division of Management Planning, the Division of Training Services, and the Bureau of the Budget, a training course in budget preparation was conducted Monday through Friday, June 24-28, in the main State Department building.

The first meeting, a one-hour session on Monday

for all offices and divisions, provided a general introduction to the budget process by the Assistant Director of OBF.

On Tuesday a representative of the Bureau of the Budget presented a two-hour exposition on budget preparation, examination, and presentation from the point of view of the Bureau of the Budget. The sessions on Wednesday, Thursday, and Friday consisted of five sessions of one hour each, on each day, in which examiners of the Bureau of the Budget discussed with appropriately grouped offices the specific problems of budget justification as represented by excerpts from the 1947 budget.

The emphasis throughout the course was upon programming as the basis of budget preparation and upon the necessity for clear indication of quantitative factors in budget justifications. Budget preparation was treated as an important, but only one, aspect of administrative management.

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The Department of State BULLETIN, a weekly publication compiled and edited in the Division of Research and Publication, Office of Public Affairs, provides the public and interested agencies of the Government with information on developments in the field of foreign relations and on the work of the Department of State and the Foreign Service. The BULLETIN includes press releases on foreign policy issued by the White House and the Department, and statements and addresses made by the President and by the Secretary of State and other officers of the Department, as well as special articles on various phases of international affairs and the functions of the Department. Information concerning treaties and international agreements to which the United States is or may become a party and treaties of general international interest is included.

Publications of the Department, cumulative lists of which are published at the end of each quarter, as well as legislative material in the field of international relations, are listed currently.

American Policy in Occupied Areas

Article by ASSISTANT SECRETARY HILLDRING

THE DEPARTMENT OF STATE is responsible for the development and promulgation of American policy with respect to occupied areas. The War and Navy Departments are responsible for the execution of the over-all policy as formulated by the Department of State. The term *occupied areas* includes Germany, Austria, Japan, Korea, and the Venèzia Giulia area of Italy; and the term *American policy* applies to all policy which requires concerted study, consideration, or coordination by the State, War, and Navy Departments.

The Office of the Assistant Secretary of State for Occupied Areas is charged by the Secretary of State with coordinating all Departmental policy for occupied enemy territories. In accordance with the purpose of the establishment of this office, we are not makers of policy, but coordinators and expeditors of Departmental policy. The political, economic, and cultural questions concerning the occupied areas are still just as much the problems of the same divisions in the Department as they have always been. The advent of this new office has made no changes in their functions. This office coordinates the activities of all divisions that deal with occupied territories and directs their activities toward a common objective. Our purpose is simply to siphon off a coordinated policy in time for it to be useful and to leave the policy functions undisturbed. The need for such a point of contact from which the armed services might get policy decisions and get them *on time* has existed for the past three years. Unless the occupied areas are represented by a single unit in the State Department, it will never be possible for the Department to exercise leadership in this important field. Since 70-85 percent of the occupation problems presented to the State, War, and Navy Departments are political, the Department of State should occupy the position of leadership.

The machinery for the coordination of Departmental policy dealing with the occupied areas in Europe and in the Far East is provided through two State Department Secretariats, which are responsible to me for producing on time the Department's policy regarding the respective areas: the Germany-Austria Secretariat, presided over by James W. Riddleberger, Chief of the Division of Central European Affairs; and the Japan-Korea Secretariat, presided over by John C. Vincent, Director of the Office of Far Eastern Affairs. Each Secretariat includes membership from the Offices of the Department concerned with occupation affairs, whether political, economic, or cultural.

Some sort of device is essential for coordinating the State Department's political functions and the service departments' administrative functions. That device is "SWNCC", the State-War-Navy Coordinating Committee, of which I am Chairman. SWNCC was created in December 1944 as a very active committee which provided a much-needed working link between the armed services and those responsible for foreign policy, and its existence until the end of hostilities was classified as confidential. Secretary Byrnes' directive of April 8, 1946 provided that I should be the State Department member of the Committee on all matters of occupation policy and should take the initiative in submitting to SWNCC such policy matters as may require concerted study, consideration, or action.³

There is a need for coordination of many matters of policy which are not worthy of detailed con-

³ For article on SWNCC see BULLETIN of Nov. 11, 1945, p. 745, and for text of the Secretary of State's directive, see BULLETIN of Apr. 28, 1946, p. 734. James C. Dunn is Chairman of SWNCC for matters not pertaining to occupied areas; H. Freeman Matthews is Acting Chairman in Mr. Dunn's absence.

sideration by the Secretaries of State, War, and the Navy in person. That type of coordination is one of the functions of the SWNCC Directorate. To aid in coordinating the inter-agency aspects of occupied-areas policy, the SWNCC Directorate was created in April 1946.

Although the Department of State does not relinquish in any way or share the authority or responsibility for policy decisions in these matters, my office is responsible for enlisting the support of all civilian agencies of the Government which have an interest in and know-how concerning phases of the occupational program. Policy decisions, for instance, involving financial, food-supply, or industrial problems, profit from consultation with such departments as the Treasury, Agriculture, and Commerce. Although at present there is no formal machinery for coordination of this nature, I am engaged in devising a procedure for obtaining the cooperation of other Federal agencies without putting the burden of policy responsibility on their shoulders.

One other agency involved in the occupation or government of occupied areas is the Far Eastern Commission, which was established in December 1945 at the Moscow Conference of the three Foreign Ministers. The Commission has authority to formulate the policies, principles, and standards in conformity with which the fulfilment by Japan of its obligations under the terms of surrender may be accomplished. In accordance with the policy

decisions of the Commission, the United States Government is charged with preparing directives and transmitting them to the Supreme Commander through the appropriate agency of the United States Government. The Supreme Commander is charged with the implementation of the directives which express the policy decisions of the Commission. Coordination between the United States Government and the Far Eastern Commission is a responsibility of the State Department. The American member and Chairman of the Commission is Major General Frank R. McCoy, and I am his alternate.

The office of the Assistant Secretary of State for Occupied Areas was created on April 8, 1946. The cooperation this office has received in the Department since that date has been superb. The best testimony of the success of our program is found in the fact that we have accomplished more in two months than had been planned for four months. Reports from the field indicate deep appreciation of the increased vigor which is being applied in Washington to the prompt solution of occupation problems. The Department of State is thus enabled to make a distinct contribution to military government at its roots and to attain a clearly recognized position of leadership with respect to the occupied areas.

[ELGIE'S NOTE: Two other articles on American policy in occupied areas will appear in later issues of the BULLETIN.]

The Present Status of German Youth

Article by HENRY J. KELLERMANN

An analysis and description of the problems of German youth after the collapse, the policies pursued by the several occupying powers in meeting these problems, and a survey of current conditions among youth organizations.

PART I

Statement of the Problem

RECENT APPEARANCES of resistance movements have again focused attention on the problem of German youth. Although the reported incidents are significant primarily from the point of view of long-range policy, they have strengthened the belief of students of the German problem that the re-education of German youth is a prerequisite to political recovery in general.

Re-education is generally understood as a systematic attempt at removing certain mental and moral weaknesses prevalent among German youth. Contemporary analyses suggest that German youth is characterized by a set of attitudes which may be either helpful or prejudicial, but thus far have been predominantly harmful, to Allied-German efforts to establish democratic policies and procedures. German youth is depicted as being physically, mentally, and morally sick. Contaminated by the traces of a discredited (Nazi) ideology and indifferent to the standards of the Western tradition, German youth is further described as deeply distrustful of other philosophies and incapable of forming new allegiances.

Treatment of these weaknesses is allegedly made difficult by German youth's preoccupation with personal, often purely physical, needs, their tendency toward escapism, and their indifference toward all social standards, particularly in matters of property, sex, and work. German youth is said to lack moral initiative and to be unable to appreciate truth as a guide for human relations. Allowance is made for certain differentiations among young peoples depending on their home en-

vironment, war experience, sex, and age. A youth editor of a South German paper, for instance, believes that the most difficult group includes those in the 20-25 age bracket, whose adolescent years were spent entirely under Nazi influence and who now seem encumbered with all the prejudices and resentments of a lost generation. He describes youth below age 17 as a more malleable group, anxious to learn and reform. Another factor complicating a balanced appraisal of the situation is the proportion of the sexes. It appears that the war has decimated the male population in the crucial age groups under 21. A recent census in Berlin revealed that among the 15,000 inhabitants of one particular district there were only 81 young men in the bracket of 16-21 years; in another district, the number of girls between the ages 18-21 was 717 as against 71 boys in the same age group.

All these analyses are limited, in that they fasten attention on symptoms rather than on causes. German youth today is the product of a number of circumstances. All of them have gone through the indoctrination system of the Hitler Youth and have received nothing to supplant this experience. As their nationalism is partly a legacy from the Nazi ideology, so their nihilism is largely the result of the break-down of the Nazi system. Political and moral excesses are attributable to a number of factors, some of which

Dr. Kellermann is a Research Analyst in the Division of Europe, Near East, and African Intelligence, Office of Research and Intelligence, Department of State. This study is partially based on observations made during a recent stay in Germany when Mr. Kellermann served as Chief of Research and Consultant to the Office of Chief of Counsel for the Prosecution of Axis Criminality.

were in existence before the break-down. Political extremism, which is a relatively minor problem at this point, may stem in part from organized efforts, planned prior to defeat, to continue resistance after the cessation of hostilities. But it may also directly reflect a general break-down of civic, social, and educational controls, which began long before the end of the war and only increased in extent after the collapse. The same cause can be held responsible for the progressive demoralization of German youth and for the rejection of all authority imposed by adult groups and institutions.

The prevailing social and economic conditions obviously contribute to the rise of waywardness, vagrancy, and delinquency. Outstanding among these conditions are the scarcity of foodstuffs, the housing shortage, and the resulting crowded living conditions, deterioration of family relations, and unemployment. Finally, political apathy and moral indolence are characteristic of young people who consider themselves outcasts or dissenters from society.

This indifference to political matters is likely to increase, if the authorities fail in their attempts to regain the confidence and the cooperation of youth. For, inasmuch as German youth is the product of a political system that failed, only the establishment of a better system will restore youth to a place in German society. The rehabilitation of German youth will depend on provisions made by the ruling groups to afford youth a chance for active participation in the process of reconstruction. The present state of political apathy or opposition on the part of German youth suggests either that a social order sufficiently attractive to enlist the majority of German youth does not exist, or that those who bid for the cooperation of youth have not yet succeeded in convincing German youth of the soundness of their program. In the light of these facts and so long as the attack is upon symptoms rather than causes, all efforts by Allied and German authorities to combat the rise in demoralization and delinquency are palliatives useful but of necessity limited in effect.

The following analysis of attitudes and trends in German youth and of Allied and German efforts to cope with the problem attempts to describe certain types of attitudes now prevalent and to examine various methods of treatment. Quantitative estimates as to the prevalence of these attitudes are

not possible at this time, but it is probable that extreme attitudes are shared by only a minority of youths. Although nationalistic trends are common, moreover, opposition and resistance to the Allied occupation are confined to a relatively small number of political activists. The overwhelming number of juveniles, even when tainted with remnants of Nazi thinking, are passive and usually still uninterested in and unresponsive to any approach by political groups. Those youths who take advantage of the present lack of adequate social and educational controls are more likely to engage in common offenses against public order than in subversive activities. However, it should be remembered that the scope of the problem remains variable. It is responsive to changes in the political and economic situation. If efforts to assure a subsistence economic level and to establish a workable political order should fail, demoralization and political radicalization of German youth toward the Right or Left may increase in direct proportion to the failure of the authorities in maintaining the appropriate controls.

General Attitudes and Trends

Nationalism and Nazi Residues

Of the political attitudes held by German youth, the most conspicuous is a reactionary type of nationalism. But although nationalism remains the most spectacular feature of their ideology, it is not always predominant nor does it assume the extreme, massive, and aggressive form of National Socialism. By comparison, the present nationalism of German youth is, in fact, much more complex and subtle than its predecessor. It springs from a number of sources of which Nazi indoctrination is only one. Other factors are the wartime intellectual isolation of Germany, the individual experiences of combat soldiers, and the conditions of defeat and occupation. For many youths nationalism is a purely negative form of political expression. To them it offers both a refuge and a platform from which to reject foreign and unfamiliar political ideologies. The presence of nationalism in these roles attests to the absence or to the inadequacy of efforts by the authorities and political parties to replace National Socialism with a new political creed. In other cases, nationalism appears as sublimized and takes the form of sabotage and organized crime.

The lingering effects of Nazism have produced in youth a state of social fossilization, i. e. a general inability to shake off the effects of Nazi teachings and to adapt themselves to the consequences of defeat and the exigencies of social change. Political thinking does not seem to have progressed much beyond the Nazi pattern. Allied observers have reported that large numbers of German young people, violently nationalistic in their feelings and outlook, continue to harbor sentiments of racial superiority, defend salient principles of Nazi doctrine, and insist on the sincerity of the original developers of the Nazi program. These same elements also reject the theory of collective guilt, attribute the origins of the war to a lack of *Lebensraum* (or to the Jews, the British, or the Poles), ascribe military defeat to treason, believe in a recurrence or future vindication of National Socialism, inveigh against the Soviet Union, and remain unsympathetic toward the victims of Nazism. A recent poll among 134 high-school students coming from upper- and middle-class families, taken by MG officers, revealed that more than half of them retained attitudes unmistakably Nazi or at least strongly nationalistic or chauvinistic.

Residues of Nazi thinking are particularly strong among students and returning veterans. Recent disturbances on German campuses have shown that a certain type of German student is highly sensitive to attacks on Nazi leadership or militarism, objects to a discussion of German war guilt, and vilifies those persons who admit German failure and guilt. Student sensibilities center on such problems as "national honor" and "student honor." Manifestations of nationalism are marked by threats of vengeance against liberals and by demands for a revival of *Feme* courts. This demand is a relapse into nationalistic tendencies which emerged after the last war, when the so-called Free Corps, founded by veterans, meted out punishment through *Feme* courts, whose prototype had first appeared in medieval times. The introduction of "Christian" principles into student activities is interpreted in a discriminatory sense, primarily to bar Marxist or other "materialist" elements.

Most of the arguments advanced by these students clearly derive from Nazi thought. In a number of instances, however, Nazi teachings are supplemented by the type of Free Corps (*Freikorps*) spirit which grows out of an inability to accept

military defeat as final. Returning veterans feel that their sacrifices at the front may remain unrecognized. As a compensation, they have initiated a cult of military virtues and have fanned the fires of revenge. In letters to newspapers, for example, veterans have denounced attempts to attribute human qualities to the enemy and have revived the charges of alleged atrocities committed by the other side.¹ Other individuals have revived the stab-in-the-back legend,² a traditional device of German nationalists to rationalize defeat. Occasionally, German defeat is blamed on the fact that the Germans were late in developing the atomic bomb; the delay is laid to the treason of German scientists.³

Nationalism, of course, receives new impetus from the fact that the Germans live under a military occupation. Inability to accept defeat is coupled with a resentment of the controls established by the occupying powers. The German reaction, however, assumes mostly an indirect form. In the absence of organized opposition, resistance takes the form of small-scale sabotage, civil disobedience, rumor-mongering, and the formation of small, secret groups to serve as the nuclei for future action. Resentment, furthermore, appears mainly to be leveled at secondary targets—German authorities and private individuals suspected of collaboration with occupying powers. Disaffection to Allied authorities, the primary target, is couched in cautious warnings that one must "respect" but not "love" them.⁴ Those persons who "idolize" the occupants are admonished not to deny their "Germanism" and to remember that "to remain a German, even in [the days of] our history's deepest humiliation, is the duty of each of us."⁵

In a more active phase, youthful gangs have engaged in smear campaigns against collaborators, notably women, and formed so-called "barber clubs," i. e. gangs which specialize in cutting off the hair of German girls who fraternize with Al-

¹ *Frankfurter Rundschau*, Feb. 19, 1946.

² *Fuldner Volkszeitung*, Feb. 13, 1946.

³ Cf. *Main Post* (Würzburg), Mar. 2, 1946, quoting contributions of school children on the subject, "Hitler and the War". Lurid accounts are frequently given of what would have happened to the Allies had Germany perfected the atomic bomb first.

⁴ *Frankfurter Rundschau*, Feb. 19, 1946, quoting the letter of a nationalist student.

⁵ *Ibid.*

lied soldiers; other gangs apparently have even plotted the assassination of leading personalities in public life through *Feme* courts.

Disagreement with Allied policies has, so far, not led to organized violence, but there has been much resentment over the handling of such matters as the distribution of food and de-Nazification. For instance, when asked by Allied officers to describe the difference between Allied de-Nazification and Nazi *Gleichschaltung*—the word refers to the National Socialist practice of removing from public and private positions “non-Aryans” and other persons considered undesirable to the regime and replacing them with supporters of Nazi policy—German youths have said that there are three chief distinctions:

1. Persons affected by *Gleichschaltung* retained their claims to pensions;
2. Such persons had the right to emigrate;
3. *Gleichschaltung* was a measure adopted by German authorities for German subjects and was not imposed by foreign powers.

Fundamentally, the contemptuous attitude toward Allied policies and procedures is based on a wide-spread tendency to see the present dilemma as the result of a victory undeserved by the Allies rather than as the consequence of a war caused and lost by Germany. This fact is particularly evident in the frequent objections made by students and veterans against submitting to the jurisdiction and verdicts of Allied courts. They characterize the Nürnberg trial as a manifestation of “the right of the victor” and do not consider it as an instrument for establishing international principles of law and order.⁶

The attitude of the more serious and perhaps more dangerous elements among the nationalist forces is best summarized in the student’s letter⁷ referred to above. It is characterized by profound pessimism, even cynicism, toward all supranational values, and presupposes the recognition only of such standards as are based on common history and loyalty to one’s own group. Outward manifestations of the attitude expressed by this particular individual include nationalistic self-righteousness, protestations of unrewarded sacrifice, unwillingness to submit to the moral or political judgment of non-German authorities except under duress, de-

nial of guilt and responsibility (except toward members of one’s own group), and abstention from all allegiances postulated by foreign powers. The latter position implies a deep distrust of democracy as a political cure-all. Any persons who freely accept new ideologies or who, in their acceptance of the new rulers, go beyond the minimum officially required, in the opinion of nationalists deserve to be ostracized and threatened. The non-conformism, self-indulgence, and even the vernacular of the neo-patriots about whom the letter writer has spoken, bring to mind slogans popular in the years following the Napoleonic victories over Prussia. They also recall the “spirit of Langemarck” fostered by German nationalists after 1918 to keep alive the self-sacrifice of Germany’s youngest battalions in World War I.

The danger of this attitude lies in the serious obstacle which any type of nihilism and wilful isolation presents to political recovery and re-education. In addition, it offers an opportunity to reactionary elements bent upon using German youth for ulterior purposes. It is not surprising, therefore, that the Liberal Democratic Party, whose leadership is at least partly suspect of strong nationalist leanings, has already approached the letter writer quoted above with the promise of wider opportunities for political agitation.

Political Apathy and Non-Conformism

Sensational accounts of subversive attempts by nationalistic elements must not be construed as signs of a wide-spread politicalization of German youth. On the contrary, the vast majority of German youth is politically unformed. That is to say, German youth is characterized by an attitude of indifference and ambivalence toward all traditional beliefs, notably political ones. The Nazi system kept them in total ignorance of any set of values other than National Socialist, and the collapse of National Socialism has left them with no creed whatever. In fact, large numbers of youths appear to have lost not only their belief but even their faculty to believe in anything. A seventeen-year-old youth confesses, possibly with a touch of self-dramatization: “I envy those who have still the ability to believe in something, even those who believe in Hitler. They at least have something to which they can cling. I have nothing, simply nothing.”⁸

The disillusionment of German youth, by and large, manifests itself in apathy toward all matters

⁶ *Franfurter Rundschau*, Feb. 19, 1946.

⁷ *Ibid.*

⁸ *Hochland Botz* (Garmisch-Partenkirchen), Jan. 9, 1946.

political and frequently in total abstinence from political activity." However, juvenile apathy is not always restricted only to politics. Based on a deep distrust of civil, social, and moral controls in general, it reveals itself in tendencies toward escapism and general non-conformism. What appear to be acts of political sabotage against German or Allied authority quite frequently are part of a general pattern of antisocial behavior. Gangs of criminal juveniles are reported to be operating under the cloak of "patriotism." In such cases, political non-conformism is merely a symptom of, or a pretext for, the wilful rejection of all social controls.

Depending on external influences, however, general apathy may become the point of departure for a number of attitudes and actions which may have definite and even dangerous political implications. If deflected toward non-conformism, apathy may develop, in its extreme form, into nihilism and anarchy; it may lead to crime with or without political cloak; it may produce passive resistance, and, finally, if cleverly exploited by political agents, it may be turned into active political opposition to all authorities and groups responsible for military and civilian controls. These various stages have, however, been reached only by small sectors of German youth. Among the majority of German youth, non-conformism has not progressed beyond the verbal phase. It emerges in defection from the former system and the controls established by it, in rejection of or, at best, in abstinence from the present set of controls, and in incipient attempts to formulate, independently, a new approach to society.

It is well to remember that apathy and non-conformism are the effects rather than the cause of the social break-down. They are, above all, the result of the collapse of a system which artfully undermined the authority of the traditional controls guaranteed by family, school, and church. Logically, the failure of a regime which monopolized all authority and was based on a theory of power and success was bound to result in the complete disillusionment of those who unconditionally accepted both the theory and the authority behind it.

Thus, while many youths still cling to a belief in Nazism, a number of the more disillusioned have begun to question some of the principles of Nazism and the motives of its leaders; others have

gone so far as to denounce National Socialism. Individual youths claim in letters published in the press that they feel cheated by Nazism and that they have turned their backs on their past. Former members of the party and the Hitler Youth who were born after 1920 resent being asked by employment offices about their past affiliations, express indignation at being labeled "little Nazis", and refuse to be placed on the same level with "old-timers."¹⁰ They protest that they were the victims rather than the supporters of a system which had eliminated all choice of political alternatives. Some even claim that "the majority of the former Hitler Youth recognize today that they were misled. . . ."¹¹ Young people in the U. S. zone of occupation have objected to the procedures of a political system which they allege "treats [them] just as badly as did Nazism."¹² They demand that American authorities abandon such "injustices."¹³

To judge from some utterances by youths, the fight over the responsibility for the war and Nazism often emerges as a genuine conflict between the generations. Denials of guilt are associated at times with furious attacks against parents. One young person writes: "Youth today stands aside, because the older generation shirks its responsibility. Today, all of a sudden, none of the elders will admit that he, by his very attitude, supplied a model, that he helped sway the people into this insane war and into the megalomania of the party leaders."¹⁴ Furthermore, this personal antagonism is transferred to a whole set of values which formed the cultural background of the older generation. The same correspondent quoted above says: "Cheated out of their hopes . . . youth

¹⁰ An inquiry in a youth magazine asking its readers "Shall we organize ourselves politically?" was answered by only 1 percent (*Frankfurter Neue Presse*, Apr. 25, 1946).

¹¹ *Frankfurter Rundschau*, Feb. 15; *Main Post* (Würzburg), Mar. 2, 1946.

¹² *Main Post*, Mar. 2, 1946.

¹³ *Frankfurter Rundschau*, Feb. 15, 1946.

¹⁴ Foreign Broadcasting Intelligence Service: ticker, July 2, 1946. In answer to proposals originating with youth and adult authorities in the U. S. zone, General McNarney has now approved a general political amnesty for German young men and women born after January 1, 1919. Only Nazi activists and war criminals will be exempt from this pardon, which is awaiting final recommendation by the German Council of States in the U. S. zone and approval by the Military Government.

¹⁵ *Die Neue Zeitung* (Munich), Apr. 1, 1946.

must, of sheer necessity, doubt the fundamental ethical laws of human existence. Neither Mozart's *Magie Flute*, nor a church concert, nor Goethe's *Iphigenie* can help youth overcome their doubts."¹⁵

There can be little doubt that many of those who reject or deny their former association with the Nazi system and who now espouse the ideals of democracy do so for opportunistic reasons. In fairness to a large number of genuine doubters it must be said, however, that many refuse to transfer their allegiance to democracy or to any other new philosophy out of sheer personal honesty. Some concede frankly their total ignorance in matters political. Others, equally honest, explain their hesitancy in terms of fear of new disappointments. The fiasco of the Nazi system has left them with psychological traumas which may be difficult to heal. One youth confesses: "Our so-called ideals . . . were distorted, the best has been dragged through filth, and our confidence has been bitterly disappointed. Now we are . . . afraid that the same thing may happen to us once more. Today we are told of ideals the realization of which we can nowhere detect."¹⁶ The elections held in the American zone, for example, were regarded by many young people as a test for which they were insufficiently prepared. Appeals of the parties directed to youth elicited comments which indicated that they placed little confidence in the promises of candidates or in the democratic principle of reaching political decisions by popular vote.

Distrust of democracy does not arise from Nazi teachings only. It is nourished by a fallacious tendency on the part of many to accept the present political system under Military Government as full-fledged democracy and to regard bureaucratic difficulties and many of the current political and economic calamities as a logical concomitant of democratic procedures. Thus, difficulties incurred in obtaining jobs are attributed to the new system.

With few exceptions neither public authorities nor political parties have tried to overcome such misunderstandings, nor have they tried to counter-

act such impressions through the development of projects and programs exemplifying the true meaning of democratic action. Consequently, juvenile interest in democracy is determined quite often by external factors as elementary as food, jobs, and the like. In Berlin, for instance, school children have interrupted their teacher's discussion of democratic principles by shouting: "Nonsense! Democracy means hunger. We'd rather eat. Under Hitler there was no democracy, but we were better off." Or youths are reported to have put up posters reading:

"Gibt uns mehr zu essen.

Sonst können wir Hitler nicht vergessen."

These negative attitudes are only slightly balanced by positions which range from watchful waiting to outright approval. At times, German youth appears to be willing to admit democracy on a trial basis. Nevertheless, participation in politics, e. g. elections, remains conditional. Young voters have said that they "are not by any means persuaded that the parties and men for whom we voted will actually represent our interests. We have voted for the party which we deemed relatively best. . . ."¹⁷

Those individuals who are seriously groping their way toward democratic concepts reveal a peculiar naïveté in their definitions. In some cases democracy is identified with such recognized criteria as "objectivity", "tolerance", respect toward minorities, freedom of speech, and the like. Quite frequently, however, acceptance of democracy is qualified by outspoken distrust of party politics or by demands for what is called an "authoritarian" democracy—exemplified, allegedly, by England and the United States. Above all, there is a tendency to regard democracy as another governmental system (*Staatsform*) introduced by authorities from on high.¹⁸ This restricted interpretation of democracy may be attributed to a general ignorance of historical patterns in democratic countries, a profound unawareness of the applicability of democratic methods to the small community and to group life in general, and an inability to relate democratic standards to economic and social issues. Occasionally, young people realize and admit frankly their fundamental lack of knowledge and ask openly for more systematic efforts by German and Allied authorities to teach them the elements of democratic thinking.

¹⁵This opinion is not shared by all returning veterans, some of whom give evidence that the degrading aspects of front-line life helped them rediscover the humanitarian values of the German classics.

¹⁶*Main Post*, Mar. 2, 1946.

¹⁷*Main Post*, Mar. 2, 1946.

¹⁸*Schwäbische Donau-Zeitung* (Ulm), Feb. 16; *Main Post*, Mar. 2, 1946.

Definitions which reveal a certain degree of maturity come from those youths who are active in political organizations, and from workers and veterans. A suggestion made by a participant at a round-table conference of former prisoners of war in Munich merits attention. He demanded that the parties should inform youth about their objectives and that the press assist youth and treat youth problems in a conciliatory and informative fashion. He recommended that young people regularly exchange their opinions with the youth of democratic countries at conferences and proposed that German youth be allowed to visit the United States and England so that they could gather experience to be used in the reconstruction of Germany.¹⁹

Demoralization and Criminality

The immediate consequence of the desire of juveniles to escape from social controls is non-political. It is reflected in the over-all picture of progressive demoralization and, more specifically, in the statistics of the criminal police. Among an increasing number of juveniles, political apathy and non-conformism has produced an escape into superficial pleasures and mass loafing, and has led to a lowering of moral standards and to perpetration of a series of minor and major crimes. All these things, of course, are symptoms of social disorders which are caused by the food and housing shortages, the scarcity of jobs and opportunities of training,²⁰ the lack of educational and recreational facilities, and the absence of adequate supervision and moral, social, and intellectual stimuli.

Inadequate schooling and training under the Nazis has produced a youth which not only lacks

the most elementary qualifications for the resumption of employment, but no longer possesses the energy and desire to work. Uncounted numbers of juveniles, instead of applying for regular employment, choose the black market and barter to procure the needed minimum of food. Many girls do not work but prefer to obtain their rations through fraternization with occupation troops. In the words of one youth, "all work is considered forced labor." A poll conducted in one Berlin district revealed that the local youth were totally indifferent toward reconstruction work. None was interested in the building trades or in any of the other trades which urgently need labor. The fact that 80 percent of those polled said they wanted to become butchers or bakers suggests the current preoccupation with the food problem; the others wanted to become electricians or radio mechanics.²¹ Furthermore, the quality of performance by youth occupied in the labor service was so unsatisfactory that the City of Berlin proposed to stop paying for it. Outdoor work was finally discontinued in winter on account of its unproductiveness.

Interest in organized youth activities is small. For instance, youth committees in the Soviet zone have noticed a wide-spread preference for social activities, especially drinking and dancing. A large part of youth finds an outlet in crime and underground activity, ranging from waylaying of and gang warfare on Allied soldiers and pro-Allied Germans to black-market operations. Both the Berlin police and the Bavarian Minister of the Interior have reported a mounting wave of juvenile delinquency in recent months.²² The ages of these delinquents range from 8 to 23 years, with the highest frequency between 18 and 20. On January 15, 168 juveniles were reported in custody in a Berlin jail. The Juvenile Court in Munich registered a record figure of 700 criminal cases against juveniles in the first months of 1946.²³ Since existing facilities no longer met the need, the establishment of a new house of detention was being planned. A similar situation is reported from Frankfurt-am-Main, where 969 juveniles were detained and arrested from September 13 to October 30, 1945, of whom 492 were convicted by military courts.²⁴ The majority of these cases—four fifths of the more serious ones in Bavaria—involved thefts and burglaries.²⁵ The balance in-

¹⁹ *Die Neue Zeitung*, Apr. 5, 1946.

²⁰ A report of the Bavarian Minister of Labor discloses that of 81,000 juveniles who will leave the schools in July 1946 only 15 percent can be provided with apprenticeships (*Südost-Kurier*, May 10, 1946).

²¹ A similar investigation made in Frankfurt-am-Main revealed that 65 percent of all juveniles preferred technical, academic, or commercial vocations, whereas 22 percent indicated interest in becoming mechanics, bakers, butchers, cooks, and pastry-cooks (*Stuttgarter Zeitung*, May 4, 1946).

²² *Fuldaer Volkszeitung*, Feb. 13; *Der Allgäuer* (Kempten), Feb. 19, 1946.

²³ *Süddeutsche Zeitung* (Munich), Mar. 1, 1946.

²⁴ *Märburger Presse*, Jan. 15, 1946.

²⁵ *Fuldaer Volkszeitung*, Feb. 13; *Süddeutsche Zeitung*, Mar. 1, 1946.

Reparation for Non-Repatriables

Article by ELI GINZBERG¹

THE AGREEMENT of the Paris Conference on Reparation² signed in January was concluded among 18 Allied Powers whose reparation claims are to be met from the western occupation zones of Germany and from appropriate German external assets. Article 8 of the Agreement made certain assets available for persons who had suffered heavily at the hands of the Nazis and who stood in dire need of aid to promote their rehabilitation and resettlement but were unable to claim the assistance of any government receiving reparation from Germany.

The specific assets made available were \$25,000,000 to be secured from the liquidation of German assets in neutral countries; all the "non-monetary gold" found by the Allies in Germany; and all the assets in neutral countries of victims of German action who died without heirs. It is estimated that the "non-monetary gold" and the "heirless funds" will amount to millions of dollars.

The Paris Conference on Reparation charged the Governments of the United States, France, the United Kingdom, Czechoslovakia, and Yugoslavia in consultation with the Intergovernmental Committee on Refugees to work out, in common agreement, a plan to aid in the rehabilitation and resettlement of these non-repatriable victims of German action.

In accordance with this mandate, a conference of the Five Powers was held in Paris early in June, at which was reached an "Agreement Pertaining to Reparation Funds for Non-Repatriable Victims of German Action."³

¹ U.S. Representative to the Five-Power Conference on Reparations for Non-Repatriable Victims of German Action. Dr. Ginzberg was lent for this assignment from his post as Special Assistant to the Surgeon General. He is a professor of economics at Columbia University.

² For list of signatory governments, see BULLETIN of June 16, 1946, p. 1023.

³ Printed in this issue, p. 71.

After the signing of the Paris Agreement on Reparation, but before the calling of the Five-Power Conference on Reparation for Non-Repatriables, the Allied Governments had decided to establish priority for the \$25,000,000 sum to be made available from the liquidation of German assets in neutral countries. The "non-monetary gold" is likewise available and awaits only liquidation. The overwhelming part of this "non-monetary gold", which includes wedding rings, tooth fillings, jewelry, and other personal possessions that are not restitutable, is in the United States zone in Germany.

The "heirless funds" represent assets of victims of Nazi action who died without leaving heirs. Although private international law provides in most cases for the disposition of heirless assets, the Allied Powers held that since these particular "heirless funds" arose as a result of the wilful murder of six million Jews, morality and equity demand that the proceeds from the liquidation of these assets be made available to rehabilitate and resettle the survivors of the Hitler holocaust. Exploratory negotiations with the Neutral Powers indicate that they will take a sympathetic point of view on this problem. However the successful liquidation of these assets, which are estimated to amount to many millions of dollars, can succeed only if the Neutral Powers take all necessary steps, including special legislation, to overcome the legal, administrative, and fiscal obstacles which stand in the way of identifying, collecting, and liquidating them.

Displaced persons, as such, are not eligible for benefit under the terms of article 8 of the Final Act of the Paris Conference on Reparation and of the Agreement just concluded. Eligible persons have been specifically defined as those Jewish and non-Jewish nationals of Germany and Aus-

(Continued on page 76)

German Documents: Conferences With Axis Leaders

MEMORANDUM OF THE CONVERSATION BETWEEN THE FÜHRER AND THE DUCE, WITH THE REICH FOREIGN MINISTER AND COUNT CIANO ALSO PRESENT, AT SCHLOSS KLESSHEIM NEAR SALZBURG, APRIL 29, 1942

Führer's Memorandum 15-42
State Secret

At the beginning of the interview between the four, the Führer reported briefly about questions which he had discussed previously with the Duce in private. He had informed the latter in detail about the general military situation during the winter months. Severe battles had had to be fought under the most difficult weather conditions. In that connection it appeared now, looked at from after the event, that it had been a piece of good fortune that the German Army had not pressed further forward into Russia in October, for with its long lines of communications it would have suffered still more from the effects of the extraordinarily severe winter, in the course of which the temperature had descended to depths which had not been reached for the past hundred years, and the transportation difficulties which would have arisen therefrom would have produced a catastrophe.

The Duce on his part reported to the two representatives that the Führer had told him what had happened in Russia in the last months. He (the Duce) was convinced that it was a very fortunate idea that the Führer had taken the conduct of military operations into his own hands. This had happened at a moment when technical skill alone no longer sufficed for the solution of the problems. In addition to such skill, faith and will power had to be employed by which the difficulties could be overcome. When he had read the report of the Führer's taking over the supreme command, he had been much pleased, for he had known at once that now all difficulties would be overcome. He believed that the Russian winter offensive was broken and he had the impression that this point of view prevailed in other countries as well.

The Russians at the beginning of the November offensive had had a large-scale program, a more moderate program, and a small-scale program in view. The large-scale program envisaged driving the Germans back to the old frontiers of Russia. The more moderate program had the goal

of giving Moscow and Petrograd some breathing space. This goal the Russians had not attained. Only Rostov had fallen back into their hands, but Kiev and Kharkov and other important places were now as before in German possession. The character of the whole Russian counter-offensive could be seen from the fact that the Russians could refer to no names of places which they had recaptured. The Russians were probably themselves convinced that their winter offensive had been shattered. They regarded themselves principally as winter soldiers, and had at the beginning of the offensive hoped for a repetition of the fate of Napoleon. This expectation, however, had proved false, for methods of warfare and human resources and other circumstances were on this occasion completely different from the time of Napoleon, who was in command of a disunited army thrown together from all sorts of nationalities, while the German Army was an integrated and purposeful instrument. The German Army during this winter had written the finest pages of its history. Only the German soldier could have met the severe tasks imposed upon him during this winter. He (the Duce) had never doubted the endurance of the German soldier. He had always believed in that soldier's superior qualities. Without the direct leadership of the Führer and the

These are translations of documents on Italian-German conversations, secured from German Government files, and are among the German official papers which the BULLETIN is currently publishing. They have been selected and translated by J. S. Beddie, an officer in the Division of Research and Publication, Office of Public Affairs, Department of State.

For excerpts from a German handbook of propaganda directives, see BULLETIN of Mar. 3, p. 311, and Mar. 10, p. 365. The following are other German documents that have been published in the BULLETIN in the issues cited: "Relations Between the Spanish Government and European Axis", Mar. 17, p. 413; "Summer Welles Mission, 1940", Mar. 24, p. 459; "Invasion of Norway", Apr. 28, p. 619; "Hitler's Plans for Norway and Denmark, 1942", June 2, p. 536; "Documents on Hungary", June 9, p. 584; "Relations with Japan", June 16, p. 1038; "Conferences with Axis Leaders", June 30, p. 1103.

Führer's influence, however, the situation would have been bad indeed.

The Führer added, in that connection, that in the past winter there had been days where purely technical leadership had failed and a stout heart had been necessary to overcome the difficulties. The German troops had had great teachers in the Finns, who had had a remarkable experience in the struggle with nature under winter fighting conditions.

Continuing, the Duce declared that the end of the Russian ability to resist was at hand. Also the supplies which Russia had received from abroad were very slight. They amounted to some 2,000 motor trucks, a number of pieces of artillery, and only a few airplanes. The Americans very likely had no further illusions about the condition of the Russians. The *New York Herald Tribune* had recently, in describing the Russian forces, referred to them as "a dying army".

The Japanese in the meantime were assailing the English extraordinarily severely. Following the loss of Malaya and Burma, India was now threatened. If the Japanese entered Calcutta, in spite of the internal disunity among the Indians, an uprising in India would be likely.

The American production program was pure bluff. They could not possibly build 200,000 airplanes or two ships per day as Roosevelt had proposed. The internal situation in America was not good. People now saw what war meant, and had to submit to many restrictions. Especially notable were those affecting automobiles in a country which before the war had measured its superior living standard by the fact that there was one auto to every three or four persons.

Passing to the subject of France, the Duce remarked that there, in spite of the reorganization of the cabinet, the situation had not changed. The changes were based only on shifting relations between Laval, Pétain, and Darlan. The Axis should in any case undertake no initiative with respect to France.

The Führer remarked in this connection that Laval might well receive some assistance in the economic field and in the question of hostages. Besides, an official memorandum of Benoit-Méchin had recently come to his attention in which it was clearly stated that if France wished to recover her power she would have to have arms and that the only way to secure them was through Laval and the path of collaboration.

The Duce added that one of the most influential advisers of Marshal Pétain, Charles Maurras, was an arch chauvinist and that the French in their hearts really did not believe in collaboration at all.

In connection with the Italian demands on France, the Duce remarked that the Führer had just told him that they were very moderate. The Führer had also said that for total control of the Mediterranean the possession of both shores was necessary. Therefore, Italy must secure Bizerte along with Tunis, which was a sort of creation of Italy, or "an Italian colony ruled by the French", as a French newspaper had put it. Corsica lay in the Italian zone and should naturally go to Italy. The total of the Italian demands on France, the Duce said, amounted to 6,000 square kilometers, which in comparison to France's area of 560,000 square kilometers, represented a very small demand. If Italy got these territories, then he would have nothing further to request. If, however, these minimum requirements should not be fulfilled then Italy would have fought the war without any gain.

With regard to the internal situation in Italy the Duce remarked that the Italian people had put a very severe winter behind them in which they had experienced much suffering. Since the Italians ate a great deal of bread and vegetables, but very little meat, they had taken the shortage of foodstuffs very hard. However, the morale of the people was secure. The Party would control any situation. In this connection the Duce stated further that he had built up a sort of SS from reliable Party members. The general crisis which had arisen after the loss of Cyrenaica had been completely overcome. Badoglio and Graziani had been relieved. No one spoke of them any longer. In addition the Duce had taken certain measures against some of the old generals who had adopted an attitude of reserve toward Fascism and he had undertaken a rejuvenation of the higher military command.

To sum matters up, the Duce stated that the situation could be described as good, and that if Italy had the raw materials, she would be able to take part in the eastern campaign to a much greater extent than previously.

From the point of view of population Italy included some 24,000,000 peasants and 5,000,000 to 6,000,000 tillers of small holdings living in smaller cities, for whom the food problem was of no importance. Only 12,000,000 or 13,000,000 inhabit-

ants of the larger cities, employed persons, officials, and the like were directly affected by the shortage of food. In the spring, however, some improvement would be produced there also by a larger supply of vegetables. Bread was especially necessary in the southern provinces.

The Duce concluded his observations by transmitting the greetings of the King of Italy to the Führer. He declared, with a smile, that this was the first time that the King of Italy had allowed him to convey a greeting to the Führer. This was an event for the book [*voine "Chronikepisodé"*].

The Führer, on the question of grain deliveries, replied that he was convinced that in the autumn the Ukraine would be completely available for tillage and that in the next year a minimum of 7,000,000 but much more likely 10,000,000 to 12,000,000 tons of grain could be harvested there. Germany would be able to release a corresponding amount of her own grain supply. Labor was available in the Ukraine in sufficient quantity. The tractors for the most part had been already repaired and were ready for operation again. A fuel reserve for their use had been assembled. Germany would, by synthetic production and by increased Hungarian and Rumanian deliveries, have an appreciably larger quantity of fuel available and by the repair of the 9,000 to 10,000 unserviceable locomotives would have her coal transport again in full swing and would also be able to cut down fuel use by the employment of generators. The transport problem would be solved under any circumstances. Some 2,500 new locomotives would soon be put into service and later some 7,000 more would be added.

The Führer came next to a discussion of the relationship between Hungary and Rumania. Both sides misunderstood the situation. Personally he had great regard for Marshal Antonescu, but he had no confidence in Mihai Antonescu. He had stated to the Rumanians and Hungarians that if, at all costs, they wanted to wage war between themselves, he would not hinder them, but they would both lose by it. However, it would be a problem if both countries now withheld petroleum for the war which they wanted to fight between themselves later. It would be the duty of the Foreign Ministers of the Axis to deal with both countries persuasively and calmly so as to prevent an open break.

Hungary and Rumania could not complain of what they had thus far received by way of enlarge-

ments of territory. The Führer recalled that in the Czech crisis the Hungarian Prime Minister, Imre, had visited him to warn him against war and had told him that Hungary could wage war for only three days before she would be exhausted. In the course of events, Hungary had, inclusive of the Siebenbürgen and by means of the Balkan campaign, received some 80,000 square kilometers.

The Duce remarked here how moderate were the Italian claims on France, which amounted to only 6,000 square kilometers.

Continuing, the Führer declared that Hungary had received so much new territory that she could not absorb much more.

Rumania also had not fared badly and had not only regained Bessarabia, but had even received the Transdnester territory. Rumania therefore must help especially in the matter of petroleum, effecting savings so that she could supply 100,000 to 150,000 tons more. Thereby anxiety about requirements for the Navy could be removed, although apparently the British Navy also had similar difficulties following the loss of various English oil-supplying areas.

In the further course of the conversation the Führer declared that the war could only be ended by victory and success. There must be no compromise peace. The sacrifices on the part of the Axis, which had been made in such great extent, must be paid for. He had spoken from this point of view very frankly to the German people before the Reichstag.

England would discontinue the war if she saw that she had no chance to win it. If the allies of the Three Power Pact could sink or otherwise destroy 600,000 or 700,000 to 1,000,000 tons of shipping monthly for a year, England would collapse. That moment would arrive with absolute certainty. Neither English bluff nor purposeless bombings could conceal it. The Führer had the deepest conviction that the English would fail because of the transport difficulty.

On the subject of the much-discussed landing of the English in the west, the Führer remarked that the danger would perhaps exist for two or three months longer, but not thereafter. On the west front everything was in the highest degree of readiness. The Channel Islands had been fortified and numerous batteries along the coast had been strengthened. In view of the most recent English propaganda offensive in the Channel area, the Führer expressed the opinion that more

than likely no large-scale attack from the English side was imminent, for if any one proceeded to manuevers of the sort, it was highly unlikely that he intended to make a serious effort. In two or three months the English, because of the steadily increasing rate of sinking and destruction of ships, would no longer possess the necessary tonnage to carry out a large-scale attack on the European Continent. It must be considered that for the transport of a division 35 ships were necessary. In addition the English division required still more shipping space, since they took with them much more for their comfort and maintenance than would German divisions. For an undertaking on a grand scale the English would require at least 20 divisions.

To an interjection of the Duce that the English, in connection with their undertaking, were committing upon revolts on the Continent, the Führer replied that that would be a complete miscalculation. In Germany he no longer had any opposition. In a large city such as Berlin there was only a small element of perhaps 2,000 persons who were hostile to the regime.

In this connection the Führer spoke of what he had recently read about the Fascist revolution. He had been extraordinarily strongly impressed by the parallelism of the developments. The description of the citizenry in Italy sounded exactly like what he had had experience with in Germany.

The German people, together with the Army, stood united behind him. They were imbued with a true fanaticism and the firm conviction that only victory could end the war. Those who had lost relatives—and there was now scarcely a family where this was not the case—were the most energetic champions of a peace through victory. Anyone who would now speak of appeasement would be in danger of his life. An absolute and definite victory was the motto of the entire people.

Returning to questions of foreign policy, the Führer emphasized that Hungary and Rumania were now participating to a noteworthy degree in the war in the east.

Turkey was moving slowly but surely over to the Axis. The Turks' hatred of the Russians was especially favorable to this development. The firmer attitude of Turkey as against the enemies of the Axis could be seen in the trial of those who had attempted the assassination of Von Papen. Also the Turkish Ambassador had been recalled from Knibyshev. The Turks were especially dis-

turbed on account of the Russian aspirations for the Dardanelles. It was also interesting that a Turkish Court had condemned the English Minister in Bulgaria, whose luggage had exploded in the Pera Hotel in Constantinople, to the payment of damages in the amount of 420,000 pounds. Turkey would never be an enemy of the Axis. At most she would remain neutral up to the end of the war. In any event, the indications were increasing that Turkey also was becoming affected by the general desire for increases in territory, and would abandon the passive attitude which she had previously adopted toward these questions, especially now when she felt herself threatened by the Russians. However, it was difficult in Turkey to determine who was promoting Turkish policy and who was promoting English policy, having been paid by England. In part the Turkish attitude would be influenced by the hatred of the Mohammedans for England, which had broken out anew as a result of the Palestine conflict.

To a question of the Duce on the subject of Turkish claims the Führer replied that he had obtained through unofficial channels an idea of Turkish desires, which were directed principally toward the railroad lines, that is, frontier adjustments in the neighborhood of Adrianople, and along the Baghdad railroad. Also the Turks would like to have Russia as far removed as possible from their own territories. The negotiations between Cripps, Eden, and Stalin had doubtless dealt also with the Dardanelles question and had disturbed Turkey very much. The telegram from Ambassador von der Schulenburg, which the Reich Foreign Minister had brought to their attention at the time in its original form, had been very enlightening, as it had outlined the claims of the Russians with respect to Turkey as they had been presented at that time by Molotov in Berlin.

The Duce remarked in that connection that he had let the Turks know that Italy had no demands on Turkey, but that on the contrary she intended to give up to Turkey the Island of Castel Rosso, which lay within Turkish national waters, as a sign of her friendship for Turkey. He had made the unofficial arrangement with Turkey through a major who was a friend of Saracogh and who was likewise a Young Turk.

The Reich Foreign Minister remarked in the same connection that his brother-in-law, who had just returned from Turkey to Germany, had also

confirmed to him that the attitude of the Turks was becoming more favorable to the Axis.

Next the conversation turned to France. The Führer declared that the French constantly came with new requests and, in reply to an interjected remark of the Reich Foreign Minister to the effect that they had thus far received very slight concessions from Germany, he referred to the release of French prisoners, whose number had decreased from 1,960,000 to 1,100,000. The French had to be treated carefully, especially because North Africa had to be prevented from going over to the opposite side. This could have been brought about most effectively by the capture of Gibraltar and the occupation of the area across from it. This plan, however, had failed because of the Spanish. Now the English had so strengthened Gibraltar that its capture was no longer feasible. In this way Franco had allowed a favorable opportunity to escape from his hands. Any Spanish contribution was no longer in question.

About the disturbances in Yugoslavia the Führer remarked that only the sternest action would lead to success. The revolts, which because of their Communistic infection were especially dangerous, must be stamped out by employing all possible means. He would be happy if the uprising could be quickly beaten down, since the four divisions stationed in Yugoslavia were needed on the eastern front.

The Duce remarked that the situation in the former Yugoslav territory had improved, especially because of the split between the Chetniks and the Communists. Only in Bosnia in the region around Sarajevo was the situation still critical. There energetic action would have to be taken. It was a good thing that quiet prevailed in Albania.

The Führer declared that the war with Yugoslavia had brought great advantages with it. It was through it that the plans of the Russians, by which they undoubtedly had the intention of overrunning Rumania, had been crossed. If, however, there had been no disorders in the Balkans, no German troops would have been stationed in Rumania. For these reasons he was now also very glad of the Italian expedition against Greece, for thereby the entire Balkan question had been set in motion, and as a result Germany had dispatched her troops into the Balkan countries, especially to Rumania. Because of this a Russian attack on Rumania for the purpose of overrunning the Balkans had had no prospect of success. Providence

had been clearly on the side of the Axis, just as when in the Russian campaign, as a result of the bad weather and the softening of the ground, operations had had to be broken off in October, and thus the long lines of communications which would have had to have been set up as a result of further advances and which during the winter would have led to an absolute catastrophe had been avoided. Also in the case of the discovery of the Belgian and Dutch machinations directed against Germany by the arrest of English and Dutch agents at Venlo, the hand of Providence was again recognizable, for by this event the operations which had been originally set for an earlier date had been postponed, and could then be planned and carried out on a larger scale, to include Holland and Belgium.

At the remark of the Führer that it seemed that all of the problems interesting Italy and Germany had been brought up for discussion, the Reich Foreign Minister recalled that only the question of the joint declaration of the Three Powers with regard to India and Arabia remained to be taken up.

On this point the Führer declared that his attitude had been determined by his recollection of the World War. Germany would, at that time, probably have been able to conclude a separate peace with Russia had not the declaration establishing Poland as an independent kingdom come up to prevent it. If there were now issued a declaration by the Three Powers on the subject of India and Arabia it could easily result in notably increasing the English will to resistance because of the threat arising from such a declaration to the whole English world empire. Churchill could then tell his people it now was clear that the enemies of England wished to destroy her world empire and that there remained nothing but to continue the struggle. On the other hand a declaration on the subject of India and Arabia might also be the thing to give the last blow to England and to cause her to give in. This latter was the opinion of the Reich Foreign Minister.

To a question from the Duce as to whether Japan had made any proposal on her own account the Reich Foreign Minister replied in the affirmative, whereupon the Duce declared that the matter did not seem pressing to him and that it could be allowed to wait.

The Reich Foreign Minister declared that in his view England would only conclude peace if she were so backed up against the wall that she

had no longer any chance of winning the war and that, accordingly, a common declaration on the subject of India and Arabia would make the war of the Three Powers against England easier.

The Führer replied that everything depended on the military developments. A declaration of the sort described could only be effective from a military point of view if the troops of the Axis Powers stood south of the Caucasus. In such a case an uprising which might break out in the Arab areas as a result of such a declaration might be militarily useful and could be supported militarily. If, on the contrary, the declaration regarding Arabia were to be issued at the moment there were two possibilities. On the one hand the Arabs might take no notice of it. In such case, a declaration of that sort would be useless for the Axis. On the contrary, it would even be harmful, since our enemies would conclude that the influence of the Axis Powers was declining in those areas. The other possibility was that the Arabs would take notice of the declaration and would commence an uprising, which under present conditions would be suppressed by the English, who would thus capture the most effective exponents of an Arab policy friendly to the Axis and the Axis interests in Arabia would thereby suffer severe damage. Only if the Axis troops were south of the Caucasus could developments of this sort be prevented. The Führer had the greatest concern lest a proclamation released at the present moment carry with it no possibility of military assistance.

In the case of India the Japanese could, of course, intervene militarily. The Axis Powers were interested only theoretically in that country.

The Duce replied that he was entirely of the Führer's opinion. Japan could issue a declaration on her own accord, to which the Axis Powers might adhere. If, however, Germany and Italy issued a declaration with regard to the Arabs at the present moment it would be completely platonic. He did not value platonic affairs very highly. In addition under present circumstances a declaration of such a sort would be reminiscent of the democratic style and for that reason also should be rejected.

The Reich Foreign Minister replied that a joint declaration on the subject of India would mean an acknowledgment on the part of Japan that the Axis Powers must have a voice on this question.

In the same connection the Führer expressed the opinion that Japan was shying off from India, since the occupation of India would be a large-scale undertaking and there was the danger that Soviet Russia might also turn in the direction of India. Japan feared the Soviet influence particularly since no people seemed so predestined for Bolshevism as the Indians. The Duce also agreed with this view. After her experiences in China, Japan might well be of the opinion that the solution of the Indian question was beyond her powers.

After the Führer had once more stated that the Arab-Indian declaration would only be a practical matter when the Axis troops stood south of the Caucasus, the Reich Foreign Minister added that Japan had made her proposal for a joint declaration some time ago and perhaps would become irritated if an answer on the part of the Axis Powers was delayed. For, just as ever, Japan's sole fear was that the Axis would still in some way become reconciled with England. Under these circumstances it seemed best to him to make a complete answer to Japan, to the effect that the Axis Powers were considering thoroughly the question of a joint statement concerning India and Arabia and that they would take a positive position on the point, but that the time for issuing such a statement must be left open.

The Duce remarked that Japan could be allowed to issue a declaration on India by herself.

The Führer replied that the Japanese should be told that the whole matter was being considered by the Axis Powers, but that from the Axis viewpoint the present moment did not seem suitable for such a declaration, since a premature appeal could have no military effect but rather might even be unfavorable to Axis interests.

The Duce stated that a misstep such as had been taken in connection with the Iraq declaration must be avoided, and that the limits of "Arabia" must be first carefully defined before assurances were given to the Arabs. By Arabia he understood only Palestine, Syria, Iraq, and Transjordan.

The Führer agreed with the Duce's last line of thought and the Reich Foreign Minister remarked that it would not be difficult to find a suitable formula.

In connection with the previous remark of the Reich Foreign Minister on the subject of the concern which might be caused to the Japanese

by a negative attitude of the Axis Powers to their proposal, the Führer thought that it was questionable whether the Japanese would take offense if the Axis came to an arrangement with England. They had finally attained everything which they had planned for. When the Reich Foreign Minister expressed his doubts as to whether the Japanese were yet of this opinion, the Führer replied that he could well believe that the Japanese would be happy if the limits of the conflict were reduced.

Returning to the question of a joint declaration, the Duce remarked that such a declaration could only be issued if a new situation arose with respect to Turkey. Lastly he asked the Reich Foreign Minister when an answer must be given to the Japanese. The latter replied that time was pressing, but the Führer did not believe that an answer was so urgent, since the Japanese had often let the Axis Powers wait for a considerable time. Finally the proposal of the Reich Foreign Minister was adopted, according to which the matter was to be discussed verbally with Oshima in the sense favored by the Führer and the Duce.

In the further course of the conversation the question came up as to whether a conflict between Japan and Russia was in the interests of the Axis. Both the Führer and the Duce held the view that, at least for the moment, an energetic attack on

the Anglo-Saxons by Japan was the most desirable activity for the latter, from which Japan should not be diverted by an attack on Soviet Russia. In this connection the Führer emphasized the numerous military obligations which Japan had already taken upon herself on her extended fronts. Too much could not be asked of her and by the creation of an additional Russian front her powers would be overtaxed. Besides, by a Japanese-Russian conflict no immediate relief would result on the German-Russian front. The divisions which Russia had stationed in Siberia for defense against Japan would remain, even if conflict did not break out there, since the lines of communication with the European front were far too long. In the same way, in the case of an outbreak of a Japanese-Russian conflict, no withdrawal of troops from the European front would take place. Rather, an important part of the military striking force of Japan would be absorbed in the conflict with Russia. For the interests of the Axis it would be better if this part also of the Japanese military forces were employed exclusively against the Anglo-Saxons.

At the conclusion of the discussion a dinner was held for a small company.

SCHMIDT

BERLIN, May 2, 1942.

PRESENT STATUS OF GERMAN YOUTH—Continued from page 55.

cluded a large number of sexual and economic crimes. The 969 young people in Frankfurt included 112 girls under 18 who were carriers of venereal diseases. According to a report by the Berlin Municipal Police,²⁶ many of the boys apprehended appeared to be more interested in the procurement of food than of money. The Berlin police president also reported that former members of the Hitler Youth comprised 90 percent of all juveniles punished in Berlin for robbery, house-breaking, or theft.²⁷ According to later official estimates, the year 1946 will produce over 11,000

juvenile prosecutions, a figure which exceeds substantially the total of such actions during 1942, when the number reached a maximum of 7,600.²⁸ Dr. Hille, director of the Main Labor Office in Munich, quoted a figure of 80 percent in describing the scope of criminality among juveniles under 22 years of age.²⁹

The fact is undeniable that the rate of juvenile delinquency is progressive. Statistics from Berlin indicate a rise of more than 100 percent over the final months of 1945 in the number of individual youths officially indicted.³⁰

[EDITOR'S NOTE: In Part II of "The Present Status of German Youth", which will appear in the BULLETIN of July 21, Dr. Kellermann will continue the discussion of general attitudes and trends, taking up subversive activities and organizations including Nazi partisans and successors, Christian Pathfinders, student groups, and non-political gangs. Also discussed in Part II will be security and welfare measures and certain youth organizations relating to rehabilitation.]

²⁶ Foreign Broadcasting Intelligence Service; ticker, Oct. 25, 1945.

²⁷ Political Intelligence Division of the British Foreign Office; *Digest for Germany and Austria*, Jan. 22, 1946.

²⁸ Foreign Broadcasting Intelligence Service; ticker, May 8, 1946.

²⁹ *Main-Echo* (Aschaffenburg), Apr. 18, 1946.

³⁰ *Der Tagesspiegel* (Berlin), Mar. 23, 1946.

International Organizations and Conferences

Calendar of Meetings

Far Eastern Commission	Washington	February 26
Council of Foreign Ministers:		
Meeting of Foreign Ministers	Paris	June 15
Meeting of Deputies	Paris	May 27—temporarily adjourned
Allied-Swedish Negotiations for German External Assets	Washington	May 31
Proposed International Emergency Food Council	Washington	June 20
U.S.-Mexican Discussions on Air Services Agreement	Mexico City	June 24
International Institute of Agriculture: Meeting of the General Assembly	Rome	July 8
Caribbean Commission	Washington	July 8-14
Conference on German-Owned Patents Outside Germany	London	July 10
International Meeting of the Sugar Council	London	July 15
International Council of Scientific Unions: Meeting of the General Assembly	London	July 24-27
International Union of Geodesy and Geophysics: Extraordinary General Assembly	Cambridge, England	July 29
UNRRA: Second Half of Fifth Session	Geneva	August 5
The United Nations:		
Security Council	New York	March 25
Military Staff Committee	New York	March 25
Economic and Social Council	New York	May 25
Commission on Atomic Energy	New York	June 14
International Health Conference	New York	June 19
UNESCO: Preparatory Commission	London	July 5-13
General Assembly: Second Part of First Session	New York	September 3

The dates in the calendar are as of July 7.

Activities and Developments

The First Session of the United Maritime Consultative Council, held in Amsterdam, terminated on June 24, 1946. The following nations were represented: Australia, Belgium, Canada, Chile, Denmark, France, Greece, India, the Netherlands, New Zealand, Norway, Poland, South Africa, Sweden, the United Kingdom, and the United States. Czechoslovakian observers were present at the meetings.

Under the chairmanship of Mr. Oyevaar (Netherlands) the Council reviewed the work of the

Contributory Nations Committee in Washington and the Shipping Coordinating and Review Committee in London since their inception in March 1946. These committees were established by agreement among the governments concerned to facilitate the provision of shipping for the requirements of UNRRA and liberated nations. The Council concluded that the arrangements made in March were working effectively to secure the object for which they were established and to the satisfaction of the nations concerned.

The Council also heard and discussed statements by delegations on current shipping policy of their governments. The Council had on its agenda the question of the establishment of an intergovernmental organization dealing with international shipping matters. The view generally expressed was that an international governmental body is likely to be required to provide for consultation on all matters suitable for intergovernmental discussion as regards shipping, and the Council concluded the examination of this item of their agenda by resolving to appoint a committee to consider in more detail the possible constitution, scope, and procedure of such a body and to draw up a draft report on the subject for further consideration by the Council. Arrangements are being made for this committee to begin its work in the course of the next few weeks. Represented on the committee will be the following nations: Belgium, Canada, France, the Netherlands, Norway, Poland, the United Kingdom, and the United States. There will be opportunity for other governments who are members of the Council to state views to the committee.

Since the UMCC was established as a transitional organization and by its terms of reference is due to terminate not later than October 31, 1946, it is expected to meet again in the autumn to consider the report of the committee.

In the meantime the Netherlands Government has accepted the invitation of the Council to perform the secretarial duties of the Council.

In the course of the session delegations had the opportunity of seeing the great progress made in restoring facilities in the ports of Amsterdam and Rotterdam.

[Released to the press July 3]

Caribbean Commission. Representatives of the Governments of France, the Netherlands, the United Kingdom, and the United States of America will meet in Washington July 8-14 to consider plans for the establishment of a Secretariat for the Caribbean Commission in the Caribbean area, its organization and location, and the selection of a Secretary General.

A meeting of the expanded Caribbean Commission, which now includes France and the Netherlands in addition to the United Kingdom and the United States, will be held during the same period, to discuss the implementation of certain recommendations of the Second Session of the West Indian Conference.

The metropolitan governments will be represented as follows: Governor Georges H. Parisot, Ministry of French Overseas Territories and Commissioner, French Section, Caribbean Commission; Professor Dr. J. C. Kieftstra, Netherlands Minister to Mexico and Co-Chairman, Netherlands Section, Caribbean Commission; G. F. Seel, C.M.G., Assistant Under Secretary of State, United Kingdom Colonial Office; and Charles W. Taussig, Co-Chairman of the United States Section of the Caribbean Commission, who will preside over the meetings.

Also participating will be the Commissioners of the four national sections of the Caribbean Commission: France—Jean de la Roche; the Netherlands—L. A. H. Peters; the United Kingdom—Sir John Macpherson, K.C.M.G.; R. D. H. Arundell, O.B.E.; Norman W. Manley, K.C.; the United States—Ralph J. Bunche, Rafael Pico, and Governor Rexford G. Tugwell.

International Bank for Reconstruction and Development: The following executive nominations were confirmed by the Senate on July 3, 1946:

John W. Snyder to be United States Governor of the International Monetary Fund and United States Governor of the International Bank for Reconstruction and Development for a term of five years.

John S. Hooker to be United States Alternate Executive Director of the International Bank for Reconstruction and Development for a term of two years and until his successor has been appointed.

George F. Luthringer to be United States Alternate to the Executive Director of the International Monetary Fund for a term of two years and until his successor has been appointed.

Record of the Week

Independence of the Philippines

[Released to the press by the White House July 4]

By the President of the United States of America

A PROCLAMATION

WHEREAS the United States of America by the Treaty of Peace with Spain of December 10, 1898, commonly known as the Treaty of Paris, and by the Treaty with Spain of November 7, 1900, did acquire sovereignty over the Philippines, and by the Convention of January 2, 1930, with Great Britain did delimit the boundary between the Philippine Archipelago and the State of North Borneo; and

WHEREAS the United States of America has consistently and faithfully during the past forty-eight years exercised jurisdiction and control over the Philippines and its people; and

WHEREAS it has been the repeated declaration of the legislative and executive branches of the Government of the United States of America that full independence would be granted the Philippines as soon as the people of the Philippines were prepared to assume this obligation; and

WHEREAS the people of the Philippines have clearly demonstrated their capacity for self-government; and

WHEREAS the Act of Congress approved March 24, 1934, known as the Philippine Independence Act, directed that, on the 4th Day of July immediately following a ten-year transitional period leading to the independence of the Philippines, the President of the United States of America should by proclamation withdraw and surrender all rights of possession, supervision, jurisdiction, control, or sovereignty of the United States of America in and over the territory and people of the Philippines, except certain reservations therein or there-

after authorized to be made, and, on behalf of the United States of America, should recognize the independence of the Philippines:

NOW, THEREFORE, I, Harry S. Truman, President of the United States of America, acting under and by virtue of the authority vested in me by the aforesaid act of Congress, do proclaim that, in accord with and subject to the reservations provided for in the applicable statutes of the United States,

The United States of America hereby withdraws and surrenders all rights of possession, supervision, jurisdiction, control, or sovereignty now existing and exercised by the United States of America in and over the territory and people of the Philippines; and,

On behalf of the United States of America, I do hereby recognize the independence of the Philippines as a separate and self-governing nation and acknowledge the authority and control over the same of the government instituted by the people thereof, under the constitution now in force.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed,

Done at the City of Washington this Fourth day of July in the year of our Lord, nineteen hundred and forty-six, and of the Independence of the United States of America the one hundred and seventy-first.

[SEAL]

HARRY S. TRUMAN

By the President:

DEAN ACHESON
Acting Secretary of State.

PRESIDENT TRUMAN'S STATEMENT ON PHILIPPINE INDEPENDENCE

[Released to the press by the White House July 3]

The independence achieved today by the Philippines comes after a period of 48 years of American sovereignty over the Islands. Throughout this period it has been the consistently expressed policy of this Government, as revealed in the Instructions of President McKinley to the Philippine Commission, the Jones Law, and the Tydings-McDuffie Law, to prepare the people of the Philippines for independence. An ever increasing measure of self-government has been granted to the Filipino people as year after year they demonstrated their capacity for democratic self-government.

With independence, the Republic of the Philippines is admittedly confronted with many difficult problems. Almost any new nation facing independence would be confronted with similar problems.

I am confident, however, that the Filipino people will meet the challenge of independence with courage and determination. The United States stands ready to assist the Philippines in every way possible during the years to come. Together, solutions will be found for the problems which the Philippines will encounter.

It is more than symbolic that our two countries should be jointly celebrating July 4 as Independence Day. It is my hope that each succeeding July 4 will constitute a milestone of progress along the path of mutual cooperation for the achievement of international understanding and well-being.

STATEMENT BY ACTING SECRETARY ACHESON

[Released to the press July 3]

I am happy to be able to extend my greetings to the people of the Philippines on this the occasion of the formal establishment of the independent Republic of the Philippines.

The United States first acquired a significant interest in the Philippines at the close of the last century. At that time, by the Treaty of Paris, the United States acquired sovereignty over the Philippines. During the next 48 years the United States held the sovereign responsibility for the Islands.

Throughout the period of American sovereignty in the Philippines the United States has worked to

prepare the Philippines for independence. The Filipino people worked diligently to prepare themselves for independence and they responded eagerly to the efforts of the United States Government to transfer to them the institutions of self-government. They have displayed a fealty to the principles of democratic government which materially aided them on the road to independence. Together, the American and Filipino peoples contributed to the building of Philippine independence.

Today, when the proclamation of Philippine independence is read in Manila, the dream of the Filipino people for independence will at last have been realized.

Out of independence many new problems will develop for the Philippines. The United States would be falling short of its duty to its sister Republic if we were not to assist the Philippines in every way to meet these new problems.

May there be born out of this new relationship between the American and Filipino peoples a spirit of friendship which will cause the two countries to work harmoniously together in promoting world peace and security.

SPECIAL RADIO PROGRAM CELEBRATING PHILIPPINE INDEPENDENCE

[Released to the press July 3]

A special 55-minute short-wave radio program saluting the granting of independence to the Republic of the Philippines by the United States was beamed to the Islands on July 3 at 4:05 p.m., Pacific Standard Time (7:05 p.m., Eastern Standard Time, and 8:05 a.m., July 4, Manila Time) by the Office of International Information and Cultural Affairs of the State Department. The program was repeated to the Philippines the following morning.

A message by President Truman to the Philippines was carried on 29 transmitters from the east and west coasts. It was heard in 25 countries of South America and Europe, as well as in the Philippines, Netherlands East Indies, Japan, China, and India.

Other voices heard on the San Francisco program included: Acting Secretary of State Dean Acheson; Frank Murphy, Associate Justice of the United States Supreme Court; Admiral Chester Nimitz; Trygve Lie, Secretary-General of the United Nations; Frank Lockhart, Chief of the

Division of Philippine Affairs, State Department; Carlos P. Romulo, former Resident Commissioner of the Philippine Commonwealth; Senator Milard E. Tydings of Maryland; Representatives Karl Stefan of Nebraska and C. Jasper Bell of Missouri; General of the Army Dwight D. Eisenhower; and General Jonathan W. Wainwright. A message from Secretary of War Robert P. Patterson was read.

Others heard on programs from the New York office of OIC were Dorothy Canfield Fisher, Sgt. Irving Strobot, who broadcast the description of the fall of Corregidor and spent more than three years as a prisoner of the Japanese; Dr. Francisco Castillo Najera, Mexico's Foreign Minister; Gene Manuel, representing the Filipinos in New York, speaking to his countrymen.

At 4:30 p.m., Pacific Standard Time, two additional transmitters joined those beamed to the Far East and President Truman's message went on the air as the climax of the official presentation, which closed with the Star Spangled Banner. The Philippines national anthem opened the program.

A repeat release was given at 2:05 a.m., Pacific Standard Time, July 4 from San Francisco.

The transmissions to Europe began at 12:30 p.m., Eastern Standard Time, July 4.

Texts of two of the messages follow:

Message of the President¹

TO THE PEOPLE OF THE PHILIPPINES:

I am indeed happy to be able to join with you in the formal inauguration of the Republic of the Philippines.

This is a proud day for our two countries. For the Philippines it marks the end of a centuries-old struggle for freedom. For the United States it marks the end of a period of almost fifty years of cooperation with the Philippines looking toward independence.

Now the new Republic faces the problems of independent nationhood. These problems will be difficult and trying. The road to independence has not been an easy one. The road of independence will likewise not be an easy one. The mettle of a

people, the mettle of a nation, are on trial before the world.

But the United States has faith in the ability and in the determination of the Philippine people to solve the problems confronting their country. The men who defied Magellan, who fought for a Republic in 1898, and who more recently on Bataan, Corregidor, and at a hundred other unsung battle-grounds in the Philippines flung back the Japanese challenge, will not lack the courage which is necessary to make government work in peace as well as in war. The will to succeed, I am sure, will continue to govern the actions of the Philippine people.

The United States, moreover, will continue to assist the Philippines in every way possible. A formal compact is being dissolved. The compact of faith and understanding between the two peoples can never be dissolved. We recognize that fact and propose to do all within our power to make Philippine independence effective and meaningful.

Our two countries will be closely bound together for many years to come. We of the United States feel that we are merely entering into a new partnership with the Philippines—a partnership of two free and sovereign nations working in harmony and understanding. The United States and its partner of the Pacific, the Philippine Republic, have already charted a pattern of relationships for all the world to study. Together in the future, our two countries must prove the soundness and the wisdom of this great experiment in Pacific democracy.

May God protect and preserve the Republic of the Philippines!

Message of Acting Secretary of State Acheson

On July the fourth, the people of the United States are celebrating their one hundred and seventy-first Independence Day. Some seven thousand miles across the Pacific, you, the people of the Philippine Islands have gathered to celebrate your first Independence Day. Representatives of the United States and Philippine Governments are met now to proclaim the dawn of Philippine independence and the establishment of the Republic of the Philippines.

This is a proud and glorious day in the history of our two countries. It is a day which I would like to think has been achieved by the joint efforts and sacrifices of the two peoples.

¹The message was broadcast to the Philippines by the International Broadcasting Division of the Department of State in a program beginning at 7:30 p.m., E. S. T., on July 3, 1946. The message was released for publication or radio announcement at that time. The broadcast was by short wave from San Francisco at 4:30 p.m., P. C. T.

History records few more consistent efforts on the part of a people for independent status than the efforts of the Filipino people for independence during the past forty-eight years. Likewise history records few such consistent efforts on the part of a sovereign power to bring about the independence of a dependent area as in the case of the United States toward the Philippines. When the United States flag replaced the Spanish flag in the Philippines in 1898, some Filipinos feared that the hopes of the Filipino people for independence were to be indefinitely delayed. But from the beginning American administrators showed that we had come to the Philippines with the interests of the Filipino people at heart. Step by step the institutions of self-government were transferred to the Filipino people and the way cleared for independence.

The Filipino people almost at the outset were given control over their own municipal governments. Soon, through the suffrage, they were given the power to select most of their provincial governments. In due course Filipino control extended to the central government. Powers originally given the American Governor General were gradually transferred to Filipino hands. Filipino judges were chosen for the bench, Filipinos were given the posts of heads of the executive departments, and the Philippine legislature consisting of a House of Representatives and Senate was an exclusively Filipino institution. The policy enunciated by the United States Congress in the Jones Law of 1916 when it stated that "it was desirable to place in the hands of the people of the Philippines as large a control in their domestic affairs as can be given them . . ." was consistently followed by this Government and to such an extent that at times some Americans feared we had gone beyond the bounds of reasonable discretion.

With the passing of each year the capacity of the Filipino people for independence became more manifest. When the Congress of the United States in the Tydings-McDuffie Act of 1934 declared that the *Philippines* was to be granted its

independence in 1946, the goal of the Filipino people was at last in sight. Now on July 4, 1946, that goal has been achieved.

Independence for the Philippines brings with it great satisfaction and joy. But no one would deny that independence also brings with it new and heavy responsibilities. A few days ago the Resident Commissioner of the Philippines in his farewell address to the United States Congress stated, "You in America may ask, in these unsettled times, where we in the Philippines shall stand? And we answer, *by your side!* Not in slavish imitation, not because of pressure, but by profound conviction that we belong beside America." We in the United States welcome this pledge of comradeship on the part of the Filipino people. We intend to assist your country in every way possible to meet the challenging problems of independence.

The Department of State will be interested in the economic well-being and the military security of the Philippines, and already we have joined our efforts with those of other agencies of this Government to seek the attainment of these objectives. We are also, as the department responsible for the conduct of foreign affairs, keenly interested in the foreign affairs establishment which you will now create. Through our Philippine Foreign Affairs Training Program, which we hope to continue after independence, we have sought to provide you with the nucleus of personnel for a Philippine Foreign Service. During the early days of Philippine independence we plan also to assist you in handling Philippine interests abroad. Your new Department of Foreign Affairs and our State Department should work closely together.

In these and many other ways the Philippines and the United States will join hands to insure the perpetuation and advancement of the ideals and objectives which have animated our two countries in the past and will, I believe, continue to animate our two countries in the future. An independent and a democratic Philippines now and forever!

Policy of Transferring 100,000 Jewish Immigrants to Palestine

CONFERENCE BETWEEN THE PRESIDENT AND MEMBERS OF JEWISH AGENCY FOR PALESTINE

[Released to the press by the White House July 2]

The President conferred on July 2 with the following American members of the Jewish Agency Executive: Rabbi Stephen S. Wise, Dr. Nahum Goldmann, Mr. Louis Lipsky, and Rabbi Abba H. Silver.

The representatives of the Jewish Agency gave the President their views of recent events in Palestine.

The President expressed his regret at these developments in Palestine. He informed the representatives of the Jewish Agency that the Government of the United States had not been consulted on these measures prior to their adoption by the British Government. He expressed the hope that the leaders of the Jewish community in Palestine would soon be released and that the situation would soon return to normal.

The President added further that it was his determination that these most recent events should mean no delay in pushing forward with a policy of transferring 100,000 Jewish immigrants to Palestine with all dispatch, in accordance with the statement he made upon the receipt of the report of the Anglo-American Committee of Inquiry. The President indicated that the Government of the United States was prepared to assume technical and financial responsibility for the transportation of these immigrants from Europe to Palestine.

He expressed his thanks for the workmanlike suggestions embodied in the letter which the American members of the Jewish Agency Executive sent him on June 14 with respect to the technical and financial problems involved in the transfer and resettlement of the 100,000 immigrants.

REMARKS MADE AT ACTING SECRETARY ACHESON'S PRESS CONFERENCE

On July 2 Acting Secretary Acheson at his press and radio news conference told newsmen that United States technical experts who went to London to discuss implementation of the Palestine report, and who returned last weekend, had reported progress.

The Acting Secretary made it clear that the task of the experts in London was to study technical aspects of the problem and not to make decisions. He said they were now conferring with the special cabinet committee, headed by Henry F.

Grady, named as the Secretary of State's alternate. Mr. Acheson also stated that the committee plans to leave for London on about July 15, though there is possibility of an earlier departure.

The Acting Secretary said experts were working mainly on details of moving 100,000 Jews into Palestine, as recommended in Anglo-American Palestine report,¹ and that they did not discuss the subject of United States military aid to British in Palestine.

The Acting Secretary reiterated that the State Department had not received information in advance of what action the British planned to take in Palestine.

¹ For text of the Report of the Anglo-American Committee of Inquiry, see Department of State Publication 2536.

Agreement Pertaining to Reparation Funds for Non-Repatriable Victims of German Action¹

[Released to the press June 19]

Agreement has been reached by the Governments of the United States, the United Kingdom, France, Czechoslovakia, and Yugoslavia in conference at Paris concerning matters pertaining to making available certain reparation funds for the rehabilitation and resettlement of non-repatriable victims of German action.

The agreement was worked out in accordance with the provisions of Article VIII of the final Act of the Paris Conference on Reparation, signed by 18 nations on January 14, 1946, which made available a fund of \$25,000,000 out of German assets in neutral countries, out of all the non-monetary gold found by the Allies in Germany, and out of all the assets in neutral countries of victims of Nazi action who died without heirs.² The conferring powers are of the opinion that the non-monetary gold and the "heirless funds" will amount to a few million dollars.

Since the overwhelming group of eligible victims were Jewish, the conference allocated \$22,500,000 out of German assets in neutral countries, 90 percent of the non-monetary gold, and 95 percent of the "heirless funds" for the rehabilitation and resettlement of Jews. The remaining part of the fund was made available for those German and Austrian non-Jewish victims who were persecuted by the Nazis for religious, political, or racial reasons and who are in need of resettlement. The agreement gave general administrative responsibility to the Director of the Intergovernmental Committee on Refugees, who will make funds available to authorized field organizations.

It is expected that the authorized Jewish field organizations will use a large part of these funds for the rehabilitation of refugees and for the resettlement in Palestine.

The United States representative was Dr. Eli Ginzberg of Columbia University. He was assisted by Irwin Mason and Jacob Kaplan of the Department of State.

Text of agreement

In accordance with the provisions of Article VIII of the final Act of the Paris Conference on Reparation, the Governments of the United States of America, France, the United Kingdom, Czechoslovakia and Yugoslavia, in consultation with the

Intergovernmental Committee on Refugees, have worked out, in common agreement, the following plan to aid in the rehabilitation and resettlement of non-repatriable victims of German action. In working out this plan the signatory powers have been guided by the intent of Article VIII and the procedures outlined below are based on its terms:

In recognition of special and urgent circumstances, the sum of \$25,000,000 having been made available by the Allied Governments as a priority on the proceeds of the liquidation of German assets in neutral countries, is hereby placed at the disposal of the Intergovernmental Committee on Refugees or its successor organization for distribution to appropriate public and private field organizations as soon as they have submitted practicable programs in accordance with this agreement.

(A) It is the unanimous and considered opinion of the Five Powers that in light of paragraph H of Article VIII of the Paris Agreement on Reparation, the assets becoming available should be used not for the compensation of individual victims but for the rehabilitation and resettlement of persons in eligible classes, and that expenditures on rehabilitation shall be considered as essential preparatory outlays to resettlement. Since all available statistics indicate beyond any reasonable doubt that the overwhelming majority of eligible persons under the provisions of Article VIII are Jewish, all assets except as specified in paragraph B below are allocated for the rehabilitation and resettlement of eligible Jewish victims of Nazi action, among whom children should receive preferential assistance. Eligible Jewish victims of Nazi action are either refugees from Germany or Austria who do not desire to return to these countries, or German and Austrian Jews now resident in Germany or Austria who desire to emigrate, or Jews who were nationals or former nationals of previously occupied countries and who were victims of Nazi concentration camps or concentra-

¹ Telegraphic text.

² For text of final act see BULLETIN of JUN. 27, 1946, p. 114.

tion camps established by regimes under Nazi influence.

(B) The sum of \$2,500,000, amounting to 10 percent, arising out of the \$25,000,000 priority on the proceeds of German assets in neutral countries, 10 percent of the proceeds of the "non-monetary gold," and 5 percent of the "heirless funds" shall be administered by the Inter-governmental Committee on Refugees or its successor organization through appropriate public and private organizations for the rehabilitation and resettlement of the relatively small numbers of non-Jewish victims of Nazi action who are in need of resettlement. Eligible non-Jewish victims of Nazi action are refugees from Germany and Austria who can demonstrate that they were persecuted by the Nazis for religious, political, or racial reasons and who do not desire to return, or German and Austrian nationals, similarly persecuted, who desire to emigrate.

(C) The Director of the Inter-governmental Committee on Refugees or the Director General of the successor organization shall under the mandate of this agreement make funds available for programs submitted by the appropriate field organizations referred to in paragraphs A and B above as soon as he has satisfied himself that the programs are consistent with the foregoing. Only in exceptional circumstances may the cost of resettlement programs exceed a maximum of \$1,000 per adult and \$2,500 per child under 12 years of age. The action of the Inter-governmental Committee on Refugees or its successor organization shall be guided by the intent of Article VIII and by this agreement which is to place into operation as quickly as possible practicable programs of rehabilitation and resettlement submitted by the appropriate field organizations.

(D) In addition to the \$25,000,000 the Inter-governmental Committee on Refugees or its successor organization is hereby authorized to take title from the appropriate authorities to all "non-monetary gold" found by the Allies in Germany and to take such steps as may be needed to liquidate these assets as promptly as possible, due consideration being given to secure the highest possible realizable value. As these assets are liquidated, the funds shall be distributed in accordance with paragraphs A and B above.

(E) Furthermore, pursuant to paragraphs C and E of Article VIII, in the interest of justice, the French Government on behalf of the five gov-

ernments concluding this agreement, are making representations to the neutral powers to make available all assets of victims of Nazi action who died without heirs. The governments of the United States of America, the United Kingdom, Czechoslovakia, and Yugoslavia are associating themselves with the French Government in making such representations to the neutral powers. The conclusion that 95 percent of the "heirless funds" thus made available should be allocated for the rehabilitation and resettlement of Jewish victims takes cognizance of the fact that these funds are overwhelmingly Jewish in origin, and the 5 percent made available for non-Jewish victims is based upon a liberal presumption of "heirless funds" non-Jewish in origin. The "heirless funds" to be used for the rehabilitation and resettlement of Jewish victims of Nazi action should be made available to appropriate field organizations. The "heirless funds" to be used for the rehabilitation and resettlement of non-Jewish victims of Nazi action should be made available to the Inter-governmental Committee on Refugees or its successor organization for distribution to appropriate public and private field organizations. In making these joint representations, the signatories are requesting the neutral countries to take all necessary action to facilitate the identification, collection, and distribution of these assets which have arisen out of a unique condition in international law and morality. If further representations are indicated the governments of the United States of America, France and the United Kingdom will pursue the matter on behalf of the signatory powers.

(F) To insure that all funds made available shall inure to the greatest possible benefit of the victims whom it is desired to assist, all funds shall be retained in the currency from which they arise and shall be transferred therefrom only upon the instructions of the organization to which the Inter-governmental Committee on Refugees or its successor organization has allocated the funds for expenditure.

(G) The Director of the Inter-governmental Committee on Refugees shall carry out his responsibilities to the five governments in respect of this agreement in accordance with the terms of the letter of instruction which is being transmitted to him by the French Government on behalf of the governments concluding this agreement.

In witness whereof the undersigned have signed the present agreement.

Done in Paris, on the fourteenth day of June, 1946, in the English and French languages, the two texts being equally authentic, in a single original which shall be deposited in the archives of the Government of the French Republic, certified copies thereof being furnished by that government to the signatories of this present agreement.

Delegate of the United States of America.

ELI GINZBERG

Delegate of Czechoslovakia.

D. KLVAŇA

Delegate of France.

PHILIPPE PERIER

Delegate of the United Kingdom of Great Britain
& Northern Ireland.

DOUGLAS MACKILLIP

Delegate of Yugoslavia.

M. D. JAKSIC.

Annex to the Agreement on a Plan for Allocation of a Reparation Share to Non-Repatriable Victims of German Action:

In accepting the phrasing of paragraph E of the agreement, the Czechoslovak and Yugoslav delegates have declared that the Republic of Czechoslovakia and the Republic of Yugoslavia have not by so accepting given up their claim to the forthcoming inheritances mentioned therein which, according to the provisions of international law, belong to their respective states.

PARIS, 14th June, 1946.

The Czechoslovak Delegate

D. KLVAŇA

The Yugoslav Delegate

M. D. JAKSIC

Negotiations for Double-Tax Treaties With Belgium, Luxembourg, and the Netherlands

(Released to the press July 3)

The United States Government is preparing to send a delegation to Belgium, Luxembourg, and the Netherlands to negotiate double-tax treaties with those countries. The delegation is expected to leave Washington July 22. Prior to that time the delegation would be glad to confer with interested parties or to receive statements and suggestions from them concerning problems in tax relations with those countries. Communications in this connection should be addressed to Eldon P. King, Special Deputy Commissioner, Bureau of Internal Revenue, Washington, D.C., who will head the delegation.

The United States has treaties with Sweden and France for the avoidance of double income taxes and for administrative cooperation and has treaties with Canada for the avoidance of double taxation on incomes and estates and for administrative cooperation. It is expected that ratifications of similar treaties with the United Kingdom and

Northern Ireland relating to income and estate taxes will be exchanged in the near future. Negotiations for a new treaty with France and for treaties with the Union of South Africa have been announced and are in an advanced stage. The treaties which it is hoped will be negotiated with Belgium, Luxembourg, and the Netherlands will be of the same general type.

The United States Delegation is as follows:

Eldon P. King, Special Deputy Commissioner, Bureau of Internal Revenue, *Chief of Delegation*

Roy Blough, Director, Division of Tax Research, Treasury Department

Stanley S. Surrey, Tax Legislative Counsel, Treasury Department

Henry S. Bloch, Division of Tax Research, Treasury Department

Cyril E. Helfemann, Office of the Legislative Counsel, Treasury Department

Peter J. Mitchell, Office of the Chief Counsel, Bureau of Internal Revenue

William V. Whittington, Treaty Adviser, Treaty Branch, Division of Research and Publication, Department of State

Protocol Dissolving Rome Institute of Agriculture¹

THE PRESIDENT'S MESSAGE OF TRANSMITTAL TO THE SENATE

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith a certified photostatic copy of a protocol dated at Rome March 30, 1946, terminating the Rome convention of June 7, 1905, and transferring the functions and assets of the International Institute of Agriculture to the Food and Agriculture Organization of the United Nations.

The protocol has been signed, "Subject to ratification," by the American Chargé d'Affaires ad interim at Rome for the Government of the

United States of America (including Hawaii, the Philippines, Puerto Rico, and the Virgin Islands).

I also transmit herewith, for the information of the Senate, the report of the Acting Secretary of State with respect to the protocol.

HARRY S. TRUMAN

THE WHITE HOUSE,
July 1, 1946.

(Enclosures: (1) Report of the Acting Secretary of State; (2) Protocol dated at Rome, March 30, 1946, terminating Rome convention of June 7, 1905, and transferring functions and assets of International Institute of Agriculture to Food and Agriculture Organization of the United Nations.)²

REPORT OF THE ACTING SECRETARY OF STATE

June 27, 1946.

The PRESIDENT,

The White House:

The undersigned, the Acting Secretary of State, has the honor to lay before the President, with a view to its transmission to the Senate to receive the advice and consent of that body to ratification, if his judgment approve thereof, a certified photostatic copy of a protocol dated at Rome, March 30, 1946, terminating the Rome convention of June 7, 1905, and transferring the functions and assets of the International Institute of Agriculture to the Food and Agriculture Organization of the United Nations.

The protocol has been signed by the American Chargé d'Affaires ad interim at Rome for the Government of the United States of America (including Hawaii, the Philippines, Puerto Rico, and the Virgin Islands) "Subject to ratification." The protocol has been signed also by the plenipotentiaries of a number of other countries, and it is anticipated that additional signatures will be affixed by August 1, 1946.

The convention for the creation of an International Institute of Agriculture was signed at Rome, June 7, 1905, by the plenipotentiaries of the United States of America and a number of other countries. The United States of America became a party to that convention by the deposit of its instrument of ratification with the Italian Government on August 13, 1906. The official citation of the convention is 35 Statutes, part 2, 1918.

In 1924, at the request of the Government of the United States of America, and in conformity with the last paragraph of article 10 of the convention of 1905, Hawaii, the Philippines, Puerto Rico, and the Virgin Islands were admitted to participation in the International Institute of Agriculture.

On April 21, 1926, there was signed at Rome on behalf of a number of countries, not including the United States of America, a protocol amending the convention of 1905. The United States of America became a party to that protocol on August 25, 1934, by adherence. In depositing the instrument of adherence, the American Ambassador at Rome informed the Italian Foreign Office that the adherence of the United States of America to the protocol extends to and embraces Hawaii, the Philippines, Puerto Rico, and the Virgin Is-

¹ S. Exec. II.

² Not printed.

lands. The official citation of that protocol is 49 Statutes, part 2, 3350.

By joint resolution of the Congress of the United States of America, approved July 31, 1945 (Public Law 174, 79th Cong.), the President was authorized to accept membership for the United States of America in the Food and Agriculture Organization of the United Nations. Section 3 of that joint resolution refers to the contemplated dissolution of the International Institute of Agriculture at Rome and the merger of its functions and assets with those of the Food and Agriculture Organization. Section 3 reads as follows:

In adopting this joint resolution, it is the sense of the Congress that the Government of the United States should use its best efforts to bring about, as soon as practicable, the integration of the functions and resources of the International Institute of Agriculture with those of the Organization, in a legal and orderly manner, to effect one united institution in such form as to provide an adequate research, informational, and statistical service for the industry of agriculture.

At the first meeting of the Food and Agriculture Organization of the United Nations, at Quebec, October 16 to November 1, 1945, the Conference (the governing body of the Organization) adopted unanimously a resolution requesting that those governments which are members of both the Food and Agriculture Organization and the International Institute of Agriculture take action for the purpose of bringing to an end the affairs of the Institute and of transferring the library, archives, and other property of the Institute to the Organization.

The Director-General of the Food and Agriculture Organization, by a letter dated November 10, 1945, requested that the Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland, Canada, France, the Netherlands, and Belgium work together to give effect to the Quebec resolution relating to the dissolution of the International Institute of Agriculture.

During January and February 1946 the Government of the United States of America, after prior consultation with the British Government, communicated with the other governments, members of both the Organization and the Institute, urging the cooperation of those governments in the adop-

tion of procedure for the dissolution of the Institute and the merger of its functions and assets with those of the Organization.

On March 30, 1946, the Permanent Committee of the International Institute of Agriculture, meeting in Rome, adopted without dissenting vote a resolution prepared by the United States Government and presented to the Committee by the American and British representatives on the Committee. This resolution urged that each of the governments concerned authorize the signing on its behalf of a protocol for the purpose of dissolving the Institute, terminating the convention which created it, and transferring its functions and assets to the Food and Agriculture Organization of the United Nations. The resolution also urged that the General Assembly of the Institute take action to authorize the Permanent Committee to take the necessary steps for this purpose.

The protocol, as recommended by the Permanent Committee of the Institute, was opened for signature on March 30, 1946, and bears that date. It is this protocol of which a certified photostatic copy is enclosed herewith.

Article I of the protocol provides that from a date which is to be announced by the Permanent Committee of the Institute, in accordance with article III, the convention of 1905 shall be no longer effective as between the parties to the protocol, and the Institute (including the International Forestry Center) thereupon shall be brought to an end.

Article III provides for the giving of a notification by the Permanent Committee to the members of the Institute when the duties assigned by article II of the protocol have been completed. It is provided further that the date of such notification shall be deemed to be the date of termination of the convention of 1905 and also the date of the dissolution of the Institute (including the Center).

Article IV provides for the transfer to the Food and Agriculture Organization of the powers, rights, or duties attributed to the Institute (including the Center) by the provisions of certain international conventions, as listed in an annex to the protocol.

Article V sets forth the procedure by which a member of the Institute which is not a signatory to the protocol may accede to the protocol.

Article VI contains provisions relating to the

coming into force of the protocol. Pursuant to this article, the protocol shall come into force when it has been accepted by at least 35 governments, members of the Institute. Such acceptance may be effected by any one of three methods, namely, by signature alone when such signature is without a reservation in regard to ratification, by the deposit of an instrument of ratification in the case of signature with a reservation in regard to ratification, or by notice of accession in accordance with article V. The coming into force of the protocol for other governments, after the protocol has come into force, as provided in the second paragraph of article VI, is governed by the third paragraph.

In the opinion of the Department of State, this protocol, together with the action to be taken by the General Assembly and the Permanent Committee of the Institute, would accomplish the object mentioned in section 3 of the joint resolution

of July 31, 1945, namely, the integration of the functions and resources of the Institute with those of the Organization, in a legal and orderly manner, effecting—

one united institution in such form as to provide an adequate research and statistical service for the industry of agriculture.

It is believed that, in order to be fully effective, the action of the United States of America with respect to this protocol should be completed as soon as practicable.

Respectfully submitted,

DEAN ACHESON,
Acting Secretary of State.

(Enclosure: Protocol dated at Rome, March 30, 1946, terminating Rome convention of June 7, 1905, and transferring functions and assets of International Institute of Agriculture to Food and Agriculture Organization of the United Nations.)¹

REPARATION FOR NON-REPATRIABLES—*Continued from page 56.*

tria who do not desire to be repatriated, or who are still in Germany and Austria and should be assisted to emigrate because of the persecution which they suffered at the hands of the Nazis. Also eligible are Jews who were nationals or former nationals of previously occupied countries and who were victims of Nazi concentration camps or concentration camps established by regimes under Nazi influence. The total number of eligibles is estimated to be in excess of 200,000, the vast majority of whom are Jews.

The funds to be made available cannot be used for relief but must be spent on the rehabilitation and resettlement of eligible persons. The Agreement provides that the Director of the Intergovernmental Committee on Refugees, who has been given general administrative responsibility, will make the funds available to appropriate field organizations as soon as they have submitted practical programs for the rehabilitation and resettlement of the eligible victims. It is expected that the authorized Jewish field organizations will use a large part of these funds for the rehabilitation of refugees and for their resettlement in Palestine.

The United States has played a leading role in securing reparations for non-repatriables. The

United States Delegation to the Paris Conference on Reparation first advanced the proposal in November 1945 and secured its adoption by the other powers. The United States took the lead in making the \$25,000,000 sum a priority charge on the liquidation of German assets in neutral countries. The United States pressed for an early meeting of the Five-Power Conference. The draft agreement submitted to the Conference was prepared by the United States representative.

Despite the many difficulties encountered in dealing with refugee problems in the several United Nations committees and conferences, the Paris Conference on Reparation for Non-Repatriables was able to proceed in an atmosphere of harmonious understanding and reach a unanimous agreement at the end of two days. All the delegates were impressed with the fact that no matter what differences separated them on the general refugee problem, it was their obligation to act expeditiously and efficiently with regard to those non-repatriables eligible for assistance under the provisions of article 8. Most of them are Jews whose suffering under the Nazis had been without parallel. The Conference recognized that their rehabilitation and resettlement was the obligation of all civilized nations.

¹ Not printed.

Ceremonies Commemorating Liberation of Belgium

[Released to the press July 3]

The Belgian Ambassador has informed the Department that on July 4 ceremonies will take place at Bastogne under the auspices of the Belgian American Association and in the presence of high officials of the Belgian Government to commemorate the gallant stand of the American Armies and the liberation of Belgium. The first stone of a monument is to be laid. Earth is to be placed in an urn made of Belgian Congo malachite, handed to the American Ambassador, and later flown to the United States by a C-54 of Belgium to arrive in Washington on July 8.

The Belgian Embassy states that the following will accompany the urn:

Col. Raoul Defraiteur, Minister of National Defense
 Senator Paul van Zeeland, President, Belgo-American Association
 Mr. Jacques LaGrange, Secretary, Belgo-American Association
 Group Capt. Leon Desomer, aide-de-camp

The State and War Departments have made the following arrangements to receive the urn in Washington:

Brig. Gen. Gerald J. Higgins, an officer of the 101st Airborne Division during the Battle of Bastogne, has been sent to Belgium to attend the ceremony and fly back with the urn.

Full military honors are to be rendered upon arrival at the Washington National Airport on July 8, 3 p. m.

Visit of Egyptian Journalists

[Released to the press June 29]

Four distinguished Egyptian journalists, representing government, opposition, and independent newspapers, arrived here June 29 on the final phase of a seven weeks' inspection tour of the United States as guests of the Department of State. The tour has taken the visitors from the Atlantic to the Pacific and from the Canadian to the Mexican borders.

The journalists are Galal el Hamamsi, managing editor of *Al Kotlu*, Bloc Wafdist daily; Nagib

Canaan, foreign editor of the leading independent daily, *Al Ahram*; Abdel Kader Hamza, associate editor of *Al Balagh*, leading Wafdist (Nationalist) daily; and Fahmy Samaha, vice president of the weekly magazine, *Al Mussawat*, who also represents the magazines *Al Hucin*, *L'Image*, and *Parade*—all published by the El Hilal Publishing House.

This week-end the party plans to visit such points of interest as the Tomb of the Unknown Soldier at Arlington National Cemetery, the Library of Congress, the Supreme Court Building, and Mount Vernon.

Appointments have been arranged for them to meet J. Edgar Hoover, Chief of the Federal Bureau of Investigation; Joseph Mack, Deputy Director of Field Operations, Department of Commerce; Vice Admiral Richard L. Connolly, Deputy Chief Naval Operations for Administration; and other high Government officials. They have expressed a desire to visit the Senate Foreign Relations Committee and the House Foreign Affairs Committee and meet members of Congress who have taken an active interest in Near Eastern affairs. They also hope to attend a presidential press conference and a press conference for Secretary of War Patterson, and to meet Senators James M. Mead and Claude Pepper and Representative Karl Mundt.

While in Washington, the visitors will be guests of honor at receptions and teas given for them by the Egyptian Legation and American friends.

The journalists have inspected newspaper plants, publishing houses, and radio studios in New York City. They have observed American farming methods in several sections of the country, expressing particular interest in irrigation and land-reclamation projects and in cotton growing and textile development. They have been impressed by Detroit's automotive industry, West Coast shipyards and aircraft plants, and the Hollywood film studios.

Several groups of European journalists have recently completed tours of the United States, observing America's scientific, economic, and cultural achievements as well as the handling of re-conversion and demobilization problems.

The Egyptian journalists plan to spend six days in Washington before returning to New York prior to embarking on their trip home.

Mail and Gift Parcel Services Resumed With Korea

[Released to the press July 11]

Effective on July 4, restricted mail and gift parcel services were resumed with Korea. The service will include letters, post cards, and printed matter, as well as ordinary (unregistered and unmeasured) gift parcels.

Mail addressed for delivery in Korea may be in any of the following languages: Korean, English, Russian, French, Spanish, Chinese, or Japanese. Mail should bear the name of the addressee, street, district, town, and province in Korea. The address should be shown also in Korean characters, if known. Registration, air mail, money order and special delivery services are not available at this time.

The gift parcel service will be subject to the following restrictions:

Parcels may not exceed 11 pounds in weight.

Only one parcel per week may be sent by or

on behalf of the same sender to or for the same addressee.

Contents of parcels will be limited to essential relief items, such as non-perishable foods, clothing, soap, and mailable medicines.

The parcels and relative customs declaration must be conspicuously marked "Gift Parcel" by the senders who must itemize the contents and value on the customs declaration.

Parcels which are undeliverable will not be returned to senders, but will be turned over to authorized Korean relief agencies.

Parcels should bear the name of the addressee, street, district, town, and province in Korea. The address should be shown also in Korean characters, if known.

The export control regulations of the Office of International Trade are applicable for parcels for delivery in Korea.

Aviation Agreements

The following action has been taken on the Interim Agreement on International Civil Aviation, the International Air Services Transit Agreement, and the Convention on International Civil Aviation formulated at the International Civil Aviation Conference in Chicago on December 7, 1944:

Mexico

The Ambassador of Mexico deposited with the Department of State on June 25 the Mexican instrument of ratification of the Convention and the acceptance of the Transit Agreement.

Argentina

The Chargé d'Affaires ad interim of Argentina informed the Secretary of State by a note received in the Department of State on June 4 that the Government of Argentina accepts the Interim and Transit Agreements and adheres to the Convention.

Bolivia

The Ambassador of Bolivia informed the Secretary of State by a note received in the Department of State on May 17 that the Bolivian Government "have accepted the Interim Agreement on International Civil Aviation, and the same has been put in force provisionally until it is approved by Congress."

New Zealand

The Minister of New Zealand informed the Secretary of State by a note dated April 29 that the reservation made by the New Zealand Government in accepting the Interim Agreement is withdrawn with respect to Denmark. The reservation was: "the New Zealand Government does not regard Denmark or Thailand as being parties to the Agreements mentioned (Interim and Transit) and does not regard itself as being in treaty relation with either of those countries with reference to these Agreements."

Treaty Obligations and Philippine Independence

REPLY OF BELGIAN GOVERNMENT TO U.S. NOTE¹

AMBASSADE DE BELGIQUE,
Washington, July 11th, 1946.

SIR:

I have the honour to acknowledge receipt of your letter of May 4th, by which you kindly advised me that the Government of the United States of America considers that provision for a transitional period for dealing with the special tariff position which the Philippines products have occupied for many years in the United States, is an essential accompaniment to Philippine independence.

Accordingly, under the Philippine Trade Act approved April 30, 1946, goods the growth, produce or manufacture of the Philippines, will enter the United States free of duty until 1954, after which they will be subject to gradually and regularly increasing rates of duty or decreasing duty-free quotas until 1974 when general rates will be-

come applicable and all preferences will be completely eliminated.

Upon instructions received from my Government, I am pleased to advise you that, on behalf of the Belgian-Luxembourg Economic Union, they agree that the most-favoured-national provisions of the Reciprocal Trade Agreement between the United States of America and the Belgo-Luxembourg Economic Union, signed February 27, 1935, shall not be understood to require during the above mentioned period, the extension to the Economic Union of advantages accorded by the United States of America to the Philippines.

Accept [etc.]

SILVERCRUYS
The Belgian Ambassador

The Honorable DEAN ACHESON
Acting Secretary of State
Washington, D.C.

Visit of Brazilian Judge

João Del Nero, judge of the Juvenile Court of Igarapava, São Paulo, Brazil, is in the United States at the invitation of the Department of State. He will visit juvenile courts and confer with colleagues in the field of juvenile delinquency.

His chief interests are juvenile delinquency and social problems. He has worked closely with the Y.M.C.A., which in 1938 invited him to visit Buenos Aires and Montevideo.

While in the United States he hopes to visit some of the penitentiaries and will write of his experiences to the *State of São Paulo*, newspaper in São Paulo.

During his three months in the United States, Dr. Del Nero plans to visit New York City, Boston, Pittsburgh, Detroit, Chicago, Omaha (Boys Town), Denver, Los Angeles, and San Francisco, in addition to Washington.

The Congress

Investigation of Exports of Cotton Cloth and Other Cotton Products: Hearings before a Subcommittee of the Committee on Agriculture and Forestry, United States Senate, Seventy-ninth Congress, second session, on S. Res. 221, a resolution authorizing an investigation of exports of cotton cloth and other cotton products. February 26, 27, 28, March 1, 25, and 26, 1946. iii, 350 pp.

Foreign War Damage Claims: Hearings Before a Subcommittee of the Committee on the Judiciary, United States Senate, Seventy-ninth Congress, second session, on S. Res. 1322, a bill to amend the Trading with the Enemy Act, as amended, and for other purposes. April 17, 1946. iii, 67 pp. [Department of State, pp. 4-5, 62-65.]

To Permit the Shipment of Relief Supplies: Hearings Before the Committee on the Judiciary, United States Senate, Seventy-ninth Congress, second session, on S. 2101, a bill to amend the Trading with the Enemy Act, as amended, to permit the shipment of relief supplies. April 25 and 26, 1946. iii, 99 pp.

¹ U.S. note is similar to note sent to Bolivian Government as printed in Bulletin of June 16, 1946, p. 1049.

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THE DEPARTMENT OF STATE BULLETIN

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see inside cover





July 21, 1946

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The Department of State BULLETIN, a weekly publication compiled and edited in the Division of Research and Publication, Office of Public Affairs, provides the public and interested agencies of the Government with information on developments in the field of foreign relations and on the work of the Department of State and the Foreign Service. The BULLETIN includes press releases on foreign policy issued by the White House and the Department, and statements and addresses made by the President and by the Secretary of State and other officers of the Department, as well as special articles on various phases of international affairs and the functions of the Department. Information concerning treaties and international agreements to which the United States is or may become a party and treaties of general international interest is included.

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The Present Status of German Youth

Article by HENRY J. KELLERMANN¹

PART II

Subversive Activities and Organizations

The danger of political unrest and upheaval remains by and large a potential rather than an actual one in Germany, notwithstanding recent reports of large-scale conspiracies among German youth. On the whole, the numbers involved are small and the progress made by some of the groups does not go much beyond the preparatory stage. It is significant that the majority of subversive groups, such as the one unearthed by British and American authorities in the so-called "Operation Nursery", have not appeared spontaneously, but were planned prior to defeat and are led by party, SS, or Hitler Youth leaders. Other groups consisting largely of non-party members, such as the *Edelweiss-Piraten*, are essentially non-political in purpose and character. But, although the membership of most illegal groups is made up of non-political elements, their ignorance of politics and dissatisfaction with the current state of affairs make them susceptible to the blandishments of political agents. It is this growing radicalization toward the Right of non-conformist youth under expert leadership, rather than the re-emergence of specifically Nazi groups, which confronts Allied and German authorities alike with a real problem.

With this type of organization of youth for ulterior purposes, political agents have initiated the first phase of subversion. The danger is recognized by U. S. authorities, at least in effect, if not in principle. Reports from the field have warned that the lack of overt acts of resistance such as sabotage and attacks against U. S. personnel is a deceptive lull which serves to conceal the organizing functions of any subversive elements. Statements of this type do not appear to be based merely on a noticeable increase in the number of cases of civil disobedience but on reports indicating "a definite trend toward organization of subversive elements."²

There are several types of groups, employing various techniques for subversive purposes, which may be distinguished on the following bases: (1) organizations which were specifically established by National Socialists for the purpose of perpetuating or reviving the Nazi system, e. g. partisans like the Werewolves; (2) organizations which were not originally Nazi but which are being used by Nazi agents as a cover for subversive purposes, e. g. the Christian Pathfinders; (3) organizations which are nationalist and revolutionary but are not necessarily Nazi, e. g. certain student groups; (4) organizations whose political activities are incidental only, e. g. gangs such as the *Edelweiss-Piraten*. Each of these types will be examined in detail.

Nazi Partisans and Successors. Nazi partisan organizations have been formed by and from members of the Nazi Party, the SS, the SA, the Hitler Youth, the Gestapo, and officers of the Wehrmacht. Among the most prominent of these groups, so far revealed, are a reduced and remodeled Hitler Youth, the Werewolves, the SS *Jagdverbände*, the *Freikorps Adolf Hitler*, the *Aktion Bandschuh*, the *Sonderkommando Renndorfer und Elsa*, the Eagle Eye, the Grey Wolves, and others. At least some of them were established

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²For Part I of this article see BULLETIN of July 14, 1946, p. 49; Part III will appear in the next issue of the BULLETIN.

³The completion of "Operation Nursery" by U. S. and British Intelligence and the systematic raid on the *Edelweiss-Piraten* in Hannover by British agents have furnished new evidence of the existence of subversive groups. Moreover, Gen. Joseph T. McNarney and Bavarian Prime Minister Wilhelm Hoegner have confirmed the danger in official statements to the press. (Foreign Broadcast Intelligence Service: *Daily*, Mar. 25, 1946.)

before the collapse for the dual purpose of creating disorders in the enemy rear and, after defeat, of obstructing the efforts of Military Government and of German authorities.

Planned and organized in haste, hardly any of these organizations have achieved more than local successes. They failed to impede the Allied advance, and after defeat, most of them quickly lost support and contact. But some of them are reported to be continuing operations.

Evidence of a new type of underground technique was furnished by the widely publicized campaign, the so-called "Operation Nursery", conducted by U. S. and British intelligence in western Germany. The underground plan, revealing an embryonic stage of Nazi subversion, was conceived before the defeat by the Hitler Youth. It was intended to maintain contacts between Hitler Youth leaders and other "good German elements" under the camouflage of a legitimate business enterprise. Ultimately, the scheme was to provide for the restoration of Germany on a pre-1933 level under slightly modified Nazi auspices. The immediate aim was to preserve "the solidarity of National Socialists and of the militaristic masses." Of all subversive groups so far unearthed, this Hitler Youth plan was probably the most ramified, extensive, and dangerous.

Christian Pathfinders. This group represents a type of subversive organization which, in preparing the ground for future resistance, prefers to start on a local scale. Instead of creating a new apparatus through which to organize and channel illegal activities, some agents use well-known organizations or the titles of such organizations to camouflage their intentions and operations.

In Coburg, Bavaria, twelve youths were convicted by a U. S. military court of possessing concealed explosives and of having tried to organize a National Socialist movement under the guise of the Christian Pathfinders. Evidence showed that the Pathfinders, a group unlicensed by Military Government, had sprung originally from an organization known as the Protestant Parish Youth. The new organization, supported by a Catholic Youth leader, used symbols and techniques borrowed from both the Hitler Youth and the Nazi Storm Troops (SA). The members engaged in semi-military drill, sang SA songs, informed on civic officials, and blacklisted, defamed, and at-

tacked girls who associated with American soldiers, so-called *Schokoladeneisbeber*. "Christian" teachings were mixed with Nazi and Teutonic romanticism. After the court had sentenced the chief culprits to prison terms ranging from five to fifteen years, a German press correspondent overheard a spectator remark: "What does it all matter? Sentenced today, these boys will be declared martyrs perhaps two years hence."²

In Wiesbaden (U. S. zone), a Hitler Youth group of some 50 members was discovered which, under the cloak of a Protestant Boy Scout movement, planned to engage in activities directed against the occupation forces. The group published a periodical, *Schwarze Front*, which copied Nazi style and preached hatred of "Germany's enemies". Evidence of the wider ramifications of this movement was established, although there was no proof of contact with the Coburg group.

Student Groups. Intransigent nationalism and political intolerance are attitudes which especially tend to crystallize on university campuses. Recent disturbances by students in Erlangen, Göttingen, Hamburg, Aachen, and Jena did not, in the majority of cases, prove the existence of an organized effort to prepare for large-scale resistance, but they did reflect these attitudes. In the meantime it has become clearer that reactionary tendencies among German students are attributable, in large part, to the traditional registration system in the British and U. S. zones, which favored, in effect, the enrollment of sons of the upper and upper middle classes. Consequently, a large number of former Wehrmacht officers have gained admission to campuses and are now using the classroom as a platform for airing their militaristic and chauvinistic views.

In the majority of instances, the nationalism of the students appears purely negative. It mirrors a fundamental inability to face realities, an unwillingness to reform, and a fanatic adherence to the *status quo ante*. In a few cases, however, political opposition has assumed a more concrete shape. The existence of a National Bolshevik group is reported from Hamburg. Here two former members of Otto Strasser's *Schwarze Front* (a dissident Nazi group with National Bolshevik tendencies, which appeared in the early 1930's) are reported to have started a new student organization under the slogan: "Unity of the Reich, national and military spirit". The group is allegedly

² *Neue Presse* (Coburg), Feb. 6, 1946.

composed mainly of young discharged officers. At the *Technische Hochschule* in Darmstadt, the discovery of a plot to assassinate Pastor Martin Niemöller led to the detection of an incipient subversive group among the students, called the *Acht und Acht*. Inscriptions reading "SS" are being found with increasing frequency on German walls. The name *Acht und Acht* is a device referring to the eighth letter of the alphabet, H, and is supposed to recall *Heil Hitler*.

Developments of this type within student bodies bear close scrutiny, because it was precisely this category of malcontent nationalistic elements which, after the last war, produced a substantial number of *Feme* murderers and Free Corps members.

The Non-Political Gangs. The greatest threat, numerically as well as potentially, appears to lie in the mounting number of gangs of wayward juveniles, who, living the life of freebooters, are roaming the cities and countryside. It is they who contribute a high percentage to the current crime wave and to the rising curve of venereal diseases. They engage in felonies and crimes ranging from petty thefts and black-market operations to organized looting and burglary. Many of them, fugitives from parental control, hide in the ruins of bombed-out houses. In some cases, however, parents have been convicted of inciting their offspring to crime and acting as "fences".

Some of these hoodlums carry brass knuckles and firearms of various types. The favorite scenes for their robberies are bakeries and butcher shops. Although some of the gangs profess that their aim is to "liquidate fascism", the majority are undoubtedly non-political in principle and character, interested mainly in augmenting their food supply or in introducing elements of thrill into otherwise drab existences.

The most important of this type of non-political gang is the so-called *Edelweiss-Piraten* of Nazi days, whose reappearance now takes on new importance. Prior to the defeat this organization was reported to have carried on anti-Nazi resistance. The group appeared to have developed out of a situation which was characterized by the progressive break-down of all social and educational controls, rather than to have been a genuine and well-led political organization with defined objectives. Today the *Edelweiss-Piraten*, maintaining their dislike of organized authority, seem to have turned Nazi in manner. They seem to indulge in a wide

range of activities including the hazing of German women accused of fraternizing with Allied troops, efforts to embarrass U. S. authorities in the eyes of the other occupation powers, the discrediting of German officials, and in planning to prepare the Germans for the acceptance of a powerful Nazi-like state.

Actually, the *Edelweiss-Piraten* appear to operate as individual, unrelated gangs with different emblems and names; the existence of a central leadership is doubtful. Communications between the groups seem poorly organized, although attempts appear to have been made to establish liaison between groups situated along major railroad trunk lines, e.g. from Munich via Nürnberg, Frankfurt, and Kassel to Hannover. Membership consists of delinquent juveniles, veterans (including former PW's), homeless wanderers of various types, and foreign PW's unwilling to return to their former areas of residence. The upper age limit is set at 22.³

The *Edelweiss-Piraten*, unquestionably, are not a genuine Nazi resistance group. The political significance of their activities is incidental. Resistance may be a real issue to some of the members, or even groups, but to most it is, no doubt, an alibi to explain immoral and asocial activities. On the whole, the *Edelweiss-Piraten* appears to be a rallying point for youths who are fugitives from social controls. Faced with total frustration, they romanticize their present state of law-

³They have also conducted large-scale black market operations, stolen quantities of food and money, harassed displaced persons, particularly Poles, beaten up former inmates of concentration camps, assisted in escapes of former SS men from prison stockades, and blown up bridges. Individual members frequently deny having any knowledge of political objectives but at times, admit that they brag about their membership in order to impress their friends. Munich, Frankfurt, and Hannover have each been described as the headquarters of the organization. *Edelweiss-Piraten* may cooperate with other subversive groups. It has been reported that they have received assignments from outside their own circle. For instance, in one case *Edelweiss-Piraten* are said to have aided, possibly supplied, a group of fugitive *Waffen-SS* members hiding in the mountains around Regensburg. According to a statement by Bavarian Minister Schmitt, the discovery and arrest of a group of *Edelweiss-Piraten* in Bavaria produced evidence of a conspiracy of definite political implications; 80 German Wehrmacht officers had camouflaged themselves as *Edelweiss-Piraten* members in order to prepare more safely a plot against 400 leading personalities including members of the Bavarian Government (*Schwäbische Landeszeitung*, Apr. 9, 1946).

lessness and seek to perpetuate anarchy as the only means of survival. While they cannot be expected to take the lead in any political movement, such youths represent ideal material for political groups and individuals on the lookout for expendable followers. There is, in fact, evidence that some of the groups are led by men previously trained in espionage and sabotage.

Measures of Rehabilitation

The problem of German youth described has been generally recognized by Allied and German authorities and by native political factions. A variety of palliative measures have been adopted, none of which, however, has as yet produced conclusive results. This fact is due primarily to reasons not inherent in the specific youth measures. To a considerable extent the present predicament of German youth must be understood as a reflection of the political and economic situation as a whole. Pending a process of general recovery, e.g. improvement in the food situation, the employment market, and housing facilities, and pending, particularly, a restoration of adequate schooling and training programs, all efforts to rehabilitate German youth will necessarily remain makeshift.

Ultimately, however, the rehabilitation of German youth will depend on the degree to which youth can be drawn into the general process of political revival. Here again it will be important whether young people are treated as social charges with emphasis placed on social prevention and therapy, or whether rehabilitation is understood as a mobilization of all active elements for the purpose of joining the positive forces within the community in the task of political, economic, and physical reconstruction. These two approaches are, of course, not mutually exclusive but complementary. It is, however, characteristic of the current situation that German and non-German authorities and political parties within the four zones differ in the way in which they focus main attention either on the preventive-therapeutic or on the socio-political form of rehabilitation.

In the Soviet zone and in Berlin, efforts of Soviet and German authorities have been directed, almost from the very beginning, to giving youth

an active part in the general process of reconstruction and by virtue of their participation, a function within the zonal, regional, and local administration as well. Youth not only shares responsibility in official policies and measures inaugurated for its specific benefit, but also shares in the programs and functions of such adult groups as the trade unions. However, while the integration of youth into public life proceeds, avowedly, under non-political auspices, it has led to youth's becoming an integral part of Communist plans to use the organization of diverse elements as a means of political expansion.

In the western zones, military governments and German authorities have focused their attention with speed and consistency upon the field of social prevention and therapy. Attempts on the part of political parties and of youth to participate in politics through organization along party lines were discouraged, at least in the beginning. The military governments thus are in agreement with church groups and the conservative political parties in their efforts to keep youth clear of politics. In practice, however, measures taken by the Western Allies have not been uniform, sometimes not even within the same zone. Lately, the protective attitude of U. S. and British authorities aiming at the segregation of youth from politics seems to have undergone certain modifications. In the British and American zones, Military Government has come to support and to create youth organizations not only for recreational purposes but also for the tasks of reconstruction; in some places it has also permitted the formation of youth groups with political affinities, although with certain qualifications.

Security and Welfare Measures

In all zones immediate steps have been taken to combat the worst symptoms of demoralization and social decay. For example, Juvenile Court (*Jugendgerichte*) and Juvenile Offices (*Jugendämter*) have been reopened in various places to deal with wayward, vagrant, and criminal youth.⁴ Recreation centers (*Jugendheime*) have been set up in many cities. In Bavaria one Father Neumaier, a classmate of the famed American Father Flanagan, has established a Bavarian copy of "Boys' Town" for 200 juvenile delinquents.⁵ In various cities, furthermore, private agencies such as the Catholic Youth Welfare, Protestant Youth Aid, and the Association for the Protection of Children

⁴ *Süddeutsche Zeitung*, Mar. 1, 1946. The Youth Office at Darmstadt reported a case load of more than 600 at the beginning of the year (*Darmstädter Echo*, Jan. 30, 1946).

⁵ *Main-Echo* (Aschaffenburg), Apr. 6, 1946.

lend their assistance to the public agencies. To meet an urgent problem curfews have been set for youths.⁷ Juvenile Courts using Juvenile Offices as their executive organs have begun to sentence wayward and delinquent youth to perform clearance work.⁸ A Law for the Protection of Youth (*Jugendenschutzverordnung*) is being prepared by the Legal Committee of the Council of State (*Länderrat*) in the U. S. zone.⁹

To bridge the current period of inactivity and unemployment, Allied authorities in all zones have used youth for clearance and reconstruction work. Emergency farm and garden projects have been organized in the U. S. zone; some 30,000 young people have been occupied in workshops and sewing classes in Berlin.¹⁰ In Saxony (Soviet zone), the authorities are planning to set up agricultural projects and a "youth village",¹¹ which youth will build as well as administer. Troops everywhere have taught various sports to German young people and have arranged dual sporting events.

Most of these projects are temporary in nature, but there have also been attempts to introduce reforms as part of a permanent training system. For example, in the British zone all girls between the ages of 14 and 21, following their graduation from school and prior to their learning a trade or vocation, are required to spend a year in domestic service. This so-called "house year" (*Haushaltsjahr* or *Haushaltjahr*), for which the girls receive payment and vacations, is spent in a household assigned by the employment office.¹² A similar plan is expected to be introduced by decree in the U. S. zone,¹³ with the term of service to be spent either in households, including the parental one, hospitals, or welfare institutions. The employment offices are to give preference to those girls who have completed their year of service. A plan is also under consideration for young males.¹⁴

The "house year" has been widely discussed in the German press. Critics have denounced its compulsory nature as a "Nazi method", but supporters, both public and private, have underscored the need for official measures to insure the employment and allocation of juvenile labor.¹⁵ Indeed, there have been proposals for a "state service year", in lieu of military training, during which time boys would be employed in the rebuilding of cities and girls would be engaged in agricultural and domestic work. This labor was to be accompanied by courses of instruction in political, economic, and historical subjects.¹⁶

Both British and American policies seem in part formulated with the view to extending the period of pre-training and, possibly, with the purpose of postponing a final vocational decision.¹⁷ Soviet policies, in contrast, seem to encourage an early choice of occupation. Moreover, local and provincial authorities have inaugurated immediate plans for vocational training.¹⁸

Aside from efforts to use vocational training as a basis for political reforms, appeals have been made for a broad educational program for youth on an extra-curricular level. Parties, churches, and public agencies are being asked to institute general educational projects (*allgemeines Bildungswerk*) for youth similar to the International People's Academy (*Internationale Volkshochschule*) established at Coburg.¹⁹ Emphasis has been placed, specifically, on the need for literature to enlighten youth on the values of true humanitarianism and democracy.²⁰ In the Soviet zone, so-called "youth schools" have been inaugurated under the auspices of regional and local youth com-

⁷ *Süddeutsche Zeitung*, Mar. 1, 1946.

⁸ *News of Germany*, Oct. 29, 1945; *Rhein-Neckar-Zeitung* (Heidelberg), Feb. 9, 1946; *Wiesbadener Kurier* (Wiesbaden), Feb. 23, 1946.

⁹ *Mittelsächsische Zeitung* (Regensburg), Mar. 3, 1946.

¹⁰ *Stuttgarter Zeitung*, Apr. 6, 1946.

¹¹ *Die Neue Zeitung*, Jan. 4, 1946.

¹² Political Intelligence Division of the British Foreign Office; *Daily Digest for Germany and Austria*, Feb. 14, 1946.

¹³ *Frankfurter Rundschau*, Jan. 31, 1946.

¹⁴ *Die Neue Zeitung*, Jan. 11, 1946.

¹⁵ It is reported that the Bavarian Ministry of Labor is planning to organize the "Bavarian Youth 1946-47" in order to employ youths in domestic, agricultural, and social work prior to their formal apprenticeships. See *Donau-Kurier* (Ingolstadt), Apr. 5; *Main-Echo*, Apr. 6, 1946. According to latest reports this plan has not been put in effect.

¹⁶ *Marburger Presse* (Marburg), Jan. 15, 1946; *Schwäbische Donau-Zeitung* (Ulm), Feb. 23, 1946.

¹⁷ *Schwäbische Donau-Zeitung*, Feb. 23, 1946.

¹⁸ By the same token, authorities in the western zones are considering the institution of a ninth school year.

¹⁹ For instance, the provincial administration of Saxony is reported to have set up a central committee for vocational training, composed of representatives of the various chambers of trade, the provincial government, and the Free German Trade-Union Association. Its aims include: reorganization of apprenticeships, development of new teaching methods, practical application of industrial psychology, etc. See PID; *Daily Digest for Germany and Austria*, Feb. 7, 1946.

²⁰ *Neue Presse* (Coburg), Feb. 2, 1946.

²¹ *Der Tagesspiegel* (Berlin), Feb. 8, 1946.

mittees. In at least two zones special magazines have been issued for youth and books for youths and children have been published.

Finally, newspapers in all zones have asked for the re-establishment of contact between German youth and the youth of democratic countries.²¹ German youths have already participated as observers in the World Youth Conference held in London in early November 1945.²² One of the German spokesmen submitted a resolution asking for foreign study of the German youth movement and outside aid in meeting the problems and in helping its democratic members. British, Canadian, and Soviet Delegates supported the motion. The World Youth Council has since asked the Central Youth Committee of Berlin to send an official observer to its meetings. Heinz Kessler, head of the Main Youth Committee, was chosen. Leaders of the British youth movement have already met with officials of German youth offices and representatives of German youth organizations to discuss fundamental problems and practical devices.²³ In addition, a number of British officers are working with German youth organizations and clubs. Likewise, American Scout leaders serving with the U. S. forces have helped organize the new Boy Scout movement within the American zone. Youth Committees in the American zone with the assistance of MG Youth Officers are now preparing educational and recreational programs for youth.

Youth Organizations

The role of youth organizations within German society has always been hotly debated by youth and adults. During the Weimar period, and before, opinion was split into two major camps, one represented by the members of the so-called "youth movement" (*Jugendbewegung*), the other by supporters of the institution of "youth care" (*Jugendpflege*). The youth movement was a common denominator for all youth, which was recruited, organized, and led by youth in accordance with

forms and principles created by them. It reflected the will of youth to live independently from, and, if need be, in opposition to, the rules established by a society that was torn by political and social strife. The a-social and non-political character of this youth, its romanticism patterned on medieval symbols (*Landsknechts-Romantik*), its irresponsibility in matters of concern to the community as a whole, and its claim to complete integration of the individual into the group, made some of its members particularly susceptible to National Socialism.

Youth care, on the other hand, represented the organized effort by such adult groups as churches, social and cultural associations, and political parties to sponsor and control the activities of youth, generally with a view to insuring the future support of their group interests. When started under the auspices of public agencies, youth organizations not infrequently complemented parental and school controls through supervision of organized leisure-time activities.

The Hitler Youth adopted elements of both types of youth organizations. It took over certain romantic symbols of the youth movement and transformed the principle of group integration into total subordination. On the other hand, as the exclusive reservoir for the Nazi Party, the army, and the bureaucracy, the Hitler Youth carried the principle of adult tutelage to the extreme of state monopoly and thus became an oversized form of youth care.

The new type of organizations introduced in all zones by Military Government, although preserving certain minor elements of the youth movement, unquestionably gravitates toward youth care. Concepts and methods vary, but they conform to the extent that all powers have conceded to youth a limited right to organize. Whether the reconstitution of youth organizations corresponds to a general desire on the part of youth to be organized is open to doubt. Observers in both eastern and western zones find that the vast majority of youth remains distrustful, even hostile, or at best indifferent toward all forms of organization.²⁴ Where individual youths have a more positive attitude, they produce varying demands. Some clamor for a free and autonomous youth movement,²⁵ some for a state-instituted "youth project" (*Jugendwerk*),²⁶ some for youth organizations sponsored by, or affiliated with, political parties.²⁷

²¹ *Ibid.*

²² *Deutsche Volkzeitung* (Berlin), Nov. 14, 1945.

²³ *Neue Rheinische Zeitung* (Düsseldorf), Feb. 13, 1946.

²⁴ *Hochland-Bote* (Garmisch-Partenkirchen), Jan. 9, 1946.

²⁵ *Der Tagesspiegel*, Dec. 28, 1945 and Feb. 6, 1946; *Schwebnische Danau-Zeitung*, Feb. 16, 1946.

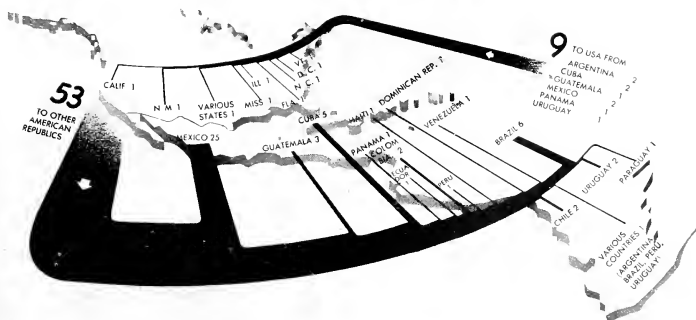
²⁶ *Schwebnische Danau-Zeitung*, Feb. 16, 1946.

²⁷ *Hochland-Bote*, Jan. 9, 1946.

Exchange Of Professors Between U. S. and Other American Republics

Article by J. MANUEL ESPINOSA

Fiscal year 1946



FOR MANY YEARS some of the larger universities throughout the Western Hemisphere have invited visiting professors from Europe to conduct regular courses in most of the important fields of science, the arts, and the humanities. This interchange has contributed greatly in broadening the international cultural panorama throughout this hemisphere. Political turmoil abroad also has brought many distinguished professors to our shores. But frequently these men and women have preferred to remain in America to help enrich their international cultural outlook and have not returned to their homelands. True cultural interchange is a two-way affair.

The exchange of professors between the United States and the other republics of this hemisphere is a much more recent development. The United States Government has been a pioneer in encouraging on a large scale such exchanges throughout the Western Hemisphere. By offering to institutions of higher learning—both here and south of the Rio Grande—information and services and, when necessary, grants-in-aid to meet unusual expenses, the Department of State, through funds appropriated by Congress, has played a most sig-

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nificant role in facilitating and in increasing the direct exchange of knowledge and information of mutual interest throughout this hemisphere.

In recent years this program has greatly accelerated the development of similar bilateral cooperative educational agreements between the governments of the other American republics themselves. Occasionally exchanges of visiting professors have been arranged directly by universities and individual professors or have been made possible by private foundations and scientific institutions in this country and the other American republics. Thus fostered, strengthened, and reinforced, the exchange of professors has become a permanent feature of inter-American cooperation—a two-way, face-to-face exchange of accurate knowledge of the progress of science, the humanities, technology, and the artistic achievements of the sister nations of the Americas.

The term *visiting professor*, as used here, is applied only to the recipients of grants-in-aid from the Department of State whose primary purpose has been to conduct courses, deliver lectures, direct research, or otherwise serve in a specific professorial capacity at institutions of higher learning in one or more of the 21 American republics. There has been a striking increase in the number of visiting professors under this program during the last two years. This increase is especially significant when one realizes that virtually all of the visiting professors were specifically requested by the host universities. The preponderance of visiting professors from this country to the other American republics represents the proportionate number of requests from universities in this country and in the other American republics for assistance from the Department of State in facilitating such cooperative projects.

"Since most of these were accompanied by offers from the universities to pay the visitors the same salaries their own professors receive (the Department's grants cover travel and the differences between United States and foreign salary standards and monetary values), it is clear that such a

movement . . . is not a cultural 'invasion' but simply a warm response to an offer of intellectual fellowship."¹

The first important landmark in the history of the exchange of professors between the nations of the Western Hemisphere was the Convention for the Promotion of Inter-American Cultural Relations, signed by all the American republics at the Inter-American Conference for the Maintenance of Peace, Buenos Aires, December 23, 1936. The Buenos Aires convention, which has since been ratified by all of the American republics except Argentina, Cuba, Ecuador, El Salvador, and Uruguay, makes provision for the exchange of professors and students. With reference to the exchange of professors, the convention provides that:

"Each High Contracting Party shall communicate to each of the other High Contracting Parties through diplomatic channels, on the first of January of every alternate year, a complete list of the full professors available for exchange service. . . . From this list each one of the other High Contracting Parties shall arrange to select a visiting professor who shall either give lectures in various centers, or conduct regular courses of instruction, or pursue special research in some designated institution and who shall in other appropriate ways promote better understanding between the parties cooperating, it being understood, however, that preference shall be given to teaching rather than to research work."

The sending government is required to provide all the expenses and salary of its exchange professors.

Several years passed before the United States Government was prepared to attempt to carry out the provisions of the Buenos Aires convention. The traditional attitude in the United States that cultural interchange belonged properly within the sphere of private initiative, and the fact that hitherto there was no agency in the Federal Government to deal with such international cultural relations, explain in part the late participation of the United States Government in actively implementing the convention.

In order to make it possible for the Government to coordinate and make more effective the important role of private agencies in this country in the development of both national and international cooperation in cultural relations, the Division of Cultural Relations was established in the

¹ Francis J. Colligan, "Exchange of Specialists and Distinguished Leaders in the Western Hemisphere" (Department of State publication 2414, Government Printing Office, Washington, D. C., 1945), p. 9. Pages 8-9 of this article describe briefly the visiting professors program of the Department of State for the 1945 fiscal year. See BULLETIN of Sept. 9, 1945, p. 366.

Department of State by Departmental Order 768 issued on July 28, 1938. The Department of State has said:

"The broad purpose of the Division of Cultural Relations is to make friends for the United States abroad through the development of a greater understanding and appreciation of the best contributions which this country may exchange with other nations. . . .

"As an official agency charged with this type of exchange, the Division seeks to coordinate activities within the Government and works closely with the important private organizations and institutions of the country which are engaged in intellectual cooperation. It is the view of the Department that in this country the primary responsibility for cultural exchange properly resides with private agencies and institutions and the major functions of the Division are to make the good offices of the Government available to private enterprise and to serve as a clearing house for the activities of private organizations."²

One of the first concerns of the newly established Division of Cultural Relations was to fulfill the obligations of the Buenos Aires convention. In 1940 and again in 1942, in accordance with the terms of the convention, lists of all the persons who had expressed interest in being considered for exchange service were prepared and communicated to each of the other ratifying countries through the American diplomatic and consular missions. To assist in the selection of a visiting professor from these lists, each government was sent a supplementary list of professors who had expressed interest in teaching in the particular country concerned. The Appropriation Act of the Department of State for the 1941 fiscal year (54 Stat. 181) provided funds necessary for meeting the obligations of the United States under the convention, and in the fall of 1940 and early in 1941 the first appointments of United States exchange professors were made.

Meanwhile, two other important developments contributed greatly toward reinforcing the general program for the exchange of professors in this hemisphere. The first was the inauguration of the now well-established travel-grant program of the Department of State, made possible by funds provided in the Second Deficiency Appropriation Act, 1940. This travel-grant program has made possible the exchange of specialists, public officials,

leaders of thought and opinion, and distinguished persons in almost every field of mutual interest, for special study, observation, and consultation in a particular field of interest, or to enable them to serve as consultants, make special surveys, present programs, or deliver lectures in one or more countries. Under this program, over 350 such persons have visited the United States, and a lesser number from this country have visited the other American republics. Many others, traveling on their own or under private auspices, upon the recommendation of the American foreign missions concerned or the Department of State, are given advice, direction, and assistance in planning their program of activities and in facilitating the contacts which would be most helpful to them. This type of interchange under private auspices, although limited, has been continuous since the early nineteenth century.

The second important development was the appointment in 1941 of the first cultural-relations officers of the Department of State, who are attached to American missions abroad and who supervise cultural-relations activities in the field; they serve as the operating link of the Government abroad in facilitating cultural cooperation between the people of the Other American republics and the people of this country.

The significance of the Buenos Aires convention in furthering the exchange of visiting professors throughout the Americas cannot be overemphasized, since it gave spirit and life to a program which has become a permanent feature of inter-American relations.

The specific provisions of the convention, however, proved impracticable, and only eight exchange professors from the United States, and one from below the Rio Grande, have served under the convention. First, the provisions of the convention were cumbersome and unwieldy. By the time a professor signed the necessary application forms, was listed on a panel, had his name submitted to the signatory nations, and was selected by a par-

² *The Program of the Department of State in Cultural Relations* (Department of State publication 1441, Government Printing Office, Washington, D.C., 1940).

The Division of Cultural Relations was abolished and the New Division of Science, Education, and Art organized in 1944. Later in 1944 the title was changed to "Division of Cultural Cooperation." The travel-grant program of the Department is now administered by the Division of International Exchange of Persons.

ticular country, the original date of his availability had long passed. Secondly, the provision that all the expenses of a visiting professor should be borne by the sending government proved a handicap to those countries with currency at unfavorable exchange rates. Thirdly, the procedure prescribed by the convention for the selection of exchange professors was too rigid. Universities seeking a visiting professor from abroad usually have a specific field of study or a specific individual in mind and therefore prefer not to limit their choice to a prepared list drawn up without any relation to their specific situation and needs.

Beginning on July 1, 1941, as a part of the travel-grant program, the Department of State, adapting itself realistically to needs and circumstances, arranged to assist in sending and receiving visiting professors on a bilateral cooperative basis, outside of the convention. At first, because of the limited funds available and the delays involved in inaugurating new procedures, only a very few arrangements could be worked out. During the 1941 fiscal year there had been four United States visiting professors under the convention. During the 1942 fiscal year there were two under the convention and four under the new arrangement. The American diplomatic and consular missions in the other American republics were given detailed information regarding this new program in the fall of the year 1942.

There were 16 exchange professorships during the 1943 fiscal year under the new cooperative arrangement, an increase of 6 over the combined total of the two previous years. Perhaps more significant was the fact that for the first time the exchange was a two-way affair, 5 visiting professors from the other American republics receiving teaching positions in the United States and 11 from this country going to various of the other American republics. There were 15 exchanges in the 1944 fiscal year, and the ratio was virtually the same. Henceforth there was to be only one exchange professor specifically under the terms of the convention. Gradually the Department of State integrated the professorial program under the Buenos Aires convention with the cooperatively financed one now successfully in operation.

The visiting-professors program came into its own during the years 1944-46. Grants-in-aid were made to 54 visiting professors during the 1945 fiscal year, 47 from the United States to the other American republics and 7 from the other Ameri-

can republics to the United States. For the first time the funds available for this cooperative program were exhausted several months before the termination of the fiscal year, and it was necessary to reject some 40 requests (which were almost entirely from universities in the other American republics) for financial assistance which, combined with the amount their universities were able to contribute, would have made possible the obtaining of visiting professors. During the 1946 fiscal year the Department extended grants-in-aid to 62 visiting professors. Of these, 53 were from the United States to the other American republics and 9 were from the other American republics to this country.

In planning, initiating, and carrying into effect these international exchanges, the Department of State relies upon the advice and experience of other Government agencies and private educational research, and philanthropic institutions and organizations, in the United States and abroad, which are interested or engaged in the program. It cooperates with such groups in order to prevent unnecessary duplication of effort and to coordinate their international activities. In the selection of visiting professors, apart from the primary requirement of professional competence, proficiency in the languages of the other American republics is required sufficient to enable the professor to conduct classes or direct research in Spanish, Portuguese, or French, as the case may be. At the same time the professors selected are considered to be something more than intellectuals cooperating solely as specialists in a particular field. Wherever possible they are chosen from those American citizens, of varied experience, who can represent their country faithfully abroad. The ability to speak naturally and without fear of misunderstanding in the language of the country visited is therefore doubly important.

Visiting professors from the United States receive advice and assistance in arranging their travel and their proper reception abroad and are asked to spend a period of time in Washington prior to their departure, in order that they may become acquainted with the latest developments in the program. During the course of their assignments necessary contacts are maintained through correspondence, periodic reports, and directives through the American diplomatic and consular missions. Similar guidance and supervision is given to visiting professors from the other American republics by the appropriate offi-

cers of the American missions abroad, and by the Department of State during their stay in this country.

Grants-in-aid for visiting professorships are limited, wherever possible, to supplementing or facilitating private and governmental efforts at home and in the other American republics and in eliminating financial obstacles to effective international exchange, such as adverse rates of exchange, costs of international travel, and the discrepancies in national public and private financial resources. In general, visiting professors are considered only when requested by the host university and when that institution offers at least the equivalent of the compensation received by its own professors. The grants-in-aid of the Department of State aim to supplement the amount provided by the host institution and the amount received by the visiting professor from other sources during the course of his visiting professorship. In the case of visiting professors from the United States, such grants include a sum for necessary textbooks and teaching materials, which are ordered through the Department of State and are donated to the host university as a gift of the United States Government upon the termination of the visiting professorship.

During the period from July 1, 1940 to July 1, 1946, 157 visiting professors received grants-in-aid from the Department of State; 31 universities and colleges in all but one of the other American republics and 49 institutions of higher learning in 25 States in the United States and the District of Columbia participated in this program. Approximately one third of these visiting professorships were full-year appointments. Professors from the other American republics have taught in this country in the fields of language, literature, history, medicine, art, and music. Professors from the United States have taught in the other American republics in the fields of language, literature, history, law, government, sociology, economics, mathematics, statistics, psychology, philosophy, anthropology, folklore, music, art, architecture, ceramics, medicine, dentistry, physics, biology, genetics, chemistry, geology, engineering, botany, zoology, agriculture, education, library science, home economics, and physical education. Of the number, 13 were women—2 from the other American republics and 11 from the United States. They taught courses, or con-

ducted research in the fields of, chemistry, library science, art, language, literature, home economics, and physical education.

Frequently the most important and valuable contributions of visiting professors have proved to be outside the classroom or laboratory: publishing articles for newspapers and periodicals, class outlines, even textbooks in the language of the country visited; delivering public lectures before school or civic groups or over the radio in the university community and in the surrounding area, in some cases even in neighboring countries; serving as consultants and advisers to public and private institutions and agencies requesting such assistance; collaborating with the authorities of the institutions visited in their efforts to broaden their departments, laboratories, and programs and to establish wider professional contacts, obtain gifts, or purchase scientific literature, laboratory equipment, and other teaching materials.

"Teaching, writing, and undertaking research, all these professors make friends and lasting contacts for themselves, their home universities, their professional societies, and the people of the United States. This making of friends for the United States is, in fact, the usual by-product of the travel abroad which the Department of State has encouraged and aided."³

It would be futile here to attempt to present a full account and evaluation of the contributions of these visiting professorships in strengthening the bonds of cultural unity in this hemisphere. That story would require a sizable volume.

Assistant Secretary of State William Benton alluded to the significance of this type of supplementary and facilitative Government service in furthering international cultural relations when he wrote:

"The exchange of skills, knowledge, students, scientists, and other specialists is a relatively new idea and hence, to some, unorthodox. We should not close our minds because of that. We should, on the contrary, with the development of the atomic bomb and other terrifying weapons of destruction, place our small and inconspicuous bets on these long-range measures which hold some reasonable hope and promise that the world can learn to live together in peace and understanding."⁴

³ BULLETIN of Sept. 9, 1945, p. 369.

⁴ BULLETIN of Oct. 21, 1945, p. 591.

Agreement Between the U. S. and the Kingdom of the Yemen¹

SANA'A, *May 4, 1946.*

EXCELLENCY:

I have the honor to make the following statement of my Government's understanding of the agreement reached through conversations held at Sana'a April 14 to May 4 by representatives of the Government of the United States of America and the Government of the Kingdom of the Yemen with reference to diplomatic and consular representation, juridical protection, commerce and navigation as hereafter defined. These two Governments, having in mind the letter dated March 4, 1946, from the President of the United States of America to the Imam Yehya Bin Mohamed Hamid-ud-din, King of the Yemen, by which the United States of America recognized the complete and absolute independence of the Kingdom of the Yemen, and desiring to strengthen the friendly relations happily existing between the two countries, and to respect the rights of this independence recognized by the above-mentioned letter as the basis for all their relations and to maintain the most-favored-nation principle in its unconditional and unlimited form as the basis of their commercial relations, agree to the following provisions:

ARTICLE I

The United States of America and the Kingdom of the Yemen will exchange diplomatic representatives and consular officers at a date which shall be fixed by mutual agreement between the two Governments.

ARTICLE II

The diplomatic representatives of each Party accredited to the Government of the other Party shall enjoy in the territories of such other Party the rights, privileges, exemptions and immunities accorded under generally recognized principles of international law. The consular officers of each Party who are assigned to the Government of the

other Party, and are duly provided with exequaturs, shall be permitted to reside in the territories of such other Party at the places where consular officers are permitted by the applicable laws to reside; they shall enjoy the honorary privileges and the immunities accorded to officers of their rank by general international usage; and they shall not, in any event, be treated in a manner less favorable than similar officers of any third country.

ARTICLE III

Subjects of His Majesty the King of the Yemen in the United States of America and nationals of the United States of America in the Kingdom of the Yemen shall be received and treated in accordance with the requirements and practices of generally recognized international law. In respect of their persons, possessions and rights, such subjects or nationals shall enjoy the fullest protection of the laws and authorities of the country, and shall not be treated in any manner less favorable than the nationals of any third country. Subjects of His Majesty in the United States of America and nationals of the United States of America in the Kingdom of the Yemen shall be subject to the local laws and regulations, and shall enjoy the rights and privileges accorded in this third Article.

ARTICLE IV

In all matters relating to customs duties and charges of any kind imposed on or in connection with importation or exportation or otherwise affecting commerce and navigation, to the method of levying such duties and charges, to all rules and formalities in connection with importation or exportation, and to transit, warehousing and other facilities, each Party shall accord unconditional and unrestricted most-favored-nation treatment to articles the growth, produce or manufacture of the other Party, from whatever place arriving, or to articles destined for exportation to the territories of such other Party, by whatever route. Any advantage, favor, privilege or immunity with respect to any duty, charge or regulation affecting com-

¹ An identical text was signed by Abdul Karim Mutahbar, Deputy Foreign Minister of the Yemen, at Sana'a on May 4, 1946.

merce or navigation now or hereafter accorded by the United States of America or by the Kingdom of the Yemen to any third country will be accorded immediately and unconditionally to the commerce and navigation of the Kingdom of the Yemen and of the United States of America, respectively. The advantages relating to customs duties now or hereafter accorded by the United States of America to the Republic of Cuba shall be excepted from the provisions of this Agreement.

ARTICLE V

There shall be excepted from the provisions of Article IV of this Agreement advantages now or hereafter accorded: by virtue of a customs union of which either Party may become a member; to adjacent countries in order to facilitate frontier traffic; and by the United States of America or its territories or possessions to one another or to the Panama Canal Zone.

The last clause shall continue to apply in respect of any advantages now or hereafter accorded by the United States of America or its territories or possessions to one another irrespective of any change in the political status of any such territories or possessions. Nothing in this Agreement shall prevent the adoption or enforcement by either Party within the area of its jurisdiction of measures relating to the importation or exportation of gold or silver or the traffic in arms, ammunition, and implements of war, and, in exceptional circumstances, all other military supplies: of measures necessary in pursuance of obligations for the maintenance of international peace and security or necessary for the protection of the essential interests of such Party in time of national emergency; or of statutes in relation to immigration and travel. Subject to the requirement that, under like circumstances and conditions, there shall be

no arbitrary discrimination by either Party against the subjects, nationals, commerce or navigation of the other Party in favor of the subjects, nationals, commerce or navigation of any third country, the provisions of this Agreement shall not extend to prohibitions or restrictions: imposed on moral or humanitarian grounds; designed to protect human, animal, or plant life or health; relating to prison-made goods; or relating to the enforcement of police or revenue law.

ARTICLE VI

The provisions of this Agreement shall apply to all territory under the sovereignty or authority of either of the parties, except the Panama Canal Zone.

ARTICLE VII

This Agreement shall continue in force until superseded by a more comprehensive commercial agreement, or until thirty days from the date of a written notice of termination given by either Party to the other Party, whichever is the earlier. Moreover, either Party may terminate Articles I, II, III or IV on thirty days' written notice.

If the above provisions are acceptable to the Government of the Kingdom of the Yemen this note and the reply signifying assent thereto shall, if agreeable to that Government, be regarded as constituting an agreement between two Governments which shall become effective on the date of such acceptance.

Accept [etc.]

WILLIAM A. EDDY

*Chief, Special U.S. Diplomatic
Mission to the Kingdom of the Yemen*

Al Qadi ABDUL KARIM MUTAHHAR
*Deputy Minister of Foreign Affairs
Kingdom of the Yemen*

The United Nations

Meeting of the Atomic Energy Commission

U. S. MEMORANDUM 1: CONTROL AND DEVELOPMENT OF ATOMIC ENERGY ¹

After giving careful consideration to the views expressed by the Chairman of our Subcommittee at its first meeting yesterday and to the comments of the other members of this Subcommittee, the American Delegation has concluded that the recommendations of the Chairman of our Subcommittee offer a sound and expeditious approach to the solution of our problems. Accordingly, the American Delegation concurs in and endorses them.

In furtherance thereof, we submit this memorandum in the hope that it may aid the Subcommittee in conducting its deliberations and reaching its conclusions. The memorandum is an attempt to outline in logical sequence a number of the more important points upon which the Commission itself will undoubtedly desire the views of this Subcommittee. It does not purport to be complete. There will certainly be many additional points requiring this Subcommittee's consideration.

A. The control and development of atomic energy must be international and should be entrusted to an agency which for present purposes is called the Atomic Development Authority.

B. The Authority would be created by a treaty, which should include a form of charter for the Authority and some very important additional provisions.

C. The preamble of the treaty should express the following principles:

1. The preservation of international peace and security in accordance with the purposes and principles stated in the Preamble and Chapter I of the Charter of the United Nations;

2. The safeguarding of all peoples against the use of atomic weapons;

3. The development and wide distribution of atomic energy and its by-products for purposes of raising the welfare and standard of life of the peoples of the world and of contributing to their science and culture; and

4. The realization of these ends through international cooperation, through an international agency for the development and control of atomic energy, and through a system of international enforcement.

D. The treaty should contain provisions:

1. Defining the relations between the Authority and the Security Council, the General Assembly, the International Court of Justice, and the other organs of the United Nations;

2. Defining the mutual rights and obligations of the several signatory States and the Authority, including the relations between the Authority and any atomic energy control agencies of the signatory States;

3. Governing the sequence and timing of the steps in the transition from the present conditions to the conditions which will prevail once the Authority is in effective control of atomic energy;

4. Specifying the time when and the conditions under which the national and private possession, manufacture, and use of atomic weapons shall be outlawed;

5. Defining the violations which shall constitute international crimes and specifying the sanctions to be employed for such violations;

6. Relating to signature, ratification, entry into force and amendment of the treaty; and

7. Concerning any necessary amendment of the charter of the United Nations.

E. The charter of the Atomic Development Au-

¹Submitted to Subcommittee 1 of the United Nations Atomic Energy Commission on July 2 by the associate member on the U. S. delegation to the United Nations Atomic Energy Commission, Ferdinand Eberstadt, and released to the press by the U. S. delegation on the same date.

thority should state the following purposes of the Authority:

1. To prevent the possession, manufacture or use of atomic weapons for mass destruction;

2. To foster the beneficial, non-dangerous uses of atomic energy;

3. To have managerial control or ownership of all atomic energy activities potentially dangerous to world security;

4. To control, inspect, and license all other atomic energy activities;

5. To engage in atomic energy research and development; and

6. To assure that the benefits derived from such research and development shall be available to the peoples of all the signatory States so long as each State and its people support the Authority and observe their obligations under the treaty and charter.

F. The charter should contain specific provisions governing topics under the following principal headings:

1. *Functions and Powers of the Atomic Development Authority.* Subject to application in the manner to be defined in the charter, the Authority should be granted the following powers:

a. To obtain and maintain complete and exclusive control or ownership of all uranium, thorium, and other material which may be a source of atomic energy wherever present in potentially dangerous quantities whether in raw material, by-product, processed, or other form;

b. To conduct continuous investigations and surveys of sources of atomic energy throughout the world, in aid of the proper exercise of the foregoing and the Authority's other functions and powers;

c. To acquire, construct, own, and exclusively operate all facilities for the production of U-235, plutonium, and such other fissionable materials as may be specified by the Authority, and to maintain supplies of fissionable materials adequate to fulfill the purposes of the Authority;

d. To define and determine, in the manner set forth in the charter, any other facilities or activities in the field of atomic energy which would be dangerous unless controlled by the Authority, and to supervise and have complete managerial control of all such activities and facilities;

e. To have unhindered access to, and power to control, license, and inspect all other facilities which possess, utilize or produce materials which are a source of atomic energy, and all other activities which utilize or produce, or are capable of utilizing or producing, atomic energy;

f. To have the exclusive right of research in the field of atomic explosives;

g. To foster and promote the non-dangerous use and wide distribution of atomic energy for beneficial purposes under licenses or other suitable arrangements established by the Authority; and

h. Subject to the provisions of the treaty and charter, to have power to take other necessary action and to issue rules and regulations.

2. *Composition, Organization, and Location of the Atomic Development Authority.*

a. All signatory States to be members of the Authority.

b. Conditions upon which States not Members of the United Nations may become parties to the treaty.

c. The Authority to be organized to function continuously.

d. *Governing Board.*

- (1) Composition and qualifications.
- (2) Method of nomination and selection.
- (3) Terms of office.
- (4) Voting procedure.
- (5) Powers and duties.
- (6) Compensation.

e. *Executive management.*

- (1) Number and titles of executive officers.
- (2) Qualifications and method of selection.
- (3) Terms of office.
- (4) Powers and duties.
- (5) Compensation.

f. *Staff and consultants.*

g. Subordinate boards, divisions, and other units.

h. *Location of the Authority.*

G. Provisions for enforcement should be included in the treaty as follows:

1. Definitions of conduct constituting violations.
2. Consequences of such violations, including the procedures to be followed in detecting, establishing, remedying or punishing such violations:

a. Administrative action by the Authority.

- (1) Special investigations.
- (2) Revocation or denial of licenses.
- (3) Other action.

b. Resort to judicial processes and procedures.

c. Reference of serious violations to the Security Council of the United Nations.

H. The following additional topics should be provided for in the treaty:

1. Legal capacity and privileges and immunities of the Authority in the territory of each signatory State.

2. Privileges and immunities of officials of the Authority.

3. Accountability of the Authority and its officials, and the scope of, and procedure for, review of their actions.

4. Method of financing the Authority.

5. Procedure for determination of the prices and quotas which the Authority should employ in the sale or lease of atomic energy materials or by-products.

6. Procedure for determination of the compensation to be made by the Authority in acquiring atomic energy supplies and facilities.

7. Measures to insure adequate protection and strategic location of the premises and property of the Authority.

8. Definitions of terms used in the treaty and charter.

Note on order in which topics should be considered:

Consideration of the charter first would afford an understanding of the functions to be performed by the Authority and would facilitate agreement upon the other provisions of the treaty.

U. S. MEMORANDUM 2: FUNCTIONS AND POWERS OF PROPOSED ATOMIC DEVELOPMENT AUTHORITY¹

1. A fundamental element of the United States plan for control of atomic energy² is an international Atomic Development Authority with the dual functions of:

a. preventing the use of atomic energy for destructive purposes;

b. promoting the peaceful applications of atomic energy and its by-products for the material benefit of the peoples of the world and as a contribution to their science and culture.

2. A few very basic facts afford the opportunity, and determine the pattern, for control of atomic energy. One is that the nuclear chain reaction, essential to the release of atomic energy in any form, requires the presence of uranium alone or in combination with thorium to produce fissionable material. Available knowledge indicates that this

requirement is likely to prevail for a considerable time. Another important fact is that all of the initial processes in the production of these fissionable materials and certain subsequent ones are identical whether their intended use or purpose is beneficial or dangerous.

The conclusion to be drawn from these facts is that the core of any system for control of atomic energy is effective dominion over all uranium and thorium and their fissionable derivatives.

The degree of effectiveness of such controls over these fissionable materials is the measure of the success of our undertaking. To be fully effective, such controls must attach firmly to all uranium and thorium from the moment they are produced and must remain in effect so long as they exist in a state or quantity susceptible of dangerous use. Any uranium or thorium in unauthorized hands is a threat to the entire system of control and thus to the maintenance of peace.

Since the exploitation of atomic energy for peaceful purposes necessitates operations which are, in the initial stages, identical with those needed to make atomic energy available for destructive purposes, both of these functions (*1a*

¹ Submitted by the U. S. Representative on the Atomic Energy Commission, Bernard M. Baruch, on July 5 and released to the press by the U. S. Delegation on the same date.

² For the text of the proposals presented to the Atomic Energy Commission by the U. S. Representative on June 14, see BULLETIN of June 23, 1946, p. 1957.

and 1*b* above) should be assigned to the same agency. Furthermore, an international agency with responsibilities for fostering the beneficial uses of atomic energy, as well as responsibilities for preventing its misuse, will be more effective, constructive, and workable than if it has merely duties of inspection and policing. The activities of such an agency might even result in establishing beneficial patterns of international cooperation of a new and hopeful kind.

In discussing the powers and functions of the Authority, it is helpful to distinguish between operations which are "safe" and those which are "dangerous" from the point of view of misapplication of facilities for the accomplishment of destructive ends.

3. The functions and powers of the Authority will be exercised in a variety of ways and by various means. It is impossible at this time to catalogue completely the exact forms of control which the Authority will need to employ. In general, they fall into the categories of ownership, managerial control supervision, leasing, licensing, and inspection. The Authority should, of course, be given wide power and discretion as to the particular means or combinations thereof which it deems best adapted to the accomplishment of its functions.

4. Section F of the memorandum submitted to Subcommittee No. 1 by the United States Delegation on July 2, 1946, sets forth a partial list of functions and powers of the control agency.

The following, arranged in the order of presentation contained in said memorandum, is submitted, in response to the request of our Chairman, by way of explanation and amplification of the operation of these controls:

"*a.* to obtain and maintain complete and exclusive control or ownership of all uranium, thorium, and other material which may be a source of atomic energy wherever present in potentially dangerous quantities whether in raw material, by-product, processed, or other form."

Initial control, at the source, of the basic materials on which atomic energy depends provides the fundamental basis for protection and facilitates control over all subsequent processing of these materials. Complete control of such basic materials is essential to the successful functioning of the Authority. Uranium is, so far as we now know, the

only substance occurring in nature in significant quantities which can maintain a chain reaction. However, thorium, in combination with uranium or its derivative plutonium, may well be useful in manufacturing chain-reacting, fissionable material. Therefore, we propose that the Authority be empowered to exercise such measures of control over the mining and processing of both uranium and thorium, as to assure its ownership of all stocks of both of these materials.

In so far as exercising actual control over natural deposits of uranium and thorium ores is concerned, the precise pattern of control suitable for various types of deposits of such materials will have to depend on the geological, mining, refining, and economic facts involved in different situations.

The Authority, in short, must have such control of mining and concentrating operations as will assure its complete and absolute ownership of all uranium and thorium actually produced. There must be no possibility of diversion from the moment the ore is removed from the ground, and the Authority must set up such actual measures of control as will assure this result.

"*b.* To conduct continuous investigations and surveys of sources of atomic energy throughout the world, in aid of the proper exercise of the foregoing and the Authority's other functions and powers."

The Authority should have as one of its earliest purposes to obtain and maintain complete and accurate information on world supplies of uranium and thorium. Such information as is now available is admittedly inadequate. It must be made complete and accurate and so maintained. Furthermore, the Authority should be empowered to search out new deposits and to expand its knowledge of world supplies of such materials through such surveying and prospecting activities as it may deem necessary. As a result of its own efforts and from information furnished to it by others, the Authority should keep currently informed on the discovery of new deposits.

"*c.* To acquire, construct, own, and exclusively operate all facilities for the production of U-235, plutonium, and such other fissionable materials as may be specified by the Authority, and to maintain supplies of fissionable materials adequate to fulfill the purposes of the Authority."

A primary purpose of the Authority is to prevent illicit use of fissionable materials. It can do this most certainly, most easily, and with least interference with political considerations and industrial operations if it is the sole manufacturer and owner of such materials. Therefore, it should own and operate all primary production facilities for the manufacture of U-235, plutonium, and such other materials as the Authority may determine. As an exception to the foregoing, the Authority may license others to operate facilities which are capable of producing only small quantities of fissionable material, and which in the judgment of the Authority do not permit the accumulation of dangerous stockpiles of atomic explosives.

The Authority will thus have control of the locations of primary production plants and of any stockpiles of materials. The geographical distribution of such plants and stockpiles should be determined in accordance with principles to be specified in the charter.

With the Authority having the sole right to manufacture fissionable materials, any attempt by others to carry on such operations, or to seize the Authority's facilities, whatever the announced intent, would, of itself, constitute a grave violation.

Title to all fissionable materials, and final control over their use should remain at all times with the Authority.

The Authority should be empowered to use fissionable materials for peaceful purposes, and to lease such materials for use by others under conditions which it deems safe, and subject to such controls as it deems necessary.

"d. To define and determine, in the manner set forth in the charter, any other facilities or activities in the field of atomic energy which would be dangerous unless controlled by the Authority, and to supervise and have complete managerial control of all such activities and facilities."

The development of atomic energy for peaceful purposes follows in much of its course a path parallel with the development of atomic weapons. Therefore, it is essential that the Authority have complete control of all operations which might facilitate atomic weapon production. This requires that the Authority also have the power to determine, and adjust from time to time, based on increased knowledge, the dividing line between "safe" and "dangerous" activities as new conditions demand. It is important to emphasize the

complicated and varying considerations involved in determining this dividing line.

Control of "dangerous" activities should be carried out to the greatest extent possible through direct operation by the Authority. An organization which is actively carrying out an operation is in a much better position to prevent diversion of material than one which merely exercises inspection and policing functions. Furthermore, while the Authority must have full power to conduct such inspection and policing activities as are necessary, the fact that it alone carries on the critical operations will reduce inspection to manageable scope, and render control of atomic energy less burdensome and irritating to nations and their citizens.

"e. To have unhindered access to, and power to control, license, and inspect all other facilities which possess, utilize, or produce materials which are a source of atomic energy, and all other activities which utilize or produce, or are capable of utilizing or producing, atomic energy."

As covered under *e* above, the Authority may lease fissionable material exclusively for peaceful purposes under proper safeguards. In all such instances, the Authority should have unhindered access to these installations and such control and opportunity for inspection as it deems necessary to prevent misuse.

The Authority may permit others to operate, under such license and control as it deems suitable, research, experimental or other installations which would produce non-dangerous amounts of fissionable materials, provided, however, that the Authority cannot under any circumstances license others to conduct research on the utilization of atomic energy for explosives.

"f. To have the exclusive right of research in the field of atomic explosives."

The Authority should have the sole right to conduct research on atomic explosives. Such research is necessary in order to keep the Authority in the forefront of knowledge in this field. This exclusive right of research does not carry with it the right to stockpile atomic weapons. This is a separate matter to be dealt with in the treaty.

The above provisions assume that the treaty will include agreements forbidding any nation, its agents, instrumentalities, and citizens from engaging in research in the field of atomic explosives.

"g. To foster and promote the non-dangerous use and wide distribution of atomic energy for beneficial purposes under licenses or other suitable arrangements established by the Authority."

While it is a prime purpose of the Authority to prevent national development or use of atomic armament, it is of importance that it foster and promote to the maximum degree scientific research, engineering development, and peaceful utilization of atomic energy for the good of mankind.

To this end, the Authority should:

- (1) conduct scientific research in this field with its own facilities, and should not only permit but encourage and actively assist others to carry on such work, under such conditions as it deems appropriate,
- (2) encourage and assist others to conduct non-dangerous developments directed towards the useful applications of atomic energy, and the advancement of science, and should carry on enough such work with its own facilities so that it may be fully informed, and may assist others at critical points,
- (3) promote the actual beneficial utilization of atomic energy. It is obviously impossible to foresee at this time what all such uses may be.

One of these which has been discussed is the generation of power. In the operation of nuclear reactors for the production of plutonium, heat is produced in considerable quantities. The large reactors now in existence are not designed to operate at high enough temperatures to produce heat energy usable as a source of power. However, it seems possible that reactors for production of fissionable material might be so designed that they would produce usable power as a by-product. Since the Authority will own and operate all reactors producing "dangerous" amounts of fissionable material, it follows that the Authority may itself become a producer of power. Power so produced could be turned over or sold to existing or future power systems for final distribution. This is a very complex problem. It would have to be done in accordance with principles contained in the charter and in conjunction with the geographical distribution of plants referred to in *c* above.

The Authority may also be empowered to lease to others dilute or so-called "denatured" fissionable material in sufficient quantities to permit them to operate atomic power plants without hazard to

peace. In such cases, the Authority would have to exercise control over the design of the atomic energy-producing part of the power plants, to prevent the possibility of conversion to "dangerous" use, to facilitate inspection, and to insure safety to personnel. The Authority should also be prepared to render engineering assistance to achieve maximum efficiency of power units. Their design, construction and operation should at all times be under Authority inspection. Such power plants must operate under license from the Authority and must use only active material owned by the Authority, and leased to them for this limited and specific purpose.

One of the most immediately useful applications of atomic energy is the production and utilization of radio-active isotopes. These also are produced in nuclear reactors, either as a main or a by-product. Reactors for the production of isotopes which are designed as "safe" units—that is, units which in the judgment of the Authority do not produce or use a dangerous amount or quality of fissionable material—may be constructed and operated by others than the Authority under conditions similar to those described above for "safe" power plants.

In the interest of preventing an unnecessary centralization of operations in the hands of the Authority, it seems desirable that the Authority should leave to others the field of non-dangerous isotope production to the maximum extent consistent with safety. The uses of isotopes, obtained either by irradiation in reactors, or from the fission products of the same, may be among the most beneficial results of the development of atomic energy. Some such applications are already under way and well-known.

Other important benefits of the release of atomic energy will be in directions as yet unpredictable. For this reason, among others, the charter of the Authority should give it enough flexibility and discretion so that it may adjust quickly to new conditions as they arise.

"h. Subject to the provisions of the treaty and charter, to have power to take other necessary action and to issue rules and regulations."

In order that the Authority may properly carry out its functions it should possess the following rights and privileges: (1) the unhindered use of established postal, telephone, radio communication, and telegraph facilities; (2) the right to operate its own system of radio communication

exclusively for its own business; (3) the unhindered movement of its personnel in and between installations and to any other points, across and within national boundaries in connection with proper discharge of their functions; and (4) the use of transportation facilities in and between the various nations for the unhindered movement of its personnel, supplies and equipment.

5. Adequate performance of its functions by the Authority requires that national authorities for control and development of atomic energy should be subordinate to the Authority to the extent necessary for its effective operation. However, in carrying out the functions of the Authority, there should be as little interference as possible with the economic plans and the private, corporate, and state relationships in the several countries involved.

6. Obviously, the controls outlined in this memorandum cannot spring into existence full grown and complete upon the legal establishment of the Authority. The process of putting them into effect will necessarily extend over a considerable period of time. It will have to be done by stages provided in the treaty or charter and according to prearranged schedules based on sound and logical sequence leading to full and effective establishment of all controls.

7. The exercise by the Authority of the controls referred to above will call for a wide variety of administrative decisions based upon fair, sound and responsible judgments. In suggesting the conferring of these powers upon the Authority, it is not intended that their exercise by the Authority should be absolute, unlimited and free from review. Obviously, as to certain specific fields and functions to be defined in the treaty, the Authority's decisions would be final. In others they

would not. It is our intention in dealing with the relation of the Authority to other elements of the United Nations to treat this phase of the subject more fully, and also to present proposals for enforcement of the provisions of the treaty and charter as well as for sanctions for violations.

8. As a function of its control operations, the Authority should make provision for the rendering of frequent and detailed reports to the appropriate organs of the United Nations and to the constituent nations, embodying the results of its researches, new discoveries in the atomic field, the level of its material stockpiles, new locations of ores, and all other important and pertinent information. In addition, properly accredited representatives of the United Nations and of the constituent nations should be permitted, under suitable regulations, to inspect the plants, properties, records and operations of the Authority.

9. For the effective operation of the Authority in the manner contemplated, it is essential that the Authority be composed of personnel of the highest character and ability. The affirmative character of the functions of the Authority in dealing both with "dangerous" operations and the dissemination of scientific data of a beneficial nature require, and should assure, that the Authority attract such personnel.

10. Functions and powers and controls are to a certain extent reflections of the same subject from different angles. In this memorandum, devoted predominantly to controls, the repressive functions of the Authority have received more attention than its functions in the stimulation of research and of the beneficial uses of atomic energy. We want to emphasize, therefore, that we lay importance upon the Authority's activities in both fields.

U. S. MEMORANDUM 3: RELATIONS BETWEEN THE ATOMIC DEVELOPMENT AUTHORITY AND THE ORGANS OF THE UNITED NATIONS¹

In response to the request of the Chairman, the representative of the United States submits this memorandum enlarging upon Paragraph D, 1,

¹In further exposition of the U. S. position, the U. S. Representative on the United Nations Atomic Energy Commission, Bernard M. Baruch, submitted this memorandum on July 12; it was released to the press by the U. S. delegation on the same date.

of his memorandum of July 2, 1946, which reads as follows:

"D. The treaty should contain provisions:

1. Defining the relations between the Authority and the Security Council, the General Assembly, the International Court of Justice, and the other organs of the United Nations."

The contents of this memorandum also relate

to the matters dealt with in the Chairman's memorandum, submitted at the last meeting of the Subcommittee on July 8, 1946, which has been of great aid to us in the preparation of this memorandum.

The nature of the relations of the Atomic Development Authority with the various organs of the United Nations obviously will depend upon the powers and functions which the Authority receives and upon its status within the framework of the United Nations. Once these are made clear, the problems involved in the adjustment of the Authority to the organizational structure of the United Nations become clear and can be solved.

Three general considerations appear at the outset.

1. The first arises from the fact that the question of control and development of atomic energy was neither considered nor dealt with in the framing of the Charter of the United Nations. This circumstance, however, should not be permitted to prevent bringing within the framework of their Charter a matter of such vital common concern to the members of the United Nations. On the contrary, if the Charter is to survive, it must be susceptible of adaptation to meet new needs dictated by new conditions. The control and development of atomic energy, therefore, should not lead to the formation of an international agency unrelated to, or outside of, the United Nations, but rather to one fashioned in sound relationship to the Charter and to the organs thereby created.

2. Secondly, none of the existing organs of the United Nations possesses the managerial, proprietary, inspecting, and licensing powers necessary to effective international control and development of atomic energy. A new agency therefore is necessary. Moreover, even if the Charter could be construed to provide for a subsidiary organ created by collective action of several of the existing organs and possessing an aggregate of powers delegated by each of them, such subsidiary organ would not have adequate powers under the Charter. Accordingly, the Authority, as a new organ, should be established by treaty granting it all necessary powers and defining its relation with the existing organs of the United Nations.

3. The third general consideration concerns the degree of autonomy of the Authority. Having in mind the essentially non-political character of the Authority, the presumably high caliber of its personnel, and the necessity for wide discretion

on its part in order to achieve its purposes of control and development, great weight and a considerable degree of finality should be given to its determinations, orders and practices. Where their consideration is required by another organ, they should be accepted unless clearly erroneous or beyond the scope of the Authority's powers.

Three categories of decisions may be mentioned. They will, of course, need careful definition. In general they are (1) Administrative matters on which the decisions of the Authority are final; (2) Decisions on other matters not of sufficient gravity to constitute a threat to the peace. These might be subject to review, possibly by a board established for this purpose. Its decisions, in turn, should be enforced by the Security Council as procedural matters, for, regardless of the original seriousness of the offense, failure to respond to the proper orders of the Authority creates a situation demanding the attention of the Security Council. We consider, hereinafter, in its appropriate place the relation of the Authority to the International Court of Justice; (3) Serious offenses constituting a threat to the peace. These, as hereinafter outlined, fall within the jurisdiction of the Security Council and the provision of Article 51 of the Charter.

One further comment is in order before taking up in detail the relation of the Authority to the several organs of the United Nations. Article 2, paragraph 7 of the Charter will not be infringed by the Authority. This paragraph is confined to matters "essentially within the domestic jurisdiction of any state". Specific recognition in the treaty that control of atomic energy cannot be essentially domestic but rather predominantly international would be sufficient to render this paragraph inapplicable.

The respective functions of the Authority and of the principal organs of the United Nations, when viewed in the light of the foregoing considerations, indicate the general relationships which should prevail.

They are outlined in the following paragraphs.

a. The General Assembly

The General Assembly is composed of all members of the United Nations. Its Composition, Functions and Powers, Voting and Procedure are contained in Chapter IV, Articles 9-22 of the Charter of the United Nations. Provisions with respect to the General Assembly also appear in other parts of the Charter. The character of the

General Assembly and its importance in the whole concept of the Charter indicate, amongst others, the following respects in which the Authority may properly be related to it.

(1) The Authority should submit periodic and, when necessary, special reports to the Assembly concerning the Authority's activities, programs, and information.

(2) The provisions for discussion and recommendation by the Assembly contained in the Charter should be construed to include matters pertaining to the Authority.

(3) The Assembly also might appropriately have a role in connection with the budget of the Authority.

b. The Security Council

The Charter of the United Nations confers on the Security Council primary responsibility for the maintenance of international peace and security. (Chapters V, VI, VII, VIII, and XII). Many of the important features of the control and development of atomic energy, though by no means all of them, are intimately associated with the maintenance of international peace and security. With respect to these features, the Authority and the Security Council must be brought into close relationship.

The following particulars in this regard are suggested:

(1) In the event of an occurrence within the area of the Authority's jurisdiction constituting a threat to the peace, breach of the peace or act of aggression, such occurrence should immediately be certified by the Authority to the Security Council, the Assembly, and the signatory states. The treaty should establish this category of offenses and the conditions surrounding them. For purpose of illustration, they might include violations such as those specifically mentioned by Mr. Baruch in the United States proposal, viz:

- “(a) Illegal possession or use of an atomic bomb;
- “(b) Illegal possession, or separation, of atomic material suitable for use in an atomic bomb;
- “(c) Seizure of any plant or other property belonging to, or licensed by, the Authority;
- “(d) Wilful interference with the activities of the Authority;
- “(e) Creation or operation of dangerous projects in a manner contrary to, or in the

absence of a license granted by the Authority.”

The controls established by the treaty would be wholly ineffectual if, in any such situations, to be defined in the treaty, the enforcement of security provisions could be prevented by the vote of a state which has signed the treaty. Any other conception would render the whole principle of veto ridiculous. It is intended to be an instrument for the protection of nations, not a shield behind which deception and criminal acts can be performed with impunity. This in no way impairs the doctrine of unanimity. No state need be an unwilling party to the treaty. But every state which freely and willingly becomes a party to the treaty, by this act, solemnly and firmly binds itself to abide by its undertakings. Such undertakings would become illusory, if the guarantee against their breach resided solely in the conscience of the one who commits the breach.

All parties to the treaty and all peoples of the world, must have protection of a final and dependable character against the terrible consequences of the destructive use of atomic energy. Such protection requires international machinery which can and will function quickly—machinery which does not permit the offender to be protected by his own or another's negation of the exercise of joint power essential to the security of all. Particularly is this true, with respect to matters which become essentially procedural once the Authority has made its certification based on the substantive provision of law established by the treaty.

The relation of the Authority to the Security Council should recognize this principle. Subject to this principle, the Security Council should have full jurisdiction over serious violations certified to it by the Authority. This in no manner impairs or diminishes the power or the *modus operandi* of the Security Council in any other situation.

As the United States Representative on the Atomic Energy Commission stated at the opening session:

“I want to make very plain that I am concerned here with the veto power only as it affects this particular problem. There must be no veto to protect those who violate their solemn agreements not to develop or use atomic energy for destructive purposes.”

Voluntary relinquishment of the veto on ques-

tions relating to a specific weapon previously outlawed by unanimous agreement because of its uniquely destructive character, in no wise involves any compromise of the principle of unanimity of action as applied to general problems or to particular situations not foreseeable and therefore not susceptible of advance unanimous agreement.

What has been said above must be emphasized. It is not intended to limit the powers, authority, responsibility or jurisdiction of the Security Council to maintain international peace and security. It is quite possible that in a major case of aggression, violation of the atomic treaty and the rules of the Authority may play an incidental part. Nothing herein suggested is intended to restrict or limit the overriding powers of the Security Council to deal with such matters unaffected by the incidental inclusion of atomic energy considerations as part of the problems.

(2) It is impossible to treat this subject without reference to Article 51 of the Charter, which provides as follows:

"Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken the measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defense shall be immediately reported to the Security Council".

Interpreting its provisions with respect to atomic energy matters, it is clear that if atomic weapons were employed as part of an "armed attack", the rights reserved by the nations to themselves under 51 would be applicable. It is equally clear that an "armed attack" is now something entirely different from what it was prior to the discovery of atomic weapons. It would therefore seem to be both important and appropriate under present conditions that the treaty define "armed attack" in a manner appropriate to atomic weapons and include in the definition not simply the actual dropping of an atomic bomb, but also certain steps in themselves preliminary to such action.

(3) The Authority may be required to carry out certain decisions by the Security Council with respect to which the assistance of the Authority is deemed appropriate.

(4) Reports and other information should be

submitted by the Authority to the Council concerning the Authority's activities, programs, and information, particularly as they bear upon the maintenance of international peace and security.

(5) Consultation by the Military Staff Committee with the Authority on questions relating to the military repercussions of the Authority's plans of action should be provided for in the treaty.

c. The International Court of Justice

The International Court of Justice is the principal judicial organ of the United Nations. Relations between the Authority and the Court are worthy of consideration in connection with aiding the functioning of the Authority. It is unfortunate that the World Court would not be fully open to the Authority as a litigant without amendment to the Charter. However, the field of advisory opinions would be open and should be availed of in appropriate cases.

In no case should the jurisdiction of the Court exclude or delay action by the Security Council nor diminish the primary responsibilities of the Security Council in maintaining international peace and security. The following suggestions are made with this understanding.

(1) The Authority might be authorized to request the Court to give advisory opinions on any legal questions arising within the scope of the Authority's activities; including any questions of proper interpretation or application of provisions of the treaty.

(2) The Authority might be authorized to be a party in cases before the Court involving legal disputes arising under the treaty.

(3) The treaty might include provisions that the Authority and the signatory states would be bound to submit to the jurisdiction of the Court in all legal disputes defined by the treaty which are referred to the Court in the manner provided, and that the judgments of the Court should be enforced by the Security Council.

d. The Trusteeship Council

Mutual consultation and exchange of information between the Authority and the Trusteeship Council should be authorized concerning atomic energy development and control activities, facilities, and resources, located in trust territories or closely related to proper administration of such territories.

c. The Secretariat

Relations between the Authority and the Secretariat do not seem to require detailed treatment at this time.

In conclusion, the foregoing indicates the manner in which appropriate relations between the Authority and the United States might be established in accordance with the principles stated by Mr. Baruch in the United States proposal.

First Meeting of Atomic Commission's Working Committee

[Released to the press by the UN Department of Public Information June 28]

The first meeting of the Working Committee of the Atomic Energy Commission opened at 10.42 a.m. on June 28 at Hunter College in the Bronx, with the following delegates present:

Australia	HERBERT V. EVATT, <i>Chairman</i>
Brazil	Capt. ALVARO ALBERTO DA MOTTA SILVA
Canada	Gen. A. G. L. MCNAUGHTON
China	H. R. WEI
Egypt	Col. MOHAMMED BEY KHALIFA
France	FRANÇOIS LACOSTE
Mexico	MANUEL SANDOVAL VALLARTA
Netherlands	H. A. KRAMERS
Poland	JERZY MICHALOWSKI
U.S.S.R.	ANDREI A. GROMYKO
U.K.	Sir ALEXANDER CADOGAN
U.S.	BERNARD M. BARUCH

Following a brief discussion of working methods, Dr. Evatt called on Mr. Baruch as the first speaker.

After urging the Committee to proceed "with utmost speed" since "time presses and each day finds the world less secure," Mr. Baruch presented

¹ See accompanying chart folded in this issue of the BULLETIN.

U. S. Representative to UN Accorded Rank of Ambassador

[Released to the press July 11]

The President has accorded Herschel V. Johnson, United States Deputy Representative to the United Nations, the personal rank of Ambassador.

to each member a chart,¹ based on statements made before the Commission, analyzing 20 separate points on which the 12 members are in agreement or disagreement. He emphasized that this was in no sense a U. S. proposal, but merely an effort to give members a comprehensive view of ideas so far put forth.

On the suggestion of the chairman, the Working Committee agreed unanimously to appoint a small "Subcommittee Number 1" to be named by the chairman after consulting with the delegations. The task of this subcommittee will be to study all proposals put forth and to prepare the framework of a possible plan by presenting to the Working Committee a list of headings or topics to be considered. For example, it will study not only the best means of controlling raw materials, but also the type of control required. Its main duty will be to report back to the Working Committee as soon as possible and thus facilitate the work of that body.

The chairman announced that he would call a full meeting of the Atomic Energy Commission next Wednesday at 3 p.m. in the Henry Hudson Hotel to consider rules of procedure.

The Working Committee adjourned at 12.08 p.m.

AREAS OF AGREEMENT AND DISAGREEMENT

COUNTRY

ITEM	COUNTRY										
	UNITED STATES	FRANCE	WEST GERMANY	CANADA	ITALY	NETHERLANDS	BRITAIN	INDIA	MEXICO	SPAIN	OTHER
1. Participating Equal Status Access to the World Trade Organization	1. Yes	1. Yes	1. Yes	1. Yes	1. Yes	1. Yes	1. Yes	1. Yes	1. Yes	1. Yes	1. Yes
2. Expansion of the GATT to cover Trade Policy of Developing Countries	2. Yes	2. Yes	2. Yes	2. Yes	2. Yes	2. Yes	2. Yes	2. Yes	2. Yes	2. Yes	2. Yes
3. Creation of a World Trade Organization	3. Yes	3. Yes	3. Yes	3. Yes	3. Yes	3. Yes	3. Yes	3. Yes	3. Yes	3. Yes	3. Yes
4. Expansion of the GATT to cover Trade Policy of Developing Countries	4. Yes	4. Yes	4. Yes	4. Yes	4. Yes	4. Yes	4. Yes	4. Yes	4. Yes	4. Yes	4. Yes
5. Creation of a World Trade Organization	5. Yes	5. Yes	5. Yes	5. Yes	5. Yes	5. Yes	5. Yes	5. Yes	5. Yes	5. Yes	5. Yes
6. Expansion of the GATT to cover Trade Policy of Developing Countries	6. Yes	6. Yes	6. Yes	6. Yes	6. Yes	6. Yes	6. Yes	6. Yes	6. Yes	6. Yes	6. Yes
7. Creation of a World Trade Organization	7. Yes	7. Yes	7. Yes	7. Yes	7. Yes	7. Yes	7. Yes	7. Yes	7. Yes	7. Yes	7. Yes
8. Expansion of the GATT to cover Trade Policy of Developing Countries	8. Yes	8. Yes	8. Yes	8. Yes	8. Yes	8. Yes	8. Yes	8. Yes	8. Yes	8. Yes	8. Yes
9. Creation of a World Trade Organization	9. Yes	9. Yes	9. Yes	9. Yes	9. Yes	9. Yes	9. Yes	9. Yes	9. Yes	9. Yes	9. Yes
10. Expansion of the GATT to cover Trade Policy of Developing Countries	10. Yes	10. Yes	10. Yes	10. Yes	10. Yes	10. Yes	10. Yes	10. Yes	10. Yes	10. Yes	10. Yes
11. Creation of a World Trade Organization	11. Yes	11. Yes	11. Yes	11. Yes	11. Yes	11. Yes	11. Yes	11. Yes	11. Yes	11. Yes	11. Yes
12. Expansion of the GATT to cover Trade Policy of Developing Countries	12. Yes	12. Yes	12. Yes	12. Yes	12. Yes	12. Yes	12. Yes	12. Yes	12. Yes	12. Yes	12. Yes
13. Creation of a World Trade Organization	13. Yes	13. Yes	13. Yes	13. Yes	13. Yes	13. Yes	13. Yes	13. Yes	13. Yes	13. Yes	13. Yes
14. Expansion of the GATT to cover Trade Policy of Developing Countries	14. Yes	14. Yes	14. Yes	14. Yes	14. Yes	14. Yes	14. Yes	14. Yes	14. Yes	14. Yes	14. Yes
15. Creation of a World Trade Organization	15. Yes	15. Yes	15. Yes	15. Yes	15. Yes	15. Yes	15. Yes	15. Yes	15. Yes	15. Yes	15. Yes
16. Expansion of the GATT to cover Trade Policy of Developing Countries	16. Yes	16. Yes	16. Yes	16. Yes	16. Yes	16. Yes	16. Yes	16. Yes	16. Yes	16. Yes	16. Yes
17. Creation of a World Trade Organization	17. Yes	17. Yes	17. Yes	17. Yes	17. Yes	17. Yes	17. Yes	17. Yes	17. Yes	17. Yes	17. Yes
18. Expansion of the GATT to cover Trade Policy of Developing Countries	18. Yes	18. Yes	18. Yes	18. Yes	18. Yes	18. Yes	18. Yes	18. Yes	18. Yes	18. Yes	18. Yes
19. Creation of a World Trade Organization	19. Yes	19. Yes	19. Yes	19. Yes	19. Yes	19. Yes	19. Yes	19. Yes	19. Yes	19. Yes	19. Yes
20. Expansion of the GATT to cover Trade Policy of Developing Countries	20. Yes	20. Yes	20. Yes	20. Yes	20. Yes	20. Yes	20. Yes	20. Yes	20. Yes	20. Yes	20. Yes

*This chart was distributed on June 28, 1964. Details are included in the Working Committee of the Atlantic Library Commission. See p. 108.

e. The Secretariat

Relations between the Authority and the Secretariat do not seem to require detailed treatment at this time.

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International Organizations and Conferences

Calendar of Meetings

Council of Foreign Ministers:		
Meeting of Foreign Ministers	Paris	June 15-July 12
Meeting of Deputies	Paris	July 12
Far Eastern Commission	Washington	February 26
Allied-Swedish Negotiations for German External Assets	Washington	May 31
International Emergency Food Council	Washington	June 20
U.S.-Mexican Discussions on Air Services Agreement	Mexico City	June 24
International Institute of Agriculture: Meeting of the General Assembly	Rome	July 8
Conference on German-Owned Patents Outside Germany	London	July 10
U.S.-British Cabinet Committee on Palestine and Related Problems	London	July 12
International Meeting of the Sugar Council	London	July 15
Peace Conference	Paris	July 29
International Council of Scientific Unions: Meeting of the General Assembly	London	July 24-27
International Wheat Council	Washington	July 15
International Union of Geodesy and Geophysics:		
Extraordinary General Assembly	Cambridge, England	July 29-August 2
UNRRA: Second Half of Fifth Session	Geneva	August 5
The United Nations:		
Security Council	New York	March 25
Military Staff Committee	New York	March 25
Economic and Social Council (Second Session)	New York	May 25-June 21
Commission on Atomic Energy	New York	June 14
International Health Conference	New York	June 19
UNESCO: Preparatory Commission	London	July 5-13
General Assembly: Second Part of First Session	New York	September 3

The dates in the calendar are as of July 11.

Activities and Developments

The President's Cabinet Committee on Palestine and Related Problems left on July 10 for London, where they will discuss with the British Cabinet group the implementation of the report by the Anglo-American Committee of Inquiry regarding the admission of 100,000 Jews to Palestine. Henry F. Grady, chairman of the American group and alternate for the Secretary of State, was accompanied by Goldthwaite H. Dorr and Herbert E. Gaston, alternates for the Secretaries of War and Treasury.

Accompanying members of the mission are Leslie L. Rood, Secretary General; Paul L. Hama, Political Adviser; Raymond F. Mikesell and Henry H. Villard, Economic and Financial Advisers; Frederick V. Lound, Displaced Persons Ad-

viser; Geoffrey W. Lewis, Transportation Adviser; Lt. Col. F. W. Coleman, Military Adviser; and C. A. Hathaway, Engineering Adviser.

The Committee was expected to arrive in London on July 11 and to begin discussions on Friday, July 12.

UNRRA Tour. The Director General of UNRRA, F. H. La Guardia, the Soviet Member of the UNRRA Council, N. I. Feonov, and the American Alternate on the UNRRA Council, C. Tyler Wood, left on July 14 for a tour of Europe before the meeting of the Fifth Session of the Council in Geneva. It is expected that their itinerary will include Belgrade, Warsaw, points in Germany, Athens, Rome, Cairo, Paris, Trieste, and Arosen.

Designating Public International Organizations Entitled to Enjoy Certain Privileges, Exemptions, and Immunities¹

[Released to the press by the White House July 12]

By virtue of the authority vested in me by section 1 of the International Organizations Immunities Act, approved December 29, 1945 (Public Law 291, 79th Congress), and having found that the United States participates in the following-named international organizations pursuant to a treaty or under the authority of an act of Congress authorizing such participation or making an appropriation therefor, I hereby designate such organizations as public international organizations entitled to enjoy the privileges, exemptions, and immunities conferred by the said Act:

Inter-American Coffee Board
 Inter-American Institute of Agricultural Sciences
 Inter-American Statistical Institute

International Bank for Reconstruction and Development
 International Monetary Fund
 Pan American Sanitary Bureau

The designation of the above-named organizations and of those named in Executive Order No. 9698 of February 19, 1946, as public international organizations within the meaning of the said International Organizations Immunities Act is not intended to abridge in any respect privileges and immunities which such organizations have acquired or may acquire by treaty or Congressional action; provided, that with respect to the International Bank for Reconstruction and Development, such designation shall not be construed to affect in any way the applicability of the provisions of section 3, Article VII, of the Articles of Agreement of the Bank as adopted by the Congress of the United States in the Bretton-Woods Agreements Act of July 31, 1945 (Public Law 171, 79th Congress).

HARRY S. TRUMAN

THE WHITE HOUSE,
 July 11, 1946.

¹ Executive Order 9751 (41 *Fed. Reg.* 7713).

The Record of the Week

Importance of British Financial Agreement to International Economic Cooperation

LETTER FROM THE PRESIDENT TO THE CHAIRMAN OF THE HOUSE COMMITTEE ON BANKING AND CURRENCY

Washington, June 29, 1946.

HONORABLE BRENT SPENCE, *Chairman*
Committee on Banking and Currency,
The House of Representatives

MY DEAR MR. CHAIRMAN:

I want to express my appreciation to you and to the Committee on Banking and Currency for the fine spirit in which you have considered the British Financial Agreement which is now before the House.¹

The British Financial Agreement is an integral part of the international economic policy of the United States. Without this Agreement it will be difficult, if not impossible, to proceed with the United Nations program for international eco-

nomie cooperation. This program has had the whole-hearted approval of Congress. It is the one way we can avoid the danger of a conflict in economic policy between the United States and the United Kingdom. Such a conflict would be disastrous to the economic well-being of both countries and to the peace and security of the entire world.

On such matters of international policy there must be no partisan division between Americans. Your Committee has shown the highest degree of statesmanship in its hearings and report on the British Financial Agreement. The splendid example you have set will be an inspiration to all of us.

Very sincerely yours,

HARRY S. TRUMAN

CABLEGRAM FROM THE SECRETARY OF STATE²

The foundations of peace can never be secure if they rest exclusively on a political base.

If nations continue to wage economic warfare through discriminatory trade practices and through formation of economic blocs, international trade will languish, the standard of living will decline, irritations will develop, and there will be no peace.

Here in Paris it is more apparent to me than ever that a prompt return to normal healthy trade between nations is essential if we are to lay foundations for permanent peace and prosperity.

The British financial agreement should prove a powerful instrument to this end. It will dissolve a whole vast system of trade controls and discriminations arising out of the economic dislocations of the war.

Without the agreement, this system, so destructive of free enterprise and of friendly relations

between nations, is almost certain to continue for many years to come.

We cannot solve all our problems at once.

The British loan is the first essential economic step toward peace and security. If we permit ourselves to be sidetracked by other problems, if we attempt to hinge our assistance to Britain on other considerations, there is a good chance that our efforts to secure world trade expansion may fail.

I do hope that the Congress will recognize the stakes that are involved and that it will promptly approve the financial agreement with the United Kingdom.

BYRNES

¹ For text of British Financial Agreement, see BULLETIN of Dec. 9, 1945, p. 507. The U. S. Congress gave final approval to the \$3,750,000,000 loan to Great Britain on July 13 when the House Representatives passed the measure by a vote of 219 to 155.

² Sent by the Secretary of State to the Department of State from Paris, dated July 1, 1946.

Constitutionality of Negotiating British Financial Agreement

EXCHANGE OF LETTERS BETWEEN SENATOR FORREST C. DONNELL AND THE SECRETARY OF STATE

March 9, 1946.

DEAR MR. SECRETARY:

There is pending before the Senate of the United States S. J. R. 138, which is a Joint Resolution which by its terms is "To implement further the purposes of the Bretton Woods Agreements Act by authorizing the Secretary of the Treasury to carry out an agreement with the United Kingdom, and for other purposes." Said resolution undertakes to confer on the Secretary of the Treasury authority to provide and use an amount not to exceed \$3,750,000,000 solely for the purpose of carrying out "the agreement between the United States and the United Kingdom." I understand that the agreement so in the course of said resolution mentioned is that which is dated December 6, 1945, between the United States and the United Kingdom and which is earlier mentioned in said Resolution.

Please inform me (a) whether, in your opinion, the Constitution of the United States vests in Congress any power which enables Congress to authorize the extension to the Government of the United Kingdom by the Government of the United States of that certain line of credit of \$3,750,000,000 which is specified in the above mentioned agreement between the United States and the United Kingdom and (b) if, in your opinion, the Constitution of the United States does vest in Congress that power, by what specific provision or provisions of the Constitution of the United States is that power vested in Congress.

Inasmuch as this matter is one of great urgency, I shall appreciate your sending me as soon as possible a response to this letter.

Thanking you for giving attention to this communication, I am

Yours very truly,

FORREST C. DONNELL

MY DEAR SENATOR DONNELL:

I have your letter of March 9, 1946, in which you ask me whether, in my opinion, the Constitution vests in Congress the power to authorize the extension to the Government of the United Kingdom of a line of credit of \$3,750,000,000. You also inquire what specific provisions of the Constitution can be cited as granting this authority.

So far as I am aware, the power of Congress to provide for loans or grants to foreign governments has not been challenged, and, indeed, has been exercised frequently since the adoption of the Constitution. A very good example of the exercise of this power by the Congress is the Export-Import Bank legislation, which authorizes loans by this Government to foreign governments in time of peace as well as in time of war.

One of the basic principles of constitutional construction is that the authority of Congress is not necessarily to be found in any particular phrase or word but may reside in the aggregate of the powers granted to the Congress by the Constitution.

You will recall that article I, section 8, of the Constitution provides that "the Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States." This section also confers upon the Congress the power "to borrow money on the credit of the United States, . . . to regulate Commerce with foreign nations, and among the several States, . . ." and to make all laws which shall be necessary and proper for carrying into execution any of the powers specifically mentioned.

The authority of this Government to negotiate agreements with foreign governments is surely beyond question, and the provision of funds by the Congress to permit such agreements to be carried

out is clearly within the aggregate of the provisions of the Constitution to which I have referred.

I am glad to have had this opportunity to assure you that I am confident of the propriety of the action of the executive branch of the Government in negotiating the Anglo-American financial agreement and the authority of the Congress to consider the implementing legislation now before it.

May I also take this occasion to express to you my conviction that the benefits received by the United States from the arrangement are very substantial indeed. The Government of the United Kingdom has agreed to remove within a short period of time the financial restrictions and controls which have prevented the free exchange of British currency for the currencies of other countries, so that the trade of the world may be unshackled and

permitted to expand. The British have also agreed to support the proposals of this Government for expansion of world trade and employment and have concurred in the principles there expressed which are fundamental to the commercial policy of the United States as expressed repeatedly in the declarations and actions of this Government.

The credit which would be extended to Great Britain is to be repaid over a period of years with interest. But in addition to the return of the money lent, we have every expectation of receiving a larger portion of a larger total of world trade in the years to come.

I hope that this will satisfactorily answer the questions which you have raised.

Sincerely yours,

JAMES F. BYRNES

Functions of Committee for Financing Foreign Trade

STATEMENT BY WINTHROP W. ALDRICH, CHAIRMAN

[Released to the press by the White House July 9]

Winthrop W. Aldrich, Chairman of the Committee for Financing Foreign Trade, recently appointed by the President, made the following statement on July 9:

In his letter appointing the Committee the President said in part:

"It is of vital importance to our country and to the stabilization of the international economy, that we proceed as rapidly as possible with another of the major objectives of our reconversion program; namely to tie in our national productive capacity with the world's reconstruction requirements.

"The conduct and financing of our foreign trade should be handled by private industry with the cooperation and such assistance as is necessary from the proper Government agencies."

Government loans to other governments are necessary like many other things done in war or the aftermath of war. They cannot be the continuing basis of international trade between free countries; they should be supplemented and eventually replaced by private international financing.

The Government is doing its part. The President has appointed this Committee to encourage industry and private capital to do its part.

The Department of State explained last May to the representatives of foreign governments having purchasing missions in this country that the policy of the American Government favors the use of private commercial channels in international trade and proposed that "such trading agencies should conduct their trade in accordance with usual commercial considerations."

The Government has done and is doing, through the Export-Import Bank, its part in making the wheels of trade begin to move. The Government has further subscribed to the International Bank and the International Fund set up under the Bretton Woods Agreement. It has in the Office of International Trade in the Department of Commerce, which is primarily concerned with foreign trade promotion, a specialized staff to study the effects of loans on the expansion of foreign trade and our domestic economy. That office has already pointed out that while there are less goods of many kinds than our own population demands, there are already some fields in which surplus capacity is looming up.

Generally speaking, the function of the Committee, as I see it, will be to devise ways and means, in cooperation with the National Advisory Council, to accomplish the following purposes:

- First: to bring into orderly common effort public and private finance, through businessmen and bankers, in the foreign field;
- Second: to foster the application of the productive capacity of the United States in the most effective manner possible to the needs of domestic consumption and foreign reconstruction;
- Third: to promote relations between American and foreign business enterprise for the purpose of developing and maintaining foreign trade, both export and import, on a high and expanding level.

The accomplishment of these purposes would not only help in rebuilding the economy of the world but would increase and stabilize employment in this country.

The Committee will also work with the Departments of State and Commerce in connection with the trade promotion aspects of its work. The

National Advisory Council, to which the Committee will make its report and recommendations and with which it will work on the lending aspects of its assignment, includes the heads of the Treasury Department, the Department of State, the Department of Commerce, the Export-Import Bank, and the Board of Governors of the Federal Reserve System.

I have just come back from attending the meetings of the Council of the International Chamber of Commerce in Paris and have set to work immediately to get the data together to provide a basis for discussions by the Committee. We shall move forward under the President's instructions just as rapidly as the magnitude of the task permits.

I had a short letter from the President last Wednesday in which he said:

"I shall look to you as Chairman of the Committee to call the members together and organize the work of the Committee."

I shall lose no time in doing just that.

The Proclaimed List of Certain Blocked Nationals

ANNOUNCEMENT OF WITHDRAWAL OF LIST

[Released to the press July 9]

The Department of State with the concurrence of the Departments of Treasury, Justice, and Commerce, announced on July 9 the withdrawal of the Proclaimed List of Certain Blocked Nationals, generally known as the "American Black List". The withdrawal is to be effective immediately. This measure was decided upon after extensive consultation with the British and Canadian Governments, which are taking similar action with respect to the British Statutory List and the Canadian List of Specified Persons. The three lists have been virtually identical since shortly after the Proclaimed List came into existence on July 17, 1941. Other governments, including those recognizing the list or maintaining lists of their own, were informed in advance of the intended measure.

The Proclaimed List named persons and companies, resident in areas outside of enemy control, who directly or indirectly rendered substantial aid to the enemy war machine. Those listed were de-

nied the privilege of trading with the United States.

Before V-E Day the British, Canadian, and U.S. Governments were in consultation with respect to the continuation of the list after the conclusion of active hostilities. The Governments were in agreement that it would be essential to continue the lists but that they should be reduced to a "hard core". Thus the Proclaimed List, when withdrawn, consisted of 5,887 names, representing a substantial reduction from 15,446 at its peak on July 28, 1941. These reductions resulted from both the elimination of undesirable influences or interests in various listed firms and the deletion of the less serious offenders.

The withdrawal of the Proclaimed List does not in any way constitute a termination of or slacking in the program for the permanent elimination of Axis external influences either in this Hemisphere or in the Eastern Hemisphere. With respect to the other American republics, the program for the marshaling, liquidation, vesting, and expropriation or forced sale of Axis spearhead business enterprises is based on various inter-American reso-

lutions, beginning with those adopted at the Rio de Janeiro Conference of January 1942, and the last of which was at the Mexico City Conference (Chapultepec) of February-March 1945. These resolutions and the programs to be executed pursuant to them are based on a recognition of the importance and urgency of eliminating Axis influences in this Hemisphere as essential to inter-American security. The Government of the United States is prepared to cooperate fully with the governments of the other American republics in carrying out the letter and spirit of these inter-American agreements.

With respect to the Eastern Hemisphere, arrangements have already been instituted with the Governments of Switzerland and Sweden. Pursuant to these arrangements German-owned or -controlled interests in these countries are being marshaled and liquidated and looted property will be restored to the rightful owners. The withdrawal of the Proclaimed List for these countries was facilitated by the conclusion of these arrangements.

Similar discussions are currently in progress with respect to other areas in the world, and it is expected that they will lead to comparable over-all arrangements for the elimination of German external influences, the transfer to the Allies of the proceeds realized from the liquidation or sale of German holdings to desirable persons, and the restitution of looted property. In accordance with the Paris Reparation Agreement, the United States, together with other United Nations, will continue to lend every effort to the achievement of satisfactory programs in these areas.

The withdrawal of the Proclaimed List does not necessarily affect other existing controls. For example, the withdrawal of the Proclaimed List does not mean that accounts, where such exist, of all persons formerly included in the list are now unfrozen in the United States. In certain cases, accounts will continue to be blocked by reason of nationality. Similarly, the withdrawal of the Proclaimed List does not imply that all former Proclaimed List nationals are regarded as satisfactory agents for American business. In this connection, reference is made to the Department's press release No. 202 of March 29, 1946 in which it is stated that information concerning former Proclaimed List persons and firms is available in the Commercial Intelligence Division of the Department of Commerce. However, the withdrawal

of the Proclaimed List does represent an important step in the United States policy of freeing trade from wartime controls as soon as such action becomes possible.

A memorandum describing the history and scope of the Proclaimed List is attached to this statement.

HISTORY AND SCOPE OF THE PROCLAIMED LIST¹

The British Government on September 3, 1939 first issued the British Statutory List and on February 7, 1940 the Canadian Government issued its original List of Specified Persons. During 1940 and 1941 this Government found it necessary to establish certain controls in the interest of the defense of the country. Some of these controls were of an economic nature and the agencies administering the controls naturally took into account the persons involved in the transactions subject to control. For example, the prospective consignee of a proposed shipment was a factor to be considered when deciding whether or not an export license could be granted. Similarly, the persons participating in a financial transaction were factors to be considered when considering license applications under foreign-funds controls. Various sources of information were available to the agencies administering the controls, but there was no machinery for coordinating the views of the various agencies concerning persons abroad nor was there a list which would guide American businessmen in their trading with persons abroad. Thus it became necessary to issue a published list of undesirable persons with respect to whom all transactions with the United States would be subject to control. Such a list was established July 17, 1941 pursuant to the President's proclamation of that date. The proclamation was issued under authority granted to the President by the act of October 6, 1917, by the act of July 2, 1940 and by virtue of all other authority vested in the President. The proclamation instructed the Secretary of State, acting in conjunction with the Secretary of the Treasury, the Attorney General, the Secretary of Commerce, the Administrator of Export Control, and the Coordinator of Commercial and Cultural Relations between the American republics, to prepare an appropriate list of persons working with or for the Axis and persons to whom

¹ For an article on the Proclaimed List see BULLETIN of May 26, 1946, p. 875.

exports from the United States were deemed to be detrimental to the interests of national defense. The Office of the Administrator of Export Control no longer exists and the Secretary of Commerce now has the responsibility for the administration of export control. The Office of Inter-American Affairs, successor to the Coordinator of Commercial and Cultural Relations between the American Republics, was recently terminated.

The original Proclaimed List issued on July 17, 1941 consisted of 1,834 names, all of which were Western Hemisphere names. On December 9, 1941, just two days after Pearl Harbor, the Proclaimed List authorities issued a supplement adding 505 Japanese names to the Proclaimed List. On January 14, 1942 the names of 1,824 persons and concerns in the Eastern Hemisphere were added to the list. From this time on, the British, Canadian, and American authorities cooperated very closely in the issuance of their respective lists so that the lists have been virtually identical since that time.

It was well known that the Nazi Government of Germany used German commercial and financial concerns abroad as tools to further the Nazi cause. German concerns abroad were used as propaganda outlets, financial agents, espionage centers, suppliers of critically needed foreign exchange, sources for smuggling of urgently needed war materials to Germany, et cetera. Some of these concerns were affiliates of firms in Germany; others were concerns owned by locally resident Germans. These companies also exerted influence over many other enterprises which supported the German concerns, thus increasing the Nazi economic penetration to a considerable extent. The issuance of the Proclaimed List was a severe blow to this Nazi economic network.

Attempts to avoid the Proclaimed List controls were however made. Numerous expedients were devised, such as obtaining material through cloaks—Persons or firms who were willing to carry on transactions ostensibly for themselves but actually for Proclaimed List nationals. In order to enforce the list it was therefore necessary to list additional persons and firms. Moreover, additional evidence was being found from time to time indicating other persons whose activities merited inclusion in the Proclaimed List. Thus the list increased in size until it reached its peak on July 28, 1944 when it consisted of 15,446 names.

It should not be assumed that while names were

being added no names were deleted. Proclaimed List cases were constantly open for review. Mistakes, always possible, were rectified. Furthermore, change in the facts of a case might make deletion possible. If a person could, for example, show that he had discontinued a partnership with a politically undesirable partner and was now on his own or in partnership with an unobjectionable person, his name was deleted from the list. Similarly, any concern which reorganized itself, ousting the undesirable interests, was eligible for deletion from the Proclaimed List. Some of these reorganizations were worked out voluntarily by unobjectionable partners and in a good many instances they were worked out through the cooperation of the local government, particularly in the other American republics.

The American republics early recognized the danger of Axis penetration and as early as the Rio de Janeiro Conference in 1942 took measures contemplating the elimination of Axis economic penetration in this Hemisphere. The programs inaugurated by the various American republics accomplished the liquidation, forced sale, reorganization, or vesting of many Axis enterprises. When this occurred, deletion was possible not only of the firm which had been eliminated or cleaned up but also of the names of any persons or firms which had been included in the list primarily because of association with, or activities on behalf of, the eliminated or reorganized Proclaimed List entity. Moreover, as the programs of the various American republics progressed, it was possible in some cases to remove certain of the lesser offenders even though not primarily listed for connection with one of the eliminated or cleaned-up Proclaimed List entities. Such deletions were possible because the security reasons for listing changed as the local-controls program in many countries became more effective. Thus the list had been reduced to 13,784 names on V-E Day.

In the summer of 1944 the authorities charged with the maintenance of the Proclaimed List gave extensive consideration to the policy which should be followed upon the cessation of active hostilities in the European theater. It was decided at that time that the list should be continued after the cessation of active hostilities in Europe but that it would be possible to make a downward adjustment in the size of the list on the basis of the

Preliminary Reports on the First Bikini Atom-Bomb Test

REPORT OF THE JOINT CHIEFS OF STAFF'S EVALUATION BOARD

[Released to the press by the White House July 14]

The President has received the following preliminary report on the First Bikini Atom-Bomb Test from the President's Evaluation Commission, which witnessed the test on July 1st.

The report, signed in behalf of the commission by the chairman, Senator Carl A. Hatch, New Mexico, was transmitted by radio from the U.S.S. *Mount McKinley*, flagship of Admiral Blandy, off Bikini.

The other members of the President's Commission are: Senator Leverett Saltonstall, Massachusetts; Representative Chet Holifield, California; Representative Walter G. Andrews, New York; Edward U. Condon, director, U.S. Bureau of Standards, Washington, D.C.; Karl T. Compton, president, Massachusetts Institute of Technology, Cambridge, Mass.; Bradley Dewey, Cambridge, Mass.; William S. Newell, Bath, Me.; Fred Searls, New York, N. Y.

Text of the report:

DEAR MR. PRESIDENT:

Your Evaluation Commission, divided between positions at sea and in the air, witnessed the First Bikini Test, at 33 seconds after 9:00 A.M. local time on July 1st, and has since completed a survey of the damage. The Second Test, wherein the bomb will be exploded under water, will in some respects be of even greater interest, for it will have no precedent.

The report of your Commission required by its directive of May 18th must await the assembling of considerable data deriving from instrumental and photographic measurements and analysis of fission product samples. However, we believe that it lies within the scope of your directive and may be of possible assistance to you, to submit, now, the following brief observations made from the layman's point of view, but with such accuracy as is presently available:

1. The organization and execution of the operation was magnificently handled and has commanded our continuous admiration. The bomb was dropped under favorable weather conditions about 30 seconds after the time set. The greatest credit is due Admiral Blandy and the officers and enlisted personnel of both services who, with scien-

tists and other civilians, have served and are serving under him with a display of team work that must be seen to be fully appreciated.

2. Their conservatively safe distance from the burst led many observers to entertain an initial opinion that the bomb employed was somewhat under par. It is now, however, safe to state that the energy was of the same order of magnitude as in the case of previous atomic detonations, between the highest and lowest of this bomb's three predecessors.

3. The accuracy of the drop was such that the explosion occurred within the area included within the allowance for the probable error of the elevation of drop, and detonation was probably within 100 feet of the chosen altitude. Nevertheless, the explosion actually occurred several hundred yards west of a point directly above the target ship *Arada* and therefore entirely west of the closely spaced array of capital ships.

4. There were 90 targets anchored in the lagoon when the bomb exploded. These were not in battle formation but were placed in positions to give the largest amount of desired technical information with especially close concentration around the center target point. Those ships anchored a mile or more from the point of drop largely escaped injury. Those within a mile were sunk or suffered damage varying with the distance from the point of detonation and with the type of ship construction. On explosion, a destroyer and two transports sank promptly. A second destroyer and the Japanese cruiser *Sakawa* sank within twenty-seven hours. The light carrier *Independence* was gutted with fire and resultant explosions. The submarine *Skate* was heavily damaged and later towed away. All of these were near the point of explosion. The other ships, including the only two capital ships which were within one-half mile of the detonation, received damage that would require more or less complete overhaul and in most cases repair at major bases before they could again be used for combat. A study of this damage will point the way to changes in design which should minimize damage from blast and heat. Beyond these ships there was extensive damage to superstructure, radar, and fire control. Had the ships

within the damage area been manned, casualties and psychological injuries would have required a large percentage of replacements. Until the readings of complex instruments and the future life history of animals within the ships have been determined no accurate appraisal of potential damage to humans within the ships can be made.

5. No wave or blast damage could be noticed on Bikini Island, which is approximately three miles from the point of detonation.

6. We are of the unanimous opinion that the

first test amply justified the expenditure required to conduct it and that the second test is equally desirable and necessary. You made a wise decision when you approved the plans for these tests and they have been carried out with extraordinary skill, diligence and ingenuity. The test just completed has again proven that the atomic bomb is a weapon of terrific power when used on land or sea.

Most respectfully yours,

CARL A. HATCH

REPORT OF THE PRESIDENT'S EVALUATION COMMISSION

[Released to the press by the White House July 11]

In compliance with its directive from the Joint Chiefs of Staff, the Evaluation Board for the Atomic Bomb Tests has submitted a preliminary report of the test held at Bikini Atoll on July 1, 1946. The members of this Board were:

Dr. Karl T. Compton, *Chairman*
 Mr. Bradley Dewey, *Deputy Chairman*
 Mr. Thomas F. Farrell
 Gen. Joseph W. Stilwell, U.S.A.
 Lt. Gen. Lewis H. Brereton, U.S.A.
 Rear Admiral W. R. Purnell, U.S.N.
 Rear Admiral R. A. Ofstie, U.S.N.

The report which follows covers the general observations of this Board.

Text of report:

The members of the Board inspected target ships the day before the test, witnessed the explosion from an airplane twenty miles distant, and then approached to within nine miles of the atoll for a brief view. On the following day, as soon as safety clearance had been received, the members flew to Bikini and began their examination of ship damage. Many photographs have been studied, and military and scientific specialists interviewed in an attempt to obtain an over-all understanding of test results prior to the compilation of all the data.

From its previous study of the plans for the test, and from its observations in the Bikini area, the Board considers that the test was well conceived and executed by the services in close cooperation with a large civilian staff. It is satisfied that the conditions of the test were well-chosen and that the highest skill and ingenuity have been used to obtain a maximum amount of data in an

unbiased, scientific manner. It believes that the commander, staff, and personnel of Task Force One deserve high commendation for their excellent performance and their notable cooperative spirit.

Effective precautions appear to have been taken to safeguard personnel against radioactivity and associated dangers.

The Board's present information is that the bomb exploded, with an intensity which approached the best of the three previous atomic bombs, over a point 1500 to 2000 feet westerly of the assigned target, and at approximately the planned altitude.

The target array in no sense represented an actual naval disposition but was designed to obtain the maximum data from a single explosion. The most important effects produced by the bomb are the following:

a. A destroyer and two transports sank promptly and another destroyer capsized. It later sank, and the Japanese cruiser *Sakawa* sank the following day. The superstructure of the submarine *Skate* was so badly damaged as to make it unsafe to submerge the vessel. The light carrier *Independence* was badly wrecked by the explosion, gutted by fire, and further damaged by internal explosions of low order, including those of torpedoes. All the above vessels were within one-half mile of the explosion point.

b. Numerous fires were started on other ships, including one on a ship two miles distant, which was apparently due to some unusual circumstance since the other fires were much closer. Here it should be remembered that the target ship decks carried a great variety of test material not ordinarily exposed on the decks of naval vessels.

c. The only major combatant ships within one-half mile of the explosion point were the battleships *Nevada* and *Arkansas* and the heavy cruiser *Pennacola*. The blast struck these from the after quarter. Apparently little damage was done to their hulls or their main turrets but their superstructures were badly wrecked. These ships were unquestionably put out of action and would, along with many others within three-fourths of a mile, have required extensive repairs at a principal naval base.

d. Other ships in the target array suffered damage in varying degree, depending on position and type of ship, but there was relatively little damage at distances greater than three-fourths of a mile.

e. The primary material effects noted were due to blast, buckling of decks and bulkheads, and destruction or deformation of lightly constructed exposed objects, including stacks, masts, and antennae. Secondary effects were due to fire, and it is noteworthy that Army Quartermaster stores and miscellaneous equipment placed on the decks for the test proved more vulnerable than normal naval deck gear. It should be pointed out that since the targets carried no personnel the fires were uncontrolled and undoubtedly there was more damage than there would have been under battle conditions. Singularly, although considerable amounts of explosive ordnance were exposed on decks and in gun turrets, there is no indication on ships which remained afloat that any of this material was exploded by direct action of the atomic bomb. Fire-fighting ships entered the target area as soon as they could obtain radiological security permission and subdued a number of fires. The speed and efficiency with which these ships acted preserved for later examination a great deal of evidence of bomb action which might otherwise have been lost.

f. Examination of the flashburn effects produced by the initial radiation from the explosion indicates that casualties would have been high among exposed personnel. However, it is the opinion of the Board that persons sheltered within the hull of a ship or even on deck in the shadow of radiation from the bomb would not have been immediately incapacitated by burns alone, whatever might have been the subsequent radiological effects.

g. Within the area of extensive blast damage to ship superstructures there is evidence that person-

nel within the ships would have been exposed to a lethal dosage of radiological effects.

Personnel casualties due to blast would no doubt have been high for those in exposed positions on vessels within one-half mile of the target center. Beyond this, any discussion of the blast effect upon personnel will have to await the detailed reports of the medical specialists.

In general no significant unexpected phenomena occurred, although the test was designed to cope with considerable variation from predictions. There was no large water wave formed. The radioactive residue dissipated in the manner expected. No damage occurred on Bikini Island, about three miles from the explosion center.

From what it has seen and from what it has ascertained from data now available, the Board is able to make certain general observations:

a. The atomic bomb dropped at Bikini damaged more ships than have ever before been damaged by a single explosion.

b. The test has provided adequate data of a sort necessary for the redesign of naval vessels to minimize damage to superstructures and deck personnel from this type of bomb. Because of the nature of the first test (air burst) little information has been obtained on hull effects. Damage to ships' hulls will be studied specifically in the second test when a bomb will be exploded under water.

c. A vast amount of data which will prove invaluable throughout scientific and engineering fields has been made available by this test. Once more the importance of large-scale research has been dramatically demonstrated. There can be no question that the effort and expense involved in this test has been amply justified both by the information secured and by greatly narrowing the range of speculation and argument. Moreover, it is clear to the Board that only by further large-scale research and development can the United States retain its present position of scientific leadership. This must be done in the interests of national safety.

The Board desires to say that it has had the fullest cooperation of the task force commander, and that every opportunity has been afforded it in carrying out its mission. The members of the Board have had access to all data thus far accumulated and have had every facility for personally inspecting the results of the test.

Duty of Higher Education in Creating International Understanding

REMARKS BY THE PRESIDENT¹

It's a pleasure to me to be able to welcome you to Washington this morning. I understand that one of your tremendous problems is a result of the war. So many people now want education who didn't want it before, that you are having a difficult time taking care of all of them. Of course, I was led to believe that the war would ruin all education, but it seems to have stimulated it.

We don't believe in wars any more, of course, but I do believe that if we can implement the United Nations Organization with a police force behind it sufficient to make its mandates stand up, we can have world peace, just as we finally after 80 years—at the end of the Civil War—obtained peace in the United States. We had to take time out to fight among ourselves, before we could make up our minds that the States ought to live together peaceably.

International dealings are no different from those carried on among individuals. Nations represent a community of individuals, and there isn't any more reason why we can't understand each other as nations than why we can't understand each other as individuals.

Now it is your duty, as the educators of the country, to get the rising generation to believe that; and if you can overcome those prejudices which cause wars—religions prejudices, economic prejudices, misunderstandings between races and people of different languages—we can accomplish this.

You know, it would be as easy as could be to create a world peace if everybody in the world spoke the same language and read the same newspapers, and had a code of morals based on the necessity for people to live together. Unless we have a code of morals which respects the other fellow's interests and in which we believe that we should act as we would be acted by, you never can maintain peace.

The happiest thing to me is the fact that these

returned soldiers and sailors, marines, Waes and Waves, and so forth, are giving you such a headache on education. I hope they will continue to do that. And if they do, I think the country is perfectly safe.

It is a pleasure for me to have you here this morning, and to be able to make a few off-the-cuff remarks on a subject that is very close to my heart. When a man wants an education badly enough, he usually manages to get it; but it has been our system to make it easy for him to get that education, and we want that to continue—although sometimes the struggle for something that is worthwhile makes it all the better, after you get it.

Thank you very much.

I hope you will have a successful meeting.

PROCLAIMED LIST—Continued from page 114

changed security situation following V-E Day. This revision actually took place in two stages.

The names of minor offenders were culled from the list and deleted in June 1945. In this supplement 1,930 names were deleted, most of which were minor offenders deleted in view of the changed security situation rather than on the merits of the individual case. These deletions, together with certain group deletions, based upon the effectiveness of local controls in the Western Hemisphere, and taking into account certain additions, reduced the list to 11,443 names on V-J Day.

After the minor offenders had been deleted and certain group deletions had been accomplished for the Western Hemisphere, the remaining names were reviewed case by case in order to select the worse offenders. After this selection had been made all other names were deleted from the list in November 1945. The November supplement contained 5,981 deletions, leaving a "hard core" of 6,053 names. Since the deletion to the "hard core" there have been relatively few deletions from the list, which is quite understandable in view of the fact that the whole list was reviewed case by case before the issuance of the November supplement. There were, however, some deletions from the list and also some additions, so that the list when withdrawn consisted of 5,887 names.

¹ Made in Washington on July 11 to the educators attending the Conference on Emergency Problems in Higher Education, under the auspices of the American Council on Education, and released to the press by the White House on the same date.

Report to the President on 1945-46 Famine-Relief Food Shipments¹

STATEMENT BY THE PRESIDENT

(Released to the press by the White House July 12)

Every American can take pride in the record of accomplishment in shipping food for relief as shown in the attached report which I have received from Secretary of Agriculture Clinton P. Anderson.

Only by cooperation and determined effort on the part of everyone has it been possible to make good on our promises—and, in the case of food grains, to exceed our commitments. The public generally, food producers and handlers, transportation companies, organizations, and government agencies—all have helped to make this impressive record possible.

Only by continued cooperation among all of us can we as a nation do our full share in the months to come to relieve the hunger that still exists in the world.

The importance of this effort in relieving human suffering and establishing world peace cannot be overestimated.

TEXT OF REPORT

The United States exported more than 161½ million long tons of foodstuffs during the year which ended June 30. The great bulk of these shipments went to war-devastated countries where starvation threatened. These exports from the United States were by far the greatest contribution made to the world's hungry during this first year of reconstruction.

The 400 million bushel "bread" grain export commitment for the year was met by June 30. Wheat and flour exports (10,336,000 tons), plus the corn and corn products shipped after May 1 from stocks acquired under the corn "bonus" plan, reached a total of 401 million bushels.

Of the total bread grain exports, 5,556,000 tons were shipped from January 1 through June 30. In addition, enough wheat, flour, corn and corn products was at ports on July 1, ready for ship loading, to bring the total above the six million ton (225 million bushel) "goal" for the half-year

period. This means that the full goal totals will have left our shores and be on the way to hunger areas as soon as ships can be loaded and cleared—probably by the middle of the month. During June alone, our bread grain exports totaled about one and one-half million tons—a record for a similar period.

Meeting this full goal means actual shipment of 417 million bushels for the year. The excess of 17 million bushels above our commitments will not be deducted from the planned export of up to 250 million bushels of wheat during the 1946-47 year.

The real extent of this accomplishment in grain export is brought out by the fact that the amount shipped is nearly double the original requirement for the year which was presented to the Combined Food Board a year ago. At that time, it was thought that we would be called upon to export only about six million tons (225 million bushels) for the entire year.

Adding rice, oats, rye and barley to the "bread" grains of the specific commitments, brings the total of all grains exported during the year to 11,747,000 long tons—by far the largest volume in the total food shipments. Grains, high in calories per unit and easily handled, were the greatest need of the hungry nations.

Second in importance for relief and in the amounts shipped were fats and oils, dairy products, and meats. The totals for the year were: dairy products, 764,000 tons; meats, 614,000 tons; and fats and oils, 356,000 tons.

In addition to these major commodities, a total of more than 3,200,000 tons of other foodstuffs were exported during the year. These exports included dry beans and peas, potatoes and sweet potatoes, fruits and vegetables, sugar, eggs, and canned fish.

Our great contribution in meeting world food shortages may be measured by the fact that of all food distributed from United States supplies in 1945-46, one out of every six pounds went over-

¹ Submitted by Clinton P. Anderson, Secretary of Agriculture, on July 8.

seas. By major commodity groups, we sent foreign countries more than 40 percent of the wheat that was distributed from our supplies during the year, more than 35 percent of the rice, more than 20 percent of the cheese, more than 10 percent of the fats and oils, and about 6 percent of the meat.

The Need

It is not necessary to review in detail the needs that prompted us as a country to carry through this tremendous world feeding program. In your call for emergency action last February 6, and in many other messages, you as President outlined these needs clearly. We have all understood that the ravages of war left literally hundreds of millions of our fellow men in very real danger of starvation. We have known that droughts cut down production in many parts of the world, increasing the demands upon those countries—fortunate enough to have continued large crop production. And we have also known that hunger is a fertile ground for anarchy, and not for the building of a stable world and a durable peace.

Cooperative Effort

It has been against this background of urgent need that this Government has driven through to reach export quotas. That they have been reached in practically all cases is a tribute to the teamwork of all groups involved. Our farmers not only produced record or near record crops for one more year, but they also cooperated in getting wheat and other commodities to market when the emergency became acute. The processing, distribution, and transportation industries have all made magnificent records in handling the foodstuffs which were being shipped to foreign countries. Our consumers, seriously inconvenienced at times when their favorite foods disappeared from grocers' shelves, have in general accepted the situation with a minimum of complaint. They have known that the food they could not buy today was on its way to maintain life and health in some war-torn country.

While the Department of Agriculture has had the major responsibility for procuring the food, and for instituting many of the emergency measures which were necessary to make it available, the job could not have been done without the efficient cooperation of many other government agencies. The Inter-Departmental Transportation Committee directed a coordinated effort which broke grain shipping records during recent weeks. Great

credit is due the War Shipping Administration, the Interstate Commerce Commission, and the Office of Defense Transportation for the work they did in making transportation available. Your Famine Emergency Committee has suggested constructive over-all steps needed in the campaign effort, and has helped materially in informing the nation of the urgent need for food from the United States.

Emergency Measures

Many emergency measures and special regulations were necessary in order to meet our export commitments and complete the programs. The Department of Agriculture ordered set-asides for Government purchase of a number of commodities. It was necessary to limit the use of wheat and other grains in livestock feeding, and to limit the amount of flour available for human consumption. The special "bonus" programs for wheat and corn were necessary in order to get grain to market in time to meet shipping schedules.

Continuing Needs

While it can be reported that we are nearing the end of the most urgent crisis for this year, and that the worst of the immediate dangers of famine have been forestalled, serious food needs abroad will continue for some time. Devastated countries cannot return to normal in a single year. When this year's harvests are completed for the northern hemisphere, we shall know a good deal more about the situation. In the meantime, we must continue relief shipments and be ready to meet at least the minimum future needs.

The Department of Agriculture has already announced that by continuing conservation and wise use of supplies at home up to 250 million bushels of wheat can be made available for export during the 1946-47 year. Tentative plans are also being made for our shipments of other major commodities.

Commodity Shipments in 1945-46

Grains—A year ago it was indicated that the United States would be called on to export about 225 million bushels of wheat during 1945-46. Later, in the fall, the total was raised to 325 million. By December, UNRRA, France, and other claimants had been forced to raise their estimates of minimum requirements several times, and the United States agreed to undertake the export of a record total of 400 million bushels during the

year. At that time advance estimates placed wheat and flour exports at 175 million bushels for the last six months of 1945. We therefore set a goal of 225 million for the January-June 1946 period, to bring the total for the year to the 400 million bushel commitment.

Later reports show that 192 million bushels of wheat and flour were actually shipped before January 1, leaving only 208 million to reach the 400 total. We chose, however, to stick to the 225 million bushel (six million ton) "goal" figure which had already been announced. In effect, therefore, we have been working against a 400 million bushel commitment for the year, and a 417 million bushel goal. We knew from the first that all we could ship would not be enough to meet all needs, and we therefore have made every effort to exceed the commitment.

We have now passed the 400 million commitment, and will very soon reach the 417 million bushel goal.

Meats—It is estimated that approximately 614,000 long tons of meat and meat products were actually shipped to foreign claimants during the 12 months, not including shipments to U.S. territories. This compares with the stated 1946 calendar year goal of 714,000 long tons. During the past 12 months, procurement activities were complicated by such factors as work stoppages in production, and shortages in supply during at least part of the year. The 1945-46 shipments represented 5.9 percent of total U.S. meat output during the year.

Of the 614,000 total which went for export, approximately 379,000 tons were procured by the Department of Agriculture, while 215,000 tons came from military stocks for such outlets as UNRRA and U.S. military civilian feeding. In addition, about 20,000 tons were exported commercially.

UNRRA received nearly half the total 614,000 tons shipped to foreign claimants, exports to this outlet accounting for 288,000 tons. Virtually all of the meat which went to UNRRA was for European destinations. Of the total 614,000 tons of meat exported, 588,000 tons went to Europe, including the countries served by UNRRA. The remainder was exported to outlets in the Far East, Latin American republics, and others.

Fats and Oils—High on the list of food products needed for foreign relief feeding and for other essential exports were fats and oils. It was recog-

nized at the beginning of the 1945-46 year that we would be faced with a continuing world shortage of these commodities. Appraisal of the situation after the end of the war in the Pacific indicated little alleviation of the tight supply for some months to come. Sources in that area had been devastated by the war, and re-establishment of supplies has taken more time than had been anticipated. The situation called for the most efficient management of available world supplies, including those from U.S. sources.

According to our estimates, it is indicated that actual shipments to the outlets for which allocations were established reached slightly more than 356,000 long tons of edible fats and oils. The goal for the 1946 calendar year was set at 347,000 tons, or 375,000 tons including both edible and inedible products.

Of the 356,000 long tons exported, 268,000 went to Europe, with the remainder going to countries in the Far East, to Latin American republics, and others. Approximately 73,000 tons, or 27 percent of the total which went to Europe, was for UNRRA. Other large recipients included: the United Kingdom and British Services Overseas, France and French North Africa.

Dairy products—Measured against a tight supply situation in the U.S. was the pressure of record demand—both from the need for these products in foreign relief programs, and from U.S. civilians. Tentative plans for exports, implemented by allocations, were drawn up for the 1945-46 year. The products most in demand for foreign use are cheese, and condensed, evaporated, and dried milk.

The estimated export shipments are indicated to be 764,000 long tons. The shipments represent 28 percent of total distribution of these products in the fiscal year.

Of the approximately 764,000 long tons exported during the 12-month period, about 88 percent, or 669,000 tons, went to European countries. Shipments to UNRRA—in the amount of 316,000 tons—made up 44 percent of all shipments to Europe. The United Kingdom and British Services Overseas were the next largest recipients, followed by such countries as France and French North Africa, and Belgium. Relatively small shipments went to the Far East, and other outlets.

The following table gives the preliminary report on exports during the year, by major food groups and by destination:

TABLE 1: FOOD EXPORTS^a FROM THE UNITED STATES BY DESTINATION, FISCAL YEAR 1945-46
(PRELIMINARY)

[In thousands of long tons]

Destination	Total	Wheat and flour (gran equiv.) ^b	Other grains (gran equiv.) ^c	Fats and oils (product weight) ^d	Meat (carcass weight equiv.)	Dairy products ^e	Other foods ^f
	1	2	3	4	5	6	7
Total food exports	16,700	10,336	1,411	356	614	764	3,219
Europe—Total	11,647	7,454	655	268	588	669	2,013
UNRRA ^h	3,951	2,624	227	73	288	311	428
U. S. Military civilian feeding	2,351	1,535	64	13	16	48	680
France and French North Africa	1,959	1,408	80	61	60	47	303
Belgium	779	541	74	19	48	33	64
Netherlands	394	304	17	11	27	21	14
Norway	68	12	30	4	1	0	21
U.K. and B. S. O	1,086	306	26	69	99	196	390
U. S. S. R	123	36	11	8	46	5	17
Other Europe	936	688	126	10	3	13	96
Far East—Total	1,400	879	346	4	5	29	137
UNRRA	164	127	¹ 37	0	0	(e)	0
U. S. Military civilian feeding	573	427	120	0	0	0	26
Philippines	315	160	78	1	1	23	52
India	300	161	81	0	0	6	46
Netherlands East Indies	48	1	27	3	4	(e)	13
Latin American Republics	1,384	936	243	52	10	14	129
Other exports	2,269	1,067	167	32	11	52	940

^a Excludes shipments to U. S. Territories except for wheat and flour, amounting to approximately 4 million bushels wheat equivalent.

^b Excludes other wheat products which are less than one half of one percent of total exports.

^c Includes corn and corn products, rice, oats, rye, and barley, including malt.

^d Total edible use including a very small quantity of butter. Includes oil equivalent of soybeans shipped as beans and of peanuts shipped to UNRRA.

^e Includes cheese, condensed, evaporated, and dried milk.

^f Includes sugar, beans and peas, fish, eggs, poultry, vegetables, fruits, sirups, soups, tea, coffee, cocoa, etc.

^g Less than 500 tons.

^h May include some food for UNRRA in the Far East.

ⁱ May include a small quantity of rice for UNRRA in Europe.

Corrigendum

TREATY OBLIGATIONS AND PHILIPPINE INDEPENDENCE

Reply of Belgian Government to U.S. Note

In BULLETIN of July 14, 1946, p. 79, second column, line 6, change "the most-favoured-national provisions" to read "the most-favoured-nation provisions".

U.S. Prepared to Renounce Its Share in German Assets in Austria

[Released to the press July 10]

The following is the text of a note delivered by General Mark W. Clark to the Austrian Government:

The President of the United States as one of the signers of the Potsdam Agreement has directed me to inform the Austrian Government that the United States Government is now prepared to

enter into negotiations with other Allied Governments and with the Austrian Government looking towards the renunciation of the United States share in German assets in Austria as part of a general settlement of German assets in Austria.¹

While these negotiations are underway the United States Government now agrees to turn over to the Austrian Government as trustee all German assets physically located in the United

¹ Following is the text of the order of the Soviet Commander in Chief in Austria as quoted by a TASS dispatch published July 6, 1946 in the Red Army newspaper *Oesterreichische Zeitung* under the headline, "German Assets in Austria Have Become Property of Soviet Union":

ORDER OF THE SUPREME COMMANDER OF SOVIET OCCUPATION TROOPS IN AUSTRIA

Subject: Transfer of German property in eastern Austria to the ownership of the U. S. S. R.

In accordance with the decisions of the Berlin Conference of the three powers concerning the transfer of German property in eastern Austria to the Soviet Union as partial reparation for the damage inflicted by Germany upon the U. S. S. R., I command:

1. All Austrian authorities and the entire population of the Soviet zone of occupation are to be informed that German property located in eastern Austria which belonged to the German Reich, to German firms, societies, organizations, and any other physical or juridic persons have passed into the possession of the Union of the Socialist Soviet Republics as German reparations.

2. The conduct of the above-mentioned property will be handed over to the Administration for Soviet Property in eastern Austria.

3. All authorities, bureaus, organizations, and private persons, as well as anyone who has in custody or is administering the property and possessions, which according to paragraph 1 of this order have passed into the possession of the Soviet Union, have to transfer these to the Administration for Soviet Property in eastern Austria in the manner and within the period prescribed by said Administration. In the course of the transfer and taking over of this property the Administration for Soviet Property in eastern Austria, together with the above-mentioned organizations and persons must:

(a) Formulate the transfer of the former German properties into the possession of the Soviet Union in a legal manner and register the transfer of this property;

(b) Prepare documents concerning the transfer and the taking over in 4 copies.

4. The stocks, shares, and mine shares of any value whatsoever which belonged to the German owners and

are not delivered in accordance with this order, are to be considered null and void.

The Administration of Soviet Property in eastern Austria is authorized:

(a) To issue new shares and certificates in place of the annulled shares, stocks, and mine shares.

(b) To prepare legal forms concerning the completed transfer, as well as to determine the nature, the extent, and the legal form in which these properties are in future to be administered.

5. All contracts, business transactions, and other legal negotiations which are injurious to the property rights of the Soviet Union concerning these German properties are declared null and void.

6. The mayors of all cities, the officials of all state organs, of all bezirks and communities in eastern Austria, in whose territory former German property is located which has not yet been taken over by the Administration of Soviet Property in eastern Austria, are to take the necessary steps to safeguard such property and to report it to the Soviet local commanders within 10 days from the day of proclamation of this order.

7. All officials of bureaus, organizations, firms, factories, and all other private individuals who have knowledge of former German property which has not yet been taken over by the Administration for Soviet Property are obligated to make a report within 10 days to the Soviet Local Command or directly to the Administration for Soviet Property in eastern Austria of such property.

8. In all factories which have passed into the possession of the Union of Soviet Socialist Republics the existing regulations are to be maintained, and the conditions to be safeguarded which guarantee the rights and interests of workers and employees according to the laws of the Austrian Republic.

9. All persons who under any pretext whatsoever withhold notification of where the above-named property is found, who attempt to conceal such fact or give misleading information, as well as all persons who through their acts in any way hinder the application of this order or damage the above-named property, are subject to punitive action.

*The Supreme Commander of the
Soviet Occupation Troops in Austria*

Colonel General KURASOV.

States zone. It assures the Austrian Government that such assets may immediately be used for purposes of reconstruction in Austria without fear of removal of the plant and equipment from the United States zone in Austria but with the question of ownership to be resolved later.

The United States Government also wishes to make clear that it will recognize no physical trans-

fer of property as conforming to the terms of the Potsdam Agreement which does not also conform to the terms of the United Nations Declaration on forced transfer for January 1943 and which does not leave to Austria the sovereign control of an independent country over the resources within its borders which was envisaged in the Moscow Declaration of 1943.

Soviet Writers Complete Visit to U.S.

[Released to the press July 12]

Assistant Secretary William Benton has received the following letter¹ from the three Russian writers who recently toured the United States as guests of the Department of State:

Abandoning the shores of the United States we wish to express to you our common deep gratitude for your excellent attention to us and for that attention which the State Department showed us in your name.

We were glad to travel about your country, making use of the kind and authoritative help of the State Department. We think that mutual travels of representatives of culture will assist the cooperation and the friendship between our countries, and we are very glad that on this trip we encountered the aid of the State Department in your person.

We are also glad to have the opportunity to write you that your assistants Messrs. Neal, Nelson, and Williams, who kindly gave us help at your directions, not only did help us but during the time of our joint journeys became our sincere friends.

Once more we heartily thank you.

Sincerely yours,

KONSTANTIN SIMINOV,
Major General M. R. GALAKTIONOV
ILYA EHRENBURG

The Soviet writers came to the United States in April, at the invitation of the American Society of Newspaper Editors, to address the Society's convention. They remained for 10 weeks as guests of the Department.

"I hope that the visit of the Messrs. Ehrenburg, Siminov and Galaktionov may symbolize, for the

future, increasing interchanges between the scholars, writers and scientists of the Soviet Union and the United States", Mr. Benton said. "Such interchanges offer one of the most promising means for achieving better understanding among peoples everywhere. If favorable action is taken on H.R. 4982, the basic legislation for our information and cultural exchange program, which is now before Congress, it will be possible for us to extend to the Eastern hemisphere the systematic program for stimulating the exchange of persons which now exists for Latin-America."

The Russian writers were given complete freedom to go wherever in the United States they pleased. Representatives of the Department of State accompanied them only at such times as they requested, helping with travel arrangements and serving as interpreters, since none of the three speaks English.

The visitors spent most of their time in New York City because they were primarily interested in meeting writers and artists. Mr. Ehrenburg, who is a correspondent for *Izvestia*, visited Harvard University with Mr. Siminov, and toured the South.

General Galaktionov, who is military editor of *Pravda*, visited the United States Military Academy, and made a trip to Chicago, where he was the guest of the Inland Press Association and inspected newspaper and printing plants.

Mr. Siminov, who is a member of the Soviet Film Committee, visited Los Angeles and Hollywood. In Hollywood he proposed the creation of an American-Russian film council to facilitate exchanges of movies and of film personnel between the United States and the Union of Soviet Socialist Republics.

All three visited Detroit en route to Canada. They sailed from Boston on June 26.

¹ Translation.

Military Assistance to China¹

*The following letter from the Secretary of State to the Speaker of the House of Representatives, under date June 12, 1946, strongly recommends the early enactment of this legislation:*²

MY DEAR MR. SPEAKER: I am transmitting herewith a draft of a proposed bill to provide military advice and assistance to the Republic of China to aid it in modernizing its armed forces for the fulfillment of obligations which may devolve upon it under the Charter of the United Nations, and for other purposes, which the Department recommends be enacted into law.

The proposed bill has been prepared in collaboration with the War and Navy Departments, and has the full endorsement of General of the Army George C. Marshall.

The purpose of the proposed bill is to provide advice and assistance to the Republic of China in modernizing its armed forces for the fulfillment of obligations which may devolve upon the Republic of China under international agreements, and for other purposes. Under the draft bill the President would be authorized, in his discretion, to provide to the Republic of China training and instruction for Chinese military and naval personnel, plans and technical advice and information. The training and instruction of Chinese military and naval personnel might be carried on to a limited extent in service schools in this country as well as in China.

The President would likewise be authorized to dispose to the Republic of China of arms and ammunition and other property of the United States except naval vessels and other naval supplies and equipment. Such disposal would be effected by sale, exchange, lease, gift or transfer for cash, credit, or other property, with or without warranty, or upon such other terms as the President may deem proper. Such disposal may, however, be made only if it is consistent with the military and naval requirements of the United States. Naval vessels and other naval supplies and equipment have been excepted from the provisions of the draft bill relating to the disposal of Government-owned property, inasmuch as they are the subject of separate legislation. The draft bill con-

tains, in section 2, safeguards for the security of any information or property that may be furnished to the Republic of China by this Government and provisions preventing, except with the consent of the President of the United States, the retransfer of title to or possession of any property transferred to the Republic of China under the legislation.

Section 3 of the proposed bill would authorize the President, upon application from the Republic of China, to detail officers and enlisted men of the United States Army, Navy, and Marine Corps to assist the Republic of China by means consonant with the purpose of the bill. Provision is made concerning the payment of such additional compensation as might be necessary to make appropriate adjustments for the increased cost of living which would be occasioned by such detail. Personnel detailed would receive pay and allowances as entitled in the United States Army, Navy, or Marine Corps, and would be allowed the same credit for longevity, retirement, and all other purposes that they would receive if they were serving with the armed forces of the United States.

Section 4 of the proposed bill authorizes the appropriation of moneys to carry out the provisions of the bill, provided that articles or services furnished shall be within the limits of appropriations made specifically for that purpose or shall be surplus to the needs of the Government of the United States. Section 5 gives the President authority to promulgate such rules and regulations as may be necessary to carry out the provisions of the bill, and to exercise his authority under the bill through such agencies as he may desire. Section 6 provides that the provisions of the bill shall terminate 10 years after the date of its enactment.

I firmly believe that the national interest, including this country's interest in the reestablishment and preservation of peace and security in Asia, requires that the United States give aid to the Republic of China by assisting that country to organize and maintain modern military forces of

¹ Printed from H. Rept. 2361.

² H. R. 6795, to provide military advice and assistance to the Republic of China.

moderate size which will permit China to make a substantial contribution to peace in that part of the world.

The Republic of China has already requested that this Government send a mission to China to give advice and assistance in military matters. Under his wartime powers, the President has directed the War and Navy Departments to send a small advisory group to China. Missions to provide military advice and assistance have previously been sent by this country to many other countries, including Brazil, Colombia, Costa Rica, etc., under legislation enacted by the Congress in 1926 and amended in 1935 and 1942. This legislation, however, does not make provision for a mission to China and unless the draft bill or similar legislation is passed, authority for the mission to China would end with the termination of the President's wartime powers.

While the Republic of China desires to modernize its armed forces, at the present time and under existing conditions it does not possess the facilities for such development nor the technical experts who can train and reorganize the armed forces. I believe that this Government should continue to assist China, which has suffered such severe losses during the war. Our present programs of military assistance to China will be terminated under provisions of existing law after June 30, 1946, unless the proposed legislation or similar legislation is enacted. In the national interest, it is extremely important that assistance to China continue without interruption.

I have been informed by the War and Navy Departments that the property which it is contemplated would be transferred to the Republic of China under the draft bill would consist principally of excess military equipment and training aids sufficient to accomplish the basic purpose of the proposed legislation.

A similar communication is being sent to the President pro tempore, United States Senate.

The Department has been informed by the Bureau of the Budget that there is no objection to the submission of this proposal to the Congress for its consideration.

Sincerely yours,

JAMES F. BYRNES

U. S. and Australia Raise Legations at Washington and Canberra to Embassies

[Released to the press by the White House July 9]

Following discussions between the President and the Acting Secretary of State, Dean Acheson, and the Australian Minister of State for External Affairs, H. V. Evatt, formal arrangements have been completed between the United States and Australian Governments for raising the rank of their legations at Washington and Canberra to embassies, and of the office of Minister to that of Ambassador. This step is the natural consequence of the increasingly close and cordial relations between Australia and the United States and reflects the added importance of the Pacific area in the eyes of both Governments.

President Truman will submit to the Senate the nomination of Robert Butler of St. Paul, Minnesota, as first United States Ambassador to Australia.

The Minister of State for the Navy, Norman Makin, will in due course be accredited as the first Australian Ambassador to the United States.

Appointment of Public-Affairs Officers

India

William C. Johnstone, Jr., Washington, D.C., educator, has been appointed chief public-affairs officer for India for the Office of International Information and Cultural Affairs, William T. Stone, Director of that Office, announced on July 10.

The Soviet Union

William T. Stone, Director of the Office of International Information and Cultural Affairs, announced on July 12 the appointment of Armond D. Willis as chief public-affairs officer for OIC in the Soviet Union. Mr. Willis will be attached to the American Embassy at Moscow.

Summary of Non-Military Activities in Japan for May 1946¹

Formation of a new cabinet following Japan's first post-war election "marked an important step in a continuing democratic process which gave the Japanese valuable political experience in parliamentary government." General MacArthur asserts in his latest summary of non-military activities in Japan. The report, covering the month of May, was made public on July 13.

Terming the highly publicized negotiations which resulted in the evolution of the Yoshida Cabinet "a further advance in the democratization of Japanese politics," the report states that they signaled a sharp break from methods of the past when a new premier was generally chosen "in secret conferences of an inner clique consisting of 'elder statesmen' and 'circles close to the throne'".

Resignation of the Shidehara Cabinet "as a direct result of the pressure of public opinion" was in itself, according to the SCAP summary, "an encouraging advance in Japan's political development".

With the disappearance of the "inner clique," the report declares, the formation of the cabinet "was possible only after protracted negotiations among the parties represented in a democratically elected Diet. It was conducted openly and to the accompaniment of a running fire of critical comment from the press and the public. A valuable precedent was thus created for the future."

Other important developments noted in the report were the barring from public office of Ichiro Hatoyama, former president of the Liberal Party and leading candidate for the premiership; the increasing number of public demonstrations and the Supreme Commander's precautionary warning against violence inspired by irresponsible minorities; the food crisis which became acute in all the major cities; and the depressing effect of the coal shortage on many phases of Japanese economy.

The forming of the new cabinet, the summary declares, did much to clarify the political situation after a protracted cabinet crisis which "marked a forward step in Japan's progress toward the development of democratic institutions".

The action of SCAP on May 3 in barring Hatoyama from public office under the Purge Directive

because of his anti-democratic record, the report says, "had been postponed as long as possible to give the Japanese Government the chance to take this step on their own initiative. When they failed to do so, SCAP was compelled to act".

The barring of Hatoyama, the summary points out, "had a salutary effect in reminding the Japanese Government of SCAP's insistence on strict and thorough compliance with the Purge Directive".

Summarizing the negotiations leading up to the final organization of the Yoshida Cabinet, termed part of a "continuing process" in the development of parliamentary institutions, the report states:

"The Cabinet represents the more conservative forces still active in Japanese political life (the extreme reactionaries, militarists and their sympathizers have been eliminated for all practical purposes). It thus correctly reflects the present balance of political forces in the lower House as established by popular vote in the April election. Over against the conservative Government is a vigorous and progressive opposition which will act as watchdog for the liberal groups of the populace and as a check on the parties in power. It will strive to take advantage of the Government's mistakes to build up its own popular strength with the aim of eventually succeeding to office.

"This points toward the development of a normal and healthy parliamentary situation which will provide the Japanese with more valuable political experience than would have been possible under a 'national' coalition government. If the Yoshida Cabinet is able to solve outstanding national problems to the satisfaction of the country, it may expect to remain in office for some time. If it fails to do so, it may have to give way to a new combination or, should dissatisfaction become too strong, it may have to resort to dissolution of the Diet and the calling of new elections."

Participation of approximately 1,000,000 in Japan's first May Day labor celebrations in 10 years

¹This summary, released to the press by the War Department on July 13, is based on Summation No. 8, Non-Military Activities in Japan, from General Headquarters, Supreme Commander for the Allied Powers.

is called "unprecedented" in the report and is cited as evidence of the progress of trade unionism. The celebrations, according to the summary, "demonstrated the new freedom which the occupation has given to the Japanese people and the political vitality of the working class which, properly guided, can be a potent force in the democratic reconstruction of Japan".

Demonstrations, however, became increasingly frequent during May, the summation adds, and indicated a growing restlessness "which was shrewdly exploited by left-wing political elements. Communists and their sympathizers, together with left-wing Social Democrats, appear to have played the leading role in organizing most of these demonstrations."

"The temper of the people as a whole was clearly peaceful," the report continues. "Few instances of violence occurred and none of a serious nature, but the situation held such possibilities that on 20 May the Supreme Commander issued a strong warning against the dangers of mass violence and physical processes of intimidation by disorderly minorities."

"His statement was prominently displayed in the Japanese press and reactions indicated that it had the desired effect. There was a striking decline in the number of mass demonstrations following the message."

Crimes against Occupation Forces were at a low rate, the report shows, the majority involving theft or unauthorized possession of Army supplies. Four Japanese were given prison terms for assaulting two American soldiers. A plot to assassinate the Supreme Commander received wide attention but no incidents occurred and intelligence agencies continued detailed investigations.

Relations between the Occupation Forces and the civilian populace on the whole remained satisfactory, the summary reports, and were not disturbed by the demonstrations directed against the Japanese Government and the food situation.

During May, the Japanese Government was ordered to apprehend 96 persons suspected of war crimes. In trials held in Japan from April 25 to May 24, one accused was sentenced to death, two were given life imprisonment, and 16 others were given lesser prison terms. The indictment and arraignment of 28 Japanese leaders accused as major war criminals were completed during the month.

Turning to the food situation, the report states that urban foodstocks reached unprecedented low levels in May as a result of a sharp decline in inter-prefectural shipments of rice. The shipments were insufficient for the daily ration requirements in Tokyo, Yokohama, Nagoya, Kyoto, Osaka, and Kobe.

In Tokyo, the report states, the delay accumulated over a six-week period causing a daily allotment of about 80 percent of the current ration of 1,042 calories per person.

The summary points out that increased supplies of vegetables and fish, because of their low caloric content, failed to compensate for the reduced staple food distribution.

"Manifestations of the critical situation were evidenced in increased turnover, absenteeism and general lack of efficiency among heavy laborers. Supplementary rations for heavy labor were drastically reduced in all districts and virtually abandoned in the Tokyo-Yokohama area during the emergency."

Local stocks in most surplus-producing prefectures were lessened by "deficit transfers" which jeopardized reserves beyond July or August. Farmers proved extremely reluctant to have additional stocks removed from their villages, the report says, and contended that if the Government's rice quotas were filled, their diet would dwindle to an inadequate level during the months of intense farm labor. Local resistance, the summary adds, was "often backed by threats to forcibly intercept further shipments".

Through May 10, the Government reported it had bought a total of 2,799,000 metric tons of rice from the 1945-46 crop or 83.4 percent of the established quota of 3,355,000 tons. By the same date last year, the Government had purchased 98.6 percent of its 1944-45 quota of 5,585,000 tons.

Causes of the food shortage, according to the report, are the lack of imports upon which Japan used to rely for 15 to 20 percent of her food; the poor 1945 rice harvest which was 27 percent less than the previous year; and the repatriation program which has booted the population and reduced the amount of food available per capita. The poor harvest was said to have been caused by bad weather and shortages of labor and of fertilizer.

To relieve the crisis in the Tokyo-Yokohama area SCAP released 8,705 long tons of imported

wheat flour for distribution from May 21 to 28. Since February, 24,349.5 long tons of imported and U.S. Army foodstuffs were released to the Japanese Government.

"These foodstocks," the report states, "were excess or in danger of imminent spoilage. As of 21 May, 166,791 long tons of imported food was being held in storage for future distribution. In addition to 42,460 long tons of grain from the regular import program, this quantity includes 27,264 long tons of excess U.S. Army food and 97,067 tons of Army emergency reserve wheat."

As a result of his food survey in Japan, the summary notes, former President Herbert Hoover recommended that 870,000 tons of food be imported by the end of September, the largest quantities to arrive during June and July when the food shortage was expected to be most critical.

To combat the food shortage, the Government organized a land reclamation project to increase the amount of cultivated land; encouraged emergency gardening; attempted to improve fertilizer production and proposed a food conservation program. SCAP spurred the fertilizer production campaign with a directive to the Japanese Government on May 17 to give fertilizer production and distribution first priority. SCAP officials, the report notes, have assisted also in instructing Japanese in proper food handling and storage and introducing 17 new varieties of sweet potatoes and six varieties of Irish potatoes having greater yield, caloric value, or resistance to disease than domestic varieties.

The Hokkaido herring season accounted for most of the increase in fish catches from 48,078 metric tons in March to 303,236 tons in April, the report shows. This permitted substantially increased fish deliveries to consumers in the large cities. SCAP granted the Japanese permission on May 13 to start building 416 steel fishing ships grossing 48,532 tons, and some of these may be ready to operate before the end of the year.

Lumber production, the report states, has increased from 154,000,000 board feet in February to 193,000,000 in April, but log production fell, partly because of lack of transportation to move the logs already cut. The plywood industry, according to the summary, will have to cease operation unless it receives more soybeans for glue manufacture. Because of the food shortage, soybeans cannot be obtained for conversion into glue.

Coal production dropped 39,000 metric tons from March to April. The reduction resulted in part from insufficient incentives to work plus the continual low fuel supply.

Another deterrent to coal production, the summary finds, is the lack of profit incentive. The present price and subsidy were calculated on the basis of an estimated 200 yen per metric ton as average cost whereas operators say the actual cost is now between 250 and 300 yen.

Gradual increases continued in lead, zinc, and copper mining but production is deterred by shortages of food, fuel, and equipment.

Greatest obstacle to production in all heavy industries was found to be the coal shortage. The continued lack of adequate equipment, labor, and raw materials were also important factors, the report notes.

Pig-iron furnaces were operating at 2.5 percent of capacity on May 1. Five more electric furnace steel producers resumed operations, adding about 4,000 metric tons to previous monthly capacity in operation. Lead smelting and refining showed increases, as did copper production, but zinc fell about 10 percent for lack of fuel. Cement production in April was the highest since the end of the war. The machinery industry registered a slight gain.

Construction of Japanese housing, the report indicates, is being carried out at the rate of about 20,000 new houses monthly with a total of 250,000 house units expected by the end of the year. Foundations were laid in May for the first houses to accommodate dependents of Allied forces in the Tokyo-Yokohama area.

Most of the food-processing industries made satisfactory production gains, the summary states. Pulp and paper production continued to rise and there were conspicuous increases in glassware, optical instruments, aluminum household ware, rubber goods, sewing machines, and electrical equipment.

A survey found that about one third of Japan's 121,138 usable vehicles were not in operation, primarily because of lack of parts. Allocations of raw materials to parts manufacturers were increased. Problems facing the manufacture of automotive equipment, the report says, included inadequate working capital because of currency controls and high-priced materials; transportation difficulties; shortage of labor and low labor efficiency; and, above all, shortage of materials.

Cotton-yarn production dropped 822,000 pounds in April because of raw-material shortages, the summary reports. Production of short-cut silk fiber and waste silk yarns declined in April but output of wool and worsted yarn showed increases. The cotton industry was making adjustments in May for the new cotton supplies expected from the United States.

Government surveys disclosed that more than half of the jobless male employables were not seeking work because they could not sustain regular employment on their low-caloric diet. Absenteeism increased as rationing delays forced workers to go to the country in search of food. The recruiting program for textile workers remained behind schedule.

In the public utilities fields, the gas industry demonstrated improvements resulting from extensive repairs. Electric-power supply proved adequate to meet present demands. Merchant shipping between Japanese ports increased with the availability of additional vessels. Overseas radiotelegraph service was established in May between Japan and the Hawaiian Islands, as well as between Japan and France. The latter service is available for government representatives, press and business concerns. Radiotelegraph service for business concerns was also established between Japan and the United States.

The May report found increasing organizational activity among both workers and employers. On May 8 the Japanese Government reported 1,690,985 workers belonging to 3,739 unions, most of them in the transportation, communication, mining, and manufacturing fields. On May 4 the Federation of Iron and Steel Manufacturers, an employer group, came into existence embracing about 70 percent of the industry. The first permanent labor-management committee on production and labor administration was set up in a coal mine in Hokkaido by collective agreement at the end of April.

Labor disputes declined in May although conditions in the railroad, communications, and education fields remained delicate, the report asserts. Wage rates remained constant in many industries "although the cost of living was still rising and workers were increasingly reliant on the black market for goods". According to a Government report, wages had risen 200 to 400 percent since the end of the war but living costs had spurted 85.0 percent.

On May 18 SCAP ordered the Government to retain in its budget a 6,000,000,000 yen appropriation for a public-works program. The Government also made plans for Japan's first large-scale vocational training program to train 600,000 persons yearly in construction, agriculture, fishing, mining, handicrafts, and office work.

In the first 25 days of May Japan's exports consisted of timbers and railway ties to China, raw silk to the United States, and railway equipment, coal, salt, chemicals, drugs, bamboo, paper, and electrical equipment to Korea. The only imports were various food items from the U. S. A., salt from China, fish from Korea and phosphate rock.

A summary of the national debt of the Japanese Government at the end of April showed a total indebtedness of 203,013,000,000 yen in government bonds, bank loans, rice bills, and food certificates. The daily average increase in note circulation in the first three weeks of May was about 250,000,000 yen, reaching a total of 33,437,000,000 yen on May 21.

Bullion and precious metals in SCAP custody totaled \$255,125,646 on May 21. Two additional companies with 48 subsidiaries and 22 subsidiaries of four other concerns were added to the list of restricted concerns during the month in a continuation of SCAP's anti-trust program.

An inventory of all machine tools in aircraft plants, arsenals, and laboratories held under custody and control by Occupation Forces was ordered during the month. The purpose of the inventory, the report explains, is to provide a detailed machine tool catalogue to help "selectors" in nations claiming reparations understand exactly what is available in Japan.

In the public-health field, the summary notes a decline in the incidence of typhus fever and smallpox and the inauguration of a campaign to prevent insect-borne diseases during the summer. The Japanese Red Cross is in the process of reorganization, and projects for extended nursing education are under way in Tokyo and Kyoto. Production of medical supplies continued to increase.

A nation-wide census completed at the end of April indicated that the total population of Japan was 74,000,000.

In the four weeks before May 26, the report notes, 501,233 Japanese were returned to Japan, bringing the total number repatriated to 3,081,733.

(Continued on page 132)

Inter-American Military Cooperation

STATEMENT BY GEORGE H. BUTLER ¹

[Released to the press July 12]

MR. CHADMAN: The bill which you have under consideration has been endorsed by the State, War, and Navy Departments and recommended to the Congress by the President. The purpose of the bill itself and of any programs that may be carried out under it lies primarily in the field of military and naval affairs, concerning which representatives of the War and Navy Departments are here to speak. I should like to refer only to a few aspects of the bill from the viewpoint of our foreign relations.

The military cooperation which this bill envisages is one aspect of the broad range of cooperation among the American states. In this broad field the American republics have laid special emphasis upon mutual cooperation for their economic, social, and cultural advancement, and upon consultation upon all matters of common interest. Since before the recent war American republics have also devoted a large part of their cooperative efforts to the problem of maintaining their mutual security.

The experience of the war demonstrated the importance of inter-American security measures. It also revealed the handicaps which existed as a result of the varying types of military organizations and equipment which the different American states possessed. Considerable progress was made during the war in overcoming some of these handicaps, as well as in building a firmer political foundation for inter-American peace and security.

These efforts culminated in 1945 with the adoption at Mexico City of the Act of Chapultepec, which provided that an attack by any state upon any one of the American states will be considered an attack upon all of them. The act provided for consultation to determine measures that should be taken in the event of such an attack and specified that armed force might be one of those measures. The Act of Chapultepec also specifically provided that the arrangements contained in it, and in any treaty that might be concluded pursuant to its recommendations, should be consistent with the Charter of the United Nations, which had not at that time yet been drawn up.

Under this regional arrangement for the maintenance of international peace and security in the Americas, a close collaboration amongst all the American republics is envisaged in all fields relating to their mutual security. The standardization of the organization and equipment of the armed forces of all republics is recognized by the heads of our armed forces as being a highly desirable method of facilitating the close collaboration in the military field which the Act of Chapultepec envisages. This view is shared by military authorities of other American states. It is also reflected in the recommendations of the Inter-American Defense Board, on which all 21 American republics are represented, and which has urged the adoption of similar tables of organization and equipment by the armed forces of all its member nations.

Subsequent to the establishment of the inter-American regional system, based on the Act of Chapultepec and other earlier inter-American agreements, the United States and all the other American states participated in creating the United Nations. The Charter of the United Nations recognizes that regional arrangements of this character might exist. At San Francisco it was the view of all countries, however, that the Security Council should be made the unquestionably supreme authority for the maintenance of international peace and security anywhere in the world. For this reason regional arrangements, such as our inter-American system, are specifically barred from carrying out any enforcement measures without authorization of the Security Council. The regional system must, according to the Charter, obtain the authorization of the Security Council for any enforcement action, unless an armed attack actually takes place, when states may exercise their right of self-defense until the Security Council takes the necessary action.

¹ Made before the Senate Foreign Relations Committee in connection with the Inter-American Military Cooperation Bill, S-2153. Mr. Butler, Deputy Director of the Office of American Republic Affairs of the Department of State, was recently confirmed by the Senate as Ambassador to the Dominican Republic.

I cite the foregoing to indicate that the inter-American security arrangements upon which the proposed program of military cooperation rests are entirely in harmony with the principles and provisions of the Charter of the United Nations. It is, of course, a paramount objective of American foreign policy to support the United Nations fully and effectively, and any inter-American agreement to which this Government becomes a party would, of course, have to be consistent with the Charter of the United Nations.

The activities which the War and Navy Departments have suggested for execution under authority of this bill are directed towards working out, with the armed forces of other American states, a standardization of military organization and equipment. As the President stated in his message to Congress concerning this bill, it is not the desire of this Government to promote any unnecessary increase in the armed forces of other countries or to encourage the imposition upon other peoples of a burden of maintaining armed forces in excess of what the economy of other countries can support. In view of the established purpose of the American republics to work towards a secure peace and to cooperate in the improvement of their living standards and in their sound economic development, it would be inconsistent and undesirable for the United States to encourage in any way an armaments race among the other American states. In the administration of any programs carried out under this bill, the State Department will—and I am sure from statements already made that the War and Navy Departments agree with this purpose—avoid any action which would tend to promote the competitive acquisition of arms by other countries.

In this connection I should like to refer to Secretary Byrnes' statement that it is a purpose of our foreign policy to work for a regulation of armaments in the light of requirements for the maintenance of internal order and of international peace and security. Although it has not yet been possible to establish any such general system of arms regulation, the plan of inter-American military collaboration will be executed with a view to working out with the other American republics a regulation of armaments which will keep armaments down to a minimum. Any general international agreement for the regulation of armaments to which the United States may subscribe will, ac-

ording to the bill itself, govern any operations which this Government may carry out under the bill.

Although the inter-American regional system, to which I have referred, does not include Canada as a member, the bill has been drafted with a view to making possible the extension to Canada of the cooperation which the bill authorizes. The special importance of our relations with Canada in all matters including defense makes this eminently desirable.

Visit of Brazilian Jurist

Waldemar Falcão, a member of the Supreme Court and of the Supreme Electoral Tribunal of Brazil, arrived in Washington on July 7 on an official mission of the Brazilian Government to study and observe the U.S. electoral system.

His itinerary will include Washington, Baltimore, Philadelphia, New York, Boston, and Chicago.

JAPANESE ACTIVITIES—Continued from page 130

In the same four weeks, 21,477 foreign nationals left Japan. These comprised 5,825 Formosans, 15,335 Koreans, and 317 Chinese. A total of 970,754 foreign nationals had been repatriated from Japan as of May 26.

Since the close of the war, the Education Ministry reported, 602 persons have resigned or been dismissed under the program for the elimination of militaristic personnel, and 37 persons previously dismissed for liberal views have been reinstated. On May 6 the Japanese Government announced the rules for the screening of all teachers and educational officials to weed out undemocratic elements.

The Japanese press gave wide support to the aims of the International Military Tribunal as the trial of the Japanese leaders for major war crimes got under way and expressed the belief that the trials would be fair, the summary reports. SCAP officials, the report states, continued to stress informational programs directed toward increasing farmer efficiency, encouraging democratic practices among labor organizations, and improving the position of women in national life.

The Foreign Service

Foreign Service Examinations Scheduled

[Released to the press July 8]

The Department of State announced on July 8 plans for the admission by examination of 250 officers into the middle and upper grades of the Foreign Service of the United States. The new officers will be selected from members of the armed forces, veterans, and government employees. It is planned that appointments will be offered to 120 during the current fiscal year, and 130 during the next fiscal year.

The Department announced that the recruitment in the middle and upper grades was required as a result of the suspension of admissions during the war years and the increased responsibilities of the Service. A special act of Congress, signed by President Truman on July 3, was necessary to make possible these admissions, as normally individuals may enter the Foreign Service only in the lowest grade.

Application forms and detailed information will be available through the Board of Examiners for the Foreign Service, Department of State, Washington 25, D.C., early in August. It is contemplated that the first of these Foreign Service appointments will be made from among successful candidates whose applications are submitted prior to October 1, 1946. Candidates passing these examinations will be commissioned in the Foreign Service in grades appropriate to their ages and qualifications. It is expected, however, that due to the limited number of vacancies in the upper grades, few men over 40 years of age will be commissioned and these will have unusually high qualifications.

Candidates for appointment will be chosen on the basis of demonstrated executive, administrative, commercial, scholastic, or reportorial ability. Candidates must be 31 years of age, citizens of the United States for at least 15 years, and if married, married to American citizens.

Appointments will be restricted to veterans of World War II, members of the armed forces or the Merchant Marine, or to persons with at least two

years' responsible government experience since December 7, 1941.

Each candidate is required to have either a Bachelor's degree from an accredited college, or at least two years of college work and two years of responsible employment abroad. Candidates must have facility in reading at least one major foreign language. These languages include Arabic, Chinese, French, Japanese, German, Portuguese, Russian, and Spanish.

The authorizing act provides: "That the President is authorized under the provisions of this Act to appoint, by and with the advice and consent of the Senate, not to exceed two hundred and fifty persons to positions as Foreign Service officers. Each such appointment shall be by commission to a classified grade and shall be in addition to all other appointments of Foreign Service officers.

"A person appointed under this Act may, under such regulations as the Board of Foreign Service Personnel for the Foreign Service may prescribe, be commissioned as a Foreign Service officer of any classified grade, depending upon his age, experience, and ability. Upon appointment, any such Foreign Service officer shall receive the lowest basic salary of the classified grade to which he or she is appointed.

"No person shall be eligible for appointment as a Foreign Service officer under this Act unless he or she—

"(a) is an American citizen and has been such at least fifteen years; and

"(b) has served (1) in the active military or naval service of the United States on or after September 16, 1940, and has been separated or released therefrom under honorable conditions after active service of ninety days or more, or by reason of an injury or disability incurred in service in line of duty, or (2) in the merchant marine as such service is defined by section 1 of the Act of June 23, 1943 (57 Stat. 162; 50 U.S.C. 1471), or (3) since December 7, 1941, for not less than two years in a position or positions of responsibility as an officer or employee of the legislative, executive, or judicial branches of the United States Government or of any corporation, wholly or partly owned by the United States, which is an instrumentality of the United States, whose service and experience can qualify him or her as a Foreign Service officer; and

"(c) has been designated by the Secretary of State as a candidate for examination for appoint-

ment as a Foreign Service officer and has passed such examination as the Secretary may prescribe; and

"(d) was at least thirty-one years of age at the time of application.

"No appointment under this Act shall be made after the expiration of two years after the date of enactment of this Act."

Diplomatic and Consular Offices

The Vice Consulate at Arica, Chile, was officially closed on or before April 5, 1946.

The American Consulate at Durango, Mexico, was closed May 31, 1946.

The American Consulate at Krakow, Poland, is considered to have been formally established on July 1, 1946.

The American Embassy at Manila, Philippines, was established July 4, 1946.

The Consulate General at Manila will continue to function as a separate establishment until a later date when the Embassy and Consulate General will function as a combined office.

Confirmations

The Senate confirmed on July 11 the following nominations:

Robert Butler to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Australia.

J. Leighton Stuart to be Ambassador Extraordinary and Plenipotentiary of the United States of America to China.

Joseph F. McGuirk to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Uruguay.

Harold H. Tittmann, Jr., to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Haiti.

George H. Butler to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Dominican Republic.

Foreign Commerce Weekly

The following article of interest to readers of the BULLETIN appeared in the June 29 issue of the *Foreign Commerce Weekly*, a publication of the Department of Commerce, copies of which may be obtained from the Superintendent of Documents, Government Printing Office, for 10 cents each:

"Planning a Trip to Chile To Live or Manage Office" based on a report from the Economics Division, American Embassy, Santiago.

Visit of Swiss Journalists

Four leading Swiss journalists arrived here July 6 on the final leg of a six-weeks' tour of the United States as guests of the Department of State. They are Eugen Dietschi, member of Parliament and economic editor of the Basle Radical Democratic daily *National Zeitung*, who represents the Radical Democratic press; Carl Doka, editor of the St. Gallen Catholic Conservative daily *Ostschweiz*, and representative of the Conservative press; Hugo Kramer, Geneva correspondent of the Swiss-German Social Democratic and Labor press, representative of Socialist newspapers; and Jean Seitz, Parliamentary editor of the liberal daily *Gazette de Lausanne*, representing the liberal press.

The Congress

Cessation of Hostilities, Termination of the War and Emergencies; Hearings Before Subcommittee No. IV of the Committee on the Judiciary, House of Representatives, Seventy-ninth Congress, second session, on H. Con. Res. 85, H. Con. Res. 86, H. Con. Res. 91, Declaring the date of termination of hostilities in the present war, H. J. Res. 245, to declare September 2, 1945, as the date of cessation of hostilities in the present war, H. Con. Res. 98, declaring the end of the unlimited Emergency, the national emergency and the termination of hostilities of World War II, H. Res. 272, H. Con. Res. 132, H. Con. Res. 133, to declare December 7, 1945, as the date of the cessation of hostilities in, and as the date of the termination of, the present war, H. J. Res. 287, to declare the date of termination of the wars in which the United States has recently been engaged. May 27 and 28, 1946. Serial No. 17, Part 2, iii, 100 pp.

Membership and Participation by the United States in the United Nations Educational, Scientific, and Cultural Organization; Hearings Before the Committee on Foreign Affairs, House of Representatives, Seventy-ninth Congress, second session, on H. J. Res. 305, a joint resolution providing for membership and participation by the United States in the United Nations Educational, Scientific, and Cultural Organization, and authorizing an appropriation therefor. April 3, 4, and 5, 1946. iii, 99 pp. [Department of State, pp. 3-42, 67-79, 80-88.]

Investigation of the National Defense Program; Hearings Before a Special Committee Investigating the National Defense Program, United States Senate, Seventy-ninth Congress, first session, pursuant to S. Res. 55 (79th Congress), (Extending S. Res. 71—77th Congress), a resolution authorizing and directing an investigation of the National defense program. Part 32. Tin Shortage. Dis-

posal of Surplus Property (Municipalities—Small Business—Veterans). Reconversion (West Virginia—Aviation Industry). Irregularities in Fourteenth Naval District. Strategic War Reserves. Merchant Shipping—Pacific. September 21, 24, October 4, 10, 11, 22, 23, 25, November 6, 28, December 12, 14, 21, 1945. xii, 846 pp., xx. [Indexed.]

Investigation of the Production, Transportation, and Marketing of Wool: Hearings Before the Special Committee to Investigate the production, transportation, and marketing of wool, United States Senate, Seventy-ninth Congress, second session, pursuant to S. Res. 58 (79th Congress) and S. Res. 160 (74th Congress) resolutions providing for an investigation of the production, transportation, and marketing of wool, and S. 2033, a bill to provide support for wool, to amend the agricultural marketing agreement act of 1937 by including wool as a commodity to which orders under such act are applicable, to authorize the Secretary of Agriculture to fix wool standards, and for other purposes. Part 7. May 13, 14, and 15, 1946. lli, 76 pp.

Retention by the United States Government or Its Agencies or Instrumentalities of Real and Personal Property Within the Philippines. H. Rept. 2296, 79th Cong., to accompany H.R. 6801. 3 pp. [Favorable report.]

Amending the Philippine Rehabilitation Act of 1946 for the Purpose of Making a Clerical Correction. H. Rept. 2297, 79th Cong., to accompany H.R. 6802. 1 p. [Favorable report.]

Providing for Registration and Protection of Trade-Marks Used in Commerce and To Carry Out Provisions of Certain International Conventions. H. Rept. 2322, 79th Cong., to accompany H.R. 1654. 7 pp.

Reorganization Plan No. 1 of 1946. H. Rept. 2326, 79th Cong., to accompany H. Con. Res. 155. 20 pp. [Favorable report.]

Reorganization Plan No. 2 of 1946. H. Rept. 2327, 79th Cong., to accompany H. Con. Res. 151. 4 pp. [Favorable report.]

Reorganization Plan No. 3 of 1946. H. Rept. 2328, 79th Cong., to accompany H. Con. Res. 154. 7 pp. [Favorable report.]

Providing Assistance to the Republic of China in Augmenting and Maintaining a Naval Establishment. H. Rept. 2333, 79th Cong., to accompany H.R. 5356. 3 pp.

Agreement on Amendments to a Bill Relating to the Right of Filipinos and East Indians To Become Naturalized Citizens of the United States and To Enter the Country Under Small Quotas. H. Rept. 2334, 79th Cong., to accompany H.R. 3517. 2 pp.

Third Deficiency Appropriation Bill, 1946. H. Rept. 2345, 79th Cong., to accompany H.R. 6885. 35 pp. [Department of State, pp. 8-10, 22-23.]

Authorizing Appointment of Additional Foreign Service Officers in the Classified Grades. H. Rept. 2348, 79th Cong., to accompany H.R. 5244. 2 pp.

Denying Admission to the United States of Certain Aliens. H. Rept. 2351, 79th Cong., to accompany H.R. 6869. 5 pp. [Favorable report.]

Assist China To Modernize Her Armed Forces. H. Rept. 2361, 79th Cong., to accompany H.R. 6795. 5 pp. [Favorable report.]

Amending the Second War Powers Act, 1942. As Amended. H. Rept. 2365, 79th Cong., to accompany H.R. 5716. 2 pp.

Amending the First War Powers Act, 1941. H. Rept. 2378, 79th Cong., to accompany H.R. 6800. 28 pp. [Favorable report.]

Providing for the Payment of Pension or Other Benefits Withheld From Persons for the Period They Were Residing in Countries Occupied by the Enemy Forces During World War II. H. Rept. 2428, 79th Cong., to accompany H.R. 5148. 5 pp. [Favorable report.]

Departments of State, Justice, Commerce, and the Judiciary Appropriation Bill, 1947. H. Rept. 2434, 79th Cong., to accompany H.R. 9656.

Training Announcements

Appointment of William P. Maddox as Chief of Division of Training Services

Dr. William P. Maddox, formerly of the University of Pennsylvania and of the Foreign Policy Association, entered July 11 upon his new duties as Chief of the Division of Training Services. He fills the position which has been vacant since Carol H. Foster left for his new assignment as Consul General at Capetown. Perry N. Jester has been Acting Chief during the interim period.

Dr. Maddox will undertake the direction of the entire training program, which includes the training of newly appointed Foreign Service officers, in-service and specialist training, the training of departmental and Foreign Service clerical and administrative personnel, and language training. The Division of Training Services has also been conducting orientation conferences for departmental and Foreign Service personnel.

Foreign Service Officers Training

Training of newly appointed Foreign Service officers has been proceeding rapidly on a crowded schedule. Classes averaging about 15 officers each reported for instruction on June 3, June 17, July 1, and July 15, and a fifth group was expected about the first week in August. Other groups are expected at fortnightly intervals.

Each class has four weeks of classroom orientation and instruction. At the completion of this schedule, officers are routed to appropriate divisions of the State Department for personal conferences, as well as to the Department of Commerce and other departments and agencies. The period of instruction has had to be held to a minimum because of the pressing need for officers in the field.

The training program for this group is under the direction of Mr. Jester. Officers in many divisions of the Department have been assisting by giving lectures on special subjects.

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The Present Status of German Youth

Article by HENRY J. KELLERMANN¹

PART III

Policies of Military Government

Although the purpose and form of organization remains disputed among the Allies and interest among German youth is doubtful, Allied and German authorities in all zones have initiated and encouraged the formation of youth groups. In the Soviet zone, youth organizations take an active interest in speeding the process of economic and physical recovery. In the British and American zones, MG policies appear to be motivated by the wish to use youth organizations as an additional means of re-education and control. In the Soviet, American, and British zones Allied authorities, uniformly but for different reasons, look askance at the organization of party-sponsored youth groups.

SOVIET ZONE. Soviet policies in Berlin and within the Soviet zone itself appear to be oriented toward long-range objectives. Soviet authorities seem to have aimed from the beginning at the establishment of a unified youth movement possessing a political program in harmony with over-all Soviet policies, but claiming to be a supra-political organization independent of party sponsorship. Such a movement has now come into being in the shape of the Free German Youth (*Freie Deutsche Jugend*—FDJ).

Pending this development, youth had been granted a limited right of self-administration under official (adult) auspices. To this end youth committees (*Jugendkomitees* or *Jugendausschüsse*), led by and composed of young people, were formed in the first months of occupation for the purpose of creating a "unified free youth movement."² These youth committees, reportedly, were the successors to local groups which had sprung up almost immediately after the military

collapse. They were led, at least in part, by left-wing inmates of concentration camps.

By a decree of Marshal Gregory Zhukov of July 31, 1945, a new basis was created for all youth activities throughout the zone. The decree authorized the establishment of anti-fascist youth committees at all mayoralties of cities and medium-sized towns (but not villages). The most active anti-fascist boys and girls were to be the members and the committees were to be supported by public funds. Simultaneously, the creation of all other youth organizations, e. g. trade-union, Socialist, and sport associations, was prohibited, and those already in existence, such as the Boy Scouts and church groups,³ were dissolved. The organization of youth committees on the zonal, regional, and local levels followed rapidly.

The highest youth authority for the Soviet zone is the Central Youth Committee (*Zentraljugendausschuss*) in Berlin, which has jurisdiction for the whole zone.⁴ The central committee directs and coordinates the work of youth committees on

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For Part I of this article see BULLETIN of July 14, 1946, p. 49; for Part II see issue of July 21, p. 83.

² Statement by Walter Ulbricht, member of the executive committee of the Communist Party, at the first conference of party functionaries on June 25, 1945, quoted in *Jugend auf neuem Wege*, publication of the Central Youth Committee for the Soviet Occupation Zone.

³ Foreign Broadcast Intelligence Service; ticker, July 31, 1945; *Jugend auf neuem Wege*, p. 7.

⁴ Its leading members are Erich Honecker, *Kommunistische Partei Deutschlands* (KPD), formerly Catholic Youth, Chairman; Edith Bammann, *Sozialdemokratische Partei Deutschlands* (SPD); Heinz Kessler, *Kommunistische Partei Deutschlands* (KPD).

the state and provincial levels; the latter are responsible for activities in the cities and towns. For Berlin itself a Main Youth Committee (*Hauptjugendausschuss*)⁴ reports to the Central Youth Committee. The Main Youth Committee, in turn, supervises the activities of the district youth committees (*Bezirksjugendausschüsse*), each of which corresponds geographically to one of Berlin's city districts. The autonomy of the youth committees is restricted by the fact that all of them are ultimately responsible to the Central Administration for Popular Education (*Zentralverwaltung für Volksbildung*). Thus adult supervision is maintained.

The new policy resulted in a rapid expansion of youth organizations throughout the zone. Seventy-three youth committees were reported in January 1946 in Brandenburg Province alone.⁵ But in terms of membership the picture is reported to be less impressive. It has been estimated that in Berlin (December 1945) only 10 percent of the youth participate in the work of the youth committees. Open hostility to the committees has been reported. In Thuringia, for instance, youths who attended meetings of the youth committees went home in groups to avoid being beaten up by German protagonists. It is to be assumed also that girls constitute the majority of the membership.⁶

The political composition of the membership is said to be mainly left-wing. Soviet policy and the preponderance of left-wing elements—e.g. KPD members or children of members—accounts for the complexion of the leadership. The personnel of both the Central Youth Committee and the Main Youth Committee consists largely of Communists and Socialists. In most Berlin districts

⁴ Its head is Heinz Kessler (KPD).

⁵ Political Intelligence Division of the British Foreign Office: *Daily Digest for Germany and Austria*, No. 201.

⁶ In Berlin 70 percent of all youths are said to be female; in Saxony the proportion of boys to girls, between the ages of 14 and 21, reportedly, is one to eight.

⁷ Exceptions are reported from the Tiegarten district, where a Catholic is the leader, and from Zehlendorf, where denominational youths head the youth committees.

⁸ *Jugend auf neuem Wege*, p. 12.

⁹ FBIS: *Daily*, Aug. 2, 1945, quoting Radio Berlin: "The permission of the occupation authorities for the formation of youth committees gives German youth . . . the opportunity of organizing itself in democratic unity and purging its ranks of all fascist filth."

¹⁰ FBIS: *ticker*, Mar. 2, 1946.

the youth committees have been led by Communists and, in isolated cases, by Socialists.⁷ Similar conditions seem to exist in other parts of the Soviet zone.

Honecker, head of the Central Youth Committee, has insisted that the selection of leadership was based exclusively on individual merit, that is to say on personal initiative and the individual's political, i.e. anti-fascist record.⁸ On the other hand, the predominance of Communist leaders and members would prove to be of distinct advantage if it were an over-all policy of the leadership to establish a nation-wide youth organization under Communist auspices. It also appears that the youth committees were designed to serve as instruments of political purge and as nuclei for a unified youth organization.⁹

It is worth noting that the need for unity in youth organization was originally agreed upon by all elements. Both Communists and church followers are reported to have agreed upon "United Germany, our Fatherland" as the slogan for a united youth organization. However, representatives of Catholic and Protestant church groups have begun to object to the monopolization of leadership by left-wing elements. Efforts by FDJ leaders to effect the unification of all German youth within their organization and their attempts to extend their influence into the western zones have drawn strong protests from representatives of church groups and the Christian Democratic Youth.¹⁰

Efforts to consolidate a single youth body have, nevertheless, continued and have resulted in the formation of the over-all organization known as the Free German Youth (*Freie Deutsche Jugend—FDJ*). As early as February 11, 1946, it was reported that the new organization was already getting under way in the Soviet zone. The first intimation of its creation came from Erich Honecker, head of the Central Youth Committee, who announced that arrangements were being made to start the new group. It was to operate under a national leadership of 40 "from all parts of Germany". Separate sections, Honecker said, were planned for the three western occupation zones. Its program called for the maintenance of the unity of Germany.

Although information about the formative stages is still lacking, it is reported that support for the FDJ has come from the Berlin *Magistrat* and from the Soviet authorities. Both Catholic

and Protestant groups are reported to have requested permission to organize confessional groups within the FDJ.

Official sanction for at least parts of the FDJ was given in March, an event celebrated in the Berlin papers as "another step toward the new Germany". Accordingly, all youth committees in the Soviet zone and the Soviet sector of Berlin are reported to be in the process of being replaced by units of the FDJ. The new organization is said to be "magnificently" equipped with slogans, badges, and banners. The Executive Board of Berlin has been nominated. It is headed by Kessler (KPD) and is composed of a majority of Communist members. A provisional Reich leadership of the FDJ scheduled to be elected on April 26-27 in Berlin was to include Erich Honecker (KPD) as Chairman, Edith Baumann (SPD) as Deputy Chairman, and a number of Communist, Socialistic, and Christian Democratic members with Communists clearly in the numerical lead.

Inasmuch as the objectives of the youth committees and the FDJ are centered on political reconstruction and economic rehabilitation, the youth movement in the Soviet zone seems to have detached itself deliberately from the traditional aims of the German youth movement. The only residues appear in the emphasis placed consciously on the cultivation of German cultural values and in a continued call for national unity.

This conscious courting of national feeling is, however, as much a part of the Communist overall policy of stressing German unity as a political postulate as it is a concession to the sentimental traits of the German youth movement. The same policy is exemplified in the Communists' outright refusal to create a separate Communist youth organization or to allow the establishment of any other party-affiliated or church-sponsored youth groups.¹¹ The FDJ would therefore seem by implication an instrument which seeks to use the theme of national unification as a means of extending political influence, inside and outside the Soviet zone.

U. S. ZOGE. Military Government policies toward youth in the American zone appear dictated by a desire to forestall any premature preoccupation of youth with matters political. Consequently, the establishment of youth organizations is encouraged primarily as an additional means of both recreation and control. Nonetheless, youth groups with specific political interests have

emerged within or outside the legitimate parties. Moreover the neutral label adopted by some youth organizations does not seem to have discouraged the efforts of political groups to influence such independent youth organizations along specific political lines. Finally, U. S. policies seem to have crystallized gradually. As a result, practices in various regions within the zone have shown marked deviations, depending on the individual situation as well as on the judgment of the official in charge.

Directives recently issued by MG for the American zone are making the above tendencies explicit.¹² Support is promised to all "voluntary" youth groups devoted to cultural and religious education and to recreation. Such organizations are considered as instrumental to democratic education. The establishment of branches of such international organizations as the Boy Scouts, the Y. M. C. A., the Y. W. C. A., and the Y. M. H. A. is expressly recommended. On the other hand, the creation of youth organizations similar in character to the Hitler Youth or to any military organization is prohibited. Youth organizations, furthermore, are not permitted to engage in political activities, nor are the members permitted to wear uniforms or badges without special permission from MG. Membership is restricted to boys and girls from 10 to 18 years of age. It must be voluntary and unrestricted. That is to say, while the formation of religious and trade-union youth groups is permitted, membership cannot be made contingent upon racial or economic considerations. However, political integrity is made a condition for all leaders of youth groups as well as for all persons supervising or teaching leaders and members. Before activities are started, MG must examine, approve, and license each organization.¹³

¹¹ *Jugend auf neuem Wege*, p. 15.

¹² *Mittelhannische Zeitung* (Regensburg), Apr. 26, 1946.

¹³ *The Monthly Report of the Military Government of Germany on Education and Religion*, of Mar. 20, 1946, lists the following standards outlined and proposed by German civilian agencies for the approval of youth organizations by MG: A comprehensive program of youth activities should (a) provide for adequate play and recreational activities under the supervision of voluntary agencies and educational leaders; (b) provide, under satisfactory supervision, for the carrying out of voluntary work projects which further reconstruction and give the participants a sense of usefulness; (c) give assurance that minimum facilities, such as buildings, playgrounds, and simple equipment are to be provided; (d) provide acceptable

To supervise and enforce the directives, American authorities have created "youth committees" to operate as intermediary agents between MG and the youth organizations. Such organizations exist on the state level (*Landesjugendkomitee*) as well as on the county level (*Kreisjugendkomitee*). However, in contrast to practices prevalent in the Soviet zone of having youths form the membership of such committees, youth committees in the U. S. zone are composed mainly of adults, both male and female, representing the local administration, the churches, the professions, trades, arts, sport, and student associations, as well as personalities from the fields of education, youth welfare, and health. Finally, the youth organizations themselves are expected to delegate leaders to the appropriate youth committees. The Minister of Cultural Affairs within each state (*Land*) is responsible for the work of the youth committees.

The functions of the youth committees involve political supervision of youth groups, i.e. protection of youth organizations from subversive political influences; counseling and supporting youth organizations with regard to programs; establishment of a register of all organizations within their jurisdiction; and examining applications by

plans for youth leadership training in institutions of higher learning and for short conferences and institutes to meet immediate leadership requirements, and (c) set forth practical plans for increasing the number and circulation of youth publications. These criteria elaborated by German agencies, although still predominantly non-political and patronizing in their approach, nevertheless show incipient tendencies to give youth an opportunity for participating in larger social projects, e.g., in the task of reconstruction.

¹⁵ Commanding General, U. S. Forces in the European Theater.

¹⁶ Liaison youth officers are to work with the youth committees on the following programs: (1) sharing of athletic fields, gymnasiums, swimming pools, etc., which have been requisitioned by U. S. troops; (2) turning over equipment and sport supplies to German youth groups; (3) assisting the county youth committees in setting up youth hostels, motion-picture performances, sport competitions, and crafts, in promoting volunteer work in farming, repairing war damage, and in the arrangement of meetings at which "German youth can hear about the youth of the democratic countries". Cf. *Frankfurter Neue Presse*, Apr. 25, 1946.

¹⁷ *Weser Kurier* (Bremen), Feb. 23, 1946.

¹⁸ PID: *Digest*, No. 167; *News of Germany*, No. 61; FBIS: *Hicker*, Nov. 16, 1945.

¹⁹ *Publizer Volkszeitung*, Feb. 27, 1946.

²⁰ *Frankfurter Rundschau*, Feb. 1, 1946.

youth organizations for the formation of regional federations (*Landesjugendverbände*). With the exception of Bavaria, the creation of youth committees appears to have been accomplished in every county.

To facilitate the work of the youth committees and to maintain relations between youth committees and MG, "youth officers" have been, or will be, appointed for each state in the American zone. Under a directive of General Joseph T. McNarney,¹⁹ the 11 principal tactical commanders have also been ordered to appoint full-time liaison officers to cooperate with these youth officers.¹⁵

Following the regulation of MG of October 25, 1945, permitting the establishment of youth groups, youth organizations have sprung up in all parts of the U. S. zone. The number and type of these groups reflect, to some extent, the varying practices which existed throughout the U. S. zone prior to the final formulation of current policies.

In the Bremen enclave, youth groups, according to reports,¹⁶ were permitted only on a local basis. Coordination or unification of local groups in a single organization was not considered, although contact between groups could be established for the purpose of exchanging both leaders and experiences. The formation of political youth groups was not permitted in the enclave, and parties and religious groups were prohibited from activities among young people. Former groups, such as the Socialist Workers' Youth, the Free German Youth, and the Falcon Movement, were dissolved. Youth activities were confined to the operation of leisure-time programs, including sports, hiking, dancing, and unpolitical discussions. Membership was voluntary, but all leaders had to submit to a personal examination by MG. The institution of training courses for leaders was planned.

In Greater Hesse, where MG policies were somewhat more lenient, the authorities approved the organization of religious youth groups, but were opposed to the formation of teen-age organizations sponsored by political parties or "ideological" groups.¹⁷ All youth organizations, whether independent or part of an adult organization, must have a license,¹⁸ application for which must be accompanied by a declaration that no political activity or contact with political parties was intended.¹⁹ Youth clubs appeared in all cities and towns.

Youth committees and organizations in Greater Hesse appeared divided in their opinion on the prohibition of political groups. Church leaders favored a uniform youth group and warned against splits.²⁰ Furthermore, the Christian Democratic youth protested against the admission of the Free German Youth to Greater Hesse.²¹

Reports from Hesse indicated that in spite of previous rulings a number of youth groups with specific political interests have been organized. Socialist youth groups, an Association of Young Christian Democrats,²² the Free Democratic Youth,²³ and the Free German Youth²⁴ all appeared. In some instances, these groups operate within established political parties and seem to be restricted to members who are 18 years of age or above. In other cases, their affinity to individual parties is apparent on ideological grounds only, and has not led to actual affiliation. Inasmuch as the letter of the law has thus been respected, authorities appear to have seen no cause for prohibiting the activities of these groups thereby forcing the issue into the open. Consequently, the Free Democratic Youth, according to the press,²⁵ was licensed by MG; the first public meeting in Hesse of the FDJ was allegedly attended by representatives of MG, civic leaders, and delegates of the antifascist parties.²⁶

In Bavaria, youth committees met under the auspices of city authorities. MG directives, as interpreted by Mayor Karl Scharnagl in Munich,²⁷ provided for the formation of voluntary youth groups devoted to religious, cultural, or recreational activities. It appears that the directives did not exclude explicitly the admission of political youth organizations. In a number of places organizations, some political, most of them non-political, came into being.²⁸ The following groups exist in Munich: the *Pfadfinder*, (non-partisan), the *Pfadfinderschaft St. Georg* (Catholic), the *Jungsozialisten*, the *Falken* (Socialist), the *Freie Deutsche Jugend* (allegedly non-partisan, presumably Communist-supported).²⁹ Applications for licenses have been filed by Catholic, Protestant, Democratic, and Social Democratic groups.³⁰ MG officials themselves have encouraged the creation of such youth groups.

Public authorities in Bavaria seem to have preferred the non-political type of youth organization on the Anglo-American model, preferably under adult leadership.³¹ Of particular importance was

the establishment of a national scouting movement for boys (*Reichsschaft deutscher Pfadfinder*).³² Mayor Scharnagl announced that the German scouts would be organized and trained with the help of leaders from the Boy Scouts of America now serving with the occupation forces. Reportedly, suggestions have been advanced to American authorities that a small number of acceptable German youth leaders may also be sent to the U. S. for training.³³

In Württemberg-Baden U. S. policies appear to have been most liberal. The chief objectives of the program for the public care of youth have been outlined by a spokesman of the *Land* government: (1) to gather all genuine democratic forces on the basis of mutual respect; (2) to grant freedom to all associations in the performance of their activities; (3) to emphasize all elements of common and unifying interest; (4) to enroll all youth discharged from school, without regard to religion, party affiliation, or professional status; (5) to provide guidance to the sources of knowledge and culture; (6) to fight against superficiality, carelessness, and lack of judgment.³⁴

The organization of youth along political lines has apparently never been barred in Württemberg-Baden. Consequently, a multitude of youth groups have sprung up, including party-affiliated and church-sponsored organizations as well as independent associations, scout groups, and social and recreational clubs. In Württemberg six organizations had been licensed by February 1946:

²⁰PHD: *Digest*, Feb. 27, 1946.

²¹FFHS: *ticker*, Mar. 2, 1946.

²²*Ibid.*

²³*Frankfurter Rundschau*, Feb. 19; *Wiesbadener Kurier*, Feb. 20, 1946.

²⁴*Wiesbadener Kurier*, Mar. 6, 1946.

²⁵*Frankfurter Rundschau*, Feb. 19, 1946.

²⁶*Wiesbadener Kurier*, Mar. 6, 1946.

²⁷*Süddeutsche Zeitung*, Dec. 28, 1945.

²⁸FFHS: *ticker*, Oct. 16, 24, 1945; *Der Allgäuer* (Kempten), Feb. 6, 1946.

²⁹*Die Neue Zeitung*, Apr. 15; *Frankenpost*, Apr. 13, 1946.

³⁰*Die Neue Zeitung*, Jan. 4, 1946.

³¹In Coburg, for instance, the youth committee, with the support of MG, has assumed responsibility for the organization and education of youth through three recreational groups (*Neue Presse*, Feb. 16, 1946).

³²*Oberbayerisches Volksblatt* (Rosenheim), Feb. 1, 1946. In spite of its name, this scouting movement is confined to Bavaria.

³³*Süddeutsche Zeitung* (Munich), Jan. 29, 1946.

³⁴*Stuttgarter Zeitung*, Jan. 9, 1946.

the Protestant Youth, the Catholic Youth, the Trade-Union Youth, the Sport Youth, the Swabian People's Youth (*Schwäbische Volksjugend*), and the German Boys (*Deutsche Jungenschaft*).³⁷ In Mannheim (Baden) the organizations that are said to exist are Catholic Youth, Protestant Youth, Democratic People's Party Youth Group, Christian Democratic Union Youth Group, Social Democratic Party Youth Group, Communist Party Youth Group, Trade-Union Youth Organization, and Boy Scouts.

Numerically speaking, the participation of youth in these groups is not very strong as yet, although their popularity is on the increase. According to recent rather optimistic estimates (May 1946) a total of 241,000 young people are said to be enrolled in youth organizations within the U. S. zone; that is, 81,000 in Bavaria, 75,000 in Greater Hesse, and 85,000 in Württemberg-Baden. It should be remembered, however, that the number of school children between 6 and 14 in elementary schools alone amounts to 1,081,382 in Bavaria, 412,230 in Greater Hesse, and 412,666 in Württemberg-Baden.

BRITISH ZONE. British occupation authorities have moved with considerable caution in permitting the re-establishment of youth organizations. Although Field Marshal Montgomery announced his support rather early, final approval was conditioned upon the successful completion of a certain amount of preparatory work.³⁸ To this end, training courses for youth leaders were inaugurated.³⁹ British experts were to participate in seminars for youth leaders and to familiarize German youth with the structure and programs of youth groups in Great Britain. Members of British youth groups have, in fact, come to Germany to discuss fundamental and practical problems with welfare and youth organizations. British MG officers have agreed to provide Ger-

man youth groups with the necessary physical facilities.⁴⁰

To insure the political reliability of the leaders, British authorities have required very high qualifications for youth leaders, helpers, and educators. A special clause in the directive bars all persons disqualified for political reasons.⁴¹ Since there has been a shortage of leaders and helpers, British officers have themselves devoted a great deal of their time to the youth groups.⁴²

A directive, dated March 6, 1946, of the Oldenburg State Youth Office (*Landesjugendamt*) summarizes MG regulations on the formation of youth groups.⁴³ Emphasis in this summary is placed on the political integrity of programs, leadership, and membership. The program must be democratic, anti-National Socialist, and anti-militarist. Party politics are excluded. Active officers of the Wehrmacht, the police, and semi-military organizations are excluded from leadership, as are personalities who have been "active in political life". Leaders of the Hitler Youth are barred for the time being. Excluded from membership are all who were members of the NSDAP or one of its formations before January 30, 1933, including the Hitler Youth, and all leaders of the Nazi Party above the position of *Ortsgruppenleiter*, *Sturmführer*, or equivalent ranks. All members above 18 years of age need the special permission of MG. So do all members of adult organizations which accept juveniles under 18 as members.

Other directives have placed the responsibility for youth groups on state and county youth officers (*Landesjugendamt* and *Kreisjugendamt*). The work of these offices and groups has been fairly successful. As of the end of February a total of 236,952 young people (about 10 percent of all school children) were reported to be organized in 4,020 groups, 50 percent of which were active in the Rhineland alone.⁴⁴

The drive to get German youth organized has met with considerable support on the part of the older generation, which has willingly accepted its share in the responsibility. Yet the drive is hampered by impediments similar to those in other zones, above all by the lack of experienced and suitable German youth leaders. Nevertheless, a number of new organizations have sprung up, including so-called independent groups, which concentrate their activities on sports and cultural programs, occasionally on debates, foreign languages,

³⁷ The last group is a revival of one of the more radical elements of the former youth movement: *Frankischer Tag*, Mar. 2, 1946.

³⁸ *Die Neue Zeitung*, Jan. 4, 1946.

³⁹ *Hamburger Presse*, Jan. 2; *PH*; *Digest*, Feb. 27, 1946.

⁴⁰ *Neue Rheinische Zeitung* (Düsseldorf), Feb. 13, 1946.

⁴¹ *Frankischer Tag* (Eauenberg), Feb. 9, 1946.

⁴² *PH*; *Digest*, Jan. 25, 1946.

⁴³ *Nordwest-Nachrichten* (Oldenburg), Mar. 8, 1946.

⁴⁴ *Ruhr-Zeitung* (Dortmund), Mar. 2, 1946. The relatively high percentage of organized youth in the Rhineland is, at least in part, attributable to the predominance of religious, notably Catholic, influence and organization.

lectures on foreign countries and correspondence with their youth, dramatics, journalism, carpentry, dancing, and nature study. Youth groups created so far include Protestant and Catholic youth leagues, trade-union youth groups, the German Free Units (*Deutsche Freischar*), the Free German Youth, and political groups organized within or outside political parties, such as the Young Socialists (*Jungsozialisten*), the Falcons (*Falken*), Socialist Labor Youth (SAJ—*Sozialistische Arbeiterjugend*), the CDU youth, and ethnic minority groups, e.g. Danish.⁴²

Socialist groups are said to exist in Essen, Cologne, Flensburg, and other places. Communists are reported active in the Ruhr area. Both leftist parties are reported to resent what they consider the favoritism shown religious groups, and to be anxious to organize their own youth on a wider scale.

As a result of their tactics of coaching political activities for youth in the form of a seemingly independent and neutral youth movement, the so-called Free German Youth, the Communists have succeeded in organizing youth without permission. Young Communists under 18 years of age are encouraged to join this group, while the older youth is reported to be organized in social groups for the purpose of political education and, later on, in cells of five, led by experienced party members.

If Bochum, where five organizations are reported,⁴³ can be considered a typical example of the administration and operation of youth, then the following principles seem to prevail within the British zone: At the top of the administrative hierarchy stands the local representation for youth care (*Ortsvertretung für Jugendpflege*), which is composed of representatives of the city administration, the county school councilors, the leaders of the local youth organizations, and outstanding athletes or sportsmen. The executive management is in the hands of the office for schools (*Schulamt*). A youth leader is appointed to maintain liaison with all local youth organizations. All youth organizations are permitted to establish sub-groups. In Bochum, the five youth organizations have 55 sub-groups with a total membership of 6,000 young people.⁴⁴

FRENCH ZONE. There is evidence that the French insisted on an initial period of quiet during which careful preparations were made for the resumption of youth activities. This phase now seems

concluded, and the re-establishment of a number of youth organizations, political and non-political, is expected. Those listed include: the Protestant Youth Organization (*Evangelisches Jugendwerk*), the Y.M.C.A. (*Christlicher Verein Junger Männer*), the Catholic Swabian Youth (*Katholische Schwaben-Jugend*), and the Young Swabian League (*Bund Jungschwaben*), a Social Democratic organization.⁴⁵ According to latest reports, the formation of a youth council in Freiburg has been interpreted as an official sign of French willingness to acknowledge the participation of youth in the process of democratic reconstruction.⁴⁷

Programs of German Groups

The re-emergence of youth groups with a specific religious or ideological affiliation appears to be much more the result of efforts by adult groups to secure the continuity of their organizations than the manifestation of a spontaneous interest in certain ideologies on the part of the broad masses of youth. Youth interested in organization frequently rejects any party-affiliated youth group as a mere reproduction of the Hitler Youth. Furthermore, National Socialism and the war robbed the democratic forces in Germany of the majority of its youth and, in particular, of its trained leadership; few leaders are left who remember political organizations which were not National Socialist. Consequently, ideological and, especially, political youth groups are weak. In most cases, they are not only initiated and sponsored by adult groups, but are also led by adults and may even form, organizationally, a part of the parental body. Their aims and programs seldom differ thereby from those of their sponsors.

RELIGIOUS YOUTH GROUPS. Catholic youth groups are distinguished by a most carefully devised organizational framework. Central control is vested in the bishop of the diocese, who issues the regional directives. (Reich, i.e. nation-wide, associations are no longer being formed.) Within a

⁴² *Kieler Kurier* (Kiel), Mar. 30, 1946.

⁴³ The Catholic Youth Movement of Greater Bochum, the Protestant Youth Movement of Greater Bochum, the Protestant Youth League for Resolute Christianity ("E.C."), the Free German Youth Movement, and the Falcons.

⁴⁴ *Ruhr Zeitung*, Mar. 13, 1946.

⁴⁵ *CDU: Dienst*, Feb. 8, 1945.

⁴⁷ *Ibid.*, Apr. 12, 1945.

diocese all Catholic youth belongs automatically to the so-called Parish Youth (*Pfarrjugend*); in addition, Catholic youth is free to join the Catholic Youth (*Katholische Jugend*), which is described as a "voluntary community of living" (*Freiwillige Lebensgemeinschaft*). The Catholic Youth is divided in three age groups, 10 to 14, 14 to 18, and 18 to 25. The oldest group constitutes the nucleus of the organization and is expected to provide the leaders for the other two.⁴⁸ The numerical progress of the Catholic Youth in the western zones appears to be considerable; in Munich, the Catholic youth groups boast of 13,000 members.⁴⁹ Objectives and activities are strictly clerical in their orientation. Sports are not planned except for games and hiking for the younger members. Emphasis is placed on close collaboration between school and church.⁵⁰

Protestant youth groups are less rigidly organized. Their activities, however, are likewise strictly religious. Musical education is stressed. Although sports as such play no part, hiking is planned. Political discussions are avoided, as are all controversial subjects involving Catholic or Protestant issues.⁵¹

PARTY YOUTH GROUPS. The youth groups of the Christian Democratic Union, too, emphasize religious education, i.e. education "in a fixed direction". Political organization is reserved for those over 20 years of age. In Greater Hesse as well as Bavaria and probably in the other regions as well, the CDU youth groups form no separate organization. Although in Frankfurt those over 18 are gathered in a special group for the purpose of political discussion, CSU youth in Bavaria operates through special youth committees but has no separate organizational status within the party.

⁴⁸ *Darmstädter Echo*, Feb. 23, 1946. Earlier reports indicated that the head of the organization was Bishop Albert Stohr of Mainz. He is said to be assisted by three priests, who report to the Bishops' Conference in Fulda (FBIS: ticker, Oct. 10, 1945).

⁴⁹ *Die Neue Zeitung*, Apr. 15. According to reports of April 1946, Catholic elements within the British zone appear to have revived the "Quikborn", a Catholic youth movement of pre-Nazi days (*Die Tagesspiegel*, Apr. 4, 1946).

⁵⁰ FBIS: ticker, Oct. 10, 1945.

⁵¹ *Kieler Kurier* (Kiel), Mar. 30, 1946.

⁵² It is not clear whether the Free Democratic Youth recently established in Greater Hesse is affiliated with the Democratic Party.

⁵³ *Munburger Presse*, Mar. 22, 1946.

At a recent conference of 150 youth representatives in Bavaria, 70 percent of those attending were less than 25 years of age.

The youth of the Democratic Party, while agreeing with the CDU that political maturity is not achieved before the age of 24, rejects religious education as the sole subject and proposes a broad professional and scientific as well as moral education until about the twentieth year.⁵²

The youth group of the Social Democratic Party pleads for education in a socialist and democratic sense. The SPD youth comes out for the organization of youth with clearly defined ideological bases. Objectives are outlined as follows: (1) the reorganization of society on a democratic socialistic basis; (2) complete eradication of all Fascist ideas from German culture; (3) imbuing German youth with democratic thoughts and methods of democratic thinking; (4) continuous struggle against the re-emergence of militarism in any form; (5) initiation of sports and recreational and cultural activities as a means of overcoming the present demoralization of youth. The Socialists are said to be interested in gaining the support first of all of veterans and prisoners of war. Leadership is scarce, consisting chiefly of former Socialist youth leaders. Education is accomplished by degrees. In some groups, no attempt is made to indoctrinate the members with Marxist teachings. Even direct attacks on Fascism and militarism may be avoided.

In Bavaria, however, young Socialists, operating as part of the Social Democratic Party, are taking a more active part in regional politics. For example, Minister President Wilhelm Hoegner's conciliatory attitude toward the Catholic Church was sharply criticized by some of the young organized Socialists. Others expressed disagreement with the policy of not merging with the Communist Party. The congress of Young Socialists recently held in Frankfurt-am-Main also revealed a growing awareness of Socialist youth concerning immediate problems of national and local significance. Resolutions adopted at this congress resembled in form and substance those adopted at youth meetings in the Soviet zone. Emphasis was placed on vocational training, employment, the fight against juvenile delinquency, international collaboration, and political education.⁵³

Organization appears to take place on two age levels. The older group, above 18, is gathered in

the Socialist Education Community (*Sozialistische Erziehungsgemeinschaft*) and Young Socialists (*Jungsozialisten*); the younger in the Falcon Movement (*Falcken Bewegung*) and in youth groups called Friendship (*Freundschaft*). The first group meets in seminars and social gatherings to be trained for future political functions. The Falcons are active along the lines of the old *Wandervogel* movement.⁵⁴

The Communist youth has not been organized under the party label. Communist speakers argue that German youth under 18 lacks the maturity, discipline, and, above all, the interest prerequisite to political organization and action. The last characterization refers to the apathy and distrust of German youth in regard to party politics. According to Communist politicians, however, the indifference of German youth toward matters political is not merely a result of present-day conditions but was characteristic of this youth even before the advent of Hitler. Consequently, Communist leaders spurn the partisan approach. In lieu of creating a separate organization these leaders appeal indiscriminately to the national instincts of German youth with demands for the establishment of an *Einheitsjugend*, i.e. a non-party youth movement. These efforts have resulted in the formation of the Free German Youth (*Freie Deutsche Jugend*—FDJ) in the Soviet, U. S., and British zones. In the two latter zones, Communist leadership may not always be firmly established, nor may Communist sponsorship be apparent to outsiders or even to members of the group. (Inasmuch as the political purpose remains undeclared, authorities have refrained from interfering with the activities of the FDJ, just as they have in the case of the Falcons and other youth groups which are officially neutral but ideologically related to certain political parties.)

Little doubt can be entertained that the FDJ has its origin, sponsorship, and chief support within the Soviet zone. Its program and functions were developed by the youth committees in the Soviet zone, which in many ways can be thought of as the predecessors of the Free German Youth. Representatives of youth committees have demonstrated an interest in matters which concern the adult community as well. Speeches, statements of policy, resolutions, and activity reports made at local and regional youth conferences re-

veal that this section of organized youth wishes to participate in such matters as international collaboration, de-Nazification, reconstruction, re-education, increase of production, and vocational problems. There is equal concern about the labor market, permanent and emergency employment, recreational facilities, and cultural activities.

Invariably a few principal demands recur, which are likely to form the eventual ideological basis of the FDJ. They are: (1) Unification of all youth: "There is only one youth movement—that of the anti-fascist youth";⁵⁵ (2) Education for democracy: "To liquidate Nazi ideology . . . re-establish a clean anti-fascist order in Germany . . . familiarize youth with the culture of the German nation and other nations, so long withheld by the Nazis";⁵⁶ (3) International collaboration: "To educate German youth in the spirit of friendship with all nations, especially with the Soviet people";⁵⁷ (4) Social-mindedness: "Freedom [means] conscious responsibility toward the community";⁵⁸ (5) Integration of youth with the general political life: "Collaboration with the authorities, the political parties, and trade unions for the development of a new cultural life . . . [drawing] on the best political personalities, teachers, economists, and artists in order to shape the life of youth."⁵⁹

The Free German Youth has incorporated most of these principles into its program. Its manifesto reads:

"We boys and girls of the Free German Youth pledge ourselves in the hour of Germany's most bitter suffering to the reconstruction of our fatherland on an anti-fascist, democratic basis. We are drawn together by our devout will to overcome by a common effort the misery into which Nazism has plunged our people."

The aims set forth include the following: (1) unification of Germany; (2) freedom, humanitarianism, democracy, peace and friendship among nations; (3) participation in the task of national reconstruction; (4) participation of youth in public affairs, the achievement of professional training and status, and of social security without re-

⁵⁴ *Die Neue Zeitung*, Apr. 15; *Kieker Kurier*, Mar. 30, 1946.

⁵⁵ *FBIS: Daily*, Aug. 28, 1945.

⁵⁶ *Jugend auf neuem Wege*, pp. 8, 44.

⁵⁷ *Ibid.*

⁵⁸ *Die Tribüne* (Berlin), Jan. 3, 1946.

⁵⁹ *Ibid.*

gard to social, economic, or religious background; (5) the development of an all-inclusive youth movement, the Free German Youth.

A special declaration, promulgated by the Main Youth Committee⁶⁰ in Berlin, undertakes to express the objectives of the Free German Youth in the form of a Bill of Rights of Youth (*Grundrechte der jungen Generation*). It is based on the fundamental conception characteristic of Soviet-sponsored youth policies that the Free German Youth is founded "not merely on one or another political program, or on the cultivation of sports or social life, exclusively, but on the merger (*Zusammenschluss*) of the younger generation for the purpose of realizing their political, economic, and cultural interests." The declaration postulates the following: (1) the granting of so-called fundamental political rights, including the right to vote at 18 and the right to hold public office; (2) the right to work, including a 42-hour week for youth of 14-16 years of age and a 45-hour week for youth of 16-18; (3) the right to recreation, including paid vacations; (4) the right to education, including grants to needy young people; (5) the "right to joy and pleasure," i.e. participation, passive and active, in artistic, literary, and other cultural activities.

To judge from press reports, the Free German Youth has made considerable progress in the Soviet zone. The total membership is estimated by some sources at 150,000 young people.⁶¹ At a meeting in Dresden on March 20, leaders of the FDJ pointed to an enrollment of 27,020 members within a few days. The local press has reported the participation of 12,000 members in voluntary labor projects and the like.⁶²

In all zones, including the Soviet zone, the FDJ remains a hotly debated issue among the German public. Demands for unity are strongly suspected as efforts by Communist elements to proselytize German youth by means of neutral labels and nationalistic slogans. Others reject the FDJ as a pseudo-political attempt to standardize youth on the totalitarian model. Its ultimate appeal in the western zones is likely to depend less on the abstract merits of its program than on the general course of German political and economic develop-

ment, and particularly on the success of the various independent youth organizations, supported by Allied authorities, in filling the moral and psychological vacuum created by the Nazi collapse.

Conclusion

After one year of Allied occupation, the status of German youth remains unsettled. The breakdown of a totalitarian system and the limited success in enlisting the active cooperation of youth in the establishment of political order appear responsible in large measure for the current political apathy and present evidences of opposition to the occupation authorities. Food shortages, lack of employment, housing conditions, lack of adequate controls, and general disillusionment all make for a growth of demoralization and criminality. The existing social vacuum offers a singular opportunity for diverse groups and agents, including subversive elements, to bid for leadership and control.

Reports from Germany show that both reactionary and democratic influences are at work among the youth. Attempts to exploit youth for nationalistic purposes have led to the organization of incipient resistance groups, to the emergence of quasi-political gangs of wayward juveniles and, subsequently, to a number of individual disturbances, none of which, however, has met with more than preliminary or local success. On the other hand, efforts by authorities and organizations to control the problem by means of educational reform, welfare programs, organized leisure-time activities, and political education have been characterized by initial but, so far, inconclusive progress. Measures taken in the eastern and in the western zones vary in the emphasis placed on either political rehabilitation or social readjustment. Soviet policies attempt to integrate youth into the over-all political pattern established for the population as a whole by encouraging participation of all youth in the process of reconstruction. Policies of the western Allies, by contrast, are chiefly focused on welfare and recreational measures as a means of reconditioning youth morally and socially. Although a certain portion of German youth appear to respond to Allied measures, the majority seem to remain in a political coma—unmoved by general promises, preoccupied with problems of physical survival, and

⁶⁰ *Rechner Zeitung* (Berlin), Apr. 26, 1946.

⁶¹ *Die Neue Zeitung*, Apr. 15, 1946. Latest figures set the total close to 130,000.

⁶² *Tägliche Rundschau* (Berlin), Apr. 11, 1946.

susceptible to extreme solutions of their present dilemma.

A principal problem confronting Allied military government and German civilian authorities is thus to affirm, to strengthen, and, if possible, to extend their influence over German youth. Over and above measures designed to ensure the absence of political resistance, Allied and German policies regarding youth must be formulated with a view toward gaining the cooperation of German youth in the attempt to build a new democratic system of government and of living.

The recent announcement by American and German official quarters of an impending amnesty for youth below the age of 27¹ quite evidently heralds a measure inviting the confidence of German youth by means other than the display of strength and, since it will suspend or forestall altogether criminal procedures against a substantial number of German youths, it may well be interpreted as a conciliatory move intended to give German youths a chance for a fresh start. Inasmuch as it will serve to prevent the wholesale stigmatization of German youths who were compelled by circumstances to join the Nazi party, its formations, and its affiliates, the amnesty may help to remove a potential source of hostility and opposition. This effect may at least be true of young people who remain in opposition not because they are unable or unwilling to reform but because they claim to be permanently rejected by a society which is unwilling to forgive their political past.

If the amnesty is to exert a maximum affirmative influence, it needs to be accompanied by a sequence of safeguards designed to prevent indiscriminate application and abuse and by projects planned to utilize the energies of youth in a constructive man-

ner. A useful measure in this connection will be the initiation of an educational and work program for those youths who will enjoy the benefits of the amnesty. Such a program, which will have to be carefully planned and supervised, must provide for close observation and examination of the progress made by the youths in the course of their participation. Over and above such special projects, the amnesty may accomplish desired objectives if it is conceived as a part of a general program of reeducation which aims at two main purposes, namely the eradication of all vestiges of Nazi influences from German youth and the preparation of all youths for active and productive participation in democratic processes. Such a program could include, among other things, a thorough reform of the German system of formal education, an extensive program of extracurricular education to supplement the programs of schools, a well-supervised plan for leisure-time activities, mass and group work projects for the purpose of physical and cultural reconstruction, and sponsorship and furtherance of organizations and activities under the auspices of youth. Finally, the recruitment and the employment of qualified youths in positions of responsibility may go a long way to attract the talented among them and to foster new loyalties to a system which they have been called to serve.

Ultimately, the reeducation of German youth is, of course, contingent on the improvement and consolidation of the political and economic situation as a whole.

¹ With the exception of those classified by the de-Nazification law as "chief culprits" and so-called "activists, militarists, and profiteers". The law for the liberation from National Socialism and militarism was effective Mar. 5, 1946.

The United Nations

Discussion of Certain Phases of U.S. Plan for Control of Atomic Energy

BY JOHN HANCOCK¹

In the time allotted to me it seems wise that I do not attempt to discuss in detail the United States plan for the control of atomic energy put forward on behalf of the United States by Mr. Baruch to the United Nations Atomic Energy Commission.² Incidentally, I should be the last person in the world to demur to a reference to this plan as the Baruch plan, purely for purposes of identification, but I should like to emphasize that it is the United States plan.

I am sure you are all familiar with that proposal, so I should like to discuss with you some general views on this whole problem and touch upon certain phases of the plan about which there appear to have been some mis-understanding and confusion.

I

The January 24 resolution of the General Assembly establishing the Atomic Energy Commission specifically directed the Commission, among other things, to make specific proposals "For control of atomic energy to the extent necessary to ensure its use only for peaceful purposes;" and "For effective safeguards by way of inspection and other means to protect complying States against the hazards of violations and evasions." The resolution did not direct merely the drafting of a treaty in which the nations would only exchange promises.

We have taken these instructions seriously. We know that the problem of the control of atomic energy is the most crucial problem of our time.

¹ An address delivered before the Institute of the National Committee on Atomic Information in Washington on July 15 and released to the press on the same date. Mr. Hancock is a member of the U.S. Delegation to the United Nations Atomic Energy Commission.

² BULLETIN of June 23, 1946, p. 1057.

³ BULLETIN of Feb. 10, 1946, p. 198.

It is indeed a matter of making a choice between the quick and the dead, between world order and world chaos. The problem cannot be solved by relying on pious hopes, sanctimonious declarations, or professions of international amity and good-will. They will not be enough. This must be a treaty to be kept—a treaty which the world will know is being kept or which the world will know promptly is not being kept so that the violators can be punished immediately.

The plan put forward by the United States is the product of many minds and of many months of realistic thinking. Mr. Baruch and his associates are the grateful heirs of the work that many groups and individuals have put into this problem—scientists, military men, men of industry, members of Congress, the press, the general public and various organized groups such as your own.

From the rubbing together of ideas and of different points of view has come the United States proposal. From a democratic process has come a democratic solution. But more than that, by this procedure we have a proposed solution which has taken into account the many facets of the problem, a plan which looks at the problem as a whole, not in the light of specialized interests, a plan that will stand examination in its whole and in every part.

I know of no question before us today which is more demanding of the best thought of all of us. We must all think, think again, and rethink about the facts, about the implications that flow from the facts, and about the solutions. This, if ever, is the time for fully informed, painstaking, sound—yet imaginative—thinking. This is no time for torch bearers with uncompromising views on one segment of the problem. And in all this we will seek to understand, to synthesize, to bring together. We all have much to learn from

each other, whatever our special field of interest. We must all strive to make our utterances responsible—rational and not emotional—certainly not such as stem from fears or incomplete consideration of the whole problem.

The United States plan, while it may startle those who seek the easy, the conventional, solution, is surely a realistic approach to the hard facts of the problem. It conforms not only to the facts and the needs of the situation but also to the mandate of the General Assembly which specifies a solution based on proposals for controls and effective safeguards.

In brief, the United States has proposed an international authority with unequivocal power to exercise full and effective control over atomic energy from birth to death and a system of swift and certain punishment for violations which shall be stigmatized as international crimes.

II

We do not expect—and we do not want—other nations to accept this plan merely because we are convinced it is a sound one. If any plan of control is to meet the needs of the world, the nations will accept it only if it serves their needs. We do feel, however, that, once the implications of the problem are fully appreciated by all nations which are earnestly and honestly seeking a sound solution, the means of handling this problem, finally arrived at, will necessarily follow the broad lines of the United States plan. So far as I know, every thorough student of the problem finally comes to the same basic conclusion.

We do not expect a quick solution. Even the most diligent and serious concentration on this matter, as has been fully in evidence in the deliberations of the Atomic Energy Commission, cannot evolve a ready answer. All nations must think this thing through—really come to grips with the facts—before they can arrive at a workable solution to which each nation will pledge its best endeavors. No matter how essential speed may be regarded, a sound plan, an effective control with adequate authority, is more essential. Nor is it enough simply to sign a treaty outlawing the bomb. We do not want a treaty covering atomic energy that will have the fate of the Kellogg-Briand pact—to mention only one. Further, it is not enough to set up a system of control such as is envisaged in the American proposal unless the nations will give it full support and subject them-

selves to an international inspection to prove they are doing so. In recommending an adequate system of control, including unhindered inspection which may be irritating and onerous, we fully recognize that the United States will, over a period of some years, be the primary country subjected to such inspection.

We must have patience and understanding. We must both teach and learn.

Some may say that our plan is too stiff, too novel—so demanding that it is doomed to rejection. Some go even so far as to say it was put forward in such form as to insure its rejection. To this I say it is no stiffer, no more novel, no more demanding than the facts of the problem itself. The United States wants an effective treaty that will command the support and respect of the world. That is our only objective. Anything less, in our judgment, would be a delusion of tragic proportions. Any less-than-effective plan for international control of this dread force would be worse than a simple declaration to outlaw the bomb, for it would arouse false hopes of security where no security exists.

III

The fundamental instinct of man is self-preservation. The fundamental concern of nations—their primary responsibility—is also self-preservation, and nations have sought it in the concept of absolute national sovereignty and national power. National power has given a measure of security but only up to the point of clash between what nations unilaterally consider to be their vital interests and aspirations. These clashes have come with increasing frequency, and when they occur they end only in war.

While in no sense a complete guaranty of self-preservation, reliance on national power is, at present, a nation's only final choice. It will not and cannot be relinquished until a more effective means of assuring self-preservation is found.

The advent of atomic energy has thrust upon the world the imperative necessity of finding a new means of assuring self-preservation. It also points a way that this may be done. It may be the catalyst that might hopefully bring about a new and fruitful relationship of nations and peoples. We think that the plan put forward by the United States meets the challenge by making full use of the positive, developmental aspects of atomic energy on

an international basis. Atomic energy furnishes not only the challenge but also some of the means with which the challenge can be met.

The attitude adopted in developing the United States proposal was that it must be a fair-minded plan—fair to us and fair to all other nations. We would not propose it—and I am sure that the American people would not support it—if it were not. It is a plan of self-preservation, not for ourselves alone but for the entire world.

IV

But a plan, a treaty, indeed a system of control, is not enough. The Atomic Development Authority, however skillfully contrived, cannot work unless it is staffed with personnel of unquestioned integrity and competence. It cannot work unless it commands respect and confidence throughout the world. It must become an entity firmly implanted in the minds of men, an institution firmly accepted as an integral part of our world. This will take time. Its stature will grow only as it reveals by its actual performance integrity, impartiality, and competence. It must develop, if you will, an effective system of international administrative law built around positive executive functions. It must be something really new—a world agency with executive powers stemming from a treaty to which all nations have subscribed—something never before established.

By its positive, constructive operations it should attract men of professional competence, integrity, and good-will. By its example, the way may be open to a real community of nations founded on mutual confidence, and patterns of thought and action may be formed which might show the way to a successful tackling of the problem of war itself.

This is the vision that may one day come into reality. Is there anyone, anywhere in the world, who does not want this vision to come to pass?

But to come back to the present. We must not outpace ourselves. We must move step by step. We must proceed in the full knowledge that the vision might fade, that nations might prove unwilling to move toward world security at the price of a modicum of pride and position. We propose to conduct negotiations with this possibility in mind. The United States plan fully recognizes this possibility by providing for a step-by-step establishment of the Atomic Development Authority with requisite safeguards at every stage.

These steps and these safeguards must be specifically defined in the treaty itself.

V

I should like now to comment briefly on certain misinterpretations that have arisen concerning the plan.

First—the question of the veto. Our proposal is this: once nations, by their own voluntary sovereign act, have become parties to a treaty establishing an Atomic Development Authority and spelling out its functions and setting up certain acts as international crimes, they must be unequivocally bound to abide by their undertakings. By this we mean bound on pain of severe, swift, and certain punishment for violations. No nation, having once signed the treaty, can suddenly repudiate it and expect to escape punishment for its acts of violation. It necessarily follows, therefore, that in this field—and we are concerned with this field alone—action cannot await a second act of unanimity, the first one having occurred when the treaty was signed. On the other hand, up to the point of accepting a treaty, every nation, including the United States, surrenders nothing, but if it violates its promise once freely given it must not be a judge of its own guilt, and no other nation may be allowed to prevent its punishment.

Within the general framework of the treaty, the ADA must have broad administrative powers. It will carry out policy. It will have to make important decisions and actively operate a large-scale program. It must act. It could not operate if it had to secure unanimous approval of its action from any other organization. The Authority must have power—unequivocal, effective power—commensurate with its responsibilities. What a futile thing it would be to assign such heavy responsibilities to such a body and provide it with less than enough authority to insure the carrying out of its orders.

Exactly how the problem of the unanimity rule of the Security Council can be met in this field, what the precise relationship of the ADA should be to the other organs of the United Nations, particularly to the Security Council, remains to be established. This problem is being given first consideration, and an acceptable solution *must* be found. The least that must be insisted upon is that (1) once violations of the treaty have occurred, punishment must be swift and certain, and

(2) the operations of the ADA cannot be interfered with by the device of the unanimity rule. It would seem desirable, if possible, to accomplish effective control of atomic energy within the framework of the United Nations Charter; but no nation, and none of its nationals, can be permitted, by hiding behind the shield of any provision in the Charter, to claim immunity for wilful violations of a solemn agreement voluntarily entered into, or to prevent the effective operation of the Atomic Development Authority.

Second—the status of the United States plan. The plan put before the United Nations Atomic Energy Commission on June 14 by Mr. Baruch is the proposal of the United States. That is the only official plan. It has the approval of the President of the United States and the Secretary of State. Mr. Baruch is our government's representative in conducting negotiations based on this plan. It is perfectly clear, however, that any treaty that results from these negotiations must and will be subject to the approval of our Congress. And it must be a treaty, for neither the General Assembly nor the Security Council is so constituted as to bring into being such a plan. The United States cannot be bound by any treaty unless and until it is approved in accordance with our established constitutional processes. This is so obvious that I hesitate to mention it. I do so only because it has been implied by some people that we do not seem to recognize this fact. Such people either have not read the United States proposal or are deliberately attempting to mislead, for Mr. Baruch gave his personal word to a Senate committee on this specific point. Also, in presenting the United States plan on June 14th he explicitly stated: "Let me repeat, so as to avoid misunderstanding: My country is ready to make its full contribution toward the end we seek, *subject of course to our constitutional processes* and to an adequate system of control becoming fully effective, as we finally work it out."

Third—exchange of information. The situation on this point is clear. At the opening session of the Atomic Energy Commission Mr. Baruch said: "the United States is prepared to make available the information essential to a reasonable understanding of the proposals which it advocates." Only this and nothing more. The period of negotiation of the treaty is to be sharply distinguished from the series of stages in which the ADA will

come into full possession of all information in this field *once the treaty is in full force and effect.* It is in this latter series of stages that we propose making more and more information available to the Authority in step with the progressive establishment of workable safeguards, proven in operation, to protect ourselves and the world from the misuse of such information by any nation. No nation can expect us not to be firm on this point. National security is not going to be impaired while we seek, but have no firm assurance of securing, an effective treaty.

An essential step in the series of stages, yet to be specified in detail in the treaty, would be the undertaking by the United States to dispose of its stock of bombs. This can come only when we and all other nations can be fully assured that no one can turn atomic energy to warlike uses.

VI

We seek security and peace, not for ourselves alone but for all men. We believe there is a way to get this and that that way is delineated in the U.S. proposal. We pledge our best efforts to attempt to secure its acceptance by other nations. With patience, understanding, and knowledge of the facts, we must hope that all nations will come to be convinced as we are convinced that this proposal in its general objectives offers "the last, best hope of earth". We refuse to consider now what we shall do if we fail.

A sound solution to this problem does not insure solutions to the many other problems that beset nations. Their solutions, too, require patience and understanding. But if we fail in this one more critical problem of our time other problems become mere details in a doomed world.

Mr. Hancock made the following introductory remarks at the opening of the question period:

Throughout the deliberations before the Atomic Energy Commission, the U.S. Delegation has sought to give full publicity to all documents containing our proposals and suggestions. We expect to continue to do so. We hope that this practice has been of real assistance to all who are trying earnestly to increase their understanding of this problem. As you can well appreciate, we cannot—and will not—speculate about the views of other nations or about the progress of the negotiations.

There will be many other memoranda as the days go by. It will not seem appropriate now to discuss their contents.

Since I have been thrown into close relationship with the Einstein formula that the energy produced by atomic fission equals the mass times the speed of light squared, perhaps it might be well

to state my own observation regarding the problem I face in scientific terms.

I have observed that one's freedom to speak at any given time on atomic energy varies inversely as the square of his distance from the responsibility. Have I stressed enough the time factor in this observation?

Jurisdiction of the International Court of Justice

STATEMENT BY UNDER SECRETARY ACHESON¹

(Revised to the press July 15)

The proposal before the committee has as its general objective, in my view, the active participation of the United States in the movement to establish an international judiciary. An international judiciary would have the dual function of defining the law and its proper application in situations involving legal issues, and of deciding disputes of a legal character. In other words we envision the judiciary as performing the function in international relations that we ordinarily associate with the judiciary in domestic affairs.

Of course, qualifications immediately assert themselves. In domestic law, the judiciary is part of a larger process, including on the one hand procedures for enforcement of decisions and on the other hand procedures for changing the law through legislation. In international relations, enforcement measures are greatly lacking, and the force and effect of decisions depend in the main upon the good faith of the parties involved. It is important to note that all decisions of the Permanent Court of International Justice were carried out, and that members of the United Nations are bound by article 94 of the Charter to comply with decisions of the International Court of Justice in any cases to which they are parties.

As to procedures for changing the law, there is nothing in international relations with legislative powers as we understand it in domestic law. The placing of disputed questions before tribunals for adjudication is one method of achieving the evolution of the law, and the establishment of an international judiciary facilitates this process. Treaty making, especially the making of multilateral treaties, is also a method of bringing about

necessary changes in the law. The various organs of the United Nations, in addition to the Court, have powers which will enable them to make important contributions. It is to be noted that the General Assembly is especially charged in the Charter, article 13, with the task of "encouraging the progressive development of international law and its codification". The Economic and Social Council and the specialized agencies have, perhaps, an even more important role, being specifically dedicated to the task of promoting equality and justice on those basic levels where the root causes of international disorders have their origins.

International order thus resembles domestic order in resting upon a basis of law, and this in turn rests upon the confidence and support of the people. The processes in the international society are different because of the sovereign character of the entities that comprise it; it depends to a much greater degree on good faith and intelligence. But the central role of the judiciary is in both cases the same—it is to make the law a living and vital factor through being able, whenever necessary, to say what the law is and to give it application.

A world order based on law would by definition mean a world at peace. The participation of the United States in this program is, of course, essential if the goal is to be achieved. By adopting the proposal before the committee we may very well be taking a long and even a decisive step in the direction of crossing the line which separates world disorder from world order based on law.

I have endeavored to stress the point that the present proposal would, if adopted, be a step toward the ultimate achievement of a true international judiciary. I will describe the place and importance of the step as I understand it.

The development of the idea had its origin several centuries ago in the beginnings of interna-

¹ Both this statement and the following one by Mr. Fehy were made on July 15 before the Senate Foreign Relations Subcommittee on Jurisdiction of International Court of Justice on S.J. Res. 136.

tional law. International law developed because it was needed, for the same reason that domestic law was developed. It was needed in order to furnish a standard of conduct upon which states could rely in their relations with each other. The development of international law has been very laborious because the sovereign status of states enables them to reject a legal settlement in any case. The law has thus been at the mercy of any state which exercised its right to pursue its objectives by political means, force, or the threat of force. It is the purpose of the declarations envisioned by the Statute, and here under discussion, to correct this situation in so far as it can be done through the acceptance of legal obligations within a prescribed sphere.

The next important step in the development of the judiciary was the institution of international arbitration. States have generally been under no general obligation to resort to arbitration, and have done so only when they could agree upon this method. The United States has taken a leading part in the development of arbitration. Throughout our history as a nation, in fact, we have prided ourselves on our devotion to the principle of peaceful, legal settlement of disputes with other nations. From the days of the Jay treaty we have led the way in the arbitration of disputes, and we did not hesitate to submit to legal decision a case as important in our history as the *Alabama* claims against the United Kingdom for depredations on our ships during the Civil War. Throughout the nineteenth century, the example of the United States was a potent force influencing other nations to agree to submit important questions to impartial decision in accordance with law instead of relying upon the appeal to force.

A great step forward in the development of an international judiciary was the establishment of a permanent international court in 1920, the Permanent Court of International Justice. There were thus introduced at one step several of the attributes of the judiciary. First there was a court in being, available at all times and thus facilitating the submission of international disputes. In addition, it brought about a greater degree of continuity in the development of international jurisprudence.

The United Nations have established a new International Court of Justice, the Statute of which forms an integral part of the Charter of the United Nations. The Court is a truly international organ of the United Nations, being composed of 15 inde-

pendent judges elected regardless of their nationality and bound by solemn declarations to exercise their powers impartially and conscientiously. The Court's function is to decide in accordance with international law such disputes as are submitted to it.

However, the mere existence of a court and the existence of a body of law does not result in the creation of a judiciary as we understand it. The Committee of Jurists who drafted the Statute of the Permanent Court of International Justice in 1920 were aware of this and undertook to submit a plan which made provision not only for the constitutional structure of the Court, but also vested in it the *jurisdiction* which would enable it to fulfil the role they envisioned for it. Under the proposal they submitted, all states adhering to the Statute would have accepted the jurisdictions of the Court in much the same terms as the United States is asked to accept in the proposal now before this committee.

The far-reaching potentialities of the proposal of that Committee of Jurists were of course apparent. When the draft was submitted to the Council of the League, the Italian representative correctly estimated the situation in these words:

"It was unprecedented for one State to bring another State before a tribunal without its assent and to condemn it by default; and such a procedure would in practice only be tolerated by the smaller countries."

The jurisdictional features of the Committee draft were then rejected in the Council, and also in the Assembly, despite the very eloquent appeals of representatives of some of the smaller countries that it be retained. This of course is the real essence of the whole problem of the international judiciary. The rule of law becomes effective to the extent that states agree to submit themselves to the decision of the Court in all cases involving questions of law. It cannot become effective if states may reserve this decision to themselves, regardless of the degree of good faith by which they govern their actions. It seemed to the Committee of Jurists in 1920, and it seems to many people today, that the appropriate remedy for this situation would be the general acceptance of an international judiciary with powers adequate to enable it to fulfil the elementary function of a judiciary to decide any questions of international law.

To return to the history of the development of

the concept of the international judiciary, it is of interest to note that one of the members of the 1920 Committee of Jurists, and one who strongly advocated the compulsory-jurisdiction provision, was the distinguished American, the Honorable Elihu Root, former member of the Senate Foreign Relations Committee, former Secretary of War and Secretary of State. The opposition of other great powers to these proposals in 1920 was shared in the United States to such an extent that, as you know, it was never possible for this country even to join the Court, much less to submit to its compulsory jurisdiction. However, the proposal to join the Court was advocated by every President and Secretary of State during the inter-war period, was twice favorably reported by the Senate Foreign Relations Committee, and actually had a majority of the Senate, but lacked the necessary two-thirds.

In the meantime a considerable development of the idea of compulsory jurisdiction took place in other countries.

In rejecting general compulsory jurisdiction the League approved in its place a provision enabling such states as desired to do so to accept the jurisdiction of the Court as among themselves in certain types of cases. At one time or another 44 states, including 3 of our great-power Allies in the recent war, China, France, and the United Kingdom, availed themselves of this provision—known as the Optional Clause.

In the 1945 Committee of Jurists which met in Washington to prepare proposals for the San Francisco conference regarding the Court Statute and again at the San Francisco conference, it was evident that a great body of world opinion was in favor of general compulsory jurisdiction. Some of the larger states were, however, opposed, and among these the United States took the position that such a provision might imperil acceptance of the Charter. Consequently, after one of the most substantial debates of the entire San Francisco conference, the same compromise was adopted as had been incorporated in the Statute of the Permanent Court of International Justice. That is, it is left to the states individually to deposit declarations to be effective for this purpose among themselves. The Conference went further, however, first in providing that declarations made under the old Statute and remaining in force shall as among the parties to the present Statute continue in force for so long as they still have to

run. Some 19 declarations have thus been continued in force. Secondly, Commission IV of the Conference adopted a recommendation that as soon as possible the members of the Organization make declarations recognizing the obligatory jurisdiction of the Court. It is the proposal now before the committee that the United States should make such a declaration.

There were also incorporated in the United Nations Charter provisions strongly supporting the resort to law. In the Preamble the members of the United Nations declare their determination "to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained". Among the purposes of the United Nations as set forth in article 1, paragraph 1, of the Charter is the settlement of international disputes "in conformity with the principles of justice and international law".

At the present time we have agreed, in the Charter of the United Nations, article 2, paragraph 3, to settle our "international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered." We have bound ourselves, by article 37 of the Charter, to refer a dispute the continuance of which is "likely to endanger the maintenance of international peace and security" to the Security Council if we fail to settle it by means agreed upon with the other party. Under such circumstances, the Security Council may either recommend appropriate procedures of adjustment or may actually recommend terms of settlement. In other words, by the Charter, we have given up, in the interest of our peace and security, the right to be the judge of our own case in those situations where the dispute is likely to endanger the maintenance of international peace and security. While it is true that the United States is not bound to accept recommendations of the Security Council, it would be embarrassing for the United States to reject proposals which had the weight and influences of the Security Council behind them. To sum up, we might say that at the present time the commitments of the United States on the political settlement of disputes are more far-reaching than those on judicial settlement.

This, it seems to me, is an anomalous position for a country like the United States which sets great store by legal tradition. Americans from the time of the Revolution have contended that

theirs was a government of laws and not of men. When our international obligations may result in recommendations by a political body instead of decision by a court in accordance with law, it seems that the time has come to accept the jurisdiction of a court which can give as a legal decision on a legal case.

It is difficult to see how any harm could come to the United States from agreeing to submit to the International Court of Justice the types of disputes covered by the resolution in question, which provides safeguards for special situations. Professor Jessup has said:

"The experience of fifty-one states including such great powers as Great Britain and France, which made declarations under Article 36 of the old Statute [of the Permanent Court of International Justice] demonstrates that this is no dangerous venture." (Philip C. Jessup, "Acceptance by the United States of the Optional Clause of the International Court of Justice", *American Journal of International Law*, vol. 39 (1945), p. 750.)

STATEMENT BY CHARLES FAHY¹

Purpose of Declaration

The purpose of the Resolution pending before the Committee is for the United States, on its part, to confer on the International Court of Justice a clearly defined jurisdiction, broad and yet limited. This would be done in the exercise of an option which all parties to the Statute of the Court have under article 36, paragraph 2.

By virtue of their sovereign status, states cannot be sued without their consent. The effort to obtain this consent on a general scale was made as long ago as 1920, when the advisory Committee of Jurists, which drafted the older Statute of the Permanent Court of International Justice, incorporated in its draft a provision for general compulsory jurisdiction with respect to legal questions. Elihu Root, the United States member, joined in this recommendation that such provision be incorporated. This effort failed, however, in the League Council and Assembly, and was renewed, again unsuccessfully, by the Committee of Jurists who met in Washington last year prior to the San Francisco Conference and again at the San Francisco Conference itself, when the present Statute was adopted.

It seems clear that positive advantages would accrue to the United States from agreeing to accept the judgment of a court bound to decide in accordance with international law. A correlative advantage would of course accrue to the United States in being able to bring before the Court a dispute with another state which was likewise bound. There is much to be said for being able definitively to put an end to disputes through legal processes. The record of the United States in its international dealings is such that it should not dread to have its acts reviewed by a court of law. Furthermore, and this cannot be overemphasized, the United States stands to gain as much as any nation from the advancement of the rule of law in international relations.

I will conclude by stating that the President and the Secretary of State have carefully weighed the proposal before the committee and have recommended that the United States should deposit its declaration and accept the jurisdiction of the Court.

The basic jurisdiction of the Court is thus voluntary as to disputes between states. States may, by agreement, however, consent to be proceeded against in any given case. They may by the same token refuse such consent, thus barring the possibility of a judicial determination.

The optional provision of article 36, paragraph 2, was incorporated in the Statutes of both the former Court and the present Court, to enable such states as desire to do so to agree among themselves in advance that they will accept the Court's jurisdiction in certain types of disputes and for certain periods of time. While the Statute approved at San Francisco left the matter in this situation, the Conference itself approved a recommendation urging that members of the United Nations deposit declarations under this Article as soon as possible.

Movement for Compulsory Jurisdiction

Mr. Acheson has already sketched the evolution of the "optional clause" of the Statute of the

¹ Mr. Fahy is Legal Adviser of the Department of State. This statement was made before the Senate Foreign Relations Subcommittee on Jurisdiction of International Court of Justice, on S. J. Res. 196.

Permanent Court of International Justice and mentioned that during the life of that Court 44 states made declarations accepting compulsory jurisdiction.

After the Dumbarton Oaks Conversations, professional legal groups in this country and Canada took the view that the Court to be established as the principal judicial organ of the United Nations should have compulsory jurisdiction over enumerated kinds of cases. At the sessions of the Committee of Jurists which assembled in Washington in April 1945 to draft the Statute of the Court preparatory to the San Francisco Conference, there was keen interest in the question of the Court's jurisdiction. Representatives from Australia, Brazil, Canada, China, Costa Rica, Czechoslovakia, Ecuador, Egypt, El Salvador, Ethiopia, Guatemala, Honduras, Iran, Iraq, Mexico, New Zealand, Peru, Turkey, Uruguay, and Venezuela stated that they favored a provision in the Statute itself granting compulsory jurisdiction. Of these, the representatives from Australia, Brazil, Canada, Czechoslovakia, El Salvador, Ethiopia, New Zealand, and Turkey qualified their support in some way. The retention of article 36, paragraph 2, as it stood under the old Statute, leaving the matter to the option of each state to be separately exercised, was supported by representatives from Belgium, France, Haiti, the Netherlands, Norway, the Soviet Union, and the United Kingdom. The representative of the United States pointed out that the inclusion of compulsory jurisdiction in the Statute itself might make it difficult for some states to accept the Statute.

After much discussion, the Committee decided to submit to the United Nations Conference at San Francisco alternate drafts of article 36, paragraph 2, one embracing the optional principle and the other providing for compulsory jurisdiction in four classes of legal disputes. The Committee took this course in the belief that the question of compulsory jurisdiction was tied up with political considerations as to the acceptability of the Statute.

At the San Francisco Conference, in Committee I of Commission IV, which dealt with the Court's Statute, in the deliberations of which I participated on behalf of the United States Delegation and at all times followed the work and debate closely even though not always sitting, the majority of the United Nations favored a provision in the Statute itself conferring jurisdiction over

certain kinds of cases. A number indicated however, that they would not press their preference if compulsory jurisdiction could not receive unanimous approval. The United States preferred the optional procedure in the belief that compulsory jurisdiction might make acceptance of the Charter and the Statute more difficult. The decisive two-thirds vote in favor of article 36, paragraph 2, the optional clause of the Statute as it now stands, was attained only by the votes of certain states which specifically recorded that they favored compulsory jurisdiction but voted for the "optional clause" in the interests of harmony.

In view of the support manifested for compulsory jurisdiction, the United Nations Conference in plenary session adopted the resolution recommending that members of the United Nations which had not made declarations accepting the jurisdiction of the Court under article 36, paragraph 2, should do so as soon as possible.

In assisting Mr. Hackworth as adviser when he was Chairman of the Committee of Jurists, and in participating closely in the work of the San Francisco Conference regarding the Court, I was deeply impressed by the strong feeling of the majority of the United Nations that the larger powers should not withhold judicial or legal questions from judicial decision by the International Court which all were agreed should be established. There was the strong feeling that impartial judicial settlement pointed the road to a rule of law in the international world, the ideal of our domestic order. They felt that for great powers to withhold from the Court assent to jurisdiction over legal questions was a means to the exercise of power without justice; and that justice under the law was not only an instrument of peace but a substitution of law for force. It seems to me to need no argument now that the United States should take a leading part in demonstrating the correctness of these sentiments and use the present opportunity to advance between nations the development of peaceful judicial processes. It would be a boon to good relations; and it would place our country where it should be in the scheme of world order.

There has been strong sentiment in favor of the acceptance of compulsory jurisdiction among professional groups in the United States, as indicated by resolutions of such organizations as the American Bar Association, the Federal Bar Association,

the Inter-American Bar Association, and the American Society of International Law.

Limitations on Jurisdiction Conferred

Legal disputes—The jurisdiction which the resolution would grant to the Court is not unlimited. The first and most important limitation under the proposed declaration is that it will apply only to cases suitable for judicial determination, that is to say legal cases. This limitation is not only spelled out in the proposed resolution but is explicit in article 36, paragraph 2, of the Statute. In addition, article 38 states that it is the function of the Court to decide in accordance with international law. It is therefore clear that the Court cannot decide any question other than a legal question unless authorized in a special additional agreement by the parties to a given case. Neither article 36, paragraph 2, nor the declaration proposed by this resolution authorizes the Court to do anything but decide legal questions in accordance with international law.

Reciprocity—Under the proposed declaration the United States would acquire rights and obligations only as to states which have undertaken similar obligations; that is, we would not assent to be sued, for example, by a state which did not also so assent. The requirement of reciprocity is incorporated in the Statute itself in article 33, paragraph 2, as well as in the present resolution. A similar condition incorporated in the Statute of the Permanent Court of International Justice was held by that Court to mean that a limitation interposed in the declaration by one party to a suit can be relied on by the other, even though the latter has not made the same limitation in its declaration. (*Phosphates case* and *Electricity Company case*.) In the words of Professor Hudson "The Court's jurisdiction applies only to the common ground covered by the applicant's and respondent's declarations." (Hudson, *The Permanent Court of International Justice, 1920-1942*, p. 466.)

The limitative clause in the Statute is in article 36, paragraph 2: "in relation to any other state accepting the same obligation". Paragraph 3 of the same article states that declarations may be made unconditionally or on the basis of reciprocity, on the part of several or certain states, or for a certain time. For example, Brazil made the operative effect of its declaration in 1921 dependent upon certain other states filing declarations.

Cases arising in past—Under the proposed declaration the United States would be bound only as to disputes arising in the future.

Other modes of settlement—Under the proposed declaration the United States would be able to agree with the other party to a dispute to seek a settlement by some other means. A provision to this effect is already found in the Charter (art. 95).

Domestic jurisdiction—The declaration would exclude disputes with regard to matters which are essentially within the domestic jurisdiction of the United States. This makes explicit for this purpose a principle already incorporated in the Charter as article 2, paragraph 7, which reads: "Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state", etc.

Time limitation—The declaration envisaged could be terminated after five years, or at any time thereafter provided six months' notice is given.

States as to which U. S. would be bound—The United States would, by depositing a declaration, acquire the right and duty to sue, or be sued by, any other state having a valid declaration in force, accepting the same obligation. The right to file declarations or carry them over from the old Court is confined to states which are parties to the Statute.

A group of declarations are already in force by virtue of article 36, paragraph 5, of the Statute which provides that declarations made under the corresponding article of the Statute of the Permanent Court of International Justice and still in force, shall be deemed, as among the parties to the present Statute, to be acceptances of the compulsory jurisdiction of the new Court for such periods as they still have to run. Declarations of the following 19 states thus came into force: Australia, Bolivia, Brazil, Canada, Colombia, Denmark, Dominican Republic, Haiti, India, Iran, Luxembourg, Netherlands, New Zealand, Norway, Panama, El Salvador, South Africa, United Kingdom, and Uruguay.

It is to be anticipated that a great many other states will deposit declarations. Under the old Court Statute the total number who did this at one time or another was 44. In addition to the 19 mentioned above, whose declarations continue in force, this number included: Albania, Austria, Belgium, Bulgaria, China, Erie, Estonia, Ethiopia,

Finland, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Paraguay, Peru, Portugal, Rumania, Spain, Sweden, Switzerland, Thailand, and Yugoslavia.

States not now members—Under the Statute, the states entitled to file declarations in accordance with article 36, paragraph 2, are "the states parties to the present Statute". Thus, under the Statute, any state becoming a party to that instrument in the future will, if it is admitted on a basis of equality with other parties, have the right to deposit a declaration.

Determination of Court's Jurisdiction

The Court determines its own jurisdiction in any case which it has under consideration (art. 36, par. 6, of the Statute). If one party claims that the Court is not properly seized of the case or that it does not have jurisdiction of a certain aspect of the case, the Court will decide. This is true whether the case is brought before the Court under a special agreement, a treaty, or a general agreement such as the one here under consideration.

Obligation to Comply with Decisions

The United States and all other members of the United Nations are bound by the Charter (art. 94, par. 1) to comply with decisions of the Court in cases to which they are parties. This obligation applies to all cases whether brought before the Court under a declaration of this kind or not. (It does not apply to advisory opinions, since there are no parties in such cases.)

Enforcement of Decisions

Although parties to cases are obligated to comply with the decisions of the Court, there is no provision for the enforcement of such decisions unless the failure to comply constitutes a threat to the peace or breach of the peace under article 39 of the Charter. There is an article in the Charter (art. 94, par. 2) which provides that a party may resort to the Security Council if the other party fails to carry out the judgment and that the Security Council may, if it deems necessary, make recommendations or decide upon measures to be taken to give effect to the judgment. This Government takes the position that the Security Council's action under this article is limited by the scope of its powers as defined in article 39, that is, it must first be determined by the Security Council that the breach constitutes a threat to or breach of the

peace or an act of aggression. (*Hearings on the United Nations Charter*, Senate Foreign Relations Committee: Pasvolksky testimony, pp. 285-287; Hackworth testimony, pp. 330-332.)

Cases Brought Under Compulsory Jurisdiction

During the life of the Permanent Court of International Justice, applicant states invoked declarations made under article 36, paragraph 2, in 11 cases. In two of these 11 cases, jurisdiction was exercised by the Court without objection. In 4 of the 11, the jurisdiction of the Court was challenged. The Court sustained the objections to its jurisdiction in two of these cases and in part in a third. In the fourth, the applicant state withdrew its reliance upon the declaration.

The two cases which resulted in substantive decisions were the *Eastern Greenland* cases between Denmark and Norway and the *Diversion of Water from the Meuse River* case between the Netherlands and Belgium. In the *Eastern Greenland* case, Denmark asked the Court to decide that a Norwegian decree of July 10, 1931, asserting sovereignty over a large area of Greenland, violated the prior claims of Denmark to sovereignty over this territory. The Court sustained Denmark's contention and Norway withdrew the decree. In the *Meuse* case, the Netherlands entered a claim because of diversion of water by Belgium. The case involved the interpretation of a treaty governing such diversions. Belgium raised no objection to the jurisdiction. The Court rejected both the Netherlands claim and a counterclaim entered by Belgium.

The two cases in which the Permanent Court of International Justice ruled that it did not have jurisdiction under the "optional clause" were the *Phosphates in Morocco* case between Italy and France and the *Panczevys-Salutiskis Railway* case between Estonia and Lithuania. In the *Phosphates* case, the French Government put forward various objections to the Court's jurisdiction, including the contention that the Italian application related to situations and facts which preceded the ratification of the French declaration accepting compulsory jurisdiction and which, therefore, did not fall within its terms. The Court upheld this contention and decided that it had no jurisdiction. In the *Panczevys* case, the Lithuanian Government contended, on grounds of general international law, that the private claim espoused by Estonia was not national in character and that local

remedies had not been exhausted. The Court held that the latter objection was well-founded.

In the *Electricity Company of Sofia and Bulgaria* case between Belgium and Bulgaria, the Court ruled out one of Belgium's claims on the ground that it had not been a subject of dispute prior to the filing of the Belgian application under article 36, paragraph 2. The Court, however, sustained its jurisdiction in another aspect of the case, involving the question whether the dispute had arisen prior or subsequent to the filing of declarations under article 36, paragraph 2.

In the *Pajzs, Csaky, Esterházy* case between Hungary and Yugoslavia, the Hungarian agent withdrew its application under article 36, paragraph 2, because Yugoslavia's declaration had expired and had not been renewed as expected.

In the remaining five cases, proceedings did not advance to the point where the Court had to consider the question of its jurisdiction.

To sum up, the Court delivered judgment in two cases brought under article 36, paragraph 2. Of the five other cases which were carried to the point where the Court had to consider its own jurisdic-

tion, the Court ruled in two cases that it had jurisdiction, in two other cases that it did not, and in the fifth case that one of the objections to its jurisdiction was well-founded.

Judges of the International Court of Justice

The judges of the International Court of Justice are:

<i>Name</i>	<i>Country</i>	<i>Term (Years)</i>
Dr. José Gustavo Guerrero, <i>President</i>	El Salvador	9
M. Jules Basdevant, <i>Vice President</i>	France	9
Dr. Alejandro Alvarez	Chile	9
Dr. J. Philadelpho de Barros Azevedo	Brazil	9
Dr. Abdel Hamid Badawi Pasha	Egypt	3
Lic. Isidro Fabela Alfaro	Mexico	6
Mr. Green H. Hackworth	United States	6
Dr. Hsu Mo	China	3
Dr. Helge Klaestad	Norway	6
Prof. Sergei Borisovich Krylov	U.S.S.R.	6
Sir Arnold Duncan McNair	United Kingdom	9
Mr. John E. Read	Canada	3
M. Charles de Visser	Belgium	6
Dr. Bohdan Winiarski	Poland	3
Dr. Medoran Zoricic	Yugoslavia	3

U. S. Representatives to Second Part of First Session of General Assembly

THE PRESIDENT'S MESSAGE TO THE SENATE

[Released to the press by the White House July 18]

To the Senate of the United States:

In conformity with the provisions of the United Nations Participation Act of 1945, I am sending to the Senate herewith for its advice and consent nominations of the United States representatives and four alternate representatives for the second part of the first session of the General Assembly of the United Nations which is now scheduled to convene in New York in September 1946.

Section 2 (c) of the above mentioned Act provides that the President, or the Secretary of State at the direction of the President, may represent the United States at any meeting of the United Nations regardless of those provisions which call for the appointment of representatives by and with the advice and consent of the Senate. At my request, the Secretary of State will probably attend for at least a portion of this session of the General Assembly.

HARRY S. TRUMAN

Nominations to the Senate on July 18, 1946

The following-named persons to be representatives of the United States of America to the second part of the first session of the General Assembly of the United Nations to be held in New York City, September 1946:

WARREN R. AUSTIN, United States Senator from the State of Vermont

TOM CONNALLY, United States Senator from the State of Texas

ARTHUR H. VANDENBERG, United States Senator from the State of Michigan

MRS. ANNA ELEANOR ROOSEVELT, of New York
SOL BLOOM, a Member of the United States House of Representatives from the State of New York

In the absence of the President or the Secretary

(Continued on page 178)

International Organizations and Conferences

Calendar of Meetings¹

Far Eastern Commission	Washington	February 26
Allied-Swedish Negotiations for German External Assets ²	Washington	May 31–July 18
International Emergency Food Council	Washington	June 20
U.S. Mexican Discussions on Air Services Agreement	Mexico City	June 24
International Institute of Agriculture: Meeting of the General Assembly	Rome	July 8
Conference on German-Owned Patents Outside Germany	London	July 10
Council of Foreign Ministers: Meeting of Deputies	Paris	July 12
U. S.-British Cabinet Committee on Palestine and Related Problems	London	July 12
International Meeting of the Sugar Council	London	July 15
International Wheat Council	Washington	July 15
International Council of Scientific Unions: Meeting of the General Assembly	London	July 24–27
Peace Conference	Paris	July 29
International Union of Geodesy and Geophysics: Extraordinary General Assembly	Cambridge, England	July 29–August 2
UNRRA: Second Half of Fifth Session	Geneva	August 5
The United Nations:		
Security Council	New York	March 25
Military Staff Committee	New York	March 25
Commission on Atomic Energy	New York	June 14
International Health Conference	New York	June 19–22
General Assembly: Second Part of First Session	New York	September 23

Activities and Developments

Far Eastern Commission

JAPANESE TAXATION OF ALIENS³

1. No Japanese taxation should discriminate against aliens.
2. No capital levy should be levied by the Jap-

anese authorities in respect to property in or outside Japan owned by United Nations nationals. Any capital levy on corporations and unincorporated associations should be so devised as to exempt from the effects of the levy, the shares and interests in the said corporations and unincorporated associations held by United Nations nationals. If in the opinion of the Supreme Commander for the Allied Powers, exceptional circumstances justify the imposition of any such capital levy, he should refer the matter for consideration of the Far Eastern Commission.

¹ The dates in the calendar are as of July 21.

² For discussion of accord reached with Swedish delegation on German assets in Sweden, see p. 174.

³ Policy statement approved by the FEC at its twentieth meeting, on July 18.

RESTITUTION OF LOOTED PROPERTY¹

1. Immediate steps should be taken to restore to Allied countries objects in the four categories listed below which are found in Japan and which are identified as having been located in an Allied country at the time of occupation of that country, and which were removed by fraud or duress by the Japanese or their agents. The fact that payment was made should be disregarded unless there is conclusive evidence that fraud or duress did not take place. Restitution of any object included in category *a* which follows should be deferred, however, so long as its retention is required for the safety of the occupation forces. In such cases the Supreme Commander for the Allied Powers should provide an explanation of reasons for retention and an estimated date of restoration.²

[The four categories referred to above are:]

a. Industrial and transportation machinery and equipment.

b. Gold, other precious metals, precious gems, foreign securities, foreign currencies, and other foreign exchange assets.

c. Cultural objects.

d. Agricultural products and industrial raw materials.

2. Steps should be taken to restore to Allied countries ships of all types and sizes found in Japanese waters which are identified as having been registered in an Allied country at the time of seizure or sinking by the Japanese or their agents, or at the time of acquisition by the Japanese or their agents by fraud or duress. The fact that payment was made should be disregarded unless there is conclusive evidence that fraud or duress did not take place. Restitution of such Allied vessels should be accomplished as rapidly as conditions permit and should be completed not later than December 31, 1946.

3. Within the limits of feasibility, ships damaged or sunk and found in Japanese waters, on the request of the claimant country should as a matter of priority be salvaged, repaired, or refitted as may be necessary to permit their return in a condition substantially similar to that at the time they came into Japanese hands. The costs of necessary salvage, repair and refitting in Japan should be borne by the Japanese Government but should be applied against the reparation apportionment to the claimant country.

4. The processing of claims for industrial and

transportation machinery and equipment found in Japan should not be permitted in general to delay removals of machinery and equipment on reparations account, but no item for which restitution claim has been received by the Supreme Commander for the Allied Powers should be allocated on reparations account until the claim has been acted upon. On the other hand, no restitution claim should be recognized for articles already allocated to particular countries on reparations account.

5. The claimant government should take delivery at a point in Japan designated by the Supreme Commander for the Allied Powers except that in the case of Allied vessels subject to restitution the Supreme Commander may at his discretion make delivery at Western Pacific points outside Japan whenever delivery will thereby be facilitated. Expenses incurred after delivery to the claimant government should be borne by that government, except that in the case of delivery within Japan, relevant transportation expenses within Japan and any dismantling, packing and repairs necessary for proper transportation, including the necessary manpower, materials and organization, should be borne by Japan and be included in restitution. The recipient government should indemnify the Supreme Commander for the Allied Powers against all claims made in respect of the property received.

6. Restitution claims for property other than ships should be made by the government of the Allied country from whose territory the property claimed was removed; and restitution made to that government. In the case of ships restitution claims should be filed by, and restitution made to, the government of the country whose flag the vessels were wearing or on whose register of shipping

¹ Policy statement approved by FEC on July 18, 1946.

² The United States Representative, General Hildring, Assistant Secretary of State for Occupied Areas and alternate to General McCoy on the Commission, made the following statement for the record:

"At the twenty-third meeting of *Committee No. 1: Reparations* the United States member agreed to the rejection to his amendment for the insertion of the words 'by the Supreme Commander for the Allied Powers' in paragraph 1 and 2 of the document but asked that it be recorded in the minutes of the committee and subsequently in the minutes of the Commission meeting that it is recognized that the Supreme Commander for the Allied Powers is the final implementing authority of policy decisions of the Far Eastern Commission."

the vessels were borne at the time of sinking, seizure or acquisition as specified in paragraph 2.

7. No items should be included in Japanese export programs which the Supreme Commander for the Allied Powers considers as probably subject to restitution as defined above. If items later found to be subject to restitution should be exported, equitable compensation should be made to that country to which the items exported should have been restored.

8. Without prejudice to other arrangements which may be made between the interested parties, the foregoing restitution policies especially those in paragraph 6, are not intended to give the Allied government concerned the right to withhold from a person who is a national of another Allied Power any property as to which he may establish a legitimate title.

9. The Far Eastern Commission should recommend to the Government of those countries within whose territories may be found looted objects such as:

a. Industrial and transportation machinery and equipment.

b. Gold, other precious metals, precious gems, foreign securities, foreign currencies, and other foreign exchange assets.

c. Cultural objects.

d. Agricultural products and industrial raw materials.

e. Ships.

that bilateral arrangements be drawn up providing for restitution according to these principles.

10. The Far Eastern Commission should request the U.S. Government to forward this statement of policy through the usual channels to States which are not represented on the Far Eastern Commission and within whose territories such looted objects may be found.

LIAISON WITH THE SUPREME COMMANDER FOR THE ALLIED POWERS¹

1. The following arrangements for liaison between the Far Eastern Commission and the Supreme Commander for the Allied Powers are presently in operation:

a. Regular Information from Japan. The Com-

mission now receives regularly from the Supreme Commander his monthly overall report entitled "Summation of Non-Military Activities in Japan," minutes of the meetings of the Allied Council for Japan, written reports of special missions to Japan, such as the Educational and Textile Missions, a weekly summary of developments prepared especially for the Commission by the Civil Affairs Division of the War Department, certain newspapers and magazines published in Japan, and other miscellaneous reports emanating from the headquarters of the Supreme Commander and from various United States Government agencies in Washington.

b. Spot Information. As suggested in paragraph 4 of FEC-067 2, Standard Procedures for Formal Commission Actions, the Secretariat has worked out arrangements to get such factual information as is specifically requested by committees of the Commission and is pertinent to the work of the Commission, through appropriate United States governmental agencies in Washington, and if necessary from Japan.

c. Consultation. On matters where the personal views of the Supreme Commander are desired, the Commission requests its Chairman, according to Article VI, 1 of its Terms of Reference, to arrange for appropriate consultation with the Supreme Commander.

d. Special Reports. As arranged with the State and War Departments, personnel returning from Japan are made available for personal and informal appearances with the Commission or appropriate committee, as the case may be.

e. FEC Activities. The Secretariat forwards each week a selected group of Commission papers via the War Department to the Supreme Commander and a second set to the Chairman, Allied Council for Japan. These include minutes of Commission, Steering Committee and other committee meetings, the Weekly Summary of Commission Business, and all "FEC"-designated papers. Furthermore, the United States Government ascertains the views of the Supreme Commander on issues before the Commission prior to furnishing the U.S. Representative on the Commission the expression of the U.S. Government's position on these issues.

f. Allied Personnel on SCJAP's Staff. Arrangements have been completed and appropriate information circulated to the Commission (FEC-069) whereby governments represented on the

¹ Policy statement approved by FEC on July 18, 1946.

FEC may nominate personnel for service on the staff of the Supreme Commander.

g. SCAP Request for Policy Guidance. As new matters arise in the administration of the occupation of Japan on which the Supreme Commander needs policy guidance but does not have it within the framework of his existing directives, he refers these matters to the United States Government for such guidance, and, where the matter is within the cognizance of the Far Eastern Commission, the United States Government in turn refers it to the Commission for policy decision. In these matters, with the exception of the three reserved questions, the United States Government reserves its right, according to Article III, 3 of the Terms of Reference, to issue interim directives in the event that the issue is urgent, pending the formulation of policy by the Commission. In this connection, from time to time at his discretion, the Supreme Commander may summarize the work left to be done in the occupation and the problems unanswered, with an indication of priority for consideration by the Commission.

2. In addition to the above, should the Far Eastern Commission so desire, there is no objection on the part of the United States Government to the designation from time to time of a personal emissary of the Commission to make a short trip by air to Japan. Such officer might be empowered by the Commission to indicate directly to the Supreme Commander as well as to his staff the current status of activity on the Commission; and in return to convey back to the Commission the views of the Supreme Commander and any other pertinent information which he may gather.

The International Wheat Council, which was established in August 1942 to administer the International Wheat Agreement between Argentina, Australia, Canada, the United Kingdom, and the United States, held its twelfth session at the Department of Agriculture, Washington, on July 15. The Chairman, L. A. Wheeler (U.S.), welcomed the representatives of the Governments of Belgium, Brazil, China, Denmark, France, India, Italy, and the Netherlands, and of the Food and Agriculture Organization of the United Nations. These eight Governments, together with the Governments of the Union of Soviet Socialist Republics and Yugoslavia, had been invited to join the Council in order to make it more fully representa-

tive of both wheat-importing and wheat-exporting countries.

The Chairman gave, for the benefit of the new members of the Council, a resumé of its work to date. This included a statement of the reasons why the Governments of Argentina, Australia, Canada, the United Kingdom, and the United States had agreed to amend the Memorandum of Agreement of June 1942 by the deletion of paragraphs 5, 6, 7, and 8 thereof and the substitution thereof of paragraph 5 as follows:

"5. The International Wheat Council, referred to in Article VII of the Draft Convention, shall remain in being pending the conclusions of the international wheat conference referred to in paragraph 3 above or until such time as the governments represented on that Council may determine."

The principal item of business of the meeting was the appointment of a Preparatory Committee to revise the draft convention drawn up in 1941-42 for submission to an international wheat conference. The Council invited each of the 13 governments now comprising its membership to appoint a representative on the Preparatory Committee. The Council agreed to invite representatives of the Food and Agriculture Organization and the Economic and Social Council of the United Nations to attend its meetings and those of its committees. The Preparatory Committee will hold its first meeting on July 17 to elect its chairman and organize its work with a view to reporting thereon to the Council at its next session, which will be held in Washington on August 19, 1946.

Caribbean Commission Agreement Restating Functions and Providing for International Secretariat.¹ An agreement restating the purposes and functions of the Caribbean Commission and providing it with an international Secretariat, to be located in the West Indies, was initiated on July 16 at the end of conversations in Washington among special representatives of the four Governments concerned—France, the Netherlands, the United Kingdom, and the United States.

It was decided that the Secretariat should be established in Trinidad, British West Indies. The Caribbean Commission has selected Lawrence

¹ Released to the press by the Caribbean Commission July 16.

W. Cramer, former Governor of the Virgin Islands of the United States, to be the first Secretary General.

It was further agreed that a Deputy Secretary General should be appointed who should be either a French or Netherlands national. The appointment of three assistants to the Secretary General—one French, one Netherlands, and one British—was also decided upon. A clause in the agreement states that the staff of the Secretariat "shall be recruited as largely as possible within the Caribbean area and with a view to obtaining a balanced national representation".

The Caribbean Commission is an advisory international body. It has grown out of the original Anglo-American Caribbean Commission established by the United States and British Governments in March 1942, and was expanded at the end of last year when the French and Netherlands Governments accepted invitations to join the Commission as full members.

The preamble to the agreement just initialed states that the member governments have subscribed to the document,

"being desirous of encouraging and strengthening cooperation among themselves and their territories with a view toward improving the economic and social well-being of the peoples of those territories, and

"Being desirous of promoting scientific, technological, and economic development in the Caribbean area and facilitating the use of resources and concerted treatment of mutual problems, avoiding duplication in the work of existing research agencies, surveying needs, ascertaining what research has been done, facilitating research on a cooperative basis and recommending further research, and

"Having agreed that the objectives herein set

forth are in accord with the principle of the Charter of the United Nations."

The French Government was represented at the Washington conversations by Georges H. Parisot of the French Ministry of Overseas Territories and until recently Governor of Martinique, French West Indies, who is also French Co-Chairman of the Caribbean Commission. The French Commissioners present were Georges Orselli, present Governor of Martinique, and Jean de la Roche and Pierre Pelieu, Colonial Administrators. Henri Claudel of the French Embassy in Washington was also present as an adviser.

The representative of the Netherlands Government was J. C. Kielstra, Netherlands Minister to Mexico and Netherlands Co-Chairman, Caribbean Commission. L. A. H. Peters of the Netherlands Embassy in Washington attended as a Commissioner.

The British Government representative was George F. Seel, Assistant Under Secretary of State in charge of West Indian matters in the Colonial Office. The British Commissioners consisted of Sir John Macpherson, Comptroller for Development and Welfare in the British West Indies and British Co-Chairman of the Caribbean Commission, R. D. H. Arundell, Resident British Commissioner in Washington, and Norman W. Manley, K.C., of Jamaica.

The Chairman of the Conference was Charles W. Taussig, United States Co-Chairman of the Caribbean Commission, who represented the United States Government. The three other United States Commissioners also attended the meeting—Rexford G. Tugwell, Governor of Puerto Rico, Ralph J. Bunche, Department of State, and Rafael Picó, Chairman of the Puerto Rico Planning Board. Oscar L. Chapman, Under Secretary of the Interior, acted as an adviser to the United States representative.

Record of the Week

Paris Conference of Foreign Ministers, June 15–July 12

REPORT BY THE SECRETARY OF STATE¹

After every great war the victors find the making of peace difficult and disappointing. It took the 13 American states more than 5 years after winning their independence to agree upon a constitution which promised anything like a durable peace among themselves.

To build world peace, bridging differences in ideas, values, codes of conduct, and deeply cherished aspirations, requires even greater tolerance, patience, and understanding. It requires the will and ability to seek *the best*, to accept the *best obtainable*, and then to make the *best obtainable* work. As war breeds war so peace can be made to breed peace.

That is why President Truman and I were determined at Potsdam last summer two months after V-E Day to set up the Council of Foreign Ministers. We were eager to have the Council start the making of peace and to make peace as quickly as possible wherever possible.

It was obvious then that the making of peace with Germany would take time. There was no German government to deal with, and no agreement as to how soon we should permit a German government to function. It was equally obvious that a start could be made toward making peace with Italy and the states which were satellites of the Axis. They had governments. So we started there.

The whole world knows how great the struggle has been during the last 10 months to harmonize the views of the great powers so as to make possible the presentation of tentative drafts of treaties to a peace conference. That struggle has now been brought to a successful conclusion and the Peace Conference has been called to meet in Paris on July 29.

In addition to the Soviet Union, the United Kingdom, France, China, and the United States, the states which are represented on the Council of

Foreign Ministers, the 16 other states which took an active part in the fighting against the European Axis will be represented at the Conference.

While the Council of Foreign Ministers has made some suggestions as to the organization and procedure of the Conference, the Conference will be free to determine its own organization and procedure.

It was proposed that the meetings of subcommittees should be secret. But on our objection this provision was eliminated. I gave notice that, so far as the United States is concerned, it will use its influence to open to the press the meetings of the Conference and of its committees.

The Conference will make only recommendations. But the members of the Council are committed, in drafting the final texts of the treaties, to consider the recommendations of the Conference and not to reject any of them arbitrarily.

It is my hope that the Council of Foreign Ministers will consider the recommendations and agree upon the final text so that the treaties may be signed by the delegates before the Conference adjourns.

The drafts of treaties agreed upon are not the best which human wit could devise. But they are the best which human wit could get the four principal Allies to agree upon. They represent as satisfactory an approach to the return of peace as we could hope for in this imperfect and war-weary world.

The attitude of the United States in these matters represented not only the judgment of the Pres-

¹Made on the occasion of the return of the Secretary of State from the Paris conference of the Foreign Ministers of France, the U. S. S. R., U. K., and U. S., which took place between June 15 and July 12, 1946. The address was broadcast over the national networks of the American Broadcasting Company, the Columbia Broadcasting System, and the Mutual Broadcasting System at 9 p.m. on July 15 and was released to the press on the same date.

ident and the Secretary of State but also the judgment of Senator Connally and Senator Vandenberg, whose long experience in our foreign relations and intimate knowledge of the specific issues made their counsel invaluable.

The greatest struggle was over the Italian treaty, and the greatest issue involved in that treaty was the fate of Trieste and adjacent territory along the western shore of the Iстриan Peninsula. The American Delegation, supported by the French and British, urged that Trieste and adjacent territory which are predominantly Italian should remain with Italy, and the predominantly Slavic hinterland should go to Yugoslavia.

The Soviet Union argued strongly that Trieste and adjacent territory should not be cut off from its immediate hinterland. While it admitted that a few cities and towns along the coast were predominantly Italian, it urged that the Iстриan Peninsula should be regarded as a whole and that so regarded it was predominantly Yugoslav. This view was also urged by Czechoslovakia.

The Soviet Union further urged that greater consideration should be given to the Yugoslav claims than to the Italian claims because, while Italy as one of the Axis partners was responsible for bringing on the war against the Allies and for the loss of thousands of Allied lives, Yugoslavia had fought on the Allied side throughout the war and suffered from the attacks of Italy.

As neither the Soviets nor ourselves were prepared to yield, we then proposed that the issue be left to the Peace Conference, but the Soviets would not agree.

This left us in a more serious dilemma than most people realize. We could make a separate peace with Italy, leaving her Trieste, but the Soviet and Yugoslav Governments and possibly others would not accept that treaty.

If we made a separate peace, the Soviet and Yugoslav Governments would undoubtedly demand that Italy make a separate peace with them, ceding Trieste to Yugoslavia. If Italy refused, it is not difficult to foresee the difficulties which would arise.

Even if no one of us presented a treaty to Italy, a disarmed Italy could hold Trieste against the Army of Yugoslavia only so long as our troops held it for her.

In an effort to break this deadlock the French informally suggested that Trieste and adjacent territory be separated from Italy but not ceded to

Yugoslavia, and that its security and integrity be internationally guaranteed.

At first no one liked this proposal. But the more it was studied the more it seemed to offer a reasonable basis for agreement. It was recalled that before Italy entered World War I she had proposed that the Trieste area should become an autonomous state.

Our delegation insisted that the area should be protected by the United Nations and not by joint agreement between Italy and Yugoslavia as the Soviets proposed, and not by the four principal Allied powers as suggested by the French. Our proposals were accepted.

The proposal as finally agreed upon leaves Gorizia and Montefalcone with Italy in the north and includes within the Free Territory of Trieste the rest of the area west of the agreed ethnic line.

It is true that the Free Territory of Trieste is predominantly Italian in the city and predominantly Slav outside of the city. But neither the Italians nor the Slavs in this territory are placed under alien rule. They are given home rule. The people will elect their own Assembly and the Assembly will elect the officials to administer the laws. They will be subject to supervision only by the United Nations Security Council and by an impartial governor appointed by the Security Council.

The prosperity and welfare of Trieste are linked not only with Italy but with Yugoslavia and the countries of central Europe. It is the natural outlet of central Europe to the Mediterranean. The only railroads entering Trieste come through Yugoslavia and are controlled by Yugoslavia. Representatives of that Government asserted that if Trieste were given to Italy they would divert traffic to Fiume or some other port in Yugoslavia.

Because of the bad feeling between the two peoples in that area, the control by the United Nations may prove to be the best means of preventing armed conflict and relieving tension.

If the area were joined either with Italy or Yugoslavia, its political and economic relations with the other would suffer. Its industries might be unable to attract the necessary capital, and labor might have difficulty finding employment.

If friendly relations are maintained between the Free Territory of Trieste and her neighbors, this little territory may enjoy greater prosperity and be a source of greater prosperity to its neighbors

than would be the case if it were joined either with Italy or Yugoslavia.

I am convinced that the agreed solution to the problem of Trieste is fair and workable if the peoples most concerned work together to make it so. Unless they work together, there can be no solution.

No final decision was reached on the disposition of the Italian colonies.

It will be recalled that originally the Soviets had requested the trusteeship of Tripolitania. They stated they wanted a base in the Mediterranean for their merchant ships. The French favored Italy as trustee for all the colonies, and at the April session the Soviets expressed their willingness to accept the French proposal. Except for certain reservations in respect of Cyrenaica, the British were willing to accept our proposal to have all the colonies placed under the trusteeship of the United Nations.

In view of the difficulty the Foreign Ministers were having in reaching agreement and the danger of the colonial question becoming a pawn in the settlement of other issues, I suggested that we defer a final decision.

It was finally agreed that the ultimate disposition of the colonies should be made by the four principal Allied powers in light of the wishes and welfare of the inhabitants and world peace and security, taking into account the views of other interested governments.

If the four principal Allied powers do not agree upon the disposition to be made of the colonies within a year after the coming into force of the treaty, they have bound themselves to make such disposition of them as may be recommended by the General Assembly of the United Nations.

The four powers have further agreed to send commissions to the colonies to ascertain the wishes of the local population.

Pending the final disposition of the colonies, they will remain under the existing British military administration.

The thing I like about the agreement on the colonies is that the ultimate decision does not require unanimity. Failing agreement among the four powers, the decision rests with the United Nations.

The Soviets finally withdrew their objection to the cession of the Dodecanese to Greece and to the permanent demilitarization of the Islands.

It was, however, extremely difficult for us to reach agreement on reparations. The Soviets in-

sisted that they were entitled to at least \$100,000,000 reparations for the devastation of their territory by the Italian armies.

Moreover, under the armistice agreements with Hungary, Rumania, and Finland reparations payments of \$300,000,000 from each had been imposed. The Soviets found it difficult to reconcile themselves to a more lenient reparations policy in the case of Italy.

We on the other hand were more deeply conscious of the help that Italy gave us in the last months of the war and opposed putting on her a reparations burden which would delay her economic recovery.

We had previously agreed that reparations could be taken in war plants not needed for Italian peacetime economy and could be paid out of Italian assets in Hungary, Rumania, and Bulgaria. But the Soviets insisted that part of the reparations should come from current or future production of Italian factories and shipyards.

We reluctantly agreed that the Soviets could receive reparations up to \$100,000,000. But we required them to agree that, in so far as reparations were taken from Italian production, the deliveries must be arranged so as to avoid interference with economic reconstruction.

We further required the Soviets to agree that such deliveries should not commence for two years. In order to avoid our having to finance Italy's purchase of raw materials to furnish manufactured products to the Soviets, we also required agreement that the imported materials needed by Italy to make these deliveries should be supplied by the Soviets.

There remain some questions in the Italian treaty and other treaties on which we were unable to reach final agreement. As the Soviet Delegation took the position that they would not agree to the calling of the Peace Conference until the four governments had harmonized their views on fundamental questions, we assume that the Soviets do not regard these issues as fundamental and will accept the decisions of the Peace Conference.

I admit that prior to our meeting in April I had little hope we would ever reach agreement. After our April meeting I had less hope. Now the prospect for peace treaties with five countries is bright. Ninety days after ratification of those treaties occupation armies must be withdrawn except where they protect a line of communications. Then the people of the occupied states can live

and breathe as free people. We are on the road back to peace.

I have no desire to conceal from the American people the great struggle and tremendous difficulties the four governments had in harmonizing their views to the extent they did on these treaties. In the long run we shall have a much better chance to work out our problems if we and our Allies recognize the basic differences in our ideas, standards, and methods instead of trying to make ourselves believe that they do not exist or that they are less important than they really are.

While the Council made real progress toward peace with Italy and the ex-satellite states, it made no progress at all on the German and Austrian questions. Perhaps the time taken in discussion was not wholly lost, because our experience suggests that understandings, particularly with our Soviet friends, cannot be reached until we have gone through rounds of verbal combat, in which old complaints are repeated, past positions reaffirmed, differences accentuated, and crises provoked.

I am ready to believe it is difficult for them to understand us, just as it is difficult for us to understand them. But I sometimes think our Soviet friends fear we would think them weak and soft if they agreed without a struggle on anything we wanted, even though they wanted it too. Constant struggle, however, is not always helpful in a world longing for peace.

The Soviets started the German discussion with a prepared statement on the draft treaty we had proposed to guarantee the continued demilitarization and disarmament of Germany for at least a quarter of a century. The Soviet statement reveals how hard-pressed the Soviets were to find real objection to a treaty which gives them the assurance that Germany should never again become a threat to their security or to the security of Europe.

I do not believe that the Soviets realize the doubts and suspicions which they have raised in the minds of those in other countries who want to be their friends by the aloofness, coolness, and hostility with which they have received America's offer to guarantee jointly the continued disarmament of Germany.

Had America been a party to such a guaranty after World War I, World War II would never have occurred, and the Soviet Union would never have been attacked and devastated.

Is German militarism going to be used as a pawn in a struggle between the East and the West, and is German militarism again to be given the chance to divide and conquer?

To that question there must be an unequivocal answer, for equivocation will increase unbearably the tensions and strains which men of good-will everywhere are striving to relieve.

The Soviets stated that our proposed treaty was inadequate; that it did not assure the de-Nazification and democratization of Germany; that it did not assure them reparations. But these are political matters which are already dealt with in the Potsdam Agreement.

Our military agreement of June 5, 1945 provided for the prompt disarmament of armed forces and demilitarization of war plants. By our 25-year treaty we propose that when Germany is once disarmed we shall see that she stays disarmed. We cannot understand Soviet opposition, especially as Generalissimo Stalin on last December 24th agreed with me in principle on this subject.

The Soviet representative stated he had reports that in the British zone the disarming of military forces was not being carried out. The British representative stated he had reports that in the Soviet zone German war plants were being operated.

We asked that the Control Commission investigate the accuracy of both reports. The British and the French agreed. But the Soviet Government would not agree to the investigation unless we limited it to the disarmament of armed forces.

I certainly made clear in our earlier meeting in Paris that the proposed guaranty of German demilitarization was only a part of the German settlement. I proposed then and I proposed again at our recent meeting that deputies be appointed to start work on the whole settlement which the Allies expect the Germans to accept. The British and French accepted the proposal. The Soviets rejected it.

The Soviets suggested that we have a special session of the Council on the German problem. I agreed and insisted on setting a date. But from my experience with the Italian and Balkan settlements I fear that, until the Soviets are willing to have responsible deputies who are in close touch with the Foreign Ministers sit together continuously over a period of time and find out just what is the area of our agreement and our disagreement, the exchange of views between the Ministers on

the complicated problems of the German settlement will not be sufficient.

It is no secret that the four-power control of Germany on a zonal basis is not working well from the point of view of any of the four powers. Under the Potsdam Agreement Germany was to be administered as an economic unit and central administrative departments were to be established for this purpose.

But in fact Germany is being administered in four closed compartments with the movement of people, trade, and ideas between the zones more narrowly restricted than between most independent countries.

In consequence none of the zones is self-supporting. Our zone costs our taxpayers \$200,000,000 a year. And despite the heavy financial burden being borne by ourselves and other occupying powers, the country is threatened with inflation and economic paralysis.

This condition must not continue. At Paris we proposed that the Control Commission be instructed to establish the central administrative agencies necessary to administer Germany as an economic unit, and to arrange for the exchange of products between the zones and for a balanced program of imports and exports.

The French Government, which had previously opposed the establishment of central administrative agencies, indicated their willingness to accept our proposal when we suggested that the Saar be excluded from the jurisdiction of these agencies. The British agreed.

But the Soviets said that they could not agree to the exclusion of the Saar without further study, and therefore no immediate progress was possible.

I made clear that we were unwilling to share responsibility for the economic paralysis and suffering we felt certain would follow a continuance of present conditions in Germany.

I then announced that as a last resort we were prepared to administer our zone in conjunction with any one or more of the other zones as an economic unit. I indicated that recently we had secured cooperation with the Soviet zone in one matter and with the British in another. I explained that our offer was made not in an effort to divide Germany but to bring it together.

I stated that whatever arrangements were made with one government would be open on equal terms to the governments of the other zones at any time they were prepared to participate.

The British stated that they would consider our proposal and indicated they hoped to agree. Neither the Soviets nor the French expressed any view.

Our military representative in Germany will this week be instructed to cooperate with any one or all of the three governments in essential administrative matters like finance, transportation, communication, trade, and industry. We will either secure economic cooperation between the zones or place the responsibility for the violation of the Potsdam Agreement.

Finally we came to a discussion of the Austrian problem. On June 1, I had circulated a proposed draft treaty recognizing the independence of Austria and providing for the withdrawal of the occupying troops. The British also had submitted a draft for consideration. I asked that the Deputies be directed to prepare the treaty.

The Soviets submitted a counterproposal calling first for further action to insure the de-Nazification of Austria and the removal of a large number of displaced persons from Austria whom they regard as unfriendly to them.

The British and French were willing to join us in submitting to the Deputies the consideration of the treaty and in requesting the Control Council to investigate and report on the progress of de-Nazification and on the problem of the displaced persons. But the Soviets were unwilling to agree to the Deputies' taking up the Austrian treaty until more tangible action was taken on these other two problems.

We recognize the seriousness of these problems and have been grappling with them. The problem of displaced persons is particularly difficult to solve. Where they are willing, we help them to return to their homes. But many refuse to return to their own countries because they fear death or imprisonment for their political views. Our tradition of protecting political refugees is too precious for us to consent to the mass expulsion of these people from our zone. The United Nations has a committee studying the problem, and we shall continue to do our part to try to find a solution, but it cannot be a cruel solution that will reflect discredit upon the American people.

It would be a tragedy to hold up the peace treaty with Austria because she is obliged to afford temporary refuge to these people until homes can be found for them in other countries.

We shall press on in session and out of session

to restore conditions of peace to this war-sick world, to bring soldiers back to their homes and to their families, to beat our swords into plowshares. The war has left wounds, but we must work to heal those wounds.

We do not believe in a peace based on a desire

for vengeance. We believe in justice, charity, and mercy. If we act with charity and mercy, those we fear as enemies may become our friends. We must trust to the healing processes of peace and pray that God in His mercy will give peace to the world.

Financial Agreement With Great Britain Approved by Congress

STATEMENT BY THE PRESIDENT

[Released to the press by the White House July 15]

The approval by the Congress of the Financial Agreement with Great Britain is a major step in carrying out our program for reviving and expanding international trade. The wide discussion of the measure which has taken place on both sides of the Atlantic emphasizes its importance. Full and frank debate is a basic principle of the democratic system, and I believe that the time and care given to the consideration of the agreement are insurance that our approval rests on full understanding.

The loan serves our immediate and long-range interests by helping to restore world trade. At the same time it enables Great Britain to cooperate in creating a pattern of mutually beneficial economic

relations among the nations of the world. It goes far to remove the danger of rival and antagonistic economic blocs. No one should think that this agreement between the United States and Great Britain is directed against any other country. It is not. The system of trade we seek is open on the same fair terms to all the United Nations.

While considerations of broad self-interest underlie our action, this does not mean that we have forgotten the circumstances which gave rise to Britain's present problems. It is fortunate and gratifying that this action both serves our own interests and helps to solve the problems which Britain faces as the direct consequence of having devoted her human, spiritual, and material resources so fully to the common cause.

EXCHANGE OF NOTES BETWEEN ACTING SECRETARY ACHESON AND THE BRITISH AMBASSADOR

[Released to the press July 15]

July 15, 1946.

EXCELLENCY:

I have the honor to inform you that on July 15, 1946 there were made available by an Act of Congress of the United States, approved by the President, the funds necessary to extend to the Government of the United Kingdom the line of credit in accordance with the provisions of the Financial Agreement of December 6, 1945 between the Governments of the United States and the United Kingdom.

The effective date of the Agreement, pursuant to Section 1 thereof, is therefore July 15, 1946.

May I request that any communications con-

cerning the operation of the Agreement be addressed to the Secretary of the Treasury and that a copy of such communications be sent to the Secretary of State.

Accept [etc.]

DEAN ACHESON

July 15, 1946.

EXCELLENCY:

I have the honour to refer to your note of July 15th, 1946, in which you were so good as to inform me that on July 15th, 1946 there were made available by an Act of Congress of the United States, approved by the President, the funds necessary to extend to His Majesty's Government in the United Kingdom the line of credit in accordance

with the provisions of the Financial Agreement of December 6th, 1945, between the Governments of the United States and the United Kingdom, and that the effective date of the Agreement, pursuant to Section 1 thereof, is July 15th, 1946.

2. I have noted your request that any communications concerning the operation of this Agreement should be addressed to the Secretary of the Treasury and that a copy of such communications should be sent to Your Excellency.

Accept [etc.]

INVERCHAPEL

JOINT RESOLUTION OF THE CONGRESS¹

Joint Resolution to implement further the purposes of the Bretton Woods Agreements Act by authorizing the Secretary of the Treasury to carry out an agreement with the United Kingdom, and for other purposes.

Whereas in the Bretton Woods Agreements Act the Congress has declared it to be the policy of the United States "to seek to bring about further agreement and cooperation among nations and international bodies, as soon as possible, on ways and means which will best reduce obstacles to and restrictions upon international trade, eliminate unfair trade practices, promote mutually advantageous commercial relations, and otherwise facilitate the expansion and balanced growth of international trade and promote the stability of international economic relations"; and

Whereas in further implementation of the purposes of the Bretton Woods Agreements, the Governments of the United States and the United Kingdom have negotiated an agreement dated December 6, 1945, designed to expedite the achievement of stable and orderly exchange arrangements, the prompt elimination of exchange restrictions and discrimination, and other objectives of the above-mentioned policy declared by the Congress: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury, in consultation with the National Advisory Council on International Monetary and Financial

Problems, is hereby authorized to carry out the agreement dated December 6, 1945, between the United States and the United Kingdom which was transmitted by the President to the Congress on January 30, 1946.

Sec. 2. For the purpose of carrying out the agreement dated December 6, 1945, between the United States and the United Kingdom, the Secretary of the Treasury is authorized to use as a public-debt transaction not to exceed \$3,750,000,000 of the proceeds of any securities hereafter issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under that Act are extended to include such purpose. Payments to the United Kingdom under this joint resolution and pursuant to the agreement and repayments thereof shall be treated as public-debt transactions of the United States. Payments of interest to the United States under the agreement shall be covered into the Treasury as miscellaneous receipts.

Approved July 15, 1946.

U.S. Delegation to Belgium Luxembourg, and Netherlands To Negotiate Double-Tax Treaties

[Released to the press July 18]

Eldon P. King and certain other members of the Delegation to Belgium, Luxembourg, and the Netherlands to negotiate double-tax treaties are leaving for Brussels July 21 and 22 as announced on July 3.²

Presentations by interested members of the public relating to tax problems with Belgium, Luxembourg, and the Netherlands may continue to be addressed to Eldon P. King, Special Deputy Commissioner of Internal Revenue, Bureau of Internal Revenue, Washington, D.C., and will receive consideration by the Delegation.

¹ S. J. Res. 138 (Public Law 569, ch. 577, 79th Cong., 2d sess.).

² BULLETIN of July 14, 1946, p. 73.

Accord Reached With Swedish Delegation on German Assets in Sweden

[Released to the press July 18]

Delegations representing the United States, France, and the United Kingdom have arrived at an accord with a Swedish Delegation on subjects touching German assets in Sweden and related questions which they have been studying together in Washington for the past six weeks at the invitation of the United States Government. The following statement has been agreed between the delegations:

German assets in Sweden, the nature and extent of which have been carefully examined, will be liquidated, in continuation of Sweden's policy of the elimination of German economic interests in Sweden.

Existing procedures for mutual exchange of information between the Allies and Sweden will be maintained. The proceeds of the liquidation of the German assets are now estimated to be approximately 375 million kroner. Of this amount 150 million, which shall be considered to be the remainder left after clearing of these proceeds against certain Swedish claims, will be made available by the Swedish Government to be used for purchase of commodities for the German economy. These purchases, which would otherwise be at the expense of the Allies, are not limited to the Swedish market but can be made in any other country. Provision will be made by the Allies for compensation in German money of German owners concerned by these measures.

In accordance with its policy to re-stitute looted property, the Swedish Government agrees to restore monetary gold acquired by Sweden and proved to have been looted by Germany. Provisionally the amount now traced and to be restored is about 7 tons.

Provision will be made for equitable compensation in Germany for removals or other dispositions by the Allied authorities of property belonging to Swedish nationals or property in which there is a substantial Swedish ownership interest.

In pursuance of its policy to participate in the work of reconstruction and rehabilitation the

Swedish Government proposed to make the following contributions:

(1) 50 million kroner to the Intergovernmental Committee on Refugees for use in rehabilitation and resettlement of non-repatriable victims of German action;

(2) 75 million kroner for the aid and rehabilitation of countries devastated by the war who were represented at the Paris Reparation Conference.

The Government of the United States has undertaken to unblock Swedish funds in the United States according to a procedure which is being worked out. The Allies have already eliminated the "blacklists".

Other matters of common interest have been satisfactorily settled between the negotiators.

The accord is subject to ratification by the Swedish Parliament.

Mr. Seymour Rubin represented the United States in the negotiations; Mr. Christian Valensi, France; Mr. Francis W. McCombe, the United Kingdom; and Justice Emil Sandstrom, Sweden.

Treaty Obligations and Philippine Independence

REPLY OF SPANISH GOVERNMENT TO U.S. NOTE¹

[Translation]

No. 170 WASHINGTON, July 11, 1946.

MR. SECRETARY:

With reference to your Excellency's courteous note dated May 4 last, on preferences which will be accorded by the United States to the Philippines as required by the "Philippine Trade Act" of April 30, 1946, I have the honor to inform you that the Ministry of Foreign Affairs of Madrid has just instructed me to inform the Department of State that the Spanish Government agrees to the customs preferences on the occasion of the independence of the Philippines.

Llavil [etc.]

JUAN F. DE CARDENAS
Ambassador of Spain

¹ U.S. note is similar to note sent to Bolivian Government as printed in BULLETIN of June 16, 1946, p. 1049.

Agreement on Control Machinery in Austria¹

AGREEMENT BETWEEN THE GOVERNMENTS OF THE UNITED KINGDOM, THE UNITED STATES OF AMERICA, THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE GOVERNMENT OF THE FRENCH REPUBLIC ON THE MACHINERY OF CONTROL IN AUSTRIA

The Government of the United Kingdom of Great Britain and Northern Ireland, the United States of America, the Union of Soviet Socialist Republics and the Government of the French Republic (hereinafter called the Four Powers):

In view of the declaration issued at Moscow on 1st November, 1943, in the name of the Governments of the United Kingdom, the United States of America and the Union of Soviet Socialist Republics, whereby the three Governments announced their agreement that Austria should be liberated from German domination, and declared that they wished to see re-established a free and independent Austria;² and in view of the subsequent declaration issued at Algiers on 16th November, 1943 by the French Committee of National Liberation concerning the independence of Austria;

Considering it necessary, in view of the establishment, as a result of free elections held in Austria on 25th November, 1945, of an Austrian Government recognized by the Four Powers, to redefine the nature and extent of the authority of the Austrian Government and of the functions of the Allied organization and forces in Austria and thereby to give effect to Article 11 of the Agreement signed in the European Advisory Commission on 4th July, 1945;

Have agreed as follows:

ARTICLE 1

The authority of the Austrian Government shall extend fully throughout Austria, subject only to the following reservations:

(a) The Austrian Government and all subordinate Austrian authorities shall carry out such directions as they may receive from the Allied Commission;

(b) In regard to the matters specified in Article 5 below neither the Austrian Government nor any subordinate Austrian authority shall take action without the prior written consent of the Allied Commission.

ARTICLE 2

(a) The Allied organization in Austria shall consist of

(i) an Allied Council, consisting of four High Commissioners, one appointed by each of the Four Powers;

(ii) an Executive Committee, consisting of one high ranking representative of each of the High Commissioners;

(iii) Staffs appointed respectively by the Four Powers, the whole organization being known as the Allied Commission for Austria.

(b) (i) The authority of the Allied Commission in matters affecting Austria as a whole shall be exercised by the Allied Council or the Executive Committee or the Staffs appointed by the Four Powers when acting jointly.

(ii) The High Commissioners shall within their respective zones ensure the execution of the decisions of the Allied Commission and supervise the execution of the directions of the central Austrian authorities.

(iii) The High Commissioners shall also ensure within their respective zones that the actions of the Austrian provincial authorities deriving from their autonomous functions do not conflict with the policy of the Allied Commission.

(c) The Allied Commission shall act only through the Austrian Government or other appropriate Austrian authorities except:

(i) to maintain law and order if the Austrian authorities are unable to do so;

(ii) if the Austrian Government or other appropriate Austrian authorities do not carry out directions received from the Allied Commission;

(iii) where, in the case of any of the subjects detailed in Article 5 below, the Allied Commission acts directly.

¹ Released to the press, with permission of the Allied Commission for Austria, on July 19.

² BULLETIN of Nov. 6, 1943, p. 310.

(d) In the absence of action by the Allied Council, the four several High Commissioners may act independently in their respective zones in any matter covered by subparagraphs (i) and (ii) of paragraph (c) of this Article and by Article 5, and in any matter in respect of which power is conferred on them by the agreement to be made under Article 8 (a) of the agreement.

(e) Forces of occupation furnished by the Four Powers will be stationed in the respective zones of occupation in Austria and Vienna as defined in the Agreement on Zones of Occupation in Austria and the administration of the City of Vienna, signed in the European Advisory Commission on 9th July, 1945.² Decisions of the Allied Council which require implementation by the forces of occupation will be implemented by the latter in accordance with instructions from their respective High Commissioners.

ARTICLE 3

The primary tasks of the Allied Commission for Austria shall be:

(a) To ensure the enforcement in Austria of the provisions of the Declaration on the Defeat of Germany signed at Berlin on 5th June, 1945;³

(b) To complete the separation of Austria from Germany, and to maintain the independent existence and integrity of the Austrian State, and pending the final definition of its frontiers to ensure respect for them as they were on 31st December, 1937;

(c) To assist the Austrian Government to recreate a sound and democratic national life based on an efficient administration, stable economic and financial conditions and respect for law and order;

(d) To assist the freely elected Government of Austria to assume as quickly as possible full control of the affairs of state in Austria;

(e) To ensure the institution of a progressive long-term educational program designed to eradicate all traces of Nazi ideology and to instill into Austrian youth democratic principles.

ARTICLE 4

(a) In order to facilitate the full exercise of the Austrian Government's authority equally in all zones and to promote the economic unity of

Austria, the Allied Council will from the date of signature of this Agreement ensure the removal of all remaining restrictions on the movement within Austria of persons, goods, or other traffic, except such as may be specifically prescribed by the Allied Council or required in frontier areas for the maintenance of effective control of international movements. The zonal boundaries will then have no other effect than as boundaries of the spheres of authority and responsibility of the respective High Commissioners and the location of occupation troops.

(b) The Austrian Government may organize a customs and frontier administration, and the Allied Commission will take steps as soon as practicable to transfer to it customs and travel control functions concerning Austria which do not interfere with the military needs of the occupation forces.

ARTICLE 5

The following are the matters in regard to which the Allied Commission may act directly as provided in Article 2 (c) (iii) above:

(i) Demilitarization and disarmament (military, economic, industrial, technical and scientific).

(ii) The protection and security of the Allied forces in Austria, and the fulfilment of their military needs in accordance with the Agreement to be negotiated under Article 8 (a).

(iii) The protection, care and restitution of property belonging to the Governments of any of the United Nations or their nationals.

(iv) The disposal of German property in accordance with the existing agreements between the Allies.

(v) The care and evacuation of, and exercise of judicial authority over prisoners of war and displaced persons.

(vi) The control of travel into and out of Austria until Austrian travel controls can be established.

(vii) (a) The tracing, arrest and handing-over of any person wanted by one of the Four Powers or by the International Court for War Crimes and Crimes against Humanity.

(b) The tracing, arrest and handing-over of any person wanted by other United Nations for the crimes specified in the preceding paragraph and included in the lists of the United Nations Commission for War Crimes.

² BULLETIN of AUG. 12, 1945, p. 221.

³ BULLETIN of JUNE 10, 1945, p. 1051.

The Austrian Government will remain competent to try any other person accused of such crimes and coming within its jurisdiction, subject to the Allied Council's right of control over prosecution and punishment for such crimes.

ARTICLE 6

(a) All legislative measures, as defined by the Allied Council, and international agreements which the Austrian Government wishes to make except agreements with one of the Four Powers, shall, before they take effect or are published in the State Gazette be submitted by the Austrian Government to the Allied Council. In the case of constitutional laws, the written approval of the Allied Council is required, before any such law may be published and put into effect. In the case of all other legislative measures and international agreements it may be assumed that the Allied Council has given its approval if within thirty-one days of the time of receipt by the Allied Commission it has not informed the Austrian Government that it objects to a legislative measure or an international agreement. Such legislative measure or international agreement may then be published and put into effect. The Austrian Government will inform the Allied Council of all international agreements entered into with one or more of the Four Powers.

(b) The Allied Council may at any time inform the Austrian Government or the appropriate Austrian authority of its disapproval of any of the Legislative measures or administrative actions of the Government or of such authority, and may direct that the action in question shall be cancelled or amended.

ARTICLE 7

The Austrian Government is free to establish diplomatic and consular relations with the Governments of the United Nations. The establishment of diplomatic and consular relations with other Governments shall be subject to the prior approval of the Allied Council. Diplomatic Missions in Vienna shall have the right to communicate directly with the Allied Council. Military Missions accredited to the Allied Council shall be withdrawn as soon as their respective Governments establish diplomatic relations with the Austrian Government, and in any case within two months of the signature of this agreement.

ARTICLE 8

(a) A further agreement between the Four Powers shall be drawn up and communicated to the Austrian Government as soon as possible, and within three months of this day's date defining the immunities of the members of the Allied Commission and of the forces in Austria of the Four Powers and the rights they shall enjoy to ensure their security and protection and the fulfilment of their military needs.

(b) Pending the conclusion of the further agreement required by Article 8 (a) the existing rights and immunities of members of the Allied Commission and of the forces in Austria of the Four Powers, deriving either from the Declaration on the Defeat of Germany or from the powers of a Commander-in-Chief in the field, shall remain unimpaired.

ARTICLE 9

(a) Members of the Allied Council, the Executive Committee and other staffs appointed by each of the Four Powers as part of the Allied Commission may be either civilian or military.

(b) Each of the Four Powers may appoint as its High Commissioner either the Commander-in-Chief of its forces in Austria or its diplomatic or political representative in Austria or such other official as it may care to nominate.

(c) Each High Commissioner may appoint a deputy to act for him in his absence.

(d) A High Commissioner may be assisted in the Allied Council by a political adviser and or a military adviser who may be respectively the diplomatic or political representative of his Government in Vienna or the Commander-in-Chief of the forces in Austria of his Government.

(e) The Allied Council shall meet at least twice in each month or at the request of any member.

ARTICLE 10

(a) Members of the Executive Committee shall, when necessary, attend meetings of the Allied Council;

(b) The Executive Committee shall act on behalf of the Allied Council in matters delegated to it by the Council;

(c) The Executive Committee shall ensure that the decisions of the Allied Council and its own decisions are carried out;

(d) The Executive Committee shall coordinate the activities of the Staffs of the Allied Commission.

ARTICLE 11

(a) The staffs of the Allied Commission in Vienna shall be organized in Divisions matching one or more of the Austrian Ministries or Departments with the addition of certain Divisions not corresponding to any Austrian Ministry or Department. The List of Divisions is given in Annex I to this Agreement; this organization may be changed at any time by the Allied Council;

(b) The Divisions shall maintain contact with the appropriate Departments of the Austrian Government and shall take such action and issue such directions as are within the policy approved by the Allied Council or the Executive Committee;

(c) The Divisions shall report as necessary to the Executive Committee;

(d) At the Head of each Division there shall be four Directors, one from each of the Four Powers, to be collectively known as the Directorate of that Division. Directors of Divisions or their representatives may attend meetings of the Allied Council or of the Executive Committee in which matters affecting the work of their Divisions are being discussed. The four officials acting as the head of each Division may appoint such temporary sub-committees as they deem desirable.

ARTICLE 12

The decisions of the Allied Council, Executive Committee, and other constituted bodies of the Allied Commission shall be unanimous.

The Chairmanship of the Allied Council, Executive Committee and Directorates shall be held in rotation.

ARTICLE 13

The existing Inter-Allied Command in Vienna, formerly known as the Kommandatura, shall continue to act as the instrument of the Allied Commission for affairs concerning Vienna as a whole until its functions in connection with civil administration can be handed over to the Vienna Municipality. These will be handed over progressively and as rapidly as possible. The form of supervision which will then be applied will be decided by the Allied Council. Meanwhile the Vienna Inter-Allied Command shall have the same relation to the Municipal Administration of Vienna as the Allied Commission has to the Austrian Government.

ARTICLE 14

The present Agreement shall come into opera-

tion as from this day's date and shall remain in force until it is revised or abrogated by agreement between the Four Powers. On the coming into effect of the present Agreement the Agreement signed in the European Advisory Commission on 4th July 1945, shall be abrogated. The Four Powers shall consult together not more than six months from this day's date with a view to its revision.

In witness whereof the present Agreement has been signed on behalf of each of the Four Powers by its High Commissioner in Austria.

Done this twenty-eighth day of June 1946 at Vienna in quadruplicate in English, in French and in Russian each text being equally authentic. A translation into German shall be agreed between the four High Commissioners and communicated by them as soon as possible to the Austrian Government.

For the Government of the United Kingdom:

Lieutenant General J. S. STEELE

For the Government of the United States of America:

General MARK W. CLARK

For the Government of the Union of Soviet Socialist Republics:

Colonel General L. V. KAURASOV

For the Government of the French Republic:

General de Corps d'Armée

M. E. BETHOUART

GENERAL ASSEMBLY—Continued from page 161 of State, Mr. Austin will be the senior representative of the United States of America to the second part of the first session of the General Assembly.

The following-named persons to be alternate representatives of the United States of America to the second part of the first session of the General Assembly of the United Nations to be held in New York City, September 1946:

CHARLES A. EATON, a Member of the United States House of Representatives from the State of New Jersey

HELEN GAHAGAN DOUGLAS, a Member of the United States House of Representatives from the State of California

JOHN FOSTER DULLES, of New York

ADLAI E. STEVENSON, of Illinois

Consolidation of OIC's Radio Operations

[Released to the press July 18]

Consolidation of the New York and San Francisco radio operations of the State Department's Office of International Information and Cultural Affairs was announced on July 18 by Assistant Secretary of State William Benton.

The transfer from San Francisco to New York of approximately 50 specially qualified persons began Wednesday, July 17, and is scheduled to be completed late in August. The first program from New York in the State Department's 8-language Far Eastern broadcasting schedule will be moved by land line to west-coast transmitters on August 1.

As a consequence of this operational merger, all State Department foreign voice broadcasts will originate in New York under the direction of Kenneth D. Fry, Acting Chief of the International Broadcasting Division. The State Department currently has 36 transmitters carrying voice broadcasts and Morse transmissions to other countries, and 10 of these are situated on the Pacific coast. All 10 are used for Far Eastern purposes, and in addition 6 of them carry shows to the west coast of Latin America.

The 50 persons being transferred from San Francisco to New York are language and technical experts whose qualifications OIC so far has been unable to duplicate in recruiting efforts in the east, and they will be considered for employment beyond the period of the transfer. They are all that will be retained of the present San Francisco radio force of 185. The latter figure in turn represents the remainder of an operation that totaled 900 radio, Morse, and administrative employees at its wartime peak under the Office of War Information.

After August 1, Far Eastern programs will be broadcast in English, French, Siamese, Annamese, Dutch, Chinese, Korean, and Malay. These programs cover news, commentaries, music, and informational Americana programs, many of which are taken from American domestic networks and specially revised for overseas listeners. There will be seven hours of air time daily, beginning at 5 a.m., Eastern Daylight Time. There are transmitters in Honolulu and Manila to boost delivery to China, Indonesia, Siam, French Indochina and other Asiatic areas.

Samuel H. Rickard, former president of American University in Rangoon and a veteran of the San Francisco office, will head the Far East Section in the merged set-up.

Recordings are to be made to sustain the various programs on the air while engineers and language contingents of announcers, writers, and editors are traveling to New York.

Procedure for Filing War-Damage Claims

*Italy, Bulgaria, Rumania, and Hungary*¹

[Released to the press July 17]

The Department of State is urgently in need of preliminary information from American nationals relating to war losses or damage to their properties located in Italy, Bulgaria, Rumania, and Hungary. All such nationals are requested to furnish a brief statement regarding such losses or damage, even though such information may have been heretofore submitted to a governmental agency. The statement should contain available information on the following points:

- (a) Name of owner
- (b) Nature and location of property
- (c) Estimated amount (in U.S. dollars) of loss or damage
- (d) Cause of loss or damage—whether as a consequence of military operations, requisition, seizure as enemy property, looting, removal, etc.
- (e) Nationality of authorities causing the loss or damage.

Claimants possessing properties in more than one of the above-mentioned countries should submit a separate statement with respect to each such country. The statement should be submitted immediately to the Office of the Legal Adviser, Department of State, Washington 25, D.C., and should in any event reach the Department not later than July 26, 1946.

This announcement does not relate to properties in countries other than those named, nor to claims arising out of agrarian or nationalization programs.

¹ For procedure for filing war-damage claims for properties located in Poland and the Netherlands, see BULLETIN of June 23, 1946, p. 1083.

Procedure for Gasoline Rations to American Motorists in Europe

[Released to the press July 15]

A plan for providing a limited amount of gasoline to United States motorists traveling in five European countries on essential business, effective immediately, was announced jointly at Washington on July 15 by the United States Department of State and the European Central Inland Transport Organization (ECITO).

The plan was developed by ECITO, an inter-governmental organization with headquarters at Paris, France, in which the United States Government has membership, to meet a demand from business travelers for a guaranteed quantity of gasoline to be used in traveling with their own automobiles in certain countries which still ration motor fuel. The countries participating are: Belgium, Czechoslovakia, France, Luxembourg, and Norway.

Operation of the plan was outlined as follows: a United States resident who desires to take his automobile to one or more of the five countries listed above and who will have need for gasoline for essential travel (as attested by his possession of United States passport and visas) makes application for "ECITO Motor Fuel Letter of Credit" to an accredited travel agency at the time he obtains other necessary documents for international travel with his car. When other documents are issued he is given a letter of credit which specifically identifies the applicant and his car and contains from one to five coupons (depending on his needs), each good for 100 liters (approximately 26½ U.S. gallons) for a three months' period. Upon arrival in the foreign country, he presents his letter of credit to an office designated by the foreign government and is issued local rationing coupons which he gives to gasoline stations when purchasing fuel. This plan does not apply to cars rented or purchased abroad, fueling arrangements for which would have to be made in the country concerned.

The Department of State emphasized that only a traveler who obtains a U.S. passport and the necessary foreign visas for the countries listed, and who has the required documents admitting his car to international travel, is eligible to receive the gasoline letter of credit. It also cau-

tioned travelers on the lack of spare parts and tires in European countries, which is still greatly handicapping travel by all motorists there.

It is estimated that less than 1,500 United States residents will take their cars abroad during the year 1946. At an average of 15 miles a gallon, the maximum permissible allowance of 132 gallons would represent about 2,000 miles for three months' travel.

The Department of State has asked the American Automobile Association and the American Automobile Tourists Alliance to handle the details of issuing these gasoline letters of credit to motorists at the same time they receive the other documents required for international motoring.

Visit of Indian Labor Welfare Officer

Kanji Dwarkadas, labor and welfare officer of the Indian United Mills of Bombay, India, has recently come to the United States.

As a guest of the Department of State he will be in Washington two more weeks and will spend about five months in other parts of the country. Concerned with various aspects of industrial workers' living and working conditions, he has expressed interest in learning all he can in the United States which will be of help to India, whose leaders are devoting increasing attention to problems of social justice, social security, and economic progress.

Letters of Credence

Ambassador of China

The newly appointed Ambassador of China, V. K. Wellington Koo, presented his letters of credence to the President on July 16. For the texts of the Ambassador's remarks on the occasion of the presentation of his credentials and the President's reply, see Department of State press release 488.

Ambassador of Yugoslavia

The newly appointed Ambassador of Yugoslavia, Sava N. Kosanovic, presented his credentials to the President on July 18. For texts of the Ambassador's remarks and the President's reply, see Department of State press release 494.

Lend-Lease Settlement and Surplus-Property Agreement With New Zealand

[Released to the press July 10]

Representatives of the Government of the United States and the Government of New Zealand on July 10 signed an agreement representing an over-all settlement of lend-lease and reciprocal aid and providing for the sale of certain United States surplus property. The agreement was signed at Washington on behalf of the Government of the United States by Dean Acheson, the Acting Secretary of State, and on behalf of the Government of New Zealand by Walter Nash, Minister of Finance.

The agreement constitutes a final settlement for lend-lease and reciprocal aid and for the financial claims of each Government arising as a result of the war. New Zealand made a notable contribution to the war effort of the United Nations measured in both sacrifice of manpower and material. This is especially true considering the relatively small population of that Dominion. Throughout the war New Zealand provided an important source of supplies for the Pacific area, all of which supplies were made available under reverse lend-lease without charge to the United States. This contribution by New Zealand relieved the United States of the need to supply very considerable quantities of food and equipment to its armed forces in the Pacific areas, resulting in an important saving in our own supplies and in shipping space.

In the settlement just concluded it has been agreed that neither Government will make any payment to the other for lend-lease and reciprocal-aid articles and services used in the achievement of victory. New Zealand has undertaken to purchase certain United States surplus war property composed of capital equipment and of non-combat aircraft and spares remaining in the Pacific area. The payment to be made by New Zealand under this agreement amounts to approximately \$5,500,000. This amount in New Zealand currency is to be used by the United States Government for the acquisition of real estate and the construction of United States Government buildings and for the furtherance of cultural relations of mutual benefit to the two countries.

This settlement is in accord with the principles of the Reciprocal Aid Agreement between New Zealand and the United States. That agreement subscribed to the principles that settlement for lend-lease and reverse lend-lease should be such as not to burden the commerce between the two countries but to promote mutually advantageous trade relations between them and better world-wide economic relations. The settlement of the war accounts just completed thus opens the way for further collaboration between the two countries in the sphere of world economics.

The two Governments are in full accord on the objectives of a high level of employment and increased international commerce. New Zealand will take part in the forthcoming international trade and employment conference, proposed by the United States, the purpose of which is to work out agreed measures for the expansion of world trade, employment, and production and to establish permanent international machinery to foster these purposes. New Zealand has also accepted the invitation of the United States to take part in a further conference to be held early next year at which a group of major trade countries will consider specific reciprocal-trade arrangements for the mutual reduction of trade barriers and active promotion of wider trade between themselves and other countries. Furthermore, pursuant to this settlement both Governments will continue to discuss arrangements for agreed action for the attainment of the economic objectives referred to in article VII of the Mutual Aid Agreement.

The Government of the United States of America and the Government of New Zealand have reached agreement as set forth below regarding settlement for lend-lease and reciprocal aid, for certain surplus war property, and for the financial claims of each Government against the other arising as a result of World War II. This settlement is complete and final. Both Governments, in arriving at this settlement, have taken full cognizance of the benefits already received by them in the defeat of their common enemies, and of the aid furnished by each Government to the other in the

course of the war. No further benefits will be sought as consideration for lend-lease and reciprocal aid, for surplus war property covered by this

Agreement, or for the settlement of other financial claims arising as a result of World War II, except as herein specifically provided.

TEXT OF AGREEMENT¹

I

Lend-Lease and Reciprocal Aid

1. (a) The term "lend-lease article" as used in this Agreement means any article heretofore transferred by the Government of the United States under the Act of March 11, 1941 [1]

- (1) to the Government of New Zealand, or
- (2) to any other government and heretofore retransferred to the Government of New Zealand.

(b) The term "reciprocal aid article" as used in this Agreement means any article heretofore transferred by the Government of New Zealand to the Government of the United States under reciprocal aid.

2. In recognition of the mutual benefits received by the two Governments from the interchange of lend-lease and reciprocal aid, neither Government will be required to make any payment to the other for lend-lease and reciprocal aid articles and services used in the achievement of the common victory.

3. (a) The Government of New Zealand hereby acquires, and shall be deemed to have acquired as of September 2, 1945, full title, without qualification as to disposition or use, to all lend-lease articles in the possession of the Government of New Zealand, its agents or transferees, on September 2, 1945, and not subsequently returned to the Government of the United States, other than lend-lease articles which on that date were in the possession of the armed forces of the Government of New Zealand.

(b) The Government of New Zealand hereby acquires, and shall be deemed to have acquired as of the date of loading on board ocean vessel for shipment to New Zealand, full title, without qualification as to disposition or use, to all lend-lease articles transferred to the Government of New Zealand on or after September 2, 1945, pur-

suant to lend-lease requisitions filed by the Government of New Zealand, and not subsequently returned to the Government of the United States, which articles constituted the lend-lease pipeline for the Government of New Zealand and in respect of which no further deliveries remain to be made.

(c) The Government of New Zealand hereby acquires, and shall be deemed to have acquired as of the date of delivery to the custody of the Government of New Zealand, full title, without qualification as to disposition or use, to all lend-lease articles, other than arms, ammunition and other lethal weapons, in addition to the articles covered by sub-paragraph (b) hereof, transferred to the Government of New Zealand between September 2, 1945, and December 31, 1945, both dates inclusive, and not subsequently returned to the Government of the United States.

(d) In consideration of the mutual undertakings of this Agreement, no payment shall be required from the Government of New Zealand with respect to the articles covered by sub-paragraphs (a), (b) and (c) hereof.

4. (a) The Government of the United States hereby acquires, and shall be deemed to have acquired as of September 2, 1945, full title, without qualification as to disposition or use, to all reciprocal aid articles in the possession of the Government of the United States, its agents or transferees, on September 2, 1945, and not subsequently returned to the Government of New Zealand, other than reciprocal aid articles which on that date were in the possession of the armed forces of the Government of the United States.

(b) The Government of the United States hereby acquires, and shall be deemed to have acquired as of the date of delivery to United States depot in New Zealand, or of loading aboard ocean vessel for shipment from New Zealand, whichever is the earlier, full title, without qualification as to disposition or use, to all reciprocal aid articles transferred to the Government of the United States between September 2, 1945, and December 31, 1945, both dates inclusive, and not subsequently returned to the Government of New Zealand,

¹ 55 Stat. 31.

which articles constituted the reciprocal aid pipeline for the Government of the United States and in respect of which no further deliveries remain to be made.

(c) The Government of the United States hereby acquires, and shall be deemed to have acquired as of the date of delivery to the custody of the Government of the United States, full title, without qualification as to disposition or use, to all reciprocal aid articles, other than arms, ammunition and other lethal weapons, in addition to the articles covered by sub-paragraph (b) hereof, transferred to the Government of the United States between September 2, 1945, and December 31, 1945, both dates inclusive, and not subsequently returned to the Government of New Zealand.

(d) In consideration of the mutual undertakings of this Agreement, no payment shall be required from the Government of the United States with respect to articles covered by sub-paragraphs (a), (b) and (c) hereof.

5. (a) The Government of the United States, with respect to lend-lease articles, and the Government of New Zealand, with respect to reciprocal aid articles, reserve a right to recapture, at any time after September 1, 1945, any such articles other than those to which title is passed pursuant to paragraphs 3 and 4 hereof, which are now in the possession of the armed forces of the other Government and, as of the date upon which notice requesting return is communicated to the other Government, are in the possession of or under the control of such other Government, although neither Government intends to exercise generally this right of recapture. Where either Government wishes from time to time to exercise this right of recapture, such Government will give reasonable notice of its intention and, without limiting the right of recapture, will provide full opportunity to the other Government for discussion of that Government's need for the articles in question.

(b) The Government of New Zealand may, except as provided in paragraph 8 hereof, divert any such lend-lease articles covered by paragraph 5 (a) hereof to any uses in or outside of New Zealand or its territories, but will not, without the prior consent of the Government of the United States and without payment of any proceeds to the Government of the United States, transfer to any third country any such lend-lease articles in

the categories of arms, ammunition and other lethal weapons.

(c) The Government of the United States may divert any such reciprocal aid articles covered by paragraph 5 (a) hereof to any uses in or outside of the United States, its territories or possessions, but will not, without the prior consent of the Government of New Zealand and without payment of any proceeds to the Government of New Zealand, transfer to any third country any such reciprocal aid articles in the categories of arms, ammunition and other lethal weapons.

(d) The Government of the United States, with respect to vessels transferred to the United States Navy under reciprocal aid, and the Government of New Zealand, with respect to vessels transferred by the United States Navy under lend-lease, will, unless otherwise agreed, each return to the other Government any such vessels in the possession of the recipient Government on the date when the request for return is communicated to such Government.

6. Both Governments agree that, when they dispose of articles acquired pursuant to paragraphs 3 and 4 hereof, they will use their best endeavors to avoid discrimination against the legitimate interests of the manufacturers or producers of such articles, or their agents or distributors, in each country.

II

Surplus War Property

7. The Government of New Zealand, in consideration of the value of surplus non-combat lend-lease aircraft and related spares diverted to civilian use, and of the other surplus property covered by the contract between the Government of the United States and the Government of New Zealand dated December 18, 1945, as amended in this Agreement, and in order to further educational and cultural relationships between the two countries by means of scholarships or otherwise in a manner mutually agreeable, will pay to the Government of the United States the value of such aircraft and related spares and surplus property as provided in paragraphs 8 and 9 hereof, by any of the following methods or any combination thereof designated by the Government of the United States, employing in every case the rate of 3.242 United States dollars to one New Zealand pound:

(i) (a) by delivery of title to the Government of the United States by the Government of New Zealand of such real property and improvements to real property in New Zealand as may be selected and determined by agreement between the two Governments, aggregating in value not more than \$1,200,000;

(b) by establishment of a fund in New Zealand ponds, equivalent to not more than the remaining amount due to the Government of the United States hereunder, for expenditure in accordance with agreements to be reached between the two Governments for carrying out educational and cultural programs of benefit to the two countries;

(ii) by delivery to the Government of the United States of such other property or services in New Zealand as may be selected and determined by agreement between the two Governments, aggregating in value not more than such part of the amount due to the Government of the United States as may not have been expended under the provisions of subparagraphs (i) (a) and (i) (b) hereof;

(iii) in the event that, after three years from the date of this Agreement the two Governments have been unable to agree that the purposes described in subparagraphs (i) and (ii) above hereof can be carried out to the full extent now contemplated, any residue will be paid by the Government of New Zealand to the Government of the United States in United States dollars.

8. The Government of New Zealand will not divert to any civilian use any lend-lease non-combat aircraft or related spares in the possession of the Government of New Zealand except those acquired by the Government of New Zealand pursuant to separate agreement or agreements of sale between the two Governments. The Government of the United States will accept the return of, and will declare as surplus, all lend-lease non-combat aircraft and related spares now in the possession of the Government of New Zealand which may be selected by the Government of New Zealand for diversion to civilian use. The Government of the United States will sell and the Government of New Zealand will purchase such aircraft and related spares under the terms and conditions of the contract dated December 18, 1945, described and amended in paragraph 9 hereof. The consideration for any such sales shall be calculated at the world disposal prices as determined by the Government of the United States for aircraft and re-

lated spares of the types covered by such sales. Payment for any such aircraft and related spares shall be made in accordance with paragraphs 7 and 9 of this Agreement.

9. In the contract dated December 18, 1945, the Government of the United States agreed to sell and the Government of New Zealand agreed to purchase certain surplus property described therein up to a total value of four million dollars. The terms and conditions of that contract shall remain in full force with the following amendments:

(a) additional schedules listing non-combat aircraft and related spares and meteorological, communication, navigational and other airport articles and equipment shall be added to the contract;

(b) the amount of four million dollars shall be increased by an amount up to \$7,500,000 to cover the value of non-combat aircraft and related spares and by a further amount sufficient to cover the value of the meteorological, communication, navigational and other airport articles and equipment described in sub-paragraph (a) hereof;

(c) in lieu of the method of payment provided for in that contract, payment shall be made in accordance with paragraph 7 of this Agreement.

III

Other Financial Claims

10. (a) The Government of New Zealand hereby assumes responsibility for the settlement and payment of all claims against the Government of the United States or members of the armed forces of the Government of the United States, arising from acts or omissions of members of the armed forces of the Government of the United States occurring in New Zealand before June 30, 1946.

(b) The following financial claims between the two Governments, arising out of existing arrangements in which the liability for payment has heretofore been acknowledged and the method of computation mutually agreed upon, are not covered by this settlement, as they will be settled in accordance with such arrangements:

(i) Claims by either Government arising out of lend-lease requisitions filed by the Government of New Zealand in which the Government of New Zealand agreed to make direct cash reimbursement

Surplus-Property Agreement With Brazil

[Released to the press July 12]

A contract has been signed between the United States of America and the United States of Brazil whereby Brazil will purchase the remainder of the United States surplus property located in Brazil.

The United States of America has extended credit to Brazil for a sum not to exceed eight million United States dollars to enable Brazil to purchase this property. Brazil has agreed to repay it in five equal annual instalments, beginning July 1, 1947. Interest was fixed at the rate of 2½ percent a year on the outstanding unpaid balance of the total purchase price.

A major factor in the agreement is to facilitate the withdrawal of small United States troop detachments still at air bases in Brazil.

TEXT OF AGREEMENT

This contract made and entered into this 5 day of July 1946, in the city of Rio de Janeiro, by General de Divisão ALVARO FRYZA DE CASTRO, in the building of the Ministry of War, representing the Government of the United States of Brazil, and by Field Commissioner LEHMAN WELLINGTON MILLER, representing the Government of the United States of America, witnesseth:

WHEREAS the United States of America desires to sell and the United States of Brazil desires to buy, surplus war properties brought into the United States of Brazil for use in connection with the prosecution of World War II, and

WHEREAS the United States of America has designated the Foreign Liquidation Commissioner and his representative, the Field Commissioner for Latin America, Eastern Division, as its authorized and acting agent to dispose of such surplus properties located in the United States of Brazil, and

WHEREAS it is mutually advantageous to dispose of such properties as rapidly as possible, in order to relieve the caretaking personnel of the United States of America and to provide goods needed by the United States of Brazil:

NOW, THEREFORE, in consideration of the mutual covenants herein entered into, it is agreed as follows:

ARTICLE I

The United States of America agrees to sell and

the United States of Brazil agrees to buy the remainder of the movable property owned by, and which will be declared surplus to the needs of, agencies of the Government of the United States of America, and located on, or in the vicinity of, air bases in the United States of Brazil, for a sum to be arrived at in the following manner:

(a) All of such surplus property will be catalogued by the Field Commissioner, showing the quantity, condition, location, costs to the United States of America, and purchase prices of each item or group of items as explained in sub-Paragraph (b) below. As and when each catalog is compiled it will be attached hereto and become a part hereof. The total purchase price, therefore, will become the aggregate purchase prices of all of the completed catalogs, less any adjustments made as a result of Paragraph (d) Art. I.

(b) 1.) The sum to be paid for all spare parts and components for tactical-type airplanes used by the Government of the United States of Brazil will be computed at 15% (fifteen percent) of original cost to the United States of America less depreciation, and for all spare parts and components for commercial-type airplanes at 75% (seventy-five percent) of the original cost less depreciation, and will appear in the catalog under the column headed "Purchase Price".

2.) For the six vessels listed in Appendix A, and such other surplus vessels as may be agreed upon by the contracting parties hereto, the purchase price shall be computed at 30% (thirty percent) of the original cost to the United States of America.

3.) For all other movable goods the purchase price will be 50% (fifty percent) of the landed cost to the United States of America, such cost being less depreciation for quality, condition, and usefulness.

(c) Within twenty days of the date of signing this contract an inventory will be commenced of the properties listed in such catalogs as the Foreign Liquidation Commissioner has currently prepared. Other inventories will be commenced thereafter as expeditiously as catalogs can be prepared by the Field Commissioner. The inventory will be made

jointly by representatives of the two Governments. Each Government will furnish the personnel and material which it deems necessary for the completion and verification of the inventory.

(*d*) Any variations between the quantity and condition disclosed as a result of the joint inventory and the quantity and condition stated in the catalog will be adjusted on the basis of the unit purchase price. Where items are listed as "more or less," no adjustment will be made as long as the variation does not exceed 5% (five percent).

ARTICLE II

The United States of America agrees to extend credit to the United States of Brazil for an amount not in excess of US \$8,000,000 (eight million United States dollars), subject to the following conditions and terms of payment:

(*a*) A sum in United States dollars, equal to the total purchase price arrived at pursuant to Article I above, shall be paid in five equal annual installments, beginning on 1 July 1947 and continuing thereafter on 1 July of each year up to and including 1 July 1951, subject to the provisions of sub-Paragraph (*d*) of this Article.

(*b*) Interest shall accrue from the respective dates of determination of the amount due the United States of America for each catalog in conformity with Article I hereof, and shall be paid on the outstanding unpaid balance of the total purchase price. The rate of interest shall be 2 $\frac{3}{8}$ % (two and three-eighths percent) per annum, payable on the first day of July of each year, the first payment to be made on 1 July 1947.

(*c*) All payments shall be made in United States dollars, to the Treasurer of the United States, through the Federal Reserve Bank of New York.

(*d*) The Government of the United States of Brazil may anticipate the payment, in United States dollars, of any installment of principal, or any part thereof, provided that this right of anticipation may not be exercised when any installment of principal or interest is past due and unpaid.

ARTICLE III

It is understood and agreed by the parties hereto that all of the property sold hereunder is conveyed on a "where is", "as is" basis. Delivery shall be made at the present location of the property

as and when each item is inventoried, and removal or transfer of custody shall be completed for all items in each location and in each catalog, by the Government of the United States of Brazil, at its expense, within thirty (30) days after the completion of the inventory. If the United States of Brazil is unable to remove or accept custody of said property within the thirty-day period, thereafter all cost of care and handling and the responsibility for any losses whatsoever will be borne by the Brazilian Government. The United States of America guarantees the title to the property herein conveyed.

ARTICLE IV

In the event of any resale of the surplus property sold hereunder the United States of Brazil undertakes to restrict the right of purchasers to export such property to the United States of America.

ARTICLE V

In the case of any technical disagreements within this contract, each Government will appoint one representative and these two will agree upon, and appoint, an expert, who, with them, will consider all disputes, and their decisions will be final on any questions of fact.

ARTICLE VI

This contract shall have a supplement, signed by authorized representatives of the two Governments, which will set forth: (1) the purchase price of each catalog as adjusted according to the provisions of Article I (*d*), (2) the annual payments due the United States of America under terms of this agreement, and (3) the respective dates on which the adjusted purchase price of each catalog was determined.

IN WITNESS WHEREOF, the parties hereto have signed and sealed this contract, written in English and Portuguese, on the day and year first above written.

ALVARO FIUZA DE CASTRO
General de Divisão, representing the Govern-
ment of the United States of Brazil

LEHMAN WELLINGTON MILLER,
Field Commissioner, representing the Govern-
ment of the United States of America

(Continued on page 189)

Lend-Lease Agreement With Brazil

[Released to the press June 28]

An agreement has been signed between the United States of America and the United States of Brazil on the disposition of approximately \$2,000,000 of lend-lease supplies in inventory or procurement in the United States prior to September 2, 1945.

The agreement takes effect immediately. It was signed by Chester T. Lane, Deputy Foreign Liquidation Commissioner, Department of State, and by Colonel João Valdetaro, Chief of the Brazilian Military Commission, Commander Heitor Baptista Coelho, Chief of the Brazilian Naval Commission, and Lt. Col. José Vicente de Faria Lima, Chief of the Brazilian Aeronautical Commission.

The approximate value and the general categories of the articles to be transferred are as follows: industrial equipment, \$1,914,000; air-forces equipment, \$137,000; and ordnance equipment, \$898,000.

Brazil has agreed to pay for this equipment according to terms stipulated in agreements made during the war to provide mutual-defense aid to the United States of Brazil. Brazil further agreed to pay all inland and ocean freight and other transportation expenses, and has agreed that this property shall not be retransferred to the government of any third country without the prior consent of the President of the United States of America.

TEXT OF AGREEMENT

The United States of America and the United States of Brazil in order to provide for the orderly disposition in their mutual interests of the undelivered articles which were in inventory or procurement in the United States of America, prior to September 2, 1945, for the purpose of providing mutual defense aid to the United States of Brazil under the Act of March 11, 1941, as amended, agree as follows:

Article I

All articles and services undertaken to be provided by the United States of America under this Agreement shall be made available under the authority and subject to the terms and conditions

of the Act of March 11, 1941, as amended, and any acts supplementary thereto.

Article II

Within such periods as may be authorized by law, the United States of America agrees to transfer to the United States of Brazil and the United States of Brazil agrees to accept those articles which are or will be available to the United States of America for transfer to the United States of Brazil out of articles that were in inventory or procurement in the United States of America prior to September 2, 1945, for the purpose of providing defense aid under the Act of March 11, 1941, to the United States of Brazil, but were not transferred prior to the date of the signature of this Agreement.

Article III

The United States of Brazil agrees to pay the United States of America for the articles transferred under Article II hereof at a time and in an amount determined as provided in Article III of the Agreement between the United States of America and the United States of Brazil on the subject of defense aid dated March 3, 1942. It is understood that accessorial charges, inland and ocean freight and other expenses connected with the transportation to the United States of Brazil of the articles transferred will be paid by the United States of Brazil.

Article IV

Without limitation upon the provisions of Article II hereof, it is agreed that the approximate value and the general categories of the articles to be transferred hereunder are as follows:

Industrial equipment	\$1, 014, 000
Air Forces equipment	137, 000
Ordnance equipment	898, 000

Article V

It is agreed that the articles transferred to the United States of Brazil under this Agreement shall not be retransferred to the Government of any third country without the consent of the President of the United States of America.

Article VI

It is agreed that transfers under this Agreement and articles so transferred are further subject to the provisions of Article VII of the Agreement between the United States of America and the United States of Brazil dated March 3, 1942.

Article VII

The provisions of this Agreement shall not apply to articles covered by requisitions calling for full cash payment by the United States of Brazil or to articles requisitioned under Brazilian Project Number 4 for the airplane engine factory at Xerem.

Article VIII

This Agreement does not constitute a final settlement of the terms and conditions upon which the United States of Brazil has received aid under the Act of March 11, 1941, except for the articles made available under the provisions hereof.

Article IX

It is understood that the articles comprising the category "Ordnance equipment" referred to in Article IV hereof are incomplete and that their

completion is not contemplated under the terms of Article II hereof; nevertheless the United States of America agrees to undertake the completion of the said articles at the option and expense of the United States of Brazil.

Article X

This Agreement shall take effect as from this day's date.

Done in duplicate, at Washington, this 28th day of June, 1946.

For the United States of America

CHESTER T. LANE

*Deputy Foreign Liquidation Commissioner
Department of State*

For the United States of Brazil

JOÃO VALDEMAR, Col.

Chief of the Brazilian Military Commission

II. BAPTISTA COELHO

Chief of the Brazilian Naval Commission

JOSÉ V. DE F. LIMA, Ten Cel Ar

*Chief of the Brazilian Aeronautical
Commission*

PAU Governing Board Approves Transmittal of Draft Declaration on Rights and Duties of American States to their Governments

[Released to the press by the Pan American Union July 17]

The Committee on the Organization of the Inter-American System¹ submitted on July 17 to a special Governing Board session of the Pan American Union a report and draft Declaration on the Rights and Duties of American States. Upon approval of the Board it was decided to transmit the declaration to the respective governments for observations and comments. The governments were requested to send their comments to the Pan American Union on or before October 15, 1946 in

order that a definitive draft may be prepared for submission to the Bogotá conference.

The document contains 22 articles, the first 5 of which stress the juridical equality of all states, good faith, and a common belief in republican and democratic principles.

The declaration, which emphasizes the faithful observance of treaties, bans intervention and territorial acquisition by unfair means, and outlaws armed force, establishes that if disputes should arise they are to be settled.

On the question of recognition, the declaration states that "the political existence of a new state is independent of its recognition by other states", but further clarifies that: "Recognition—which is unconditional and irrevocable—signifies that the states which recognize the new state accept its

¹Members of the Committee include the following delegates to the Pan American Union: Guillermo Sevilla Sacasa, of Nicaragua; Antonio Rocha, of Colombia; João Carlos Muniz, of Brazil; William Sanders, of the United States; Julián R. Cáceres, of Honduras; Victor Andrade, of Bolivia; Luis Quintanilla, of Mexico; J. B. de Lavalle, of Peru.

personality with all the rights and duties which international law prescribes."

The declaration contains no article on the recognition of governments. The Committee realized the fact that a principle on this subject should be included in order that the declaration might be complete, but refrained from undertaking its formulation since the Inter-American Juridical Committee of Rio de Janeiro is at present completing a study on this subject.

Economic cooperation is held to be essential to the common welfare of the American peoples, belief is reaffirmed in the good-neighbor policy, and the American republics pledge themselves to unswerving loyalty to the inter-American system and to the strengthening of continental solidarity, as well as to the fulfilment of their obligations as members of the world organization.

NEW ZEALAND—Continued from page 184

to the Government of the United States for the material therein requisitioned and at the time of filing such requisitions deposited with the Government of the United States the estimated cost of such material;

(*b*) Claims arising out of the agreement by the Government of the United States to pay the Government of New Zealand for the articles and services furnished by the Government of New Zealand to the Government of the United States not eligible for reciprocal aid, and for the articles and services furnished by the Government of New Zealand to the Government of the United States after December 31, 1945.

(*c*) In consideration of the mutual undertakings described in this Agreement, and with the objective of arriving at as comprehensive a settlement as possible and of obviating protracted negotiations between the two Governments, all other financial claims whatsoever of one Government against the other which arose out of lend-lease or reciprocal aid or otherwise arose on or after September 3, 1939, and prior to September 2, 1945, out of or incidental to the conduct of World War II, and which are not otherwise dealt with in this Agreement, are hereby waived, and neither Government will hereafter raise or pursue any such claims against the other.

11. This Agreement shall take effect on the date of signature.

Signed at Washington in duplicate this 10th day of July, 1946.

For the Government of the United States of America:

DEAN ACHESON

Acting Secretary of State of the United States of America

For the Government of New Zealand:

W. NASH

Minister of Finance of the Government of New Zealand

Visit of Argentine Educator

Luis Reissig, cofounder and Secretary of the Colegio Libre de Estudios Superiores of Buenos Aires, is visiting the United States at the invitation of the Department of State.

A graduate of the school of law and social sciences of the University of Buenos Aires, Dr. Reissig is interested in liberal social theories, educational reform, and contemporary literary trends. He has chosen adult education as the subject of his observations and hopes to visit schools and other educational institutions, in as many regions as possible, in order to determine how the different geographical influences and the social needs of the various communities are handled.

Dr. Reissig has been invited to Middlebury College, Vermont, where he will lecture on *Education of the People*.

Among other cities to be visited are New York City; Altoona, Pa.; Ann Arbor, Mich.; Chicago, Ill.; Gary, Ind.; Chapel Hill, N. C.; Denver, Colo.; Los Angeles and San Francisco, Calif.

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APPENDIX A

Vessel	Original Cost	Location
1. Sea Rescue Boat—104 ft.	\$190,000.00	Natal
2. Aircraft Rescue Boat—63 ft.	85,000.00	Natal
3. Aircraft Rescue Boat—63 ft.	85,000.00	Natal
4. Line Hauling Boat—17 ft.	2,500.00	Natal
5. Plane Rearming Boat—33 ft.	5,000.00	Natal
6. Bomb Target Boat—65 ft.	75,000.00	Bahia

TOTAL ORIGINAL COST	\$442,500.00
PURCHASE PRICE	\$132,750.00

The Foreign Service

William Walton Butterworth, Jr. Given Rank of Minister

The Department of State announced on July 18 that William Walton Butterworth, Jr., of New Orleans, La., Counselor of Embassy at Nanking, China, has been given the personal rank of Minister, by direction of President Truman.

Appointment of Public-Affairs Officer to Belgrade

The State Department announced on July 18 the appointment of E. Bigelow Thompson of Boston, Mass., as chief public-affairs officer for the United States in Yugoslavia. He will be on the staff of the American Embassy at Belgrade.

Consular Offices

The name of the American Vice Consulate at Puerto de la Cruz, Venezuela, has been changed to Puerto la Cruz to conform with official Venezuelan usage.

The Consulate at Durango, Mexico, was officially closed on July 12, 1946.

The Department

Appointment of Officers

Fitzhugh Granger as Chief, Area Division IV (American Republics), in the Office of International Information and Cultural Affairs, effective July 1, 1946.

The Congress

Twenty-second Report to Congress on Lend-Lease Operations. Message From the President of the United States Transmitting the Twenty-Second Report of Opera-

tions Under the Lend-Lease Act for the Period Ending December 31, 1945. H. Doc. 663, 79th Cong. 89 pp.

Seventh Report to Congress on Operations of UNRRA. Message From the President of the United States Transmitting the Seventh Quarterly Report on the Operations of UNRRA and Expenditure of Funds Appropriated by the Congress. H. Doc. 670, 79th Cong. iii, 62 pp.

Departments of State, Justice, Commerce, and the Judiciary Appropriation Bill, 1947. S. Rept. 1510, 79th Cong., to accompany H.R. 6056. 24 pp. [Department of State, pp. 1-7.]

Amending the Philippine Rehabilitation Act of 1946, for the Purpose of Making a Clerical Correction. S. Rept. 1577, 79th Cong., to accompany S. 2259. 1 p. [Favorable report.]

Providing for the Retention by the United States Government or Its Agencies or Instrumentalities of Real and Personal Property Within the Philippines Now Owned or Later Acquired and for the Administration of the Trading With the Enemy Act of October 6, 1917, as Amended, in the Philippines, Subsequent to Independence. S. Rept. 1578, 79th Cong., to accompany S. 2345. 4 pp. [Favorable report.]

Authorizing the Continuance of the Acceptance by the Treasury of Deposits of Public Moneys from the Philippine Islands. S. Rept. 1579, 79th Cong., to accompany S. 2348. 2 pp. [Favorable report.]

Making Appropriations for Government Corporations and Independent Executive Agencies for the Fiscal Year Ending June 30, 1947. S. Rept. 1617, 79th Cong., to accompany H.R. 6777. 7 pp. [Department of State, p. 2.]

Amending the Law Relating to Larceny in Interstate or Foreign Commerce. S. Rept. 1632, 79th Cong., to accompany H.R. 4180. 5 pp. [Favorable report.]

Administrative Expenses in Government Departments. S. Rept. 1636, 79th Cong., to accompany H.R. 6533. 11 pp. [Favorable report.]

Restoration of Certain Currency Destroyed in the Philippine Islands. S. Rept. 1646, 79th Cong., to accompany H.J. Res. 321. 2 pp. [Favorable report.]

United States Membership and Participation in the United Nations Educational, Scientific, and Cultural Organization. S. Rept. 1649, 79th Cong., to accompany H.J. Res. 305. 6 pp.

Nationality Act of 1940, with Amendments Through March 31, 1946. S. Doc. 207, 79th Cong. iv., 114 pp. [Indexed.]

Supplemental Estimate—Department of State. Communication from the President of the United States Transmitting Supplemental Estimate of Appropriation for the Department of State, Fiscal Year 1947, Amounting to \$330,853.00. S. Doc. 233, 79th Cong. 2 pp.

An Act Reducing or further reducing certain appropriations and contractual authorizations available for the fiscal year 1946, and for other purposes. Approved May 27, 1946. [H.R. 5604.] Public Law 391, 79th Cong. 9 pp.

Joint Resolution To provide for United States participation in the Philippine independence ceremonies on July 4, 1946. Approved June 15, 1946. [H.J. Res. 390.] Public Law 414, 79th Cong. 1 p.

An Act To provide military assistance to the Republic of the Philippines in establishing and maintaining national

security and to form a basis for participation by that government in such defensive military operations as the future may require. Approved June 23, 1946. [H.R. 6572.] Public Law 454, 79th Cong. 2 pp.

An Act To facilitate the admission into the United States of the alien fiancées or fiancés of members of the armed forces of the United States. Approved June 29, 1946. [S. 2122.] Public Law 471, 79th Cong. 2 pp.

An Act To amend the Second War Powers Act, 1942, as amended. Approved June 29, 1946. [H.R. 5716.] Public Law 475, 79th Cong. 1 p.

An Act To authorize the admission into the United States of persons of races indigenous to India, and persons of races indigenous to the Philippine Islands, to make them racially eligible for naturalization, and for other purposes. Approved July 2, 1946. [H.R. 3517.] Public Law 483, 79th Cong. 2 pp.

An Act To provide for the retention by the United States Government or its agencies or instrumentalities of real and personal property within the Philippines now owned or later acquired and for the administration of the Trading With the Enemy Act of October 6, 1917, as amended, in the Philippines, subsequent to independence. Approved July 3, 1946. [S. 2345.] Public Law 485, 79th Cong. 3 pp.

An Act To authorize the appointment of additional Foreign Service officers in the classified grades. Approved July 3, 1946. [H.R. 5244.] Public Law 488, 79th Cong. 2 pp.

An Act Making appropriations for the Departments of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1947, and for other purposes. Approved July 5, 1946. [H.R. 6956.] Public Law 490, 79th Cong. 39 pp.

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BULLETIN

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The Department of State BULLETIN, a weekly publication compiled and edited in the Division of Research and Publication, Office of Public Affairs, provides the public and interested agencies of the Government with information on developments in the field of foreign relations and on the work of the Department of State and the Foreign Service. The BULLETIN includes press releases on foreign policy issued by the White House and the Department, and statements and addresses made by the President and by the Secretary of State and other officers of the Department, as well as special articles on various phases of international affairs and the functions of the Department. Information concerning treaties and international agreements to which the United States is or may become a party and treaties of general international interest is included.

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Tin in the Transitional Period

Article by JOHN W. BARNET¹

TIN IS A VITAL ELEMENT in the economy of many nations because of its use in babbitt, solder, bronze, and other engineering materials as well as in the familiar tin can. It was recognized even before the war ended that special action would be needed to insure adequate tin supplies for the expanding requirements of reconversion programs in the United States and other countries, some of which had suffered serious depletion in working stocks during the German occupation. The task was greatly complicated by the technological, economic, and political problems arising as an aftermath of Japanese control over the principal tin-mining zone during more than three years.

The Department of State, while having no direct procurement or supply function, has taken considerable interest in the campaign to improve the tin situation during the critical post-war period. This work has been done, of course, through the cooperation of all United States agencies and the foreign governments involved as well as various industries concerned. Some of the progress achieved to date will be outlined below, together with a discussion of future problems.

The Combined Tin Committee

During the war, tin was allocated internationally by the Combined Raw Materials Board. When it became apparent soon after V-J Day that CRMB would terminate shortly, negotiations were begun for the continuance of tin allocations through a combined committee mechanism, suitably modified to include other producing and consuming countries.² As a result, the Combined Tin Committee, composed of members from the Governments of the United States, United Kingdom, France, Belgium, and the Netherlands, was formed with headquarters in Washington. This Committee's objective is to insure that each of the various consuming countries in the world receives a fair share of tin during the emergency period. Tin is now the only metal so allocated internationally.

Although the Committee's official scope is tin in *metal* form, due account is taken of the flow of tin concentrates.

Missions to the Far East

Although the United States Government has continued to purchase large tin supplies from other areas, it has recognized the importance to all consumers of rehabilitating the Far Eastern mines as quickly as possible. Soon after the war ended, arrangements were made through the British for the appointment of an American mining engineer to the special inspection committee sponsored by the Malayan Chamber of Mines. In addition, official representatives of the United States were sent to investigate the mining, smelting, and stock situation in a number of Far Eastern territories including Malaya, Siam, the Netherlands East Indies, and Japan. These missions, in order that assistance might be given later in making necessary items available, cooperated with the government agencies of the tin-producing

¹ Mr. Barnet is Minerals Specialist in the International Resources Division, Office of International Trade Policy, Department of State. For another article by Mr. Barnet, "Tin in the Far East", see BULLETIN of Sept. 16, 1945, p. 401.

² In a joint statement on Dec. 10, 1945 (see BULLETIN of Dec. 16, 1945, p. 975) the President and the Prime Ministers of Great Britain and Canada agreed to terminate the Combined Raw Materials Board on Dec. 31, 1945. The statement also announced that a few commodities remain "which call for continued attention in as much as they are in global short supply in relation to the needs in consuming countries. For cotton textiles, tin, rubber, and hides and leather it is proposed that the committees set up under the Boards which are concerned with these supplies should be continued during such period as the shortage of supply in relation to needs renders necessary. It is also proposed that in all cases representation on the committees should be on the appropriate international basis having regard to their independent status following the dissolution of the Boards. In most cases committee membership already includes countries having a major interest in the problems involved."

ing areas in determining their requirements for mining and transportation equipment.

The American experts sent to the Far East also performed an important function in checking the quantities of tin stocks available for export. Several thousand tons of tin metal were located in each of the three largest producing areas, plus a somewhat larger aggregate tonnage of tin as concentrates. In addition, 10,000 tons of tin metal were discovered in Japan and subsequently cleared for shipment by arrangement there with the American military authorities.

Equipment for Tin Mining

Following the initial surveys of mines and stocks, efforts were made to select the particular equipment and materials judged essential for resumption of operations. One of the first necessities was adequate transportation. The Civilian Production Administration accordingly furnished priority assistance on deliveries of trucks requested for Malayan mines. Also, landing craft and tractors for the Netherlands East Indies tin islands were made available from the Philippines through the efforts of the Foreign Liquidation Commission.

A program for the construction of dredges to be used in Netherlands East Indies tin mines was begun before V-J Day in the United States under a special Government directive. Assistance has been given the Dutch in coordinating this program with a complementary one under way in the Netherlands. Materials have also been shipped from the United States for use in the restoration of damaged equipment left by the Japanese. American engineers have visited the Netherlands East Indies to aid in integrating the over-all plan through proper scheduling of components.

Incentive Goods Program

The resumption of large-scale tin production depends not only on equipment for mining but also on adequate supplies of food, clothing, and other consumer goods. This need has been recognized in connection with the program for the Netherlands East Indies, where the United States has aided in the furnishing of textiles and other "incentive" materials.

In Siam, the United States and United Kingdom have developed a broad program to accelerate the movement of rice, a commodity basic to the Siamese economy, to deficit areas throughout the

Far East. Siam is being furnished trucks from American military supplies abroad, in addition to tires, locomotives, and cars from U.S. lend-lease sources; large quantities of used clothing, barges, and pumps have also been made available from surplus military supplies in the United States. To aid the Siamese in obtaining foreign exchange for the purchase of equipment and consumer goods, the American and British Governments have cooperated in the preparation of arrangements to expedite the flow of tin from Siam to consuming countries, including the United States.

The Present Supply Situation

Although tin is still in short supply, the concerted efforts expended by industry and government during the current period have helped make possible some initial relaxation of control orders in the United States and elsewhere. It is noteworthy that about half the tin metal so far allocated to the United States by the Combined Tin Committee will probably come from southeast Asia. A substantial portion of this amount is expected from the Netherlands East Indies, where American procurement authorities have contracted out of immediate supplies for up to 3,000 tons each of tin metal and concentrates. The United States is further designated to receive at least 2,000 tons of tin metal from Siam along with a prospective share of the tin concentrates now on hand there. As might be anticipated, the tin supplies presently obtainable in southeast Asia consist very largely of stocks remaining from the period of Japanese occupation. Resumption of new production is proceeding at a slow but accelerated pace as additional equipment and other resources become available.

Tin in the Future

It is now believed that there will be a gradual return to approximate pre-war production in the Far Eastern tinfields, perhaps as early as 1948. A further prospect is that potential output of the other tin areas will total somewhat more than before the war. Against this restored world productive capacity must be measured the probable future level of tin consumption. In the case of tin plate, which normally represents the major usage of tin, there has been a trend toward thinner tin coatings accentuated by the development of electro-deposition methods. However, the

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German Documents: Conferences With Axis Leaders (1943)

MEMORANDUM OF THE INTERVIEW BETWEEN THE FÜHRER AND MINISTER PRESIDENT LAVAL, IN THE PRESENCE OF THE REICH FOREIGN MINISTER AND THE ITALIAN UNDER SECRETARY OF STATE BASTIANINI, AT THE OBERSALZBERG APRIL 29, 1943

Führer's Memorandum 31 43—State Secret

The Führer opened the interview with the remark that he had invited Laval to the Obersalzberg because reports had reached him from German sources in France, according to which Marshal Pétain was planning a new change in government. He (the Führer) had considered the presence of a representative of the Italian Government at this meeting as necessary and accordingly he had requested Under Secretary of State Bastianini to take part.

At the outset of the interview he wished to make the following remark: Germany, Italy and their allies in this war which had been forced on them against their will had made enormous sacrifices. There was no doubt that if the French Government had adopted a different attitude in 1939 the war would have been avoided. However, it was as a result of pure mischief and of the capitalistic egoism of the international world that the quarrel had been precipitated by the British. The pretexts under which this had come about were simply ludicrous. They had begun a war to prevent the return of Danzig to the German Reich, but they are now ready to sacrifice without further ado Poland and the other states of Europe to the Soviets. However, the struggle could have been avoided if the French Government at that time had not given its consent to the war. Under what circumstances that had been given was of no consequence. Only the act itself counted. Germany, Italy, and their allies, as a result of these events, were now involved in a life-and-death struggle and had a right to expect that a state like France, which had joint responsibility therefor, would not now escape all the difficulties of the Axis powers in their struggle, but they could with greater justification demand that such a state do everything in

its power to assist them to victory. It could not be permitted that France, who had been one of the aggressors, should now calmly await the outcome of the struggle and even before its end request Germany and Italy to make a declaration which would give her complete security for the future in case of the victory of the Axis powers, but in the case of their defeat would allow France a free hand. Such an unreasonable request was unbearable.

At the same time, however, the Führer wished to acknowledge that the Laval government had done everything possible to bring about a tolerable relationship between the Reich and Italy on one hand and France on the other. Now, however, reports had come in according to which the French Chief of State, under the influence of his advisers, was again planning to make a change in his government. These reports had caused the Führer to invite Laval to the Obersalzberg and to tell him clearly that Germany would not prevent such a change of government by an exercise of superior power but would obstruct it, since, otherwise, serious consequences would result.

The Führer had already laid down at Montoire the principle that someone must pay for the war. It could not be tolerated that one of the powers principally guilty in the war should disinterest herself from its outcome and adopt an attitude of reserve, while Germany and Italy were obligating themselves not only not to insist on France's taking the consequences of her previous conduct but also even to treat her in a favorable manner at the peace settlement. France, on her part, was making such reservations that in the case of a possible defeat of the Axis powers she would not be compromised. This was basically the attitude which Pétain was adopting. In the case of a vic-

tory of the Axis, he did not wish to take the consequences of France's guilt; in the case of a defeat he wished not to be compromised. He wanted to leave all difficulties to Germany and her allies, to undertake nothing himself, and to supply no help in the fight. Such a standpoint was completely intolerable and it could not be accepted by Germany for an instant.

France always asked for compensation for everything which she supplied Germany and Italy in their struggle. In that connection the question presented itself of what would have happened to Germany and Italy if they had been defeated by France. A basis for answering this question might be found in the French press, in statements of prominent members of the Government at that time, and of the military and in military periodicals. It could not be maintained that the peace aims of France, as reflected in such statements, did not represent the official position, for in a democratic country like France the ministers were bound by the popular will, which made itself manifest in such declarations. According to them Germany was to be partitioned and annihilated. France had been ready to hand over Germany to the Bolsheviks, who would have rooted out the German people in just such a way as they actually have done with the peoples to the east. Such a situation would have resulted if Germany and Italy had lost the war. Both countries had shown themselves to be better Europeans and had made no exaction from France, although, as victors, they could have extorted such from France, without granting France any compensation. Germany had not wanted to destroy France, although France herself at the outbreak of the war had doubtless had such an intention toward Germany, and according to the statements of De Gaulle and other Frenchmen of the dissident elements still had such an intention today. Germany had made compensation for every contribution by a counter payment, although she could have extorted them by force as the due of the victor. Hundreds of thousands of German prisoners had been held in France for a long time after the conclusion of peace, while now Germany had already released large numbers of French prisoners.

Even if it had to be acknowledged that the Laval government had exerted itself to regulate the relationship with Germany along realistic lines, the Führer was compelled to state that he would not absolutely insist upon the Laval gov-

ernment, since, if it disappeared, another French Government would take its place. But even if there were no French Government, Germany with the powers at her disposal could put through everything which was necessary for her struggle.

When Germany was engaged in this fight, she was fighting for France at the same time. In view of the latest developments, any hope which existed in France of preserving the French Empire was fantastic. The overseas possessions had been occupied by the English and the Americans. The fact was that European France in the case of a German defeat would become 100 percent Bolshevik. Its existence was no matter of the re-creation of a few French divisions. If the occupying forces departed from France today Bolshevism would ensue. It was not in the power of any French Government to hold back the masses, especially in the great cities, from establishing Bolshevism, and the destruction which would then occur would put the devastation caused by the war completely in the shade.

Germany and her allies were fighting for the independence and autonomy of the national states of Europe, regardless of whether the war was being carried on in the west or in the east, and they were sacrificing their blood and effort to that end. In that work France must help. In earlier times a contribution was simply exacted from conquered countries. The men capable of doing military duty were forcibly taken into armed service for the victors, and everyone else had to contribute labor. All this was done without any counter-payment on the part of the victor. Napoleon in his campaign in Germany had extorted contributions and similar exactions without any counter-payment. Industry had been forced to work for him, and the individual citizens had had to contribute compulsory labor in his service. Germany was the first country in history which had offered a counter-payment for that sort of thing. Napoleon had simply made confiscations. In earlier wars even at the conclusion there had never been a calculation of such contributions. The countries had been simply plundered. Germany had proceeded otherwise. That was possible only so long as the French Government comprehended the fateful character of the present struggle and gave assistance to the best of its ability. They must not always be presenting a demand for counter-payment and, if they received that, presenting a new one. If France inquired what Germany would give her as a counter-

payment, Germany answered that she was protecting France and that during the whole war France had been treated very considerably. Germany had even been able to bombard and destroy Paris but she had not done so, just as she had accorded very kind treatment to Belgium and Holland. However, while Germany spared the country and especially the settled areas, the English had shown that a different course could be adopted, since they had unscrupulously attacked residential areas and purely civilian installations and just lately had even bombed the race course at Longchamps.

There had even been a moment of danger for Paris, when some foolish individual wanted to declare the city a fortified place. At the same time the Führer had been troubled by the idea of having to proceed against Paris with force, because he knew that Paris represented a European cultural treasure.

France had up to this time been handled with kid gloves. That was not, however, a matter of course, for Germany had just as good a right to exact from France whatever she considered necessary.

Italy was bound to Germany in an alliance. For that reason the French declaration of war on Germany was indirectly also made against Italy and logically led to the entry of that country into the war.

Germany and Italy did not have the intention of creating difficulties for Laval beyond those which arose from the necessities of the war, which were not to be blamed to those countries. The situation, however, was not one in which the French Government could take the position that, if certain requests which they had expressed were not fulfilled, the contributions need not be made. For these demands would be exacted by Germany under any circumstances. France could also not take the position that it made no difference to her if Germany lost the war in part because France did not aid her. For if Germany lost the war France would lose it doubly. For she would then get to be the hostage of Bolshevism. The disloyal French who were now collaborating with the other side would then get the payment for all of their disloyalties. The enemies of the Axis would simply disregard the previous French Rightists. The fate of Darlan in that connection could be regarded as symbolic.

The European ship was being steered by Germany and Italy, but the other European passen-

gers could not get off without stepping out into the void and perishing.

With this conviction the Führer declared categorically (and he asked M. Laval to bring this to the attention of the Marshal) that under no circumstances could a repetition of December 13, 1940 be tolerated. That would involve serious consequences and would be regarded by Germany as an act directed against collaboration. Otherwise, however, the Führer was quite ready to grant and recognize the work of Laval in the service of collaboration. For this reason Germany felt herself responsible even for the personal safety of Laval and was prepared to take steps for his protection.

The Reich Foreign Minister here declared that he had already spoken about this last point with M. Laval.

In his reply Laval first thanked the Führer for his concern about his (Laval's) personal safety. It was not a matter of himself, however, but of France. He had already on many occasions occupied ministerial posts and the position of Premier of France and now he stood again at the head of the French Government. As Premier of France he had, of course, not come to Berchtesgaden to plead for himself, but to uphold the cause of France.

He admitted the responsibility which his country had taken upon itself through the declaration of war on Germany. In July 1940 in the National Assembly he had used arguments similar to those of the Führer. He had by such arguments brought about the grant of emergency full powers to the Marshal and had seen to it that the French regime which had committed those mistakes was eliminated.

It was difficult for him, however, to agree to the point of view which the Führer had just expressed concerning the role of France in the recent past. He was entirely aware of the difficulty of the struggle which Germany was conducting against Bolshevism and he considered justified the opinion that all European countries must assist in it. It was not true that France held the position that it could be of no consequence to her if Germany lost the war. Even if some Frenchmen actually were satisfied to hold this point of view, their hopes were completely illusory. He (Laval) had in view loftier and more honorable aims for the conclusion of the war. According to his idea the war must not end only with the satisfaction of

petty nationalistic desires, but something new and great in the shape of a United States of Europe must come from the present drama. He desired that France of her own free will should take part in the efforts which would lead to such a result. What the Führer had said about France applied, perhaps, to Blum, Daladier, and Lebrun, that is to the previous group of leaders, but not to present-day France.

He (Laval) knew what a terrific burden Germany had taken upon herself in the present war and he knew that Germany and Italy had sacrificed the blood of their sons for Europe. France in her way was helping to bear these burdens and he wished that she might continue to do so. When he had expressed the desire in his letter to the Führer that Germany would make a declaration about the future of France, his motive had not been one of pure diplomatic expediency but simply a desire to be able to make clearer to the French people that any effort which they made for the benefit of the common cause would be answered by an alleviation of the demands made upon their country. This was a thoroughly understandable desire. With the same arguments which the Führer had used, he had repeatedly declared to the French people that Germany and Italy were bearing the principal burden of the struggle against Bolshevism and that the other countries must help them. However, just as in Germany and Italy, there existed in France a national sentiment which could not be left out of account. In Germany people must understand how difficult Laval's task was. He asked nothing more for France than that she might continue her existence in the future as a great country. The war could not be conducted by military means alone (Germany was accomplishing that in an outstanding manner), but it must be waged also in the moral and political fields. Therefore, it must now be made clear that, in the new Europe, France would have her place. That would not be a concession to those who wanted to lead France astray from the right path, but it merely permitted the head of the French Government to make clear to the French people that they must collaborate for the benefit of the common cause. Of course, the French could also be compelled by force to make contributions. It would, however, be much better to obtain their voluntary collaboration. He hoped that the Führer would not give up his interest in France. Laval was seeking the same ends which the Führer

sought, but with more modest means. He wanted to help Germany with all the resources that he had available.

He asked absolutely nothing for himself. On his part he had from a sense of duty responded to the appeal of the Marshal and had taken over the government, because he loved his country and had very definite views about the future of Europe. He only wished that collaboration would be understood on the German side in the same way as he conceived of it. The sentiment for collaboration was not compatible with measures of compulsion, which would produce results for Germany which were not to be compared with those which could be obtained voluntarily.

In his reply the Führer again discussed Laval's desire for a statement by Germany and Italy about the future of France. On that subject he said that if the Duce and himself were to make such a statement they would make it with honorable intentions, in contrast to the declarations of Roosevelt and Churchill, such as the Atlantic Charter, which at first caused the small nations much rejoicing, but which had now shown itself to be mere words. The important thing was that Germany and Italy did not wish to destroy France. If France were destroyed it could only happen through her own action, or because she had not understood that after Montoire she had been given a great opportunity. If France at that time had openly and forcefully collaborated with Germany in the struggle against the English the course of events in the west would certainly have been different. There would certainly today have no longer been any Mediterranean problem; more likely the war would have already been ended, and France would long ago have been able to resume her rightful place again.

The Reich Foreign Minister remarked in this connection that Laval had wanted to follow this policy, but Pétain had not.

Continuing, the Führer declared that, under these circumstances, any declaration which Germany and Italy might now make would only give new confidence to the obstructionists in France. France would no longer exert herself, since she would have received in such a statement a complete insurance for the future, and the delaying policy of Pétain would be continued in a heightened degree.

Bastianini remarked that, in the name of the Duce, he could express complete agreement with

these statements of the Führer. The Führer had expressed himself with the clarity and precision befitting the words and thoughts of the Duce. Just as did the Führer, Italy also appreciated the work which Laval was accomplishing under severe handicaps in France. However, Laval's efforts had not always been crowned with success.

Italy also shared the view of the Führer that from the terrific sacrifices of their peoples a new regime of justice must result, which would bring an end to the plutocratic and Bolshevistic hegemony. With regard to the declaration which Laval had asked for, he also believed that it would be very difficult to make now a declaration which could go into detail on the future position of France.

Laval answered, with some evidence of emotion, that the reply of Bastianini amounted to an Italian rejection of voluntary cooperation with France. It was, of course, possible for Germany and Italy to take measures of compulsion against France. France could not defend herself and would have to accommodate herself to anything. The French would, however, not endure humiliation, and there were many among them who in such an event would become Communists.

Bastianini defended himself against the interpretation that his statement was to be considered as a rejection of cooperation. He had only spoken of the difficulties of a written declaration.

Laval replied that he was not asking at the present moment for the exact text of a peace agreement but was striving only for a glimmer of hope for France, which might indicate to that country that the efforts which she was making now would later attain their reward.

The Führer said in that connection that Bastianini had only spoken of the difficulties of making a declaration which went into *details*, and he again declared that if Laval should possibly depart from the government someone else would come to the head of the French Cabinet. If there were no French Government at hand, in the worst case an Italian Commissioner could be set up in the Italian-occupied area and a German Commissioner could govern in the German-occupied area of France. Laval therefore was not rendering the greater service to Germany and Italy, but to France, if he remained in the government. Germany and Italy would govern France in any case, with him or without him.

Laval declared once more in reply that of

course France could be forced to anything. Since she could not defend herself she must accept everything. Only let her not be humiliated, for, rather than that, the French would go over to Communism. Even in France there was a national sentiment which should not be wounded.

Bastianini answered with the counter-question of what would now constitute a humiliation for France and he recalled that at the moment when the victorious Germany Army marched into Paris and the Italians crossed the French frontier, the Führer and the Duce, with great magnanimity, had treated the French people in a truly European spirit and with complete consideration for French national feeling. The great aim of Germany and Italy was to prevent Bolshevism from encroaching on Europe and thereby, of course, also on France. Therein lay no sort of humiliation for France. On the contrary. The Führer had avoided any humiliation of that country, and France would, as had already happened once in her history, actually lose much less at the end of the war than she might have lost if she had had less magnanimous opponents. Even the Armistice was not a disgrace, either for those who signed it or for the French people.

Hereupon Laval remarked that France for some time had been no longer under the Armistice regime.

Continuing, Bastianini declared that if mention were perhaps made of humiliation in the French Colonial Empire, it would have to be stated that neither Germany nor Italy was in possession of French Colonial areas.

Besides, the sacrifices of France were certainly not comparable with those of Germany and Italy. Germany and Italy had sacrificed their youth and their resources and now even their artistic treasures, as a result of the air attacks, which were being carried out against them in contradiction to every principle of civilization and Christianity. That sort of sacrifice was not being required of France, but only loyal cooperation in the economic and labor fields.

The Führer agreed heartily with these expressions of Bastianini and turned to Laval with the remark that France would receive preference later in accordance with the extent of her present cooperation in the common military effort.

Laval replied that this was exactly the declara-

(Continued on page 236)

The Paris Peace Conference

Statement by the Secretary of State¹

I appreciate deeply your gathering here to bid me farewell. I know that your coming here is not a personal tribute to me but is a token of your desire to give expression to the will of the American people to work together to make and to maintain peace.

The situation is entirely different from that which existed after World War I. Then we were badly divided. This time there is no division between the Executive and the Congress as to the making of peace. This time there is no division between the great political parties as to the making of peace.

In our efforts to make peace President Truman and I have had as our co-workers Senator Connally and Senator Vandenberg. The maintenance of peace is a primary task of the Security Council of the United Nations, and to that position the President has appointed a distinguished Republican, Senator Austin of Vermont.

We are all working together, not as partisans of any political party, or of any branch of Government; we are working together as Americans. We are of one mind that America must never return to isolation. However difficult may be the paths of international cooperation, we know there can be no security in isolation.

We are deeply conscious that if we as a nation are to exert our influence on the affairs of the world we must be united. The world cannot rely upon the cooperation of a divided America whose

foreign policy is guided by temporary political expediency.

After months of preliminary effort I am hopeful that we will be able at the end of the Paris conference which meets on Monday to sign the first peace treaties.

The signing of peace treaties is only a start, but a very necessary start, on the road back to peace. We must always remember that the maintenance of peace is not dependent solely on the language of a treaty or a series of treaties. Peace must come from the hearts of men and from their willingness to share the blessings of peace with all their neighbors.

The effort to make peace live in the hearts of men has only begun. To that effort a united America must dedicate herself for the sake of her own people and for the sake of all mankind.

Delegation to the Conference²

Secretary Byrnes stated on July 23 that Senator Connally and Senator Vandenberg will not go with him to the opening of the Paris conference but will go to Paris later.

The primary task of the four Foreign Ministers comprising the Council of Foreign Ministers will be to explain to the representatives of the other 17 governments the treaties which have been drafted. After the Conference has submitted recommendations either as to amendments of the treaties as now drafted or as to additional matters to be included in the treaties, the four Foreign Ministers must meet to consider the recommendations and agree upon the final texts of the treaties.

The Secretary and the Senators decided it would not be necessary for the Senators to be present at the preliminary sessions, but they will return to

¹ Made on July 27 at the Washington airport upon his departure for the Peace Conference and released to the press on the same date.

The following 21 nations are represented at the Paris Peace Conference: France, China, the Union of Soviet Socialist Republics, Great Britain, the United States, Australia, Belgium, the Byelorussian Soviet Socialist Republic, Brazil, Canada, Czechoslovakia, Ethiopia, Greece, India, New Zealand, Norway, the Netherlands, Poland, the Union of South Africa, the Ukrainian Soviet Socialist Republic, and Yugoslavia.

² Released to the press July 23.

advise with him when the final drafts are under consideration by the Council.

The rules suggested for the Conference provide for one representative from each government. The Secretary will serve as the United States representative. There will be two subcommittees to consider economic questions in the treaties. The Secretary will assign to those two committees Assistant Secretary William L. Clayton and the Deputy to Mr. Clayton, Willard L. Thorpe.

On the subcommittee to consider the political features of the Italian treaty the Secretary will be represented by Assistant Secretary James C. Dunn, who has for the last 10 months served as

Deputy to the Secretary on the Council and participated in drafting of the treaty.

On the other subcommittees the Secretary will be represented by Ambassador to London W. Averell Harriman, Ambassador to Moscow Bedell Smith, and Ambassador to Paris Jefferson Caffery. Edwin W. Pauley, who has been our representative on the Reparations Commission in Europe, will be present part of the time during the Conference to assist with reparations matters in the treaties.

Benjamin V. Cohen, Counselor of the Department, will accompany the Secretary on his return to Paris.

Views on Representation of World War II Veterans at Peace Conference

EXCHANGE OF LETTERS BETWEEN THE PRESIDENT AND THE COMMANDER IN CHIEF OF THE VETERANS OF FOREIGN WARS OF THE UNITED STATES

[Released to the press by the White House July 26]

July 11, 1946.

DEAR MR. PRESIDENT:

By long and tedious processes the heavy machinery of international diplomacy has at last set a date when twenty-one victorious nations, meeting in Paris, France, will devise the terms of peace for the conquered peoples of World War II. July 29, 1946 will be a date to associate with the beginning of peace negotiations in Versailles on January 12, 1919.

The peace-makers will do well to keep foremost in mind the manner and methods of the shaping of that other "peace." They should brood heavily upon the years that followed. They should review the inexorable deterioration of relations among nations, the steady crumbling of good will among men, that followed Versailles. With humility for the past and determination for the future, the peace conferees should harken again to the ominous howling during the 20's and 30's, ever louder, until at last the dogs of war were rampant once more and the world was allame with a war that dwarfed all previous wars.

The people of our country, and beyond any doubt the peoples of all countries, want to see the highest order of minds and hearts and consciences at work in the framing of this second peace pattern in the brief span of twenty-seven years.

The heart's desires of the common men and women of all nations should permeate the atmosphere in that conference room in the "City of Light."

We fear that it shall not be so.

In the opinion of the Veterans of Foreign Wars of the United States, with a membership of more than 1,750,000 veterans of overseas service on foreign soil or in hostile waters—and the great majority of them are the winners of World War II—the combat veteran should have direct representation at the peace conference.

Who is better fitted than the survivors of the horrors of this war to speak at the table for peace? Who is more worthy? Who is more entitled? Who can better help to do a real job?

The Veterans of Foreign Wars started asking these questions before the end of hostilities. And at the Forty-sixth Annual Encampment which was held in Chicago last October a resolution was adopted urging that "our country be represented in part at the peace conference or conferences at the end of the present war by our patriotic soldiers and sailors who have actually bared their breasts to the enemy and are fully acquainted with war and all its tragedies."

It is therefore respectfully requested, Mr. President, that you use all your power and authority to arrange that at least one well qualified veteran of

World War II be included in the coming peace conference. It is urged that you, as a veteran of the first world conflict, and now the leader of the world's leading nation, leave no stone unturned to see that the voice of combat experience is heard at the peace table.

The veteran representative should be highly qualified in all respects, but his basic qualification should be a broad experience of combat and all the world-beggaring horrors of war. He should be there to speak for the living veterans of World War II. He should make felt the presence—the pressing and demanding presence—of the ghosts of our finest manhood who gave their lives by thousands for our victory and for a just and lasting peace. They belong there. It is in a sense *their* conference. Let us honor them by representation.

Your careful consideration of our request will be deeply appreciated.

Respectfully yours,

JOSEPH M. STACK

July 26, 1946.

MY DEAR MR. STACK:

I have given careful consideration to your thoughtful letter of July 11 with respect to the Peace Conference.

I am wholeheartedly in sympathy with your observations concerning the grave responsibilities confronting the peacemakers and your comments relative to the period following Versailles. Both the Secretary of State and I share most sincerely your hope that the aspirations of the common men and women of all nations should be the challenge and the guiding light of those at the peace table.

As you know, the Peace Conference will consider draft treaties which have been developed after months of difficult work by the Foreign

Ministers of France, the Soviet Union, the United Kingdom, and this country, their deputies and their staffs. Included in the group assisting the Secretary of State have been officers of the United States Army and Navy who have had combat service in World War II.

The job to be done at Paris is to explain to representatives of the other seventeen governments the treaties which have been drafted by the Council of Foreign Ministers. This must be done by the technicians who are acquainted with the provisions of the treaties. After the Conference has submitted recommendations either as to amendments of the treaties as now drafted or as to additional matters to be included in the treaties, the four Foreign Ministers must meet to consider the recommendations and agree upon the final texts of the treaties. Enclosed for your information is a copy of a press release which explains the procedure in more detail.

I agree that the views and feelings of our veterans of World War II should be reflected in the position taken by our Government. I believe they will be so reflected and that they have been reflected in the prior negotiations. Any other situation would be intolerable. Our Delegate, the Secretary of State, must moreover represent every citizen of this country, and our final position must and will take into account the aspirations and views of all segments of our population. This process is democracy. I know that the Secretary of State shares these feelings and that he will carry out his grave responsibilities in that spirit.

I trust this letter makes clear that while it is impractical to adopt your suggestion, its spirit will motivate and guide the Secretary of State at Paris.

Sincerely yours,

HARRY S. TRUMAN

The Prospect for Peace in Europe

A discussion of the prospects for peace in Europe (including a statement by the Secretary of State) by Senator Tom Connally, Chairman of the Senate Foreign Relations Committee and an adviser to the Secretary of State at the Paris Peace Conference, and Senator Scott W. Lucas, member of the Senate Foreign Relations Committee. The discussion, broadcast on July 27, was one in a group of State Department programs in the NBC University of the Air series entitled "Our Foreign Policy". Selden Menefee of the NBC University of the Air served as chairman.

MENEFEE: We had hoped that Secretary of State BYRNES would be here with us, but he left today for Paris, and he got a rousing send-off, incidentally, at the Washington airport.¹ In the absence of the Secretary, therefore, I'd like to ask Senator Connally to read the statement Mr. Byrnes prepared especially for this broadcast on the eve of his departure.

CONNALLY: Here is what Secretary Byrnes has to say:

"Next Monday at Paris the 21 nations which took an active part in fighting the war against the European Axis will meet to consider treaties of peace with Italy, Finland, Hungary, Bulgaria, and Rumania. The proposed treaties have been drafted by the four principal Allied states. But the Paris conference will carefully review the proposed treaties and after hearing the views of the enemy states will make recommendations to the Council of Foreign Ministers. The Council is obligated to take these recommendations into account and not to reject any of them arbitrarily in drawing up at the close of the conference the final texts of the treaties.

"I know that there are many people who believe that it would have been much better if the four principal Allied states did not go to the Conference with agreed texts. But peace treaties that fix boundaries and dispose of colonies and territories cannot be made effective unless they do command the assent of the principal Allied states.

"If there is no understanding between the principal Allies before the Peace Conference, such understandings must be worked out during the Conference.

"Twenty-seven years ago at the Versailles conference the large and the small states came together without any preliminary understanding between the large states. But the principal issues had to be fought out and decided by the Council of the Big Four, and in the end I doubt whether the small

states were given as much opportunity to express their views on the concrete peace proposals as will be given the small states at the forthcoming Paris conference. Unfortunately in a world where national states jealously guard their sovereignty, there is no ideal peace-making procedure.

"This is my seventh trip to Europe since I became Secretary of State a year ago. The purpose of each of my journeys has been to speed the return of peace.

"From more than one journey I returned with a heavy heart. But after months of persistent effort I am convinced that we are on the road back to peace.

"No one is more eager than I to move more speedily along that road.

"It is important to begin to withdraw occupation troops wherever the security of the world permits it. It is important to settle explosive disputes over boundaries and territory. It is important to fix the reparations bill so that the defeated enemy can begin to pay it off and can see an end to the road. It is important to get on with the business of providing more food and houses and clothing.

"Not until these things are accomplished will the people themselves begin to remember how precious peace really is and to make felt their universal determination not to commit atomic suicide. It seems to me that the hope of avoiding some new and terrible war greatly depends upon how quickly we can remove the dangerous sources of friction left in the wake of the last war.

"For example, as long as the rivalry for Trieste between the Yugoslavs and the Italians continues to mount in intensity and bitterness and to undermine the unity among the larger powers, it is hard for everyone to remember the basic truth that they must hang together or they will hang separately. Only in calmer days, when men are not blinded by anger and suffering, can they see what a child can

¹ See p. 202.

see—that their interest in peace is one and indivisible.

“These things demonstrate how necessary it is to restore the conditions of peace as quickly as we can. But they do not eliminate the difficulties that slow the process. Making the peace is a labor of compromise. The progress thus far is the product of compromise. There is no use to pretend that more compromises will not be necessary if we are to go the rest of the way. But the compromises we have reached and those I hope we will reach will be compromises intended to reconcile honest conflicts of opinion and not to secure selfish advantage for ourselves or others.

“Whenever a great war is decisively won by allied nations, the making of peace involves an adjustment and reconciliation of the conflicting views of the victorious nations as to what the peace should be. We cannot refuse to cooperate just because we cannot write the peace exactly as we would like to write it.

“This time we must not only help to make the peace, but we must help to make the peace work. This time we intend to cooperate with the other nations through the United Nations to build and develop peace.

“We are determined that the Paris conference shall be the beginning and not the end of our efforts to build the peace.”

MENEFFEE: Thanks very much, Senator Connally, for reading that hopeful message from Secretary of State Byrnes. Now, Senator, we turn to you once more as we have so frequently in the past—this time for new insight into the peace negotiations. But first of all let me point out that this is the ninth in a group of programs on United Nations issues. As our chief congressional spokesman on foreign affairs, Senator, would you say that the negotiations at Paris are directly connected with the United Nations?

CONNALLY: There is a very direct relationship, Mr. Menefee. Of course the United Nations has no official representation at Paris. Its original job was not to *make* peace, but to preserve and extend peace after it has been reestablished. But this is a rather artificial division of labor and it has already broken down to some extent.

MENEFFEE: How so, Senator Connally?

CONNALLY: Well, everybody knows that both the peace negotiations *and* the work of the United Nations depend on unity of action. If we can

get agreement on the peace treaties, the same spirit that produced that agreement will carry over to United Nations circles. But if the peace negotiations should break down then the prospect for United Nations unity and effectiveness will decline in direct proportion. Or to put it another way, the success of the United Nations organization will depend, to a very large extent, on the kind of peace that is finally drafted at Paris.

MENEFFEE: Do you feel that the chances for agreement in Paris are pretty good?

CONNALLY: They are brighter now than they have been for many months. I'm sure of that.

MENEFFEE: Senator Lucas, do you agree with Senator Connally on the prospects for agreement on the European peace treaties?

LUCAS: Yes; I think the Senator has given us a realistic estimate of the situation. The last meeting of the Council of Foreign Ministers made genuine progress. It proved that if both sides try hard enough, and are willing to make some sacrifices, agreement can be reached. Of course the biggest hurdle is still to come—writing the peace for Germany and Austria. The people of this country must not expect miracles. You can't rebuild a world that has been torn to shreds by a global war in a day, or in a year. It will take years of struggle and careful negotiations and concessions by the leaders of all nations to build a sound peace. We might as well face that fact. Let me add that the American people are applauding the Secretary of State for keeping them informed of what is going on. It is in keeping with the Woodrow Wilson spirit of “Open covenants openly arrived at”.

MENEFFEE: Right, Senator. But now let's get down to specific issues. Senator Connally, what would you say were the main achievements of the last session of the Council of Foreign Ministers?

CONNALLY: I'd put at the top of the list our agreement to call the Paris Peace Conference that is about to start, with provision for complete freedom of discussion and recommendation by all 21 nations which fought the European Axis. That's a democratic provision and a real milestone. It means that after more than a year of delay we are at last beginning to write the peace.

LUCAS: Let me interrupt to say that to me that's a great achievement, because it's in line with our traditional policy of giving the little fellow as well as the big fellow a chance to be heard. Some of the small nations contributed as much as the

big powers, proportionately, in helping to lick the Axis, and they should have their day in court.

MENEFFEE: The Paris conference wouldn't have been possible, would it, Senator Connally, without first getting "big four" agreement on the more controversial parts of the Italian treaty?

CONNALLY: That's right. There were the questions of what should be done with the former Italian colonies, whether the Dodecanese Islands off the coast of Turkey should be returned to Greece, and how Italy should go about paying a hundred million dollars in reparations to the Soviet Union. But the most difficult question of all was Trieste.

MENEFFEE: Speaking of Trieste, Senator Aiken said recently on one of these programs that we had lined up too definitely with the British against Russia on this issue. And Senator Taylor remarked that the Yugoslavs had a pretty good claim to Trieste, in his opinion. How do you account for the emphasis we have placed on the Trieste issue?

CONNALLY: Mr. Menefee, I know many Americans find it difficult to understand the importance of the Trieste issue. It's true that Trieste itself is not of direct concern to our people. Our one interest there is in peace—in avoiding a situation that would breed friction and possible war in the future. Let's not forget Danzig. That became a festering sore, one of the breeding places of the tragic war that has just ended. If we had agreed to turn the predominantly Italian city of Trieste over to Yugoslavia, or to Italy for that matter, it would almost certainly have caused trouble in the future.

LUCAS: The agreement on Trieste at least gives us a breathing spell. For 10 years it will have a considerable degree of local self-government under the supervision of the United Nations Security Council. The point is, we couldn't allow the explosive condition at Trieste to keep us from having peace in the rest of the world. Italy said she wouldn't sign any peace treaty that turned Trieste over to Yugoslavia; and the Yugoslavs wouldn't sign a treaty that turned it over to Italy.

MENEFFEE: Do you think the compromise on Trieste resolves this dilemma, Senator Lucas?

LUCAS: The agreement to internationalize the city seems to be a step in the right direction. It may be that 10 years from now, or even before,

it will be possible to reach a better settlement. But meanwhile the chances for peace are increased—and the United Nations has been strengthened by giving it control over Trieste.

MENEFFEE: What about the Italian colonies, Senator Connally? Wasn't the agreement to postpone a decision on them for a year an evasion of the issue?

CONNALLY: Not at all. There's more to it than that. If the four major powers can't agree on what to do about the colonies at the end of a year, after taking into account the desires and welfare of the people in the colonies, the United Nations General Assembly will make the final decision. That will put the prestige of all of the United Nations behind the settlement.

LUCAS: Let me say that any settlement that strengthens the band of the United Nations, and makes it more stable and permanent in the eyes of the world, will eventually help to clean up these minor areas of disagreement.

CONNALLY: The return of the Dodecanese Islands to Greece by Italy, and the agreement to demilitarize them, removes one of the sore spots. The Soviet Union relinquished its claim for a base in these islands.

LUCAS: I think that Russia's agreement to transfer the Dodecanese Islands to Greece was quite a contribution to the peace in view of her earlier demands for bases in the Mediterranean and a Soviet trusteeship in Italian North Africa.

MENEFFEE: Don't you think, Senator Lucas, that those demands were for bargaining purposes only?

LUCAS: Partially so, Mr. Menefee. The Russians are pretty good traders and they had a long list of demands, knowing that they wouldn't be able to get all they asked for. But from the standpoint of world peace, they made a great contribution by dropping their demands for bases in the Mediterranean.

MENEFFEE: Well, we made a good many concessions ourselves.

LUCAS: True enough—but I have no patience with people who are always accusing Secretary Byrnes of giving away his shirt. At the last meeting it seems to me that Mr. Molotov met us at least half way.

MENEFFEE: What other concessions did the Russians make, Senator Lucas?

LUCAS: Well, besides the ones we've already mentioned—on the Dodecanese Islands and the Italian colonies—the Russians agreed to withdraw

Russian troops from Bulgaria 90 days after signing the treaty and to limit the military forces of the Balkan countries. They also agreed to an early date for starting big-four discussion on Germany.

MENEFFEE: That's quite an impressive list. Senator Connally, what did we concede in return?

CONNALLY: We agreed to the Russian request for 100 million dollars in reparations from Italy, with some of it to come from Italian production. But at our insistence Russia agreed to supply Italy with raw materials so she can produce the goods Russia needs. And Italy's payments will start only after a two-year moratorium, so as not to interfere with Italian reconstruction.

MENEFFEE: And then of course we conceded some points on Trieste.

LUCAS: But there again, Mr. Molotov conceded at least as much. The final agreement on the Italian-Yugoslav border follows the French line, which we were willing to agree to from the beginning.

MENEFFEE: Sounds as if we're not such bad traders ourselves, Senator Lucas. Now I understand, Senator Connally, that there are a number of issues still to be settled by the Paris conference.

CONNALLY: Yes, there is the Danube question, which affects the Hungarian, Rumanian, and Bulgarian treaties. So far we haven't been able to get the Russians to agree to free river trade and transportation to facilitate recovery in the Danube countries. But they did not insist that this issue be settled before the general conference, so the Russians apparently don't consider it to be crucial. I believe that it should be possible to work this out in Paris.

LUCAS: The Danube question is very important in my opinion.

MENEFFEE: Why, Senator Lucas?

LUCAS: Well, many of the economic troubles of central Europe center on transportation problems. It seems clear that the peace and prosperity of this region can be made more secure by making the Danube an artery of free transportation. That doesn't mean the Russians or anyone else would lose any rights. Everyone would stand to gain.

MENEFFEE: Speaking of international waterways, Senator, what about the Dardanelles?

LUCAS: That may not come within the scope of the treaties to be written in Paris, but if trade

on the Danube is internationalized I think the Russians should be guaranteed freedom of entry to the Mediterranean through the Dardanelles. And if there are any other strategic bottlenecks in water transportation which might cause friction between nations, we ought to consider international action to guarantee free passage at these points. We should do this in the interests of consistency as well as peace.

MENEFFEE: Senator Connally, another problem concerns minority groups in the former pro-Axis countries. Isn't that one of the questions the Paris conference will have to deal with?

CONNALLY: Yes. Our position on that issue is well known. We have always stood for the protection of minorities, political, religious, and racial alike. We must not only insert guaranties protecting minorities in the peace treaties. We must also press for action guarding the rights of all peoples through the United Nations Economic and Social Council and its Commission on Human Rights.

LUCAS: The world knows we've led the way in protecting minority rights.

MENEFFEE: Except in the Deep South, Senator Lucas?

LUCAS: Well, even there, though progress may be slow, we are moving ahead. In the international field we must continue to demand that minority rights be protected everywhere. One way to do this is to write into the peace treaties clauses which place a moral obligation to protect these groups. And then, of course, the Paris conference will also consider such problems as air-transit rights in eastern Europe and Italian reparations to be paid to countries other than Russia.

CONNALLY: The encouraging thing is that all 21 nations which were engaged in the war against the Axis will have their say in writing these provisions. And their views will be respected. There will be no rule of unanimity, no great-power veto, at the Paris conference.

MENEFFEE: Well, I think that covers most of the important issues at Paris. But as Senator Lucas said earlier, after this conference is over the biggest job will still remain to be done—making peace with Germany.

CONNALLY: That's right, Mr. Menefee. The war in Europe won't really be over until we solve the complicated problems of Germany and Austria. Even the people of enemy countries must

have a chance to rebuild their shattered economies if peace is to prevail. They must be given the opportunity to adopt democratic institutions and a peaceful way of life.

MENEFFEE: But you didn't make much progress toward agreement on Germany at the last meeting of the Council of Foreign Ministers, did you?

CONNALLY: At least we got a clearer picture of the differences between the Soviet Union and the western nations on this question. That was important. There are, of course, a number of issues to be worked out.

MENEFFEE: You might list those issues, Senator Connally, so we can see just where we stand.

CONNALLY: First and foremost there is the question of central administrative control in Germany. Secretary Byrnes has made our position very clear on that. We want to put the terms of the Potsdam Agreement into effect, with central administration of the essential economic services—transportation and communications, for example. This would do much to reestablish normal relations among the British, Russian, French, and American zones. We have also proposed a 25-year treaty guaranteeing German disarmament, and a decentralized political administration along local regional lines.

MENEFFEE: But Mr. Molotov doesn't see eye to eye with you there.

CONNALLY: No, the Soviets claimed that our disarmament proposals were inadequate, and Mr. Molotov declared for a strongly centralized German state.

LUCAS: I should think it would be possible to reconcile these views, with a little give and take such as we had on Trieste. If the Russians want a centralized Germany, and we want centralized economic services in Germany, we ought to be able to go along together at least that far.

MENEFFEE: Sounds reasonable to me. What do you say, Senator Connally?

CONNALLY: The Soviets also charged that the British have not disarmed German troops in their zone, and the British representative said he had reports that German war plants were operating in the Soviet zone. Secretary Byrnes urged that all these reports be investigated, but the Soviet Delegate refused to agree to that. Then there is the question of the Saar Basin, which France wants, and the Ruhr, Germany's most highly industrialized area, which must be kept under some kind of control if we intend to prevent German rearmament.

MENEFFEE: Senator Lucas, what do you think can be done to get agreement on these points?

LUCAS: Well, it's certainly going to be a much tougher problem than getting agreement on Italy. I think the first thing to be done is to find some basis for uniting the four separate zones in Germany. The present set-up was necessary in the beginning. But the longer it continues the harder it will be to find the answer.

MENEFFEE: Because each zone tends to become a unit by itself?

LUCAS: Exactly. Each zone develops its own form of government and economic set-up and each of the four occupying nations feels its stand is the only correct one. The four viewpoints must be reconciled, and quickly, before they fell into different patterns that will be hard to change. In the final analysis Germany must remain a single nation, if we expect the German people to work out a sane and stable economy, and thereby insure a peaceful nation with which the rest of the world will be able to deal.

CONNALLY: Secretary Byrnes is doing his best to break down the economic barriers between the four zones. He has served notice that if we don't get cooperation from all parties the United States will cooperate with such of the occupying powers as are willing.

MENEFFEE: Well, Senator Connally, at least you did get agreement to hold a meeting of the Council of Foreign Ministers on Germany later this year.

CONNALLY: Yes, and we hope it will come soon. I'd like to see this question settled, along with the Austrian question, by the end of this year.

MENEFFEE: Running through all this discussion, it seems to me, is that old familiar question: What game is Russia playing in Europe? Senator Connally, will cooperation with the Russians be possible in the long run?

CONNALLY: Mr. Menefee, cooperation is not only possible but essential. I have been deeply discouraged at times in our negotiations with the Russians, but my hopes are sustained by one profound conviction: neither the Soviet Union nor any other nation wants war any more than we do. Another war is unthinkable, and for that reason. The repeated Soviet declarations of support for the United Nations bear this out.

LUCAS: I have consistently defended Russia, both during the war and since V-J Day, against malicious attacks. But when I hear reports such as Mr. Byrnes and Senators Connally and Van-

denberg brought back from Paris—I mean their reports on the Russian stand on Germany—I must admit some doubts are raised in my mind. I hope those doubts are unwarranted. It's obvious that peace is in immediate danger if we can't get along with the Russians. Underlying many of our difficulties is a growing suspicion on both sides. But I have always believed that a democratic government, such as ours, can deal on friendly terms with a Socialist or Communist government if we don't intervene in each other's internal affairs.

MENEFEF: Do you think, Senator Lucas, that we ought to try to understand the Russians a little better?

LUCAS: It goes both ways. It's unfortunate for both of us that we don't know the Russian people better, and they don't know us better. It's easy for us to criticize and condemn Russian policy because we've been trained for almost two centuries in an entirely different form of government. But the Russians escaped from Czarist tyranny only a short while ago. They still don't have much political liberty, but in general their conditions are a lot better than they were. No nation could fight as they did without tremendous national pride and a real belief in what they were fighting for. I hope the time will soon come when the iron curtain can be raised completely, and American tourists and teachers and students, as well as newspaper correspondents, will be more welcome than they are today in the Soviet Union and all of eastern Europe.

CONNALLY: It must be plain to everyone by now that we have no territorial ambitions or aggressive intentions. We want to be friendly with all nations. But we shall not tolerate any form of aggression, military or otherwise. We shall assert our rights firmly and demand that they be respected. In turn, we shall respect the rights of all other states.

LUCAS: I think that Secretary Byrnes' policy of firmness on basic principles but reasonableness in negotiations is exactly the right course to follow, and this country will back it to the hilt. The Soviet Union may think we are stubborn at times—and we certainly think *they* are—but I believe they understand and respect the position we have taken.

MENEFEF: But you feel, Senator Lucas, that better understanding between the Russian and American people is of basic importance.

LUCAS: Yes, Mr. Menefee, I do. We are suspicious of the Russians and don't hesitate to show

it—in the press, radio, government, or private conversation. Yet we seem to feel that they have no right to be suspicious of us. Well, if we could talk to a few average Russians I think we might be shocked. For one thing, they have been led by their press to be fearful of our use of the atomic bomb. You'd never convince a Russian factory worker that the Bikini experiment was made in the interest of world peace. He undoubtedly considers it a saber-rattling demonstration. But whatever I have said in explanation of Russian attitudes, I want to make this clear: I have no use for Communism in this country. I've condemned it repeatedly. What I'm advocating is a little more of the spirit of live and let live, on both sides of the fence.

MENEFEF: I think your position is plain enough. It all comes down to this: For a long time to come, we've got to live in the same world with Soviet Russia. Now it isn't easy to get along with the Russians, but the recent progress toward peace treaties for Italy and the Axis satellites is a hopeful sign. We'll soon see whether it will be borne out by success at the Paris conference. Does that about sum it up, Senator Lucas?

LUCAS: Yes. I don't think it's any of our business what form of government the Russians have, so long as they don't become an active menace to world peace. But in any case I agree with Senator Connally that war is out of the question because Russia doesn't want war any more than we do.

MENEFEF: Senator Connally, given a situation such as this, what do you think we should do?

CONNALLY: I've already laid down my program, Mr. Menefee, in my report to the Senate last week. I think we must continue to place our main trust in the United Nations, and stand firmly by the principles expressed in its Charter. We ought to go all the way, with full military support for the Security Council to help put down aggression wherever it may arise. We must press for international control of atomic energy as soon as a satisfactory agreement can be reached and adequate security safeguards arranged. We must give our full support to the humanitarian program of the Economic and Social Council. We should accept the compulsory jurisdiction of the International Court of Justice over legal disputes with nations willing to do the same.

MENEFEF: That's a program well calculated to
(Continued on page 235)

The United Nations

Constitution of the World Health Organization¹

THE STATES parties to this Constitution declare, in conformity with the Charter of the United Nations, that the following principles are basic to the happiness, harmonious relations and security of all peoples:

Health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity.

The enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being without distinction of race, religion, political belief, economic or social condition.

The health of all peoples is fundamental to the attainment of peace and security and is dependent upon the fullest co-operation of individuals and States.

The achievement of any State in the promotion and protection of health is of value to all.

Unequal development in different countries in the promotion of health and control of disease, especially communicable disease, is a common danger.

Healthy development of the child is of basic importance; the ability to live harmoniously in a changing total environment is essential to such development.

The extension to all peoples of the benefits of medical, psychological and related knowledge is essential to the fullest attainment of health.

Informed opinion and active co-operation on the part of the public are of the utmost importance in the improvement of the health of the people.

Governments have a responsibility for the health of their peoples which can be fulfilled only by the provision of adequate health and social measures.

ACCEPTING THESE PRINCIPLES, and for the purpose of co-operation among themselves and with

others to promote and protect the health of all peoples, THE CONTRACTING PARTIES agree to the present Constitution and hereby establish the World Health Organization as a specialized agency of the United Nations.

Chapter I: Objective

Article 1

The objective of the World Health Organization (hereinafter called the Organization) shall be the attainment by all peoples of the highest possible level of health.

Chapter II: Functions

Article 2

In order to achieve its objective, the functions of the Organization shall be:

(a) to act as the directing and co-ordinating authority on international health work;

(b) to establish and maintain effective collaboration with the United Nations, specialized agencies, governmental health administrations, professional groups and such other organizations as may be deemed appropriate;

(c) to assist governments, upon request, in strengthening health services;

(d) to furnish appropriate technical assistance and, in emergencies, necessary aid upon the request or acceptance of governments;

(e) to provide or assist in providing, upon the request of the United Nations, health services and facilities to special groups, such as the peoples of trust territories;

¹ Doc. E/H 17, July 19, 1946. Other instruments that were drawn up and signed by the United Nations Health Conference, in session in New York City from June 19 to July 22, include the Final Act, the Interim Arrangement, and the Protocol Concerning the Office International d'Hygiène Publique.

(f) to establish and maintain such administrative and technical services as may be required, including epidemiological and statistical services;

(g) to stimulate and advance work to eradicate epidemic, endemic and other diseases;

(h) to promote, in co-operation with other specialized agencies where necessary, the prevention of accidental injuries;

(i) to promote, in co-operation with other specialized agencies where necessary, the improvement of nutrition, housing, sanitation, recreation, economic or working conditions and other aspects of environmental hygiene;

(j) to promote co-operation among scientific and professional groups which contribute to the advancement of health;

(k) to propose conventions, agreements and regulations, and make recommendations with respect to international health matters and to perform such duties as may be assigned thereby to the Organization and are consistent with its objective;

(l) to promote maternal and child health and welfare and to foster the ability to live harmoniously in a changing total environment;

(m) to foster activities in the field of mental health, especially those affecting the harmony of human relations;

(n) to promote and conduct research in the field of health;

(o) to promote improved standards of teaching and training in health, medical and related professions;

(p) to study and report on, in co-operation with other specialized agencies where necessary, administrative and social techniques affecting public health and medical care from preventive and curative points of view, including hospital services and social security;

(q) to provide information, counsel and assistance in the field of health;

(r) to assist in developing an informed public opinion among all peoples on matters of health;

(s) to establish and revise as necessary international nomenclatures of diseases, of causes of death and of public health practices;

(t) to standardize diagnostic procedures as necessary;

(u) to develop, establish and promote international standards with respect to food, biological, pharmaceutical and similar products;

(v) generally to take all necessary action to attain the objective of the Organization.

Chapter III: Membership and Associate Membership

Article 3

Membership in the Organization shall be open to all States.

Article 4

Members of the United Nations may become Members of the Organization by signing or otherwise accepting this Constitution in accordance with the provisions of Chapter XIX and in accordance with their constitutional processes.

Article 5

The States whose governments have been invited to send observers to the International Health Conference held in New York, 1946, may become Members by signing or otherwise accepting this Constitution in accordance with the provisions of Chapter XIX and in accordance with their constitutional processes provided that such signature or acceptance shall be completed before the first session of the Health Assembly.

Article 6

Subject to the conditions of any agreement between the United Nations and the Organization, approved pursuant to Chapter XVI, States which do not become Members in accordance with Articles 4 and 5 may apply to become Members and shall be admitted as Members when their application has been approved by a simple majority vote of the Health Assembly.

Article 7

If a Member fails to meet its financial obligations to the Organization or in other exceptional circumstances the Health Assembly may, on such conditions as it thinks proper, suspend the voting privileges and services to which a Member is entitled. The Health Assembly shall have the authority to restore such voting privileges and services.

Article 8

Territories or groups of territories which are not responsible for the conduct of their international relations may be admitted as Associate Members by the Health Assembly upon application made on behalf of such territory or group of territories by the Member or other authority having responsibility for their international relations. Representatives of Associate Members to the

Health Assembly should be qualified by their technical competence in the field of health and should be chosen from the native population. The nature and extent of the rights and obligations of Associate Members shall be determined by the Health Assembly.

Chapter IV: Organs

Article 9

The work of the Organization shall be carried out by:

(a) The World Health Assembly (hereinafter called the Health Assembly);

(b) The Executive Board (hereinafter called the Board);

(c) The Secretariat.

Chapter V: The World Health Assembly

Article 10

The Health Assembly shall be composed of delegates representing Members.

Article 11

Each Member shall be represented by not more than three delegates, one of whom shall be designated by the Member as chief delegate. These delegates should be chosen from among persons most qualified by their technical competence in the field of health, preferably representing the national health administration of the Member.

Article 12

Alternates and advisers may accompany delegates.

Article 13

The Health Assembly shall meet in regular annual session and in such special sessions as may be necessary. Special sessions shall be convened at the request of the Board or of a majority of the members.

Article 14

The Health Assembly, at each annual session, shall select the country or region in which the next annual session shall be held, the Board subsequently fixing the place. The Board shall determine the place where a special session shall be held.

Article 15

The Board, after consultation with the Secre-

tary-General of the United Nations, shall determine the date of each annual and special session.

Article 16

The Health Assembly shall elect its President and other officers at the beginning of each annual session. They shall hold office until their successors are elected.

Article 17

The Health Assembly shall adopt its own rules of procedure.

Article 18

The functions of the Health Assembly shall be:

(a) to determine the policies of the Organization;

(b) to name the Members entitled to designate a person to serve on the Board;

(c) to appoint the Director-General;

(d) to review and approve reports and activities of the Board and of the Director-General and to instruct the Board in regard to matters upon which action, study, investigation or report may be considered desirable;

(e) to establish such committees as may be considered necessary for the work of the Organization;

(f) to supervise the financial policies of the Organization and to review and approve the budget;

(g) to instruct the Board and the Director-General to bring to the attention of Members and of international organizations, governmental or non-governmental, any matter with regard to health which the Health Assembly may consider appropriate;

(h) to invite any organization, international or national, governmental or non-governmental, which has responsibilities related to those of the Organization, to appoint representatives to participate, without right of vote, in its meetings or in those of the committees and conferences convened under its authority, on conditions prescribed by the Health Assembly; but in the case of national organizations, invitations shall be issued only with the consent of the government concerned;

(i) to consider recommendations bearing on health made by the General Assembly, the Economic and Social Council, the Security Council or Trusteeship Council of the United Nations, and to report to them on the steps taken by the Organization to give effect to such recommendations;

(j) to report to the Economic and Social Council in accordance with any agreement between the Organization and the United Nations;

(k) to promote and conduct research in the field of health by the personnel of the Organization, by the establishment of its own institutions or by cooperation with official or non-official institutions of any Member with the consent of its government;

(l) to establish such other institutions as it may consider desirable;

(m) to take any other appropriate action to further the objective of the Organization.

Article 19

The Health Assembly shall have authority to adopt conventions or agreements with respect to any matter within the competence of the Organization. A two-thirds vote of the Health Assembly shall be required for the adoption of such conventions or agreements which shall come into force for each Member when accepted by it in accordance with its constitutional processes.

Article 20

Each Member undertakes that it will, within eighteen months after the adoption by the Health Assembly of a convention or agreement, take action relative to the acceptance of such convention or agreement. Each Member shall notify the Director-General of the action taken and if it does not accept such convention or agreement within the time limit, it will furnish a statement of the reasons for non-acceptance. In case of acceptance, each Member agrees to make an annual report to the Director-General in accordance with Chapter XIV.

Article 21

The Health Assembly shall have authority to adopt regulations concerning:

(a) sanitary and quarantine requirements and other procedures designed to prevent the international spread of disease;

(b) nomenclatures with respect to diseases, causes of death and public health practices;

(c) standards with respect to diagnostic procedures for international use;

(d) standards with respect to the safety, purity and potency of biological, pharmaceutical and similar products moving in international commerce;

(e) advertising and labelling of biological,

pharmaceutical and similar products moving in international commerce.

Article 22

Such Regulations adopted pursuant to Article 21 shall come into force for all Members after due notice has been given of their adoption by the Health Assembly except for such Members as may notify the Director-General of rejection or reservations within the period stated in the notice.

Article 23

The Health Assembly shall have authority to make recommendations to Members with respect to any matter within the competence of the Organization.

Chapter VI: The Executive Board

Article 24

The Board shall consist of eighteen persons designated by as many Members. The Health Assembly, taking into account an equitable geographical distribution, shall elect the Members entitled to designate a person to serve on the Board. Each of these Members should appoint to the Board a person technically qualified in the field of health, who may be accompanied by alternates and advisers.

Article 25

The Members shall be elected for three years and may be re-elected; provided that of the Members elected at the first session of the Health Assembly, the terms of six Members shall be for one year and the terms of six Members shall be for two years, as determined by lot.

Article 26

The Board shall meet at least twice a year and shall determine the place of each meeting.

Article 27

The Board shall elect its Chairman from among its Members and shall adopt its rules of procedure.

Article 28

The functions of the Board shall be:

(a) to give effect to the decisions and policies of the Health Assembly;

(b) to act as the executive organ of the Health Assembly;

(c) to perform any other functions entrusted to it by the Health Assembly;

(d) to advise the Health Assembly on questions referred to it by that body and on matters assigned to the Organization by conventions, agreements and regulations;

(e) to submit advice or proposals to the Health Assembly on its own initiative;

(f) to prepare the agenda of meetings of the Health Assembly;

(g) to submit to the Health Assembly for consideration and approval a general programme of work covering a specific period;

(h) to study all questions within its competence;

(i) to take emergency measures within the functions and financial resources of the Organization to deal with events requiring immediate action. In particular it may authorize the Director-General to take the necessary steps to combat epidemics, to participate in the organization of health relief to victims of a calamity and to undertake studies and research the urgency of which has been drawn to the attention of the Board by any Member or by the Director-General.

Article 29

The Board shall exercise on behalf of the whole Health Assembly the powers delegated to it by that body.

Chapter VII: The Secretariat

Article 30

The Secretariat shall comprise the Director-General and such technical and administrative staff as the Organization may require.

Article 31

The Director-General shall be appointed by the Health Assembly on the nomination of the Board on such terms as the Health Assembly may determine. The Director-General, subject to the authority of the Board, shall be the chief technical and administrative officer of the Organization.

Article 32

The Director-General shall be ex-officio Secretary of the Health Assembly, of the Board, of all commissions and committees of the Organization and of conferences convened by it. He may delegate these functions.

Article 33

The Director-General or his representative may establish a procedure by agreement with Members, permitting him, for the purpose of discharging his duties, to have direct access to their various departments, especially to their health administrations and to national health organizations, governmental or non-governmental. He may also establish direct relations with international organizations whose activities come within the competence of the Organization. He shall keep Regional Offices informed on all matters involving their respective areas.

Article 34

The Director-General shall prepare and submit annually to the Board the financial statements and budget estimates of the Organization.

Article 35

The Director-General shall appoint the staff of the Secretariat in accordance with staff regulations established by the Health Assembly. The paramount consideration in the employment of the staff shall be to assure that the efficiency, integrity and internationally representative character of the Secretariat shall be maintained at the highest level. Due regard shall be paid also to the importance of recruiting the staff on as wide a geographical basis as possible.

Article 36

The conditions of service of the staff of the Organization shall conform as far as possible with those of other United Nations organizations.

Article 37

In the performance of their duties the Director-General and the staff shall not seek or receive instructions from any government or from any authority external to the Organization. They shall refrain from any action which might reflect on their position as international officers. Each Member of the Organization on its part undertakes to respect the exclusively international character of the Director-General and the staff and not to seek to influence them.

Chapter VIII: Committees

Article 38

The Board shall establish such committees as the Health Assembly may direct and, on its own

initiative or on the proposal of the Director-General, may establish any other committees considered desirable to serve any purpose within the competence of the Organization.

Article 39

The Board, from time to time and in any event annually, shall review the necessity for continuing each committee.

Article 40

The Board may provide for the creation of or the participation by the Organization in joint or mixed committees with other organizations and for the representation of the Organization in committees established by such other organizations.

Chapter IX: Conferences

Article 41

The Health Assembly or the Board may convene local, general, technical or other special conferences to consider any matter within the competence of the Organization and may provide for the representation at such conferences of international organizations and, with the consent of the government concerned, of national organizations, governmental or non-governmental. The manner of such representation shall be determined by the Health Assembly or the Board.

Article 42

The Board may provide for representation of the Organization at conferences in which the Board considers that the Organization has an interest.

Chapter X: Headquarters

Article 43

The location of the headquarters of the Organization shall be determined by the Health Assembly after consultation with the United Nations.

Chapter XI: Regional Arrangements

Article 44

(a) The Health Assembly shall from time to time define the geographical areas in which it is desirable to establish a regional organization.

(b) The Health Assembly may, with the consent of a majority of the Members situated within each area so defined, establish a regional organization to meet the special needs of such area.

There shall not be more than one regional organization in each region.

Article 45

Each regional organization shall be an integral part of the Organization in accordance with this Constitution.

Article 46

Each regional organization shall consist of a Regional Committee and a Regional Office.

Article 47

Regional Committees shall be composed of representatives of the Member States and Associate Members in the region concerned. Territories or groups of territories within the region, which are not responsible for the conduct of their international relations and which are not Associate Members, shall have the right to be represented and to participate in Regional Committees. The nature and extent of the rights and obligations of these territories or groups of territories in Regional Committees shall be determined by the Health Assembly in consultation with the Member or other authority having responsibility for the international relations of these territories and with the Member States in the region.

Article 48

Regional Committees shall meet as often as necessary and shall determine the place of each meeting.

Article 49

Regional Committees shall adopt their own rules of procedure.

Article 50

The functions of the Regional Committee shall be:

(a) to formulate policies governing matters of an exclusively regional character;

(b) to supervise the activities of the Regional Office;

(c) to suggest to the Regional Office the calling of technical conferences and such additional work or investigation in health matters as in the opinion of the Regional Committee would promote the objective of the Organization within the region;

(d) to co-operate with the respective regional committees of the United Nations and with those of other specialized agencies and with other re-

gional international organizations having interests in common with the Organization:

(c) to tender advice, through the Director-General, to the Organization on international health matters which have wider than regional significance;

(f) to recommend additional regional appropriations by the governments of the respective regions if the proportion of the central budget of the Organization allotted to that region is insufficient for the carrying out of the regional functions;

(g) such other functions as may be delegated to the Regional Committee by the Health Assembly, the Board or the Director-General.

Article 51

Subject to the general authority of the Director-General of the Organization, the Regional Office shall be the administrative organ of the Regional Committee. It shall, in addition, carry out within the region, the decisions of the Health Assembly and of the Board.

Article 52

The head of the Regional Office shall be the Regional Director appointed by the Board in agreement with the Regional Committee.

Article 53

The staff of the Regional Office shall be appointed in a manner to be determined by agreement between the Director-General and the Regional Director.

Article 54

The Pan-American sanitary organization represented by the Pan-American Sanitary Bureau and the Pan-American Sanitary Conferences, and all other inter-governmental regional health organizations in existence prior to the date of signature of this Constitution, shall in due course be integrated with the Organization. This integration shall be effected as soon as practicable through common action based on mutual consent of the competent authorities expressed through the organizations concerned.

Chapter XII: Budget and Expenses

Article 55

The Director-General shall prepare and sub-

mit to the Board the annual budget estimates of the Organization. The Board shall consider and submit to the Health Assembly such budget estimates, together with any recommendations the Board may deem advisable.

Article 56

Subject to any agreement between the Organization and the United Nations, the Health Assembly shall review and approve the budget estimates and shall apportion the expenses among the Members in accordance with a scale to be fixed by the Health Assembly.

Article 57

The Health Assembly or the Board acting on behalf of the Health Assembly may accept and administer gifts and bequests made to the Organization provided that the conditions attached to such gifts or bequests are acceptable to the Health Assembly or the Board and are consistent with the objective and policies of the organization.

Article 58

A special fund to be used at the discretion of the Board shall be established to meet emergencies and unforeseen contingencies.

Chapter XIII: Voting

Article 59

Each Member shall have one vote in the Health Assembly.

Article 60

(a) Decisions of the Health Assembly on important questions shall be made by a two-thirds majority of the Members present and voting. These questions shall include: the adoption of conventions or agreements; the approval of agreements bringing the Organization into relation with the United Nations and inter-governmental organizations and agencies in accordance with Articles 69, 70, and 72; amendments to this Constitution.

(b) Decisions on other questions, including the determination of additional categories of questions to be decided by a two-thirds majority, shall be made by a majority of the Members present and voting.

(c) Voting on analogous matters in the Board and in committees of the Organization shall be made in accordance with paragraphs (a) and (b) of this Article.

Chapter XIV: Reports Submitted by States*Article 61*

Each Member shall report annually to the Organization on the action taken and progress achieved in improving the health of its people.

Article 62

Each Member shall report annually on the action taken with respect to recommendations made to it by the Organization and with respect to conventions, agreements and regulations.

Article 63

Each Member shall communicate promptly to the Organization important laws, regulations, official reports and statistics pertaining to health which have been published in the State concerned.

Article 64

Each Member shall provide statistical and epidemiological reports in a manner to be determined by the Health Assembly.

Article 65

Each Member shall transmit upon the request of the Board such additional information pertaining to health as may be practicable.

Chapter XV: Legal Capacity, Privileges and Immunities*Article 66*

The Organization shall enjoy in the territory of each Member such legal capacity as may be necessary for the fulfilment of its objective and for the exercise of its functions.

Article 67

(a) The Organization shall enjoy in the territory of each Member such privileges and immunities as may be necessary for the fulfilment of its objective and for the exercise of its functions.

(b) Representatives of Members, persons designated to serve on the Board and technical and administrative personnel of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization.

Article 68

Such legal capacity, privileges and immunities shall be defined in a separate agreement to be pre-

pared by the Organization in consultation with the Secretary-General of the United Nations and concluded between the Members.

Chapter XVI: Relations With Other Organizations*Article 69*

The Organization shall be brought into relation with the United Nations as one of the specialized agencies referred to in Article 57 of the Charter of the United Nations. The agreement or agreements bringing the Organization into relation with the United Nations shall be subject to approval by a two-thirds vote of the Health Assembly.

Article 70

The Organization shall establish effective relations and co-operate closely with such other inter-governmental organizations as may be desirable. Any formal agreement entered into with such organizations shall be subject to approval by a two-thirds vote of the Health Assembly.

Article 71

The Organization may, on matters within its competence, make suitable arrangements for consultation and co-operation with non-governmental international organizations and, with the consent of the government concerned, with national organizations, governmental or non-governmental.

Article 72

Subject to the approval by a two-thirds vote of the Health Assembly, the Organization may take over from any other international organization or agency whose purpose and activities lie within the field of competence of the Organization such functions, resources and obligations as may be conferred upon the Organization by international agreement or by mutually acceptable arrangements entered into between the competent authorities of the respective organization.

Chapter XVII: Amendments*Article 73*

Texts of proposed amendments to this Constitution shall be communicated by the Director-General to Members at least six months in advance of their consideration by the Health Assembly. Amendments shall come into force for all Mem-

bers when adopted by a two-thirds vote of the Health Assembly and accepted by two-thirds of the Members in accordance with their respective constitutional processes.

Chapter XVIII: Interpretation

Article 74

The Chinese, English, French, Russian and Spanish texts of this Constitution shall be regarded as equally authentic.

Article 75

Any question or dispute concerning the interpretation or application of this Constitution which is not settled by negotiation or by the Health Assembly shall be referred to the International Court of Justice in conformity with the Statute of the Court, unless the parties concerned agree on another mode of settlement.

Article 76

Upon authorization by the General Assembly of the United Nations or upon authorization in accordance with any agreement between the Organization and the United Nations, the Organization may request the International Court of Justice for an advisory opinion on any legal question arising within the competence of the Organization.

Article 77

The Director-General may appear before the Court on behalf of the Organization in connection with any proceedings arising out of any such request for an advisory opinion. He shall make arrangements for the presentation of the case before the Court including arrangements for the argument of different views on the question.

Chapter XIX: Entry Into Force

Article 78

Subject to the provisions of Chapter III, this Constitution shall remain open to all States for signature or acceptance.

Article 79

(a) States may become parties to this Constitution by

- (i) signature without reservation as to approval;
- (ii) signature subject to approval followed by acceptance; or

(iii) acceptance.

(b) Acceptance shall be effected by the deposit of a formal instrument with the Secretary-General of the United Nations.

Article 80

This Constitution shall come into force when twenty-six Members of the United Nations have become parties to it in accordance with the provisions of Article 79.

Article 81

In accordance with Article 102 of the Charter of the United Nations, the Secretary-General of the United Nations will register this Constitution when it has been signed without reservation as to approval on behalf of one State or upon deposit of the first instrument of acceptance.

Article 82

The Secretary-General of the United Nations will inform States parties to this Constitution of the date when it has come into force. He will also inform them of the dates when other States have become parties to this Constitution.

IN FAITH WHEREOF the undersigned representatives¹ having been duly authorized for that purpose, sign this Constitution.

Done in the City of New York this twenty-second day of July 1946, in a single copy in the Chinese, English, French, Russian and Spanish languages, each text being equally authentic. The original texts shall be deposited in the archives of the United Nations. The Secretary-General of the United Nations will send certified copies to each of the Governments represented at the Conference.

¹ The constitution was signed by the following United Nations. All countries signed *ad referendum*, except China and the United Kingdom, which signed without reservation.

Argentina	Costa Rica
Australia	Cuba
Belgium	Czechoslovakia
Bolivia	Denmark
Brazil	Dominican Republic
Byelorussia	Ecuador
Canada	Egypt
Chile	El Salvador
China	Ethiopia
Colombia	France

(Footnote continued on next page)

Postponement of the General Assembly

LETTER FROM THE SECRETARY-GENERAL OF UN TO THE FOUR FOREIGN MINISTERS IN PARIS

[Released to the press by the United Nations July 11]

27 June, 1946.

I have the honor to draw your attention to the fact that the convocation of a peace conference during the course of this summer would have certain repercussions on the second part of the first session of the General Assembly convened for 2 September next in New York.

It is clear that such a conference, if convened, would be of the greatest importance both from the point of view of world peace in general and specifically from the point of view of the future work of the United Nations. It, therefore, follows that if the convocation of such a conference proves feasible, it should and would have priority at all points where the two meetings might overlap.

In the light of this possible combination of events, it may become necessary to review the date of the opening of the General Assembly.

I have the honor to request that the ministers for

¹ Paul Henri Spaak of Belgium, elected President of the General Assembly at its first session in London, on Jan. 11, 1946.

(Continued from page 219)

Greece	Paraguay
Guatemala	Peru
Haiti	Philippine Commonwealth
Honduras	Poland
India	Saudi Arabia
Iran	Syria
Iraq	Turkey
Lebanon	Ukraine
Liberia	Union of South Africa
Luxembourg	U. S. S. R.
Mexico	United Kingdom
Netherlands	United States of America
New Zealand	Uruguay
Nicaragua	Venezuela
Norway	Yugoslavia
Panama	

The following nations, not members of the United Nations, who had observers at the Conference, also signed the constitution:

Albania	Italy
Austria	Portugal
Bulgaria	Siam
Eire	Switzerland
Finland	Transjordan

foreign affairs, now meeting in Paris, will be good enough to communicate to me any observations which they may see fit to make on this problem.

I have [etc.]

TRYGVE LIE

TEXT OF TELEGRAM TO 51 MEMBER NATIONS

[Released to the press by the United Nations July 11]

I have the honor to inform you that as result of decision to convene peace conference in Paris 29 July a serious problem has arisen regarding scheduled date of opening of General Assembly. A considerable number of delegates and staff officers must of necessity attend both meetings. Members of Council of Foreign Ministers have therefore recommended that General Assembly should be convened on 23 September. After consultation with President Spaak¹ I have the honor to ask whether your Government has any objection to this recommendation for postponement. If by 20 July no objection is received notices of convocation will be addressed to all members convening General Assembly on 23 September. Kindly acknowledge receipt this cable.

ARKADY SOBOLEV

Acting Secretary-General

ANNOUNCEMENT OF CONVOCATION OF GENERAL ASSEMBLY

[Released to the press by the United Nations July 24]

Notice of convocation for 3 p. m. Monday, September 23, 1946, of the second part of the first session of the General Assembly was sent out today to the 51 member states of the United Nations by Acting Secretary-General Arkady A. Sobolev.

The provisional agenda and the report of the Secretary-General on the work of the organization will be circulated later.

Last Saturday, July 20, was the deadline for member states wishing to lodge objections to the postponement of the session from September 3 to September 23. As no objections had been received by the Secretary-General's office by that date, the notice of convocation on the new date was sent out.

Following is the text of the cabled notice:

"I should be grateful if you would bring following to attention your government:

I have the honour to inform you that as result of my consultation with members of United Nations concerning postponement of opening of General Assembly, no objections were expressed. You are therefore advised that General Assembly will be convened for second part of first session on 23 September 3 p. m. Flushing Meadows New York City. Please forward names of your representatives alternate representatives and advisers at your earliest convenience.

ARKADY SOBOLEV
Acting Secretary General"

U.S. Membership in Subcommittee on Economic Reconstruction of Devastated Areas

[Released to the press July 26]

By a resolution adopted on June 21, 1946 the Economic and Social Council, acting on the recommendations of the Economic and Employment Commission in its report of May 18, 1946, and recognizing the importance and urgency of economic reconstruction of devastated areas, established a temporary Subcommittee of the Economic and Employment Commission under the title of *Temporary Subcommittee on Economic Reconstruction of Devastated Areas*. The Council elected at the same time 20 member states to serve on the Subcommittee; i.e. Australia, Belgium, Canada, China, Czechoslovakia, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, Peru, Philippine Commonwealth, Poland, Ukrainian S.S.R., Union of Soviet Socialist Republics, United Kingdom, United States, Yugoslavia.

The Subcommittee will hold its first meeting in London beginning July 29 to define the scope and methods of its work. According to the terms of reference laid down by the Economic and Social Council, the Subcommittee shall advise the Council on the nature and scope of economic-reconstruction problems of those countries which face great and urgent tasks in this field, whether by reason of occupation or physical devastation, and the progress of reconstruction and the measures of international cooperation by which reconstruction in those countries might be effectively facilitated and accelerated.

Confirmations

On July 25 the Senate confirmed the President's appointment of five delegates and four alternates as the U.S. Delegation to the second part of the first session of the General Assembly, to be held in New York City on September 23. The Delegates are Senator Warren R. Austin, recently named by the President as the U.S. Representative to the United Nations; Senators Tom Connally and Arthur H. Vandenberg; Mrs. Anna Eleanor Roosevelt; and Representative Sol Bloom, Chairman of the House Foreign Affairs Committee. The Alternates are Representatives Charles A. Eaton and Helen Gahagan Douglas; John Foster Dulles; and Adlai E. Stevenson.

Following the meeting in London, the Subcommittee on special terms of the Subcommittee will, with the consent of the governments concerned, make on-the-spot inquiries in those countries of Europe which have been occupied or devastated by war, except Germany, with a view to making a preliminary report to the third session of the Economic and Social Council, which is expected to convene in New York in September. At a later stage, the Subcommittee will make a similar investigation in Africa, Asia, and the Far East, except Japan.

The United States member on the Subcommittee will be Isador Lubin, who has been asked by the Secretary of State to serve in that capacity. Mr. Lubin is the American expert on the Economic and Employment Commission. He will be assisted by three advisers appointed by the Secretary of State. These advisers are: Harold Cleveland, Division of Investment and Economic Development, Department of State; Frederick Strauss, Chief, European Division, Office of International Trade, Department of Commerce; and John Gunter, Treasury Representative, London Embassy.

Under an arrangement made with the Secretariat of the United Nations, Walter M. Kotsehnig, Associate Chief, Division of International Organization Affairs, Department of State, is to serve as consultant to the Subcommittee on Economic Reconstruction of Devastated Areas.

International Organizations and Conferences

Calendar of Meetings

Far Eastern Commission	Washington	February 26
International Emergency Food Council	Washington	June 20
U.S.-Mexican Discussions on Air Services Agreement	Mexico City	June 24
International Institute of Agriculture: Meeting of the General Assembly	Rome	July 8
Conference on German-Owned Patents Outside Germany	London	July 10-July 27
U.S.-British Cabinet Committee on Palestine and Related Problems	London	July 12
International Meeting of the Sugar Council	London	July 15
International Wheat Council	Washington	July 15
Peace Conference	Paris	July 29
International Union of Geodesy and Geophysics: Extraordinary General Assembly	Cambridge, England	July 29-August 2
UNRRA: Second Half of Fifth Session	Geneva	August 5
The United Nations:		
Security Council	New York	March 25
Military Staff Committee	New York	March 25
Commission on Atomic Energy	New York	June 14
Subcommission on the Reconstruction of Devastated Areas	London	July 29
General Assembly: Second Part of First Session	New York	September 23

The opening dates in the third column are correct as of July 28.

Activities and Developments

*Consideration of Future Policy To Be Adopted for UNRRA's Present Work in the Field of Supply Operations*¹

1. The condition of Europe in 1945 as one country after another was freed from enemy occupation was in general disastrous. The dislocation of normal life was extreme and widespread; normal economic activity was virtually at a standstill; government was interrupted and depended substantially upon military action. On all sides

acute food and raw material shortages began to reveal themselves and were intensified by the lack of transport. For the first time non-combatants had been forcibly taken from one country to another. Millions of people in many countries began to move, some to return to territories from which they had been expelled, some in search of food or work, some because living conditions where they were threatened to become unendurable. In addition, an enormous problem of displaced persons confronted the Allied Armies as they entered more deeply into the Reich.

2. Over the whole continent were found areas of unparalleled destruction: the aftermath of battle in the destruction of cities; the consequence of pillage and scorched earth by the retreating

¹ UNRRA headquarters made public on July 25 the text of this document, which is expected to come up for discussion during the Fifth Council Session, which opens in Geneva on Aug. 5. It has already been sent to the 48 member governments for preliminary study.

enemy; the deliberate removal of plants and equipment on a wholesale scale. In many areas the destruction of vital elements of industrial equipment interrupted power production and reduced the output of essential supplies. In all, the cumulative effect in industry and in agriculture was to reduce the highly integrated and technically advanced productive system of Europe to primitive makeshifts with an output far below that needed to maintain any tolerable standard of life.

3. UNRRA entered this European scene in one country after another with a mandate less extensive than was popularly recognized and with resources which were great, although the need proved to be far greater than had been anticipated. There were serious obstacles and delays to overcome before an effective program could be developed. Political insecurity caused delay; the shipping needed was not available, nor were the supplies, for there was still a Far Eastern war to be won. In all countries an initial military period proved necessary while the armies completed their task.

4. Gradually, as the difficulties were overcome and the military period in the countries lacking resources ended, a balanced relief program emerged. Its achievements have been recorded elsewhere in detail, but the main magnitude can be recalled: By August 1946 UNRRA will have shipped about fourteen million tons; it has received contributions totalling some 3.69 billion dollars and will have committed practically the entire amount; its field staff numbers 9,150 and is working, in fulfillment of the Council's Resolutions, in 39 countries; it employs nationals of 47 countries; it has maintained health services, strengthened and renewed welfare services, assisted in the repatriation of 6 million DP's and has cared for a further one million for more than 18 months.

5. There were, however, acute relief needs, apparently within UNRRA's field of operations, which it did not and in some instances could not touch. UNRRA was not expected to operate in countries having adequate financial resources of their own, a policy which puzzled the public in both supplying and liberated countries. Acute distress existed in pockets in these countries but UNRRA could not under its original charter offer to give aid, and when finally permission was given to it for this purpose, it proved difficult to move

with any speed and almost impossible to obtain the urgently needed but specialized requirements of such areas. UNRRA's health and welfare services were not intended to supplant national services; they were intended rather to strengthen and restore them. But this was a much less spectacular service than was commonly anticipated. For the displaced persons UNRRA found it could do little to resolve the most difficult and complex problems. Once mass repatriation had ended and the residual problem appeared, UNRRA could achieve little more than provide the decencies and a few of the amenities of civilized life to those who had been denied them. In rehabilitation, UNRRA achieved both more and less than had been anticipated. In the rapid procurement and shipment of supplies, UNRRA's record is outstanding and deserves recognition, but its success has also served to emphasize the narrowness of the permitted operation with some consequential disappointments. Underlying the whole supply operation there has been the unceasing drive to ship the minimum essentials for immediate relief and for the repair of the facilities needed to produce and distribute these essentials. But this falls far short of what is needed for full restoration of the shattered economies of the liberated countries.

6. With the opening of a full scale China program, the deployment of a substantial China Mission and the expanded release of both supplies and shipping following upon VJ Day, it appeared that UNRRA was fully launched upon a steadily growing program which would be able to move forward without setback in accordance with the Council Resolutions until the resources available were exhausted.

7. This appearance was indeed deceptive. True, UNRRA's program expanded; but the struggle to maintain it became steadily greater and more perplexing. Priority was not given to relief needs when war priorities ended. Stocks which had seemed immense vanished quickly before accumulated civil needs. Industrial disputes in steady succession, and in one supplying country after another, delayed delivery. The efforts of governments were devoted more and more to finding a way back to normal conditions and these did not include substantial and rapid provision of relief. Yet, in spite of all domestic preoccupations and needs, a great volume of supplies was made available, which saved the situation and has earned the

supplying nations the gratitude of the liberated people.

8. Food in particular became a problem of tragic importance. UNRRA may claim, along with other international agencies, some presence in that it strove to draw attention to the threat of famine. Even when UNRRA had mobilized all the attention and effort it could, there was still not enough food. But as the winter passed, it could reasonably be claimed that UNRRA, an international organization, had justified its establishment by the successful efforts it had made to keep the need for food before the governments and peoples and to maintain an unbroken, though precariously thin pipeline.

9. While it is too early to make any final assessment of the value of UNRRA's contribution to the recovery of Europe and the salvation of China, it is not too soon to say that without it the conditions prevailing in both areas would have continued to be disastrous. Had it not been for the foresighted establishment of UNRRA and the work of preparation which it patiently undertook, despite many frustrations, the United Nations could have made no such effective contribution to the recovery of the invaded countries.

10. Moreover, no alternative form of organization would have been politically acceptable; no other would have been in harmony with the parallel efforts of the United Nations to devise a better scheme of international organization. Nor could any other form of organization have mobilized so substantial a volume of supplies nor so large a qualified and able staff as one to which all the United Nations pledged their support. These advantages accrued to the Administration as a result of the wisdom of those, chief among them President Roosevelt, who established it. They are positive considerations to be borne in mind in considering the future.

11. It is, however, no less true that UNRRA could not in many respects be better than its member governments. It has been, as they sometimes are, slow in reaching decisions because of the necessity of consulting with them. It has sometimes lagged in sending supplies because its supplies derived from national sources and were procured through national agencies. And it has sometimes lacked qualified personnel or has had poorly qualified personnel because its appeals for staff could not be met by governments themselves short-handed. These defects have the same origin

as its virtues; it is not believed that they outweigh them.

12. Over and above its contribution in the spheres of relief and rehabilitation, it may also be noted that UNRRA has provided an important source of experience and knowledge concerning the construction, operation and control of a type of organization which is likely to dominate international effort for many years to come.

13. If, then, the Council at its Fifth Session assesses UNRRA's achievements to date, it is believed that an objective verdict would be favorable; it has in very large measure fulfilled the promise of the UNRRA Agreement—a promise which could not have been met in any other way or by any other agency.

14. As newer agencies emerge and as governments regain control over their administrative machinery, UNRRA's functions will dwindle and will eventually end. This process is now under way in respect of health and welfare, and it is hoped that a new United Nations organization will emerge in time, capable of carrying on UNRRA's functions in respect of displaced persons. As an emergency agency, the Administration looks toward the complete and early transfer of these responsibilities as soon as the Council is convinced of the adequacy of the new organizations.

15. In respect of the Administration's supply operation, there has been no such preparation; on the contrary the Council's only act to date looks toward the cessation of the supply operation in Europe by December 1946 and in the Far East by March 1947.

16. Some countries may be in a position to pay for the food and other commodities they will need to import. Others may not be able to do so. All of the receiving countries now dependent on UNRRA will continue to depend upon further imports to sustain a minimum standard of life for their people during 1947. The Administration believes that a sum in the neighborhood of 1,100 million dollars worth of food imports may be required for these countries in Europe between August 1946 and the harvest of 1947. It is likely that these imports would in any case have to be reduced to about 750 million dollars because of the shortages in the supply of such basic foods as cereals and fats. Against this 750 million dollars, the Administration has available only approximately 300 million dollars with which to

procure food during the second half of 1946. No funds are available at all for 1947. Whatever the Council's decision may be regarding the liquidation of UNRRA, some agency or agencies, national or international, will have to find the means to procure and ship this food or some of these importing countries will be in a worse position two years after the war than they were during 1945 and 1946. The Council has been asked by the D.G. for a specific decision concerning the measures to be adopted for countries which cannot otherwise pay for their deficiencies in food.

17. Equally as important as food are the import needs for seed and fertilizer. Unless these are provided in sufficient quantity to make possible the rehabilitation of the indigenous production of food supplies, large food import needs will continue into 1948. The Administration's best estimates show that in addition to UNRRA's seed and fertilizer imports during 1946, the European countries receiving assistance from UNRRA will require some 60 million dollars for seed for the 1947 crop and some 140 million dollars for fertilizers. They will also need considerably more agricultural draft power and equipment. In this instance too, countries may be unable to finance their most essential needs for agricultural rehabilitation supplies. The Director General strongly recommends that thought be given the possibility of having loans made by the International Bank for Reconstruction and Development or other financial institutions for loans on seasonal commodities such as seeds and fertilizers.

18. The import needs for certain types of industrial equipment compare in importance with seed and fertilizer. The Administration estimates that the urgent needs for fuel alone in the European countries receiving UNRRA's assistance amount to over 150 million dollars between now and the middle of 1947, whereas UNRRA has available only approximately 60 million dollars which it can use for this purpose until the end of 1946. This figure would be substantially larger if other items such as transportation equipment, repair parts and raw material supplies were to be included.

19. The above three paragraphs do not by any means cover all of the unfinanced minimum import requirements of the European countries receiving UNRRA's assistance. It should be noted, however, that the import needs for food, seed, fertilizer and

fuel alone, between now and the harvest of 1947, exceed by almost three-quarters of a billion dollars the funds which UNRRA has available for these supplies. The sum of 750 million dollars represents less than one-half of 1% of the national incomes of the uninvaded member countries. Requirements other than food, at a most conservative estimate, would amount to approximately 750 million dollars. The need is there. How the need is to be met requires careful study and an early solution.

20. Unless the countries now receiving UNRRA's assistance are able to obtain within the next six or eight months the foreign exchange necessary to finance these imports, many of their inhabitants will face severe hardship and suffering in 1947, they will be unable to seed much of their tillable land, the yield of their land under cultivation will remain much below what it should be, and they will be unable to move from agricultural areas to cities even the food which they themselves have raised.

21. The Administration is at this time unable to express any valid judgment as to the ability of these countries to obtain foreign exchange for the financing of their necessary imports. The Administration does, however, draw the Council's attention to the fact that the financial position of each of these countries was re-examined during May and June 1946 by the Council's special committee of international experts, which advised the Director General in every case that these countries were still unable to pay for their imports with suitable means of foreign exchange; moreover the Committee did not hesitate to certify that such position would continue until the end of 1946. The Administration hopes that one or two of these countries may come into possession of sufficient foreign exchange which they may be able to use for the importation of urgently needed relief supplies. However, the Council is urged to take into account the still very much disturbed economic, social and political atmosphere of the world. The fact remains that normal commercial relations are still very far from being restored. The availability of certain goods for export from some of the countries involved may, under present international economic conditions, not produce the suitable foreign exchange required for the importation of food, seed, fertilizer, fuel and other urgently needed relief supplies. Moreover, there is no other United

Nations organization able to meet these needs and there is no present likelihood that the World Bank, which in any event has not yet commenced to function, will be in a position to meet such requests for assistance.

22. The Council therefore is confronted with a situation requiring it to decide, should it be satisfied that urgent needs exist, whether it is prepared to recommend the provision of further assistance. Should such a decision be reached, it cannot be over-emphasized that the funds and the machinery through which these are to be expended must be on hand for operation and the necessary action authorized well in advance of January 1947 if the flow of imports is to be maintained beyond that date.

23. The Director General has repeatedly stated that all the good heretofore accomplished by UNRRA might well be destroyed if its mission is suddenly terminated on a fixed date. He does not intend to convey the idea that UNRRA should be continued, but some international agency should take over this responsibility with authority and funds to meet the extreme situation which, if otherwise neglected, might affect the economies of more than the receiving countries concerned.

The United States Delegation to the Fifth Session of the Council of the United Nations Relief and Rehabilitation Administration, scheduled to convene at Geneva, Switzerland, August 5, 1946, which was approved by the President, was announced by the Secretary of State on July 26.¹

The major items on the agenda of the Fifth Session are food, displaced persons, UNRRA finances, UNRRA's relations with the General Assembly of the United Nations, the Chinese program, and the future of UNRRA.

The delegation is as follows:

Council Member:

William L. Clayton, Assistant Secretary of State

First Alternate:

C. Tyler Wood, Special Assistant to the Assistant Secretary of State

Second Alternate:

Dallas W. Dort, Adviser on Relief and Rehabilitation, Department of State

Advisers to Council Member:

Philip Burnett, Division of International Organization Affairs, Department of State

Glen H. Craig, Acting Director, Office of Requirements and Allocations, Production and Marketing Administration, Department of Agriculture

Herbert A. Fierst, Special Assistant to the Assistant Secretary of State

Harold Glasser, Associate Director, Division of Monetary Research, Treasury Department

R. L. Harrison, Assistant Administrator, Production and Marketing Administration, Department of Agriculture

Robert G. Hooker, Jr., Assistant Chief, Division of Eastern European Affairs, Department of State

Nathan Koenig, Executive Assistant to the Secretary of Agriculture

David D. Lloyd, Special Assistant and Legal Adviser to the Chief, Mission for Economic Affairs, American Embassy, London

James K. Penfield, Deputy Director, Office of Far Eastern Affairs, Department of State

Edward C. Reed, United States Counselor of Embassy, Buenos Aires

S. S. Sheppard, Assistant Chief, International Activities Branch, Bureau of the Budget

George L. Warren, Adviser on Refugees and Displaced Persons, Department of State

Mrs. Ellen F. Woodward, Director, Office of Inter-Agency and International Relations, Federal Security Agency

Adviser and Secretary of the Delegation:

David Persinger, Assistant to Adviser on Relief and Rehabilitation, Department of State

Press Relations Officer:

Joseph Reap, Office of Press Relations, Department of State

Secretaries:

Herman Moss, Vice Consul, Geneva

W. Robert Semple, Division of International Conferences, Department of State

¹ Released to the press July 26.

The Record of the Week

Substance of Instructions to General McNarney on German Economic Unity

The Department of State made public on July 22 the substance of the instructions by the Secretary of State to Gen. Joseph T. McNarney, American Military Governor in Germany, as to steps to be taken leading toward economic unity of the occupation zones in Germany.

The instructions stated that the U.S. Government believes that Germany cannot continue to be administered in four airtight compartments without free economic interchange and said further that the continuation of the present situation will lead inevitably to economic paralysis in Germany. "The United States Government is therefore not willing to permit this creeping paralysis," the instructions declared, "when it may be possible to attain economic unity between some of the zones as a prelude to economic unity for Germany as a whole."

¹ There follows the text of the section dealing with Economic Principles from the Potsdam Agreement as printed in the BULLETIN of Aug. 5, 1945, p. 153.

B. Economic Principles.

11. In order to eliminate Germany's war potential, the production of arms, ammunition and implements of war as well as all types of aircraft and sea-going ships shall be prohibited and prevented. Production of metals, chemicals, machinery and other items that are directly necessary to a war economy shall be rigidly controlled and restricted to Germany's approved post-war peacetime needs to meet the objectives stated in paragraph 15. Productive capacity not needed for permitted production shall be removed in accordance with the reparations plan recommended by the Allied Commission on reparations and approved by the governments concerned or if not removed shall be destroyed.

12. At the earliest practicable date, the German economy shall be decentralized for the purpose of eliminating the present excessive concentration of economic power as exemplified in particular by cartels, syndicates, trusts and other monopolistic arrangements.

13. In organizing the German economy, primary emphasis shall be given to the development of agriculture and peaceful domestic industries.

14. During the period of occupation Germany shall be

In proposing economic unity, the Secretary advised that it was not the intention of the United States to divide Germany but to expedite its treatment as an economic unit, and General McNarney was authorized and requested if the U.S. proposals were not accepted by all participating representatives to seek negotiations at once with occupation authorities of any zone or zones to effect the treatment of such zones as an economic unit.

Mr. Byrnes' instructions said further that whatever arrangements are made with one government are open on equal terms to governments of other zones at any time they are prepared to participate.

The U.S. zonal authorities are instructed to join with those of any other zone or zones in measures for the treatment of their respective zones as an economic unit, pending agreement by the Four Powers for the application of the Potsdam decision regarding treatment of all Germany as a single economic unit and attainment of a balanced economy throughout Germany.¹

The Department said that General McNarney treated as a single economic unit. To this end common policies shall be established in regard to:

- (a) Mining and industrial production and allocations;
- (b) Agriculture, forestry and fishing;
- (c) Wages, prices and rationing;
- (d) Import and export programs for Germany as a whole;
- (e) Currency and banking, central taxation and customs;
- (f) Reparation and removal of industrial war potential;
- (g) Transportation and communications.

In applying these policies account shall be taken, where appropriate, of varying local conditions.

15. Allied controls shall be imposed upon the German economy but only to the extent necessary:

- (a) To carry out programs of industrial disarmament
- (Continued on next page)

was also authorized "to cooperate with any or all of the other three occupying governments in establishing appropriate administrative arrangements to this end." These essential arrangements, Mr. Byrnes advised, would be established in such fields as finance, transportation, communications, industry, and foreign trade "in such a way as to obtain economic unification of the zones concerned and to be capable of development upon adherence of all four zones into central German administrative departments, headed by State secretaries provided in the Potsdam Decision."¹

With regard to the French zone, it was announced that General McNarney was authorized by the Secretary of State to negotiate with French representatives on the basis of excluding the Saar territory from any arrangements for economic unity that may be agreed upon.

¹Art. 9, IV, under section A of part III of the Potsdam Agreement reads as follows:

"For the time being no central German government shall be established. Notwithstanding this, however, certain essential central German administrative departments, headed by state secretaries, shall be established, particularly in the fields of finance, transport, communications, foreign trade and industry. Such departments will act under the direction of the Control Council."

(Continued from page 227)

and demilitarization, of reparations, and of approved exports and imports.

(b) To assure the production and maintenance of goods and services required to meet the needs of the occupying forces and displaced persons in Germany and essential to maintain in Germany average living standards not exceeding the average of the standards of living of European countries. (European countries means all European countries excluding the United Kingdom and the Union of Soviet Socialist Republics.)

(c) To ensure in the manner determined by the Control Council the equitable distribution of essential commodities between the several zones so as to produce a balanced economy throughout Germany and reduce the need for imports.

(d) To control German industry and all economic and financial international transactions, including exports and imports, with the aim of preventing Germany from developing a war potential and of achieving the other objectives named herein.

(e) To control all German public or private scientific bodies, research and experimental institutions, laboratories, et cetera, connected with economic activities.

16. In the imposition and maintenance of economic controls established by the Control Council, German administrative machinery shall be created and the German authorities shall be required to the fullest extent practicable to proclaim and assume administration of such

Acts of Terrorism in Palestine

STATEMENT BY THE PRESIDENT

[Released to the press by the White House July 23]

I have learned with deep regret of the destruction by a bomb of the building in Palestine in which were located the Palestine Government and the British Military Headquarters, resulting in the killing of approximately 50 men and women, soldiers and civilians. Every responsible Jewish leader, I am sure, will join me in condemning the wanton slaying of human beings.

At this time representatives of the United States Government are in London conferring with representatives of the British Government as to steps to be taken to implement the report of the Palestine Committee, which recommended, among other things, the immigration of 100,000 Jews into Palestine.

Such acts of terrorism will not advance, but on the contrary might well retard, the efforts that are being made, and will continue to be made, to bring about a peaceful solution of this difficult problem.

controls. Thus it should be brought home to the German people that the responsibility for the administration of such controls and any breakdown in these controls will rest with themselves. Any German controls which may run counter to the objectives of occupation will be prohibited.

17. Measures shall be promptly taken:

(a) To effect essential repair of transport;

(b) To enlarge coal production;

(c) To maximize agricultural output; and

(d) To effect emergency repair of housing and essential utilities.

18. Appropriate steps shall be taken by the Control Council to exercise control and the power of disposition over German-owned external assets not already under the control of United Nations which have taken part in the war against Germany.

19. Payment of reparations should leave enough resources to enable the German people to subsist without external assistance. In working out the economic balance of Germany the necessary means must be provided to pay for imports approved by the Control Council in Germany. The proceeds of exports from current production and stocks shall be available in the first place for payment for such imports.

The above clause will not apply to the equipment and products referred to in paragraphs 4 (A) and 4 (B) of the Reparations Agreement.

U.S. Requests Action To Halt Hungarian Economic Disintegration

(Released to the press July 27)

In the Crimea Declaration on Liberated Europe, the heads of government of the U.S.S.R., Great Britain, and the United States undertook "to concert during the temporary period of instability in liberated Europe the policies of their three governments in assisting the peoples liberated from the domination of Nazi Germany and the peoples of the former Axis satellite states of Europe to solve by democratic means their pressing political and economic problems".

In following closely the economic-recovery problems of the countries of Europe, the United States Government became seriously concerned several months ago over the alarming deterioration of the Hungarian economy. This concern has mounted in the intervening months, during which the Hungarian economic situation has become progressively worse, culminating in the present chaotic inflation.

Since December 1945 the United States Government has taken the initiative in proposing that the Soviet Union, Great Britain, and the United States consider means whereby the three powers, as contemplated in the Crimea Declaration, could assist Hungary to rebuild its shattered economy. These proposals, however, have been rejected by the Soviet Government.

In a meeting of the Allied Control Commission in Budapest in December 1945 the United States Representative recommended the establishment of a subcommittee of the Control Commission to consider questions of Hungarian industry, finance, and economics. This approach was unavailing.

Subsequently, in a note to the Soviet Government on March 2, 1946,¹ this Government again raised the issue by reviewing the grave economic plight of Hungary, by calling attention to the over-burdening of that country with reparations, requisitions, and the costs of maintaining large occupation forces, and by requesting the Soviet Government to instruct its Representatives in Hungary to concert at an early date with the United States and British Representatives there in devising a program which would bring to an end the process of disintegration in Hungary and at the same time provide a framework within

which the rehabilitation of the country and its reintegration with the general European economy might be accomplished.

In a reply dated April 21¹ A. Y. Vyshinski, the Soviet Deputy Foreign Minister, rejected the United States proposal on the ground that the working out of an economic-rehabilitation plan for Hungary fell within the competence of the Hungarian Government. Mr. Vyshinski also denied that the cost to Hungary of Soviet reparations and occupation was in any way responsible for the deterioration of economic conditions in Hungary and alleged that the failure of the United States to return to Hungary from the U.S.-occupied zones in Germany and Austria displaced property estimated in value at 83,000,000,000 was one of the principal reasons for Hungary's present economic difficulties.

In connection with this exchange of notes concerning the economic situation in Hungary, the American Ambassador in Moscow, upon instructions from this Government, has now delivered a further note to the Soviet Government under date of July 23, 1946, the text of which is as follows:

July 23, 1946.

His Excellency

V. M. Molotov,

Minister for Foreign Affairs of the U.S.S.R.

EXCELLENCY:

My Government has directed me to communicate to you the following reply to Mr. Vyshinski's letter of April 21, 1946, relating to the economic situation of Hungary:

My Government is unable to agree with the Soviet Government that "the fulfillment by Hungary of its reparations obligations and the presence of occupation troops in Hungary do not and cannot exercise any serious influence on the economic situation of the country".

My Government wishes to bring to the attention of the Soviet Government the fact that half of the current output of Hungarian manufacturing industry, which is operating at only one-third

¹ Not printed.

of the pre-war level, is absorbed by reparations and other requirements of the occupying power. In the case of heavy industry, coal, iron, metal and machine production, which is very urgently required for Hungary's rehabilitation, reparations alone absorb between 80 and 90 percent of the current output. Except for some bridge and railway construction necessary to facilitate the movement of goods, Hungarian heavy industry is producing practically nothing for domestic requirements.

With reference to the economic burden placed upon Hungary by the Soviet occupation forces, I am instructed to inform the Soviet Government of reliable information in the possession of my Government to the effect that 4,000,000 tons of wheat, rye, barley, corn and oats were taken by the Red Army in Hungary in 1945, mostly during the first six months. This figure may be compared with 1938 Hungarian production of approximately 7,189,000 tons of these foodstuffs. Of stocks of food available for the support of the Hungarian urban population in the second half of 1945, the Red Army absorbed nearly all of the meats, one-sixth of the wheat and rye, more than a quarter of the legumes, nearly three-quarters of the lard, one-tenth of the vegetable oil, and one-fifth of the milk and dairy products. According to the most recent reports received, extensive requisitioning of foodstuffs was taking place as late as April, 1946. My Government finds it impossible to reconcile this information with the statement of the Soviet Government that "the Soviet Command in Hungary has neither carried out nor is carrying out any requisitions".

My Government has noted that in the opinion of the Soviet Government "the real reasons for the severe economic and financial situation in Hungary are the expenditures incurred by her in the war against the United Nations and the ravaging of the country by the Germans and the former Hungarian rulers". I am instructed to mention for the information of the Soviet Government that, on the basis of reliable estimates, it has been calculated that the total war damage to Hungarian manufacturing industry, including removals, amounted to \$345,000,000, of which \$121,200,000 was due to removals by Soviet forces.

Note has also been taken of the view of the

Soviet Government that "one of the main reasons for the difficult economic situation in Hungary . . . is the fact that a large quantity of Hungarian property and valuables continues to this day to remain in the American zone of occupation on the territory of Austria and southern Germany where this property was shipped by the Salaszy Government during the period of the advance of the troops of the Red Army". The Soviet Government mentions a figure of about three billion dollars as the estimated value of this property.

In connection with this estimate I am instructed to direct the attention of the Soviet Government to official Hungarian statistics, which estimate all Hungarian war damages attributed to Germans and Nyilas, including destruction within the country and removals from the country, and including damage to real estate, at \$1,250,000,000. Since the property removed from Hungary is only a part of this total, and since only a part of the removed property ever reached the American zones, it is clear that the estimate cited by the Soviet Government is grossly exaggerated. This conclusion is indicated also by the fact that the Hungarian Government's estimate of total national wealth in 1943, excluding houses and buildings, amounted to only \$4,100,000,000.

Since the Hungarian Government is only now, at the request of my Government, in the course of preparing complete lists of Hungarian property believed to be located in the American zones of Germany and Austria, my Government is not yet in a position accurately to determine the total value of such property. The most important single item of Hungarian property in the American zones appears, however, to be the gold which was removed from Hungary to Austria by former officials of the Hungarian National Bank, and which the United States Government understands amounts to approximately \$32,000,000.

With respect to the status of Hungarian property located in the American zones of Germany and Austria, the Soviet Government will be interested to learn that my Government has notified the Hungarian Government of its intention to return to Hungary the looted gold in its custody, and to expedite restitution of identifiable looted property. Restitution of commercial inland water craft on the Danube will be deferred pending the outcome of discussions between the United States

military authorities and the Soviet authorities in Vienna with a view toward establishing principles of freedom of movement of vessels on the Danube under the flags which they now fly without danger of seizure. This program of restitution is in accordance with and in implementation of the statement made by the Secretary of State to the Hungarian Premier in Washington.

As pointed out in the original letter of March 2, 1946, the United States Government, at the time of the signing of the Hungarian Armistice, reserved the right to reopen the question of Hungarian reparations. My Government agreed to the Armistice as a means of facilitating the speedy termination of hostilities. It believed that with careful management, Hungary might have been able to pay \$300,000,000 in reparations. It did not foresee that Hungary's production capacity and national income would be cut to half or less in the space of a few months, and that the reparations payable by Hungary in 1945, for example, would equal 24 percent of the national income. Likewise it did not foresee that Hungary would be required to surrender large quantities of goods and services over and above its reparations obligations.

My Government has noted the position taken by the Soviet Government with respect to the formulation by the Soviet Union, the United Kingdom, and the United States, of a program which would assist the rehabilitation of Hungary and its reintegration with the general economy of Europe. The Soviet Government may be assured that it is not the policy of the Government of United States to force acceptance by Hungary of any economic program. The United States, in proposing tripartite discussion of an economic program for Hungary, had in mind the discussion of aid and assistance which the three powers could give to Hungary, once the economic obligations of that country were carefully defined and scheduled so as to permit their discharge without depriving the people of Hungary of their means of livelihood. The United States has no desire to impose a plan for Hungary's economy, but does desire to lend assistance to Hungary through a concert of policies such as was envisaged in the declaration made by the three powers at the Crimea Conference.

Hungarian Government officials have, in fact, requested such assistance of the three powers.

The Hungarian Finance Minister submitted to the Soviet economic adviser of the Control Commission a report on the Hungarian economic and financial situation under date of December 5, 1945. This report concluded with the following statement:

"The only way that we can see out of our serious financial and economic difficulties is a plan of reconstruction, to be carried out with the assistance of the Allied Powers, the objective of which would be to raise production to a substantially higher level than at present, and restore equilibrium in the country's economic and financial affairs.

"Since, however, we cannot work out a plan of reconstruction until it is known what support we may count upon from the Allied Powers, there is an urgent necessity that the Allied Powers should send a commission which, with the cooperation of the Hungarian Government, would examine the economic and financial situation of the country and the methods by which assistance could be given. We should expect from the work of the commission a statement of what measures and what foreign assistance is necessary, in the present economic state of the country, with its present burdens and requirements, in order that the country may recover economically and be able to meet the triple obligation arising from reparations, other obligations under the Armistice Agreement and pre-war foreign debts."

The Soviet Chairman of the Control Commission refused to accept or to consider this report, nor would he agree to a proposal of the United States representative that there be established a subcommittee of the Control Commission to discuss questions of Hungarian industry, finance, and economies.

In view of the position taken by the Chairman, my Government cannot conclude that the willingness of the Soviet Chairman "to acquaint himself with such considerations as may be advanced by the representatives of the United States . . . concerning Hungary's economic situation" constitutes a satisfactory procedure for the solution of these problems.

I am instructed again to call attention to the obligation freely undertaken by the Soviet Union at the Yalta Conference, in which the three heads of state agreed "to concert the policies of their three Governments in assisting . . . the peoples

of the former Axis satellite states of Europe to solve by democratic means their pressing political and economic problems".

Pursuant to this agreement, the United States Government again requests that instructions be sent to the Soviet representative in Hungary to concert with the American and British representatives there in halting the present economic disintegration and to provide a framework within which the rehabilitation of that country, and its early reintegration with the general economy of Europe, will be possible. Finally, an immediate consideration is that the prompt issuance of such instructions would have a salutary effect on the financial stabilization program which the Hungarian Government is initiating on August 1, and in the interest of which the United States Government is returning to Hungary monetary gold reported to be valued at about \$32,000,000.

W. BEDELL SMITH

Yugoslavia Deprives U.S. Citizens of Rights

[Released to the press July 24]

The Department of State understands that claimants to American citizenship in Yugoslavia are being prevented by local authorities from presenting themselves to the American Embassy at Belgrade and that some have been deprived of their identifying documents. Some such persons who were previously inmates of concentration camps have been threatened with deportation to an unknown destination.¹

To assist the Department of State in rendering protection to American citizens in Yugoslavia it is urgently requested that persons having knowledge of the presence of such citizens in that country communicate promptly with the Department of State by mail stating:

¹The Department of State further announced on July 24 that the American Embassy in Belgrade had made repeated representations to the Yugoslav Foreign Office and that the Foreign Office has tried to get action from the local authorities without result; thus no exit permits have been received. There were possibly 500 to 2,500 American citizens involved, although there is no reliable estimate. The United States had no representation in Yugoslavia between the time of the German invasion of that country until its liberation. At that time there was no exit transportation and contacts were difficult. In the past few months some have come out on UNRRA ships.

(a) Name of person with alternative spellings if any exist.

(b) Place and date of birth with copy of birth certificate if native American citizen.

(c) Place and date of naturalization with number of naturalization certificate if naturalized American citizen.

(d) Last known address in Yugoslavia and date when last heard from.

Deadline Postponed for Converting Italian Stock Securities

[Released to the press July 25]

The Department of State has been informed that the deadline for converting Italian stock securities circulating in the United States from bearer to registered shares, previously fixed at March 31, 1946, has been postponed to September 30, 1946. In addition a procedure has been instituted for making the conversion in this country, thus eliminating the necessity of transmitting the shares to Italy for conversion.

By the Italian Royal Decree Law of October 25, 1941, no. 1148, as amended, it was required that all bearer shares in Italian corporations be converted into registered shares. Originally, the securities were to be surrendered for conversion to the issuing corporation in Italy. However, it is now possible to effect the conversion without the securities leaving the country, by surrendering the securities for conversion to the Italian consular offices or to the commercial office of the Italian Embassy in Washington.

The Department understands that the Italian consular offices as well as the commercial office of the Italian Embassy will proceed between August 1 and September 30, 1946 to carry out the formalities connected with such conversion.

It is to be noted that conversion is only required for the stock of commercial corporations. Bonds and government securities are not affected.

Stockholders failing to surrender their stock for conversion within the time-limit will be barred from exercising any of the rights pertaining to their stock. Fines and other penalties (such as impounding of dividends and final confiscation of the stock) are provided for in case of non-compliance.

Survey of Resources in Manchuria and Korea and the European Reparation Program

STATEMENT BY EDWIN W. PAULEY

My report makes three chief findings. They are:

There are no substantial industrial removals from the Russian-administered territory of Northern Korea. Though many Japanese industries are still idle, they are intact, and many are operating full-blast. In order, however, for Korea to be ready to go industrially, the iron barrier at the 38th parallel must be dissolved and free commerce be reestablished between the northern and southern parts of that country. Industries south of the 38th parallel are dependent upon industries in the north and vice versa.

Korea can also be helped industrially by the receipt of light industries from Japan.

The situation in Manchuria is just the reverse of that in Korea so far as removals are concerned. On the basis of the sample we saw in cities like Mukden, Fushun, Anshan, and Harbin, power, steel, mining, hydrogenation, and other manufacturing plants were systematically stripped of much of their movable equipment during the months of Russian occupancy.

It is regrettable that this industrial machinery could not have been left in its place. It was built almost on top of and as a part of the development of the natural resources of Manchuria.

These resources are the greatest of their kind in the entire Far East. The lives and welfare of 900,000,000 people should have benefited by these plants.

In my opinion it will be at least a generation before the peoples of this area will regain the opportunity they lost by reason of these removals.

The reparations program under the Potsdam Agreement has not been working satisfactorily, as has already been reported by Secretary James F. Byrnes.² This failure has been due in part to the reluctance of certain countries to treat Germany as a single economic unit as agreed at Potsdam.

The original reparations program called for removal of German war potential by shipping out of Germany the excess industrial capacity which was

created for war, and distributing these removables to the devastated Allied countries so as to speed up their recovery and help them to become stronger bulwarks of world peace.

Though many plants have been removed from Germany under this program, in accordance with detailed plans drawn last spring the whole program is now held up because no zone commander can go forward until he knows whether Germany is in reality to be treated as a single economic unit, as was agreed at Potsdam, or whether he must plan to run his zone as an independent economy. Obviously, the amount and kind of machinery which should be removed as surplus will differ under the two systems.

Unless the occupying powers can get together in a whole-hearted effort to carry out the Potsdam Agreement, we may find ourselves repeating the tragic blunders of World War I.

After World War I the Allies, including the United States, financed the rebuilding of the very German war-machine which was used against us in World War II. We lost sight of the main goal—removing German war potential.

We can and we must avoid these mistakes this time. We must see to it that the nations of the world do not play the fatal game of power politics with Germany and place her in the position where

(Continued on next page)

¹Mr. Pauley is the President's personal representative on reparations with the rank of Ambassador. This statement was made on July 23 with reference to the preliminary report which he made to the President at the White House on July 22.

Ambassador Pauley's preliminary report covered his just completed 49,000-mile trip during which he and a staff of technicians made a first-hand survey of the industry and natural resources of Manchuria and Russian-occupied northern Korea; and looked also into the status of the reparations program in Europe. He will make his comprehensive report after the completion of the technical surveys made by his engineers, economists, and other staff members, some of whom are returning to Washington this week.

²For text of Potsdam Agreement, see BULLETIN of Aug. 5, 1945, p. 153.

Strategic and Critical Materials Stockpiling Act

STATEMENT BY THE PRESIDENT

[Released to the press by the White House July 23]

I have today signed the Strategic and Critical Materials Stockpiling Act because it is important to the national interest that this Government have the power to acquire stockpiles.

It is only because of the overriding importance of this purpose that I am able to overcome my reluctance to signing a bill which reaffirms the application to stockpile purchases of the provisions of title III of the act of March 3, 1933 (47 Stat. 1520), known as the Buy American Act. Those provisions will not only materially increase the cost of the proposed stockpiles but will tend to defeat the conservation and strategic objectives of the bill by further depleting our already inadequate underground reserves of strategic materials. Furthermore, there can be a serious conflict between those provisions and the foreign economic policy which this Government is actively pursuing. It also seems to me that the application of the Buy American Act may frequently hamper the effective achievement of the essential purpose of the legislation, which is to enlarge the stock of vital raw materials available within our borders in time of possible emergency.

The Buy American Act requires that only articles produced or manufactured from materials originating in the United States shall be purchased for public use. However, the act also provides that exceptions to this rule may be made when Buy American purchases are determined "to be inconsistent with the public interest or the cost to be unreasonable". This provision clearly indicates that the stockpiling program should not be used as a means of generally subsidizing those domestic producers who otherwise could not compete successfully with other domestic or foreign producers. Furthermore, to insure that the necessary stockpiles are accumulated as rapidly as deemed advisable and with a minimum cost to the public, this act should not be used as a device to give domestic interests an advantage over foreign producers of strategic materials greater than that provided by the tariff laws.

It is the policy of this Government to work for international action to reduce trade barriers. We

have proposed to other countries a set of principles governing trade and look forward to the successful conclusion of broad international arrangements embodying the essential principles of these proposals. Pending the conclusion of such arrangements, it is the policy of this Government to avoid taking measures that will raise barriers to trade or prejudice the objectives of the forthcoming discussions. We are asking other countries to follow similar policies.

The United States is opposed to governmental policies fostering autarchy, for itself as well as for others. Encouragement of uneconomic domestic production and unjustified preferential treatment of domestic producers destroys trade and so undermines our national economic strength. A large volume of soundly based international trade is essential if we are to achieve prosperity in the United States, build a durable structure of world economy, and attain our goal of world peace and security.

Chinese Professor to Study in U.S.

Miss Jane Da-yuen Yu (Mrs. Da-yuen Tseng), professor in the department of foreign languages and literature at the National Central University in Chungking since 1937, arrived in this country on July 18, 1946 for a year's advanced study in American literature under the Department's cultural-cooperation program. For the next few months Miss Yu will study at universities in California.

Letters of Credence

Ambassador of the Republic of the Philippines

The newly appointed Ambassador of the Republic of the Philippines, Joaquín M. Elizalde, presented his credentials to the President on July 24. For the texts of the Ambassador's remarks and the President's reply, see Department of State press release 506.

PAULEY—Continued from page 231

she can offer the might of Europe to the highest bidder.

The Potsdam Agreement is the guaranty against such a tragedy. It is to be hoped that no one nation or group of nations will force a renunciation of the Potsdam Agreement.

Standards of Social Policy in Dependent Areas

THE PRESIDENT'S MESSAGE TO THE CONGRESS

[Released to the press by the White House July 26]

To the Congress of the United States:

The Twenty-Seventh Conference of the International Labor Organization was held in Paris, France, from October 15 to November 5, 1945. Representatives of governments, employers, and workers participated in its deliberations. The United States was one of the forty-eight Member Nations represented at the Conference.

The Conference adopted, on November 5, 1945, Recommendation (No. 74) Concerning Minimum Standards of Social Policy in Dependent Territories (Supplementary Provisions). One hundred votes were cast in favor of adoption, and none were recorded in opposition.

This Recommendation sets forth minimum standards found desirable by the Conference for application in dependent territories to supplement the standards contained in Recommendation (No. 70) Concerning Minimum Standards of Social Policy in Dependent Territories which was adopted on May 12, 1944, by the Twenty-Sixth Conference held in Philadelphia and which was transmitted to the Congress of the United States on August 22, 1944.

In accordance with the Constitution of the International Labor Organization which provides that Recommendations adopted by the Conference shall be brought before the competent authority or authorities for the enactment of legislation or other action, I herewith transmit to the Congress

RADIO BROADCAST—Continued from page 210

show our confidence in the United Nations, and to strengthen its hand.

CONNALLY: But at the same time we must maintain strong military, naval, and air forces, for our own protection as well as to fulfil our commitments to the United Nations. And we must strengthen the machinery of cooperation here in the Western Hemisphere—the inter-American system—in such a way as to make it a pillar of support for the United Nations. If we do these things, I believe we can have peace in Europe and throughout the world.

the authentic text of this Recommendation (No. 74). I believe that the Congress will find the provisions of this Recommendation helpful in its consideration of problems of social policy in those territories and possessions of the United States to which it may be applicable.

I am also bringing this Recommendation to the attention of the Secretary of War, the Secretary of the Navy, and the Secretary of the Interior in order that they may transmit it for suitable action by the appropriate authority or authorities in those territories and possessions of the United States for which they respectively are administratively responsible.

HARRY S. TRUMAN

THE WHITE HOUSE,
July 26, 1946.

Treaty Obligations and Philippine Independence

REPLY OF ETHIOPIAN GOVERNMENT TO U.S. NOTE¹

IMPERIAL ETHIOPIAN LEGATION
Washington, July 4, 1946.

SIR:

With reference to your Note of the 4th May last and subsequent reply No: 2073 GO 2 of the 10th May, I have the honour to inform you that the Imperial Ethiopian Government are in agreement that the most-favored-nation provisions of the Treaty of Commerce between the United States and Ethiopia signed June 27, 1914, shall not be understood to require the extension to Ethiopia of advantages accorded by the United States to the Philippines.

I avail [etc.]

RAS H. S. IMRU
Minister

Honourable DEAN ACHESON
Under Secretary of State

¹The U.S. note is similar to the note sent to the Bolivian Government as printed in BULLETIN of June 16, 1946, p. 1049. For reply from the Norwegian Government, see BULLETIN of July 7, 1946, p. 38; for reply from the Belgian Government, see BULLETIN of July 14, 1946, p. 79; and for reply from the Spanish Government, see BULLETIN of July 28, 1946, p. 174.

U.S. Withdraws From Air-Transport Agreement

[Released to the press July 25]

On February 8, 1945 the United States Government accepted as binding upon it the International Air Transport Agreement (commonly known as the Five Freedoms Agreement), which was one of the documents drawn up at the International Civil Aviation Conference held at Chicago from November 1 to December 7, 1944.

This multilateral agreement provides that each contracting state grants to the other contracting states not only the privileges of flight over its territory without landing and the privilege to land for non-traffic purposes (which are included in the International Air Transit Agreement and known as the Two Freedoms), but in addition the privileges of taking on and discharging passengers, mail, and cargo destined for or taken on in the territory of the state whose nationality the aircraft possesses and the privilege of carrying passengers, mail, and cargo between the territories of any of the contracting states. The agreement also sets forth the conditions under which the above-mentioned privileges may be exercised.

Only 15 countries have accepted the International Air Transport Agreement, and of this number only 2, beside the United States, have developed international air services to any extent. The failure of the nations principally concerned with the operation and development of air-transport services generally to accept the agreement, and the dissatisfaction with it as reflected at the meeting of the Assembly of the Provisional International Civil Aviation Organization held at Montreal, have made it clear that the agreement cannot be relied upon as an effective medium for the establishment of international air routes for operation by United States carriers. Consequently, the United States has decided to withdraw from this agreement.

In accordance with article 5 of the agreement, any contracting state may withdraw from it on one year's notice. It is the duty of the United States at once to inform all other contracting states of this decision. This Government, therefore, in accordance with article 5, will at once inform all the other states which have accepted the International Air Transport Agreement of its intention to withdraw from the agreement dating from July 25,

GERMAN DOCUMENTS—Continued from page 201

tion which he wished to obtain for France. If he could obtain such a declaration in writing, his task would be appreciably lightened.

The Reich Foreign Minister again remarked in this connection that, in his opinion, such a declaration would have no effect on the French public, for if Laval could not succeed in making clear to the French people (as had been done in other countries) that Bolshevism with its aggressive intentions represented the greatest danger to France also, and that France must in her own interests support Germany and Italy in the struggle against Bolshevism, then neither would a vague statement thoroughly convince the French people that they must contribute this support.

In reply Laval again stated that he required such a declaration for the French people, so as to give them hope for the future and to move them to voluntary collaboration in the common struggle. He, as a Frenchman, must certainly know best himself how he must address his compatriots in order to convince them. Laval said with a smile, in concluding his remarks, that the purpose of his trip to Berchtesgaden had not been to receive a lesson in how to deal with the French people.

The Führer replied in the same spirit that Frenchmen had not always been able to discover the right way in which to address their fellow countrymen. Perhaps it would have been better to have first talked to Daladier or Reynaud at Berchtesgaden, before they plunged their people into disaster.

As the Führer through his further remarks let it become known that he would possibly be prepared to issue in the press communiqué concerning the meeting such a declaration as he had made previously and which, Laval had stated, would in written form be satisfactory to him, Laval proposed a draft press communiqué to which the Führer agreed in general. The Führer stipulated only that the exact text of the communiqué should be agreed upon by the Reich Foreign Minister, Bastianini, and Laval after the meeting.

Thereupon the meeting was concluded and, after a tea which included the same company, the Führer bade farewell to Laval and Bastianini.

BERLIN, May 3, 1945.

SCHMIDT

Control of German and Japanese Diplomatic Property in U.S.

[Released to the press by the White House July 24]

The President has issued an Executive order authorizing the Secretary of State to supervise or control German and Japanese diplomatic and consular property located in the United States as he "deems necessary in the national interest."

Formerly the Alien Property Custodian had authority to control such property. The transfer of authority to the State Department was made because, in addition to its general responsibilities for relations between the United States Government and other governments, the State Department has recently made arrangements with other governments concerning the utilization of German and Japanese diplomatic and consular property.

The Swiss Legation has recently withdrawn its supervision of German diplomatic property, and the Japanese, in compliance with General MacArthur's order a few months ago, have released to the custody of the U.S. Government their diplomatic and consular property in the United States.

EXECUTIVE ORDER CONFERRING CERTAIN AUTHORITY UPON THE SECRETARY OF STATE WITH REGARD TO DIPLOMATIC AND CONSULAR PROPERTY OF GERMANY AND JAPAN WITHIN THE UNITED STATES¹

By virtue of the authority vested in me by the Constitution and statutes, including the Trading with the Enemy Act of October 6, 1917, as amended, and the First War Powers Act, 1941, and as President of the United States, it is hereby ordered as follows:

1. The Secretary of State is authorized and empowered as he deems necessary in the national interest to direct, manage, supervise, or control diplomatic and consular property within the United States owned or controlled by Germany or Japan, including all assets on the premises of such property.

2. The Alien Property Custodian shall not exercise any power and authority conferred upon him by any other Executive order with respect to diplomatic and consular property within the United States owned or controlled by Germany or

Japan except so far as the Secretary of State releases his authority over such diplomatic and consular property under this order and so notifies the Alien Property Custodian in writing.

3. When the Secretary of State determines to exercise any power and authority conferred upon him by this order with respect to any property over which the Secretary of the Treasury is exercising any control and so notifies the Secretary of the Treasury in writing, the Secretary of the Treasury shall release all control of such property, except as authorized or directed by the Secretary of State.

4. This order supersedes all conflicting provisions of prior Executive orders, including Executive Orders Nos. 8389, as amended, and 9095, as amended.

5. The Secretary of State is authorized to prescribe from time to time regulations, rulings, and instructions to carry out the purposes of this order.

HARRY S. TRUMAN

THE WHITE HOUSE

July 23, 1946

Visit of Nepalese Good-Will Delegation

[Released to the press July 25]

The Department of State is pleased to announce the arrival in this country of a distinguished good-will delegation from the Kingdom of Nepal headed by the Senior Commanding General, Baber Shumshere Jung Bahadur Rana, G.B.E., K.C.S.I., K.C.I.E.

The Nepalese party will visit Washington July 25-August 1, during which period they will be the guests of the Department. After their departure from Washington, they will visit several places of interest in the United States, including West Point and Fort Benning, as guests of the War Department.

It will be recalled that the Kingdom of Nepal made a substantial contribution to the war effort of the United Nations by making available her valiant Gurkha troops for service under Allied command as well as a number of separate Nepalese units in various theaters of war.

¹ Executive Order 9500 (11 *Federal Register* 7909).

Double-Taxation Conventions and Protocol With U.K.

EXCHANGE OF INSTRUMENTS OF RATIFICATION

[Released to the press July 25]

On Thursday, July 25, 1946 James F. Byrnes, Secretary of State, and Lord Inverchapel, P.C., G.C.M.G., British Ambassador in Washington, formally exchanged the instruments of ratification of the convention between the United States and the United Kingdom for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, signed on April 16, 1945, together with the supplementary protocol signed on June 6, 1946 modifying that convention in certain respects, and also formally exchanged the instruments of ratification of the convention between the United States and the United Kingdom for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on the estates of deceased persons.

The purpose of the two conventions, like that of existing conventions of the United States with Canada, France, and Sweden relating to double taxation, is the elimination, so far as practicable, of double taxation which otherwise would result from the imposition and collection of taxes upon the same income or upon the same estate by both countries. The conventions also establish certain procedures for the exchange of information between the two countries in relation to taxation with a view to the prevention of fiscal evasion.

Provision is made in the income-tax convention and protocol and also in the estate-tax convention for ratification and the exchange of instruments of ratification. As modified by the protocol, the income-tax convention is effective, in accordance with article XXIII thereof, upon the exchange of instruments of ratification, as follows: for the taxable years beginning on or after January 1, 1945 in the case of the United States tax; for the year of assessment beginning April 6, 1945 and subsequent years in the case of United Kingdom income tax; for the year of assessment beginning April 6, 1944 and subsequent years in the case of United Kingdom surtax; and for any chargeable accounting period beginning on or after April 1, 1945 and for the unexpired portion of any charge-

able accounting period current at that date in the case of United Kingdom excess-profits tax and national-defense contribution.

The estate-tax convention became effective, upon the exchange of instruments of ratification, as to estates of persons dying on or after the date of such exchange and, at the option of the personal representative, upon appropriate conditions, as to the estate of any person who died between December 31, 1944 and the date of the exchange of instruments of ratification.

A proclamation of the income-tax convention and protocol and a proclamation of the estate-tax convention will be issued by the President.

Visit of Chinese Doctor

Dr. Hsiao-ch'ien Chang, director of the Hsiang Ya Medical College since 1937, has arrived in this country for a year's stay under the Department's program of cultural cooperation.

After a few weeks' stay at medical centers in the West, Dr. Chang will visit hospitals, universities, and medical centers in other parts of the United States.

BARNET—Continued from page 196

lower costs resulting from such light tin coatings may open the way to wider adoption of tinned steel in container manufacture as well as in newer applications fostered through research, e.g. tin undercoats for painting. Solder, babbitt, and bronze have undergone wartime reductions in tin content even to the point of complete elimination, as in silver-containing bearing alloys employed for certain Diesel engines. Continued use of the substitute alloys after the emergency will depend, of course, not only on their satisfactory metallurgical performance but also upon comparative metal prices and other commercial considerations. An additional factor governing the total consumption of tin in such engineering materials will be the general level of industrial activity in various countries.

Since a number of the technological and economic features cited above cannot yet be fully evaluated in terms of their long-run effect, it is apparent that more study will be required before sound conclusions are reached concerning the future supply and demand position of this metal.

The Department

Appointment of Officers

Milton K. Wells as Chief, Division of North and West Coast Affairs, effective May 20, 1946.

Henry S. Villard as Deputy Director, Office of Near Eastern and African Affairs, effective June 12, 1946.

Thomas C. Wasson as Chief, Division of African Affairs, effective June 10, 1946.

Llewellyn E. Thompson as Chief, Division of Eastern European Affairs, effective June 12, 1946.

Oliver C. Lockhart as Adviser on the Far East, Division of Investment and Economic Development, effective May 12, 1946.

J. Noel Macy as Chief, International Press and Publications Division, effective April 25, 1946.

The Foreign Service

Confirmations

On July 25 the Senate confirmed the nomination of James C. Dunn, at present Assistant Secretary of State for Political Affairs and U.S. Deputy on the Council of Foreign Ministers, to be United States Ambassador to Italy.

Consular Offices

The American Vice Consulate at Manzanillo, Mexico, was closed to the public on May 31, 1946. The final closing date was June 6, 1946.

The final date of closing of the American Vice Consulate at Manaus, Brazil, was June 28, 1946.

The American Consulate at Strasbourg, France, was opened to the public on July 5, 1946.

The Congress

Government Corporations Appropriation Bill for 1947: Hearings Before the Subcommittee of the Committee on Appropriations, House of Representatives, Seventy-ninth Congress, second session, on the Government Corporations Appropriation Bill for 1947. ii, 1,484 pp. [Indexed.]

Anglo-American Financial Agreement: Hearings Before the Committee on Banking and Currency, House of Representatives, Seventy-ninth Congress, second session,

on: H.J. Res. 311, a joint resolution to further implement the purposes of the Bretton Woods Agreements Act by authorizing the Secretary of the Treasury to carry out an agreement with the United Kingdom, and for other purposes; S.J. Res. 128, a joint resolution to implement further the purposes of the Bretton Woods Agreements Act by authorizing the Secretary of the Treasury to carry out an agreement with the United Kingdom, and for other purposes. May 14, 15, 16, 20, 21, 22, 23, 24, 27, 28, 29, 31, June 3, 4, 6, and 7, 1946. iv, 675 pp.

Civil Aviation Agreements: Hearings Before the Committee on Commerce, United States Senate, Seventy-ninth Congress, second session, on S. 1814, a bill to amend the Civil Aeronautics Act of 1938, as amended. February 15, 22, 27, March 1, 7, April 2, 5, 8, and 10, 1946. iii, 341 pp. [Department of State, pp. 1, 35, 62, 89, 131, 169, 202, and 338.]

American Petroleum Interests in Foreign Countries: Hearings Before a Special Committee Investigating Petroleum Resources, United States Senate, Seventy-ninth Congress, first session, pursuant to S. Res. 36 (extending S. Res. 253, 78th Congress), a resolution providing for an investigation with respect to petroleum resources in relation to the national welfare. June 27 and 28, 1945. iii, 492 pp. [Indexed.]

Atomic Energy Act of 1946. H. Rept. 2478, 79th Cong., to accompany S. 1717. 21 pp. [Favorable report.]

Printing Report on the International Control of Atomic Energy as a House Document. H. Rept. 2503, 79th Cong., to accompany H. Res. 697. 4 p. [Favorable report.]

A Report on the International Control of Atomic Energy. H. Doc. 709, 79th Cong. xiv, 55 pp.

Authorizing the Printing as a House Document of the Proceedings of the One Hundred and Fifty-fifth Anniversary of the Independence of Poland. H. Rept. 2504, 79th Cong., to accompany H. Res. 700. 1 p. [Favorable report.]

Annual Report of the Alien Property Custodian for Fiscal Year Ending June 1945: Message from the President of the United States transmitting the annual report of the Alien Property Custodian on Proceedings had under the Trading With the Enemy Act, as amended, for the fiscal year ending June 1945. H. Doc. 669, 79th Cong. xi, 279 pp. [Indexed.]

Reorganization of the Foreign Service: Report of the Committee on Foreign Affairs, House of Representatives, to accompany H.R. 6967. H. Rept. 2508, 79th Cong. 230 pp.

Departments of State, Justice, Commerce, and the Judiciary Appropriation Bill for 1947: Hearings Before the Subcommittee of the Committee on Appropriations, United States Senate, Seventy-ninth Congress, second session, on H.R. 6056, a bill making appropriations for the Departments of State, Justice, Commerce, and the Judiciary for the fiscal year ending June 30, 1947, and for other purposes. ii, 1,955 pp. [Indexed.]

Reorganization Plan No. 1. S. Rept. 1670, 79th Cong., to accompany S. Con Res. 64. 15 pp. [Unfavorable report.]

Reorganization Plan No. 2. S. Rept. 1671, 79th Cong.,

to accompany S. Con. Res. 65. 8 pp. [Unfavorable report.]

Reorganization Plan No. 3. S. Rept. 1672, 79th Cong., to accompany S. Con. Res. 66. 10 pp. [Unfavorable report.]

Providing for the Payment of Pension or Other Benefits Withheld From Persons for the Period They Were Residing in Countries Occupied by the Enemy Forces During

World War II. S. Rept. 1700, 79th Cong., to accompany H.R. 5148. 5 pp. [Favorable report.]

To Provide for the registration and protection of trademarks used in commerce, to carry out the provisions of certain international conventions, and for other purposes. Approved July 5, 1946. [H.R. 1654.] Public Law 489, 79th Cong. 22 pp.

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Publications of the Department, cumulative lists of which are published at the end of each quarter, as well as legislative material in the field of international relations, are listed currently.

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OFLC Is Hydra-Headed Financial "Alphabet" of the State Department

WHAT IS THIS comparatively new State Department "alphabet" known as "OFLC" which Acting Secretary Acheson recently reported to Congress has accomplished "an outstanding achievement" by completing almost half its job through the disposal of \$3,500,000,000 of overseas war surplus for a net return of \$1,000,000,000?

Officially, it is the Office of the Foreign Liquidation Commissioner, the liquidator of overseas property excess to the needs of our armed forces.

Actually, it is far more than that, for its task also involves world relief and rehabilitation, as well as business, economic, and diplomatic problems. Serving as one of the blood banks for a bleeding world has been a major function of OFLC, as provided by Congress in the Surplus Property Act of 1944.

How well its mission is accomplished may have as profound an effect on the future relations of the United States with the remainder of the world as any major diplomatic decision of the State Department. That is one of the chief reasons why the agency under Thomas B. McCabe was transferred by Executive order last October¹ from the Army to the Department of State.

An example of its operations in more than 80 foreign countries and on 30 Pacific-island groups was the sale of 2,000,000 cases of emergency Army rations to the U.S. Commercial Company in the Philippines for \$12,500,000. The former Foreign Economic Administration agency then retailed the foodstuffs at cost to the hungry Filipinos. By this sale, OFLC "liquidated" a lot of surplus and also headed off a possible famine in the Philippines.

Mr. Acheson stated in his report that "the results obtained by the Foreign Liquidation Commissioner and his staff represent a real return for American taxpayers, as well as furnishing a substantial contribution to the rehabilitation of a war-torn world."

But, in view of the fact that OFLC's global stocks run into some 2,000,000 all-different items which were needed to win the war, no one sale can be labeled as representative of its operations.

A recent \$3,000,000 sale to UNRRA in China consisted of telecommunications equipment, medical supplies, bridges, pilings, tractors, trucks and jeeps, blankets, auto spare parts, tires and tubes, and food. Another \$3,000,000 sale to the Hong-kong government for the rehabilitation of that crown colony comprised dry rations, trucks, and jeeps.

OFLC sales in the year and a half of its existence have ranged from a few dollars of tobacco scraps bought by an individual in Cairo to its biggest sale to date—\$1,400,000,000 in surplus located in France—sold to the French Government for \$300,000,000 on credit.

OFLC has sold paper bags to the Red Cross at Casablanca, bicycles to missionaries—and American consuls—on the Gold Coast, rock candy to a firm in India, small vessels to the Chinese, airplanes to Indian maharajahs, household goods to King Farouk of Egypt, mules to UNRRA, jeeps to New Caledonians, quonset huts and 2,000,000 multi-vitamin tablets to Dutch New Guinea, complete fixtures of an airfield to Cuba, 37 tons of newspaper to an American magazine published in Paris, medical supplies to the Royal Afghan Government, 10 Army hospitals to UNRRA in China, a sawmill to a Filipino lumber company, popcorn and doughnut mix to a Cairene, an electric organ to the Bishop of Lahore, 800 cans of peanuts to an officers' mess in Manila, washboards and shoe laces to an individual in India, motorcycles in the Canal Zone, radios to the Seventh Day Adventists in Cairo, bolts, nuts, and screws to Messrs. Anton,

¹ Executive Order 9630. See BULLETIN of Sept. 30, 1945, p. 491; also for departmental order see BULLETIN of Oct. 28, 1945, p. 703.

Antalla, Abdullah, Judah, Kehalof, and Saddri Khalaf in Jerusalem, and—three buck sheep to Hassan Moh Kalifa in Cairo for \$37.50.

In most demand and sold in greatest quantities in all parts of the world have been "food, clothing, and shelter", construction and transportation equipment, and medical supplies. Under these broad categories are an incredible number of items which it took to win the war and which are now being used to help win the peace.

Construction equipment includes such things as bolts, nuts, screws, jacks, grinders, lathes, saw-mills, sheet steel, power plants, cranes, building materials, prefabricated wood bridges, Bailey bridges, petroleum laboratories, machine tools, and even entire pipelines.

Transportation equipment also runs the gamut: all types of vehicles, entire railroads, thousands of box cars, Skymasters and Skytrains and Piper Cubs, airplane spare parts, hangar equipment, landing craft, barges, and countless thousands of used tires and tubes.

Medical supplies, of course, have been in vigorous demand. UNRRA in Europe bought dozens of hospitals and their entire facilities and rushed them to all the stricken areas. Everything from sutures to X-ray machines to drugs with 50-cent names has been grabbed up by the relief organizations and the governments of all the war-torn world.

Food, clothing, and shelter have included rations, canned meats, fresh butter, popcorn, used Army uniforms, nurses' uniforms, kitchen equipment, steel huts, and quonset huts by the thousands—and perhaps the most unusual sale of all, \$5,000,000 worth of chemical-warfare protective clothing, sold to the French Government, to be dechemicalized and used in the manufacture of civilian clothing.

An example of how the OFLC tries to overlook no bets to return an honest dollar to the Treasury was the sale of a wrecked C-46 in the jungles of Colombia to the Government of that country for \$5,000.

OFLC does not, however, sell any munitions or warplanes, unless ordered to do so by the State, War, and Navy Departments acting together. Small amounts of guns and ammunition and planes have been sold under this carefully controlled program.

Other types of surplus handed to OFLC by the Army and Navy are not in much demand, and

these "white elephants" present problems in ingenuity, such as the 45,000 pounds of pigeon feed dumped on the OFLC at Paris by the Army when it demobilized its pigeon corps after V-E Day; or the shipload of dynamite declared surplus on the high seas; or the thousands of pounds of face camouflage used for night fighting.

Major examples of ingenious sales have been disposal of pontoon barges to an oil company in Iran to be converted into a housing project, and a cola syrup sold to the Norwegians to be used in camouflaging bad-tasting medicines for sickly children—not to mention the purchase of bleaches by natives of New Guinea who reputedly used them to blonde their hair.

Most of these, however, are only small white elephants. Larger ones approaching real mastodon size are plane scrap and scrapped enemy matériel and other items, built solely for war, with absolutely no peacetime use or market.

A classic example of this and, incidentally, of the stupendous waste of war was the famed Stilwell Road. It was declared surplus to OFLC by the Army last fall after helping win the war in Asia at a cost of some \$150,000,000 in construction of the road alone. After looking hopelessly around for potential markets, OFLC was forced to abandon it to the jungles from whence it was hewn. It had no peacetime utility, it was in three sovereign countries no one of which wanted the other to control any part of it, its main assets were isolated Bailey bridges, and monsoons made much of it unusable by commercial vehicles—not to mention the casual fact that it took something like 25,000 laborers and soldiers to keep it in somewhat usable condition and protect it from marauders.

The complexities of the Stilwell Road are found in a majority of disposals which must be made by OFLC. As the July report to Congress aptly put it: "Political, economic, climatic, and geographic conditions are so diversified that each area, country and depot presents special problems."

A sizable sale to a small Near East nation was in the bogged-down stage for months because of the government's instability. Every time the field commissioner cabled Washington about the negotiations he concluded with:

"But the cabinet is about to fall."

Finally there came to Washington a cable from him that began:

"The cabinet finally fell today, so . . ."

Some countries who had their own war surplus to liquidate placed restrictions on the disposal of American war surplus within their boundaries, and that presented special problems.

Perhaps the greatest problem of all was discovering what to accept for the billions of dollars of American surplus in a war-razed world stripped of almost all of its dollar reserves.

What finally evolved, as pointed out in the report to Congress, was the extension to foreign governments of credit terms so that they could purchase the surplus; and in return the United States received, in addition to the cash paid and the credits due, many tangible and intangible benefits such as aviation agreements, cancellation of claims against the United States by foreign governments and their nationals, creation of scholarships and other cultural exchanges, and an inestimable amount of international good-will.

The report to Congress pointed out that the bulk sale of surplus goods on credit has resulted in substantial savings in manpower and money. It was found that even an aggressive and effective piecemeal sales program yielded discouragingly slow results in reducing the costs of care and custody, while, at the same time, deterioration and pilferage continued to take their toll. One of OFLC's major Pacific enemies is the vicious teredo or "water termite" that eats out the foundations of wharves and island warehouses.

These "clean out" sales resulted in rapid and substantial savings because the slow-moving and non-salable property went with the good, and complete depots and installations were turned over with a minimum of detailed accounting. This method, too, facilitated the return home and release from the service of overseas veterans.

However, balking a more wide-spread use of the bulk sale system is the problem of dollar scarcities, which prevent most Allied nations from making substantial commitments of their dollar assets or potential credit until the nature of the settlement of outstanding war accounts is negotiated. The report to Congress explained that "it is both appropriate and convenient to include in the negotiations for the settlement of the war account with each allied country the financial arrangement for the sale of surplus property located in that country." It added that "if this can be accomplished through the inclusion of a bulk sale as part of the settlement agreement, not only much time and

money can be saved, but the benefits received in terms of international good-will are almost incalculable."

Mr. McCabe, during an inspection of European surplus last summer, was told by the Finns that large sales of surplus to them had actually broken the Finnish black market!

Swelling the last quarter's realization from surplus disposals were the bulk sales to France and India. The total original cost of the property sold under these two agreements was more than \$1,850,000,000, with a realization of approximately \$365,000,000. Other countries which have already made bulk purchases are: United Kingdom, Australia, Egypt, New Zealand, and Brazil.

The Netherlands East Indies was the most recent country to receive a credit "ceiling" to enable it to purchase surplus property, the "ceiling" being set at \$100,000,000. Maximum credits have been extended to other countries as follows: France, \$300,000,000; Italy, \$140,000,000; United Kingdom, \$60,000,000; Poland, \$50,000,000; Czechoslovakia, \$50,000,000; Philippines, \$20,000,000; Netherlands, \$20,000,000; China, \$15,000,000; Finland, \$15,000,000; Greece, \$10,000,000; Turkey, \$10,000,000; Ethiopia, \$10,000,000; Austria, \$10,000,000; Hungary, \$10,000,000; Lebanon, \$5,000,000; Iran, \$2,820,000; Saudi Arabia, \$2,000,000; and Uruguay, \$666,666.

OFLC is now approaching the midway point in its operations. The report estimated that the over-all total of property already declared and still to be declared surplus will amount to about \$9,500,000,000, of which somewhere between \$7,000,000,000 and \$8,000,000,000 will be salable.

The report further stated: "Disposals completed, plus those now being negotiated, will account for about two-thirds of the salable portion. Of the remainder, much is still to be declared, and a large part has not yet become excess to the needs of American occupation forces and the supply lines which serve them."

Matériel remaining to be disposed includes all kinds of "odd lots", in practically all the former theaters of war, and the United States eventually will be faced with the problem of donating, abandoning, or destroying residue property having a substantial original cost. To the present, property that has been abandoned represented an original cost of \$390,000,000, mostly fixed installations of high original cost and little or no civilian utility, such as the Stilwell Road. But, despite ra-

mors to the contrary, no wanton destruction or abandonment has been found by any investigating groups.

One rumor of the wholesale destruction of jeeps in the Pacific grew out of the mere fact that a soldier accidentally drove a jeep off a wharf into the water!

The report disclosed that through June 1946 cumulative sales have liquidated surplus property which cost \$3,612,000,000 when new for a realization of \$1,009,000,000, to be secured either in dollars, for local currencies of foreign governments, for the exchange of buildings, or on credit terms extended to foreign governments.

Sales for the quarter on an individual basis continued their upward trend. Original cost of the property included in these sales was more than \$100,000,000, sold at prices which resulted in realization of \$120,000,000. Increased sales were reported to the following: U.S. servicemen and veterans, foreign nationals, charitable agencies, and sales of specific items at catalogue prices to foreign governments.

Total disposals to date were as follows:

Foreign governments:	78 percent
UNRRRA	12 percent
Foreign nationals	5 percent
U.S. Government (agencies, veterans, and service personnel)	3 percent
All others (including charitable organizations)	2 percent

Field commissioners of the OFLC in all parts of the world have been instructed to make sales on a priority system, granted "at the discretion of each Field Commissioner" except for the first priority, which is extended to the agencies of the Federal Government. In practice, however, most vitally needed items are handled by allocation rather than priority. In the case of supplies suitable for relief, suggested percentage allocations by class of commodity have been developed in consultation with representatives of the Department of Commerce and have been forwarded to field commissioners to be used as a guide. Recommendations with regard to allocations are also received from the Emergency Economic Committee for Europe.

All sales of railroad rolling stock, one of the most critical items, as well as some small vessels, are made on the basis of allocations recommended

by the European Central Inland Transport Organization. Examples of successful allocations to relieve famine and suffering were the recent earmarking of all surplus refrigerator cars in Europe suitable for transportation of fish and the sales of specially selected items to Siam to encourage the maximum production and movement of its rice crop to famine areas.

The exchange of surplus property for buildings to house U.S. Government agencies abroad is another method used by OFLC to promote its world-wide disposal program. Three Manila buildings to house U.S. Foreign Service personnel already have been exchanged for nearly \$1,000,000 worth of surplus, and the Foreign Buildings Operations Division has tabulated a list of 66 countries in which \$150,000,000 in buildings will be required for carrying out its current program and which may be obtained through the exchange of surplus property. Greatest expenditures will be made in the United Kingdom, the Union of Soviet Socialist Republics, France and its colonies, China, Italy, Egypt, India, and Canada.

In all theaters where surplus is piled up, field commissioners are ever on the alert to "make it easy" for prospective purchasers to inspect and buy goods. To step up movement of surplus stacked in 29 depots in Germany, OFLC is organizing an office in the U.S. occupation zone which in liaison with Army authorities will arrange travel and accommodation facilities for surplus purchasers. The office will also work out plans for transportation of surplus from depots to ports and border transfer points for shipment to final destinations.

All surplus in the United Kingdom and France, except some aircraft and vessels, now has been sold or committed. The actual physical transfer of stocks in the United Kingdom to British custody is 98 percent complete, and plans for the transfer to France are now being worked out by French Government officials, the U.S. Army, and OFLC. A majority of surplus in the following countries has also been disposed of by either bulk sale or other means: Iran, Egypt, India, Burma, Ceylon, Australia, New Zealand, and Brazil.

That, then, is the record to date of the Office of the Foreign Liquidation Commissioner, which sprang into life as the Office of the Army-Navy Liquidation Commissioner in February 1945. Es-

Report on Foreign Surplus Disposal

ACTING SECRETARY ACHESON'S LETTER TO THE CONGRESS¹

The Honorable the President of the Senate
The Honorable the Speaker of the House of Representatives

SIRS: In accordance with section 24 of the Surplus Property Act of 1944, there is transmitted herewith the second report of the Department of State on the disposal of United States surplus property in foreign areas. Incorporated therein is the report required from the Foreign Liquidation Commissioner by Section 202 of the Philippine Rehabilitation Act of 1946 concerning the administration of Title II of that act.

By June 30, 1946, the report shows, surplus property having an original cost to the United States of approximately \$3,465,000,000 had been sold for a realization slightly in excess of \$911,000,000. This, plus direct transfers to UNRRA amounting to \$98,000,000, brings the total return from foreign surplus to more than a billion dollars. Approximately 25 percent is in cash dollars, 9 percent in local currencies and the remainder in credits under agreements which stipulate that the purchasers will pay in United States dollars or in approved local currency, with interest, as well as grant to the United States trade concessions and aviation rights, cancel claims against the United States and arrange for cultural exchanges.

The sale of \$3,465,000,000 represents approximately three-fifths of the amount of saleable surplus declared to the Foreign Liquidation Commissioner up to now, and, according to the best available estimates, is about one-half of the grand total of saleable overseas surplus expected to be available for disposal.

In his letter of transmittal accompanying the first report of the Department of State on foreign surplus disposal, the Secretary pointed out that prompt decisive action was essential. It is gratifying that we are able to show in this report so much progress toward the complete liquidation of our foreign surpluses.

The report shows that more than twice as much

property was sold during the last three months as in the entire period from the beginning of disposal operations through March 31. By the end of June the Foreign Liquidation Commissioner had sold surplus property in an amount equal to total declarations only three months earlier. This remarkable progress has been made through extensive individual sales efforts as well as the negotiation of bulk sales to countries where large quantities of surpluses are located. The advantages of bulk sales are discussed at some length in this report. The various programs of disposal continue to be pursued aggressively. The next quarter should see the liquidation of another large portion of the total overseas surplus and within the present fiscal year we should be able to dispose of most of the surplus available for disposition.

This accomplishment and the future prospects are especially noteworthy when one realizes the difficulties surrounding the disposal of surplus overseas. Property has been declared surplus in every theater of war, in more than 80 countries and on 30 island groups. Political, economic, climatic and geographic conditions are so diversified that each area presents special and almost insurmountable problems. The rapid disposal of property which was often battle-worn, badly deteriorated and nearly inaccessible, under arrangements which call for the return of more than a billion dollars to the United States Treasury, is an outstanding achievement. The results obtained by the Foreign Liquidation Commissioner and his staff represent a real return for American taxpayers, as well as furnishing a substantial contribution to the rehabilitation of a war-torn world.

DEAN ACHESON

DEPARTMENT OF STATE
Washington, D. C.
July 30, 1946

¹ Reprinted from *Report to Congress on Foreign Surplus Disposal, July 1946*, p. 5 (Department of State publication 2571).

UNRRA: Fifth Council Session at Geneva

Article by FRED L. PREU¹

THE REPRESENTATIVES of 48 governments have been attending the Fifth Session of the Council of the United Nations Relief and Rehabilitation Administration at Geneva since August 5.

One of the most important items on the agenda of this session of the Council is the consideration of the future of this international organization, which has attempted to meet the basic needs of millions of people whose countries were devastated in World War II.

The United Nations Relief and Rehabilitation Administration was organized at a time when the war was taking its greatest toll not only of life but also of the means of life. The First Council Session, at which UNRRA was organized by 44 United Nations, was held at Atlantic City in November 1943. In his message to this First Council President Roosevelt conveyed to the assembled representatives a picture of the misery and suffering rampant in occupied territories.

A glimmer of hope at that time was contained in the fact that French North Africa had been liberated and that the campaigns in Sicily and Italy were well under way. For a year the United Nations had been giving assistance to French North Africa in the form of seeds, agricultural supplies, and agricultural equipment. President Roosevelt could point out that this effort had already produced results because this area was able to meet "important needs of the Allied Armed Forces in French North Africa, in Sicily and Italy".

Thus, in November 1943 UNRRA was organized by 44 United Nations, who had a vision of the victory to come and a sober realization that when victory came it would be tempered by the result of a ruthless campaign by the enemy to strip the land and to pillage and scorch the earth.

¹ Mr. Preu is Assistant to the Adviser on Relief and Rehabilitation in the Office of the Assistant Secretary of State for Economic Affairs, Department of State.

It is obvious that, under the conditions of war prevailing from November 1943 until Germany was defeated in May and Japan in August of 1945, the scope of UNRRA was limited. UNRRA, for example, could not secure its full requirement of supplies for even the areas liberated because of the all-out effort for victory which meant that the armed forces took precedence over all other requirements.

The value of shipments which UNRRA was able to deliver to liberated areas as of June 30, 1945 amounted to approximately \$130,000,000.

The abrupt end of the war did not immediately free supplies for UNRRA. It was not before the fourth quarter in 1945 that shipments could be made in tonnages that would begin to meet the needs, but from October 1945 shipments averaged more than 500,000 tons a month, and in the first quarter of 1946 tonnages jumped to approximately three times this volume.

As of June 30, 1946, shipments by UNRRA amounted to approximately 12,800,000 tons, with an approximate value of \$2,000,000,000 landed cost.

The first few sessions of the Council of UNRRA were concerned with establishing a sound organization, with the principles which would govern contributions to the organization by the governments participating, with formulae for distribution of supplies among the receiving governments, and with all the other problems which arose from this international plan to bring relief and rehabilitation to countries whose means of subsistence had been uprooted and destroyed.

It was determined that contributions to UNRRA should be made by non-invaded countries on the basis of one percent of the national income for the 12-month period closest to that ending June 30, 1943. Under this rule approximately 32 governments made contributions. In

addition, it was decided that invaded countries wherever possible would contribute toward administrative expenses to the extent possible, and under this rule 16 invaded countries have made contributions largely for the payment of UNRRA and local personnel working within a country for the distribution of supplies received.

The member nations established a series of committees to advise the Administration on the conduct of its varied operations.

The Council of 48 nations was established to meet twice a year to establish broad principles which are involved in approximately 90 resolutions which supplement the original agreement. The Central Committee, consisting of representatives of nine member nations, is the body which meets to decide policies between sessions of the Council with the proviso that decisions made by the Central Committee may be reviewed by the Council. Standing committees were established on supplies, health and welfare, displaced persons, and finance and budget. Subcommittees have been established for the consideration of country programs, agricultural rehabilitation, industrial rehabilitation, shipping, and other problems. Through the several committees the efforts of 48 governments are coordinated for the purpose of bringing relief and rehabilitation to countries which need it.

Two contributions for the work of UNRRA have been made by participating governments. The United States has made two contributions amounting to \$2,700,000,000. The United States contribution amounts to approximately 70 percent of the total amount contributed to UNRRA, which on June 30, 1946 was close to \$3,700,000,000. It is provided that at least 90 percent of the contribution of any country shall be expended in the country of origin. The United States therefore has, through established government agencies such as the Department of Agriculture and the Procurement Division of the Treasury Department, made purchases in the United States for delivery to UNRRA, and also has availed itself of military surpluses whenever such goods adapt themselves to the relief and rehabilitation of receiving countries.

The United States has not merely made a contribution to UNRRA but it has taken an active part in developing the policies under which UNRRA operates. At the First Session of the Council, Assistant Secretary Acheson was the

member for the United States. Beginning with the Fourth Council Session, Assistant Secretary Clayton became the United States member, replacing Mr. Acheson, who assumed new duties.

At the Fifth Council Session in Geneva, Mr. Clayton is the United States member; C. Tyler Wood is his first deputy. Mr. Wood, appointed as a special assistant by Mr. Clayton and given full authority by him to act on UNRRA affairs, assembled a small staff from members of the Department to assist him. The staff members are: Dallas Dort, Adviser on Relief and Rehabilitation; Nathan M. Becker, Assistant Adviser; and David Persinger and Fred L. Preu, assistants to the Adviser. Mr. Dort is alternate to Mr. Wood at the Fifth Council Session, and Mr. Persinger is adviser and secretary of the Delegation.

The full United States Delegation to the Fifth Council Session encompasses, as in the past, representatives from the Department and from other United States agencies who have an interest in the relief and rehabilitation program. Members of the geographic divisions of the Department are present, and a member of the Division of International Organization Affairs, three members of the Department of Agriculture, a member of the Federal Security Agency, and representatives from Assistant Secretary Hilldring's office, who cooperate with Mr. Clayton and Mr. Wood on problems of displaced persons. The Delegation also consists of a representative from the American Embassy in London, a representative from the Office of Far Eastern Affairs in the Department, one from the Bureau of the Budget, and one from the Treasury Department. Through this Delegation the United States is able to assist the Council in developing policies in all the related fields of economic relief and rehabilitation, health and welfare, the relations of UNRRA to other international organizations, the problems related to displaced persons, and the political consequences of all such policies.

One of the most important problems facing the Fifth Council Session is the future of UNRRA. On June 5 Mr. Clayton, testifying before the House Appropriations Committee in connection with the hearings for the final contribution to UNRRA, stated that—

"I would like to take this opportunity at what I expect will be the last hearing for an appropriation for UNRRA to tell you how much I am

impressed with the wisdom of those who foresaw the need for an organization of this type and the magnificent job which was done by Governor Lehman in building the organization, and by Mayor La Guardia in piloting it during the recent critical months. Certainly conditions in the liberated countries which have received assistance from UNRRA would now be appalling had they not received both the financial aid and the technical facilities which UNRRA is providing. . . . I am confident that UNRRA is prepared to complete its programs with credit to itself and satisfaction to both its receiving and contributing members."

In a later statement telegraphed from Paris, Mr. Clayton said that—

"The period of acute need immediately following the war, which made necessary the establishment of a world-wide relief organization, is now drawing to a close. Although it is still too early to determine precisely what will be the situation in the needy areas during the period following UNRRA shipments, we are hopeful that almost all of these countries will be in a position to finance their essential imports of food and other relief supplies and to set up their own administrative machinery for handling their imports.

"I accept it as axiomatic that the world will not permit the people of any nation to starve as long as there is food enough to go around."

It is probable that some of the 48 nations which are meeting in Geneva also feel that UNRRA should be extended because it is an operating and working organization. It is incontrovertible that some of the receiving countries will be in need of further free relief. It is also a fact that many more of the receiving countries will be in a position to finance their own relief operations.

A factor which affects this problem is the rate at which UNRRA has been able to deliver supplies to receiving countries. At the Fourth Council Session it was hoped that UNRRA could finish its deliveries to Europe by December 31, 1946, and to the Far East by March 31, 1947. Problems beyond the control of UNRRA have made this impossible. Domestic strikes and shortages of material have held up planned deliveries. It is conceded now that UNRRA cannot complete its programmed shipments before at least the first quarter of 1947.

The Fifth Council Session is being held in

August because it is expected that reports of the harvests in receiving countries will be available to the members. It is likely that good harvests in certain of the receiving countries will enable those countries to carry on by themselves during the year 1947. Special provision will have to be made, however, for at least two, and perhaps more, receiving countries in 1947.

Another important item on the agenda is the problem of displaced persons. The crux of this problem is the fact that it is probable that despite all efforts a hard core of several thousand people will remain unrepatriated in Europe. Solutions to this problem are being sought through the organization of the United Nations. Meetings have recently been concluded of the International Refugee Organization of the Economic and Social Council of the United Nations. Several meetings on this problem also have been held by the Intergovernmental Committee on Refugees. The decision to be made is whether other international organizations can assume this burden on January 1, 1947. This decision involves a question as to whether such organizations can establish the machinery in the time available or whether the going organization developed by UNRRA can be utilized by these more permanent international organizations.

In the field of health and welfare the same condition holds true. A decision must be made as to whether the World Health Organization can be established under the Economic and Social Council of the United Nations in such a way that it can assume these duties in 1947.

Fiorello H. La Guardia, former mayor of New York, took up the burden of directing UNRRA in March of this year, succeeding former governor Herbert H. Lehman, who as Director General in the formulative stage of UNRRA worked steadfastly through a difficult period to establish a sound operating organization.

Prior to the convening of the Fifth Council Session at Geneva, Mr. La Guardia made a tour of the receiving countries in Europe to establish the facts as to current conditions in these countries so that he might report on them to the Council. He was accompanied on this tour by a representative of the United States, a representative of the Union of Soviet Socialist Republics, and a representative of the United Kingdom. The representatives from these three governments are attend-

The Paris Peace Conference

Address by the Secretary of State¹

AT LONG LAST we are assembled here to consider the first treaties of peace to be made since the military defeat of the Axis conspiracy to dominate the world by force.

It took six long years of war for free men to match and finally to master the forces arrayed to degrade and enslave them.

The Axis conspiracy started in the effort of a few men first to gain by force ascendancy over their own people and then to extend by force their tyranny, step by step, over other peoples. Their goal, and they nearly achieved it, was to bring the whole world under their evil power and influence.

Let not us, who fought on freedom's side, forget how near the shadows we came. Let not us forget that, however great the losses and the sacrifice of our respective countries may have been, there is not a nation represented here that could alone have indefinitely held out against the Axis tyranny.

We live today as free men because we had friends and helpers in every country in the world, including brave souls in countries under Axis domination who, in freedom's cause, were willing to risk the tortures of the concentration camp.

We live today as free men because the freedom we fought for was freedom not for ourselves alone but for all mankind.

After six long years of war there is nothing that the people of the world now long for so much as a return to peace.

We want our soldiers to return to their homes and their families. We want even those whose misfortune it was to be conscripted on the side of the Axis to know what peace and freedom mean.

While we must be alert to see that Nazism and Fascism do not again raise their ugly heads, we must give democracy a chance to grow where tyranny stamped it out. Democracy cannot be imposed or taught at the point of a bayonet. As terror inspires terror, so good-will can inspire good-will.

Because of our suffering during the war, we

want an effective peace which will stand guard against the recurrence of aggression, but we do not want a peace of vengeance.

We want to plant the seeds of future peace and not the seeds of future wars.

And above all we must get back to conditions of peace without undue delay. Prolonged mass occupation of other countries after they have been effectively disarmed is not the way to get peace or any way to guard peace.

That is why it has been the policy of the Government which I represent to work unremittingly for the restoration of conditions of peace throughout the world as rapidly as possible.

Of course, after six long years of exhaustive war it is difficult for each nation not to think that its own ideas of peace ought to prevail. When the enemy is vanquished, differences over the making of peace are bound to be differences among allies.

After World War I differences among the Allies were allowed to weaken and destroy their will to cooperate in the maintenance of peace. The United States unwisely decided to return to a policy of isolation rather than to cooperate and to improve a peace which fell short of its expectation. Other governments also drifted into a policy of isolation or appeasement. That must not happen again.

However difficult may be the path of international cooperation, the United States is determined not to return to a policy of isolation.

We must try to understand one another, even when we cannot agree with one another. We must never accept any disagreement as final. We must work together until we can find solutions which, while not perfect, are solutions which can be defended.

I am not unaware that there has been criticism

¹ Made before the Peace Conference in Paris on July 30. The Secretary of State is the U.S. representative to the Conference.

of the meetings of representatives of the larger states to prepare draft treaties in advance of this conference. At times I myself have been critical of some of our meetings and our decisions, and I have always insisted that, before the final peace terms are drawn up, the views of all the states which took an active part in the fighting must be heard and taken into account.

But peace treaties which determine boundaries and the disposition of colonies and territories cannot be made practically effective if they are not accepted by the principal Allied states.

If the principal Allied states had not attempted to harmonize their views before this Conference I hesitate to say how many months this Conference would have to go on while efforts were being made to reconcile their positions.

We must remember that in this world where national states jealously retain their sovereignty there is as yet no way of forcing states to accept and ratify peace treaties.

It is not easy for any sizable deliberative body, be it a peace conference, a parliament, or a congress, to function effectively without having the measures which it is to consider drafted in advance and drafted with a view to meeting the views of those whose support is deemed essential.

This Conference will be free not only to consider the drafts laid before them but to make such recommendations concerning the final treaties as the Conference may determine. While the Council of Foreign Ministers has suggested certain rules of procedure, the Conference is free to adopt its own rules of procedure. Because I believe governments must respect world opinion I hope the Conference will accept the recommendation of its commission that all meetings of the Conference committees will be public.

The very fact that the drafts which go before this Conference have been prepared in advance insures that all those present here will have an opportunity to express themselves on concrete peace proposals which are likely, in some form or other, to find their way into the final peace treaties.

After the last war the smaller states were free to express their views before the concrete peace proposals were formulated. But it took the Council of Four so long to come to an agreement on the important issues that the smaller states had little opportunity to review the actual decisions, once they were made by the Big Four.

The drafts submitted to this Conference are not the proposals which the United States would make if the United States were the sole arbiter of the peace. But neither are these the proposals which any other state which has collaborated in their drafting would make if it were the sole arbiter of the peace. The proposals, however, represent a very real effort on the part of the states which cooperated in their preparation to reach a common understanding which, in this imperfect world, is an indispensable condition to the establishment of peace.

I hope that the delegates will feel free to express the views of their respective states on the proposed treaties. No nation, large or small, can be insensitive to world opinion.

A world longing for peace will not forgive us if, in striving for perfection, we fail to obtain peace.

History will judge our efforts not by what we say here, but what we accomplish here.

Since last September I have fought to bring about this Peace Conference of all the states which actually waged war with substantial military force against the European Axis.

The Council of Foreign Ministers, in the drafting of the final treaties, is pledged not only to take into account the recommendations here made, but not to reject any of them arbitrarily.

The United States will stand by its agreements in the Council. But if the Conference should by a two-thirds vote of the governments here represented make a contrary recommendation the United States will use its influence to secure the adoption of that recommendation by the Council. The United States believes that those who fought the war should make the peace.

Meeting of Committee on Rules of Procedure

REMARKS BY THE SECRETARY OF STATE¹

Mr. President, when the Council of Foreign Ministers was first proposed, it was my thought that membership upon the committees drafting the treaties should be liberal because it was our view that this was a world war and the governments were forced to send troops not where they wished but where the staff determined they should go. Norway could send ships to aid this army or that army. It was participating indirectly in the prosecution of the war.

The view of the United States, however, was not agreed to in the Council. It was agreed there that those states signatory to the armistice should alone have the right to consider a treaty with the enemy states. The position of the United States has been that the Conference should adopt its own rules of procedure. Our position in the Council was that we would not be bound by the agreement as to procedure, having reference to the rules of the Conference. Consequently, yesterday when the representative of the Netherlands presented a motion which was in accord with the views originally held by the United States, I abstained from voting.

I wanted the Conference to determine how these commissions should be formed. They determined the matter. I believe we should stand by that determination.

I recognize the plea of the Polish representative. It appeals to one's sympathy, but this Conference cannot pass upon the contribution made by each of the governments here and determine who should belong to a commission on the basis of that contribution. We will never get anywhere if we follow that procedure. We must either go back to the motion of the representative of the Netherlands and let all participate or we must stand by the procedure as agreed to in the Council of Foreign Ministers, limiting it to those who were technically at war. For that reason I shall vote against the motion²

¹ Made in Paris Aug. 2; released to the press Aug. 3.

² The motion referred to is the motion of the Polish Delegate that Poland be a full member of the commission on the Hungarian treaty.

The United Nations

Provisional Agenda for Second Part of First Session of General Assembly¹

(On p. 256 will be found a series of notes explaining the corresponding numbers in this agenda)

1. Opening of the second part of the session by the President of the General Assembly.
2. Report of the Credentials Committee.
3. Election to fill any vacancies in the office of the General Assembly.
4. Adoption of the agenda.
5. Report of the Secretary-General on the rules of procedure, including changes required to give effect to decisions taken regarding terms of office of members of councils. Resolution of Feb. 13, 1946.
6. Report of the Secretary-General on the work of the organization.
7. Report of the Security Council.
8. Opening of the general debate.
9. Admission of new members to the United Nations (if recommendations are received from the Security Council).
10. Election of three non-permanent members of the Security Council.
11. Election of six members of the Economic and Social Council.
12. Report of the Secretary-General on trusteeship agreements. Resolution of Feb. 9, 1946.
13. Election, if required, of elected members of the Trusteeship Council.
14. Report of the Secretary-General on information to be transmitted by members concerning non-self-governing territories. Resolution of Feb. 9, 1946.
15. Report of the Headquarters Commission and appointment of Planning Commission of Experts. Resolution of Feb. 14, 1946.

16. Joint report of the Secretary-General and the Committee on Negotiations with the competent authorities of the United States regarding the arrangements required as a result of the establishment of the seat in the United States of America. Resolution of Feb. 13, 1946.

17. Election of the members of the Advisory Committee on Administrative and Budgetary Questions. Resolution of Feb. 13, 1946.

18. Supplementary reports of the Secretary-General on administrative and budgetary matters: (a) Budgetary and financial arrangements. Resolution of Feb. 13, 1946. (b) Organization and administration of the Secretariat. Resolution of Feb. 13, 1946. (c) Recommendations concerning the administration of the International Court of Justice. Resolution of Feb. 6, 1946. (d) Report on a system of simultaneous telephonic interpretation. Resolution of Feb. 1, 1946. (e) Adoption of an official emblem by the United Nations.

19. Report of the Contributions Committee on a scale for apportionment of expenses. Resolution of Feb. 13, 1946.

20. Report of the Committee on UNRRA and transmission by the Secretary-General of report from the Director General of UNRRA. Resolution of Feb. 1, 1946.

21. Report of the Secretary-General on action taken to implement resolution on the world shortage of cereals. Resolution of Feb. 14, 1946.

22. Report of the Economic and Social Council on the economic reconstruction of devastated areas. Resolution of Feb. 2, 1946.

23. Report of the Economic and Social Council on the question of refugees and consideration of the constitution of the International Refugee Organization. Resolution of Feb. 12, 1946.

24. Consideration and approval of agreements concluded with the specialized agencies.

25. Report of the Economic and Social Council

¹ Included in a communication of Aug. 1 from the Acting Secretary General of U.N., Arkady Sobolev, to the American representative on the Security Council. The General Assembly will meet in New York City on Sept. 23, 1946.

on the assumption of functions and powers previously exercised by the League of Nations under various international conventions on narcotic drugs. Resolution of Feb. 12, 1946.

26. Report of the Economic and Social Council and report of the Secretary-General on the transfer of other functions and activities of the League of Nations. Resolution of Feb. 12, 1946.

27. Joint report of the Secretary-General and of the Negotiating Committee on questions arising out of the transfer of certain assets of the League of Nations: (a) Transfer to the United Nations of certain assets of the League of Nations. Resolution of Feb. 12, 1946.¹ (b) Interim arrangements on privileges and immunities of the United Nations concluded with the Swiss Federal Council. (c) Agreement concerning the Ariana site. (d)

¹ For articles by Dr. Henry Reiff on the transfer of certain assets of the League of Nations, see BULLETIN of Apr. 28, 1946, p. 691, and May 5, 1946, p. 739.

² Indian proposal:

22 June 1946

DEAR MR. SECRETARY GENERAL:

I am directed by my Government to submit forthwith to you, as Secretary General of the United Nations organization, the request of my Government that the question of the treatment of Indians in the Union of South Africa be included in the provisional agenda for the second part of the first session of the General Assembly, which is to be held on 3rd September 1946.

A brief resumé of the case is given below:

"1. Indians in South Africa, mostly residing in Natal province, number about a quarter of million as against 2¼ million Europeans. They are mostly descendants of labourers who proceeded to South Africa between 1890 and 1911 under the arrangement between Government of India and the then Government of Natal and of traders who migrated in wake of indentured labourers prior to 1913. Although one of the conditions of the arrangement was that labourers would be allowed to live as free men, enjoying all rights and privileges of citizenship, Indian settlers in South Africa have progressively suffered discrimination and deprivation of elementary rights ever since 1885. Amongst their disabilities are lack of parliamentary and municipal franchise, restriction of rights of ownership and occupation of property, restrictions on trading, employment in public services, and travel and lack of education facilities. Discrimination against Indians reached climax in recent enactment of Asiatic land tenure and Indian representation act, which is designated to segregate Indians into particular areas for residence and for ownership and occupation of fixed property.

"2. Government of India, being a party to arrangements which resulted in Indian emigration to South Africa, have felt continuing responsibility and have from time to time intervened on behalf of Indians with South African Governments. The latter have frequently sought

Approval of agreement concerning premises of the Peace Palace at The Hague. Resolution of Feb. 12, 1946.

28. Immunities and privileges for the judges and staff officials, etc., of the International Court of Justice.

29. Regulations to give effect to Article 102 of the Charter regarding registration of treaties. Resolution of Feb. 10, 1946.

30. Organization of International Press Conference. Resolution of Feb. 9, 1946.

31. Treatment of Indian nationals in the Union of South Africa. Item proposed by the Government of India.²

32. Application of Article 27 of the Charter dealing with the method of voting in the Security Council. (Item proposed by the Government of the Commonwealth of Australia.)³

33. Consideration and approval of the first and second annual budgets of the organization for the years 1946 and 1947, respectively.

34. Installation of the Assistant Secretaries-General.

(the Indian Government's comment and advice on proposals affecting Indians in South Africa. On two occasions, namely in 1926 and 1932, there were formal round table conferences between the two Governments. In the former year over the question of segregation of Indians, agreement known as Capetown Agreement was concluded between the two Governments and in 1932 joint statement was issued to the effect that Capetown Agreement was to continue and there should be continued cooperation between the two Governments. Principle of segregation was, however, again embodied in Asiatic land tenure and Indian Representation Bill, but suggestion of Indian Government for another round table conference to explore means of amicable settlement of outstanding questions was rejected by the South African Government. Passage of this bill into law constitutes unilateral repudiation of the Capetown Agreement and of joint statement of 1932.

"3. Reactions to these measures have been so serious in India that the Government of India have had to give notice of termination of trade agreement between the two countries and recall their High Commissioner for consultation.

"4. A situation has thus arisen which is likely to impair friendly relations between India and South Africa and, under Articles 10 and 14 of the Charter, is submitted for consideration of general assembly."

A detailed factual memorandum dealing with this subject is being sent to you by my Government.

I remain [etc.]

A. RAMASWAMI MUDALIAR

Leader of the Indian Delegation to the General Assembly, and Member, Government of India

³The following is the text of a letter from Dr. H. V.

(Footnote continued on next page)

NOTES ON GENERAL ASSEMBLY AGENDA

1. The first part of the first session of the General Assembly was held in Central Hall, Westminster, London, from 10 January to 14 February 1946. M. Paul-Henri Spaak of Belgium was elected President and will also preside at the second part of the first session in New York.

2. The Credentials Committee elected in London comprises: the Byelorussian S. S. R., China, Denmark, France, Haiti, Paraguay, the Philippines, Saudi Arabia, and Turkey. Its task is to verify the credentials of delegates.

3. The only vacancy known so far is the post of rapporteur of Committee 4 of the General Assembly, dealing with trusteeship. Dr. Ivan Kerno, who was rapporteur of this Committee, is now Assistant Secretary-General in charge of the Legal Department. Other vacancies will not become apparent until a full list of delegations is available.

5. The Secretary-General was requested by the General Assembly to examine the provisional rules of procedure in the light of the experience of the first part of the first session of the Assembly and to recommend necessary changes. When the General Assembly meets in September, the members of councils who were elected to one-year terms in January will have been in office eight months. Certain changes in the provisional rules of procedure will be necessary to provide that newly elected members are to begin their terms of office next January instead of at the time of their election.

6. The Secretary-General's report was released in printed form at 12:00 noon on August 1.

7. The report of the Security Council is in preparation, but no date for its release has as yet been set.

9. Seven applications for membership have so far been received and are being considered by the Security Council's Committee on Membership. Those received were from Albania, the Mongolian Peoples' Republic, Afghanistan,

Trans-Jordan, Ireland, Portugal, and Iceland. Siam has indicated its intention to apply for membership, but no formal application is yet at hand. New members are to be admitted by a two-thirds majority vote of the General Assembly on the recommendation of the Security Council.

10. The Security Council consists of five permanent and six non-permanent members, the latter elected for two-year terms. At the first election of January 12, 1946, however, three of the non-permanent members were elected for one year only, three for two years. The members elected for one-year terms and now due to retire are the Netherlands, Egypt, and Mexico, while Australia, Brazil, and Poland will remain on the Council for another year. The permanent members are China, France, the U. S. S. R., the United Kingdom, and the United States. Retiring members are not eligible for immediate reelection.

11. The Economic and Social Council consists of 18 members, elected for three-year terms. At the first election in London, however, six members were elected for one year only, six for two years, and six for the full three-year term. The members elected for one year and now due to retire are Colombia, Greece, Lebanon, the Ukrainian S.S.R., the United States, and Yugoslavia. Members elected for two years were Cuba, Czechoslovakia, India, Norway, the U.S.S.R., and the United Kingdom. Elected for three years were Belgium, Canada, Chile, China, France, and Peru. Unlike non-permanent members of the Security Council, retiring members of the Economic and Social Council are eligible for immediate reelection.

12. No trusteeship agreements have as yet been submitted to the United Nations but a number are likely to be presented in time for the Assembly. See section D, page 33, of the report of the Secretary-General.

13. For the setting up of the Trusteeship Council, a balance is required between administering and non-administering states. But the Charter also gives to the permanent members of the Security Council automatic membership on the Trusteeship Council. The General Assembly will therefore elect non-administering members for three-year terms only when election is necessary for the maintenance of the required balance. It follows that, if all the states which are now expected to present draft trusteeship agreements do so and thus become administering states (the United Kingdom, France, Belgium, Australia, and New Zealand), it will be necessary for the General Assembly to elect two additional non-administering states to join the ranks of China, the U.S.S.R., and the United States.

15. The Headquarters Commission is still meeting. The Planning Commission of Experts is to be established to assist the Secretary-General "in planning the most modern and efficient permanent installations for the organization". (Report of the Preparatory Commission of the United Nations, chapter X, section 3.)

17. The General Assembly agreed in London that there be appointed at the beginning of the second part of the first session a nine-member Advisory Committee on Administrative and Budgetary Questions with the following functions:

(a) To examine and report on the budget submitted by the Secretary-General;

(Continued from page 255)

Evatt, Australian Minister of External Affairs, received by Mr. Arkady A. Sobolev, Acting Secretary-General of the United Nations:

July 9, 1946

The Honorable TRYGVE LIE

Secretary-General

United Nations

SIR:

I have the honor, on behalf of the Australian Government, to request that the following item be placed on the agenda of the second part of the first session of the General Assembly of the United Nations, in conformity with Rules 10 and 12 and Supplementary Rule F of the Provisional Rules of Procedure for the General Assembly—the application of Article 27 of the Charter (dealing with the method of voting in the Security Council) in the proceedings of the Security Council during 1946, and including exercise and the purported exercise of the right of veto upon Security Council decisions conferred by Article 27 and the circumstances connected therewith.

I have [etc.]

II. V. EVATT

Minister of State for External Affairs

(b) To advise the General Assembly concerning any administrative and budgetary matters referred to it;

(c) To examine on behalf of the General Assembly the administrative budgets of specialized agencies and proposals for financial arrangements with such agencies;

(d) To consider and report to the General Assembly on the auditors' reports on the accounts of the United Nations and of the specialized agencies.

18. The Secretary-General will submit to the General Assembly the first annual budget of the United Nations; a scheme for children's allowances and education grants; a report on the operation of the provident fund, proposals for a permanent staff retirement scheme, to become operative January 1, 1947; proposals for permanent schemes for injury compensations and compassionate benefits; etc. In addition, the Secretary-General was directed by the General Assembly in London to develop in consultation with the Registrar of the International Court of Justice a pension plan for the Judges, the Registrar, and the staff, the plan to be submitted to the second part of the first session.

The Assembly also recommended to the Secretary-General that he arrange, if possible, for the establishment of a telephonic system of interpretations for the second part of the first session. Two committee rooms in the Sperry plant have been equipped for experiment with the system of simultaneous interpretation used at the Nürnberg trials. The installation will operate in all five of the official languages of the United Nations: English, French, Russian, Chinese, and Spanish. Whether or not the system subsequently will be installed in all main council chambers and committee rooms will depend upon the decision of the General Assembly. Those supplementary reports of the Secretary-General are now under preparation and will be published at a later date.

19. The General Assembly in London appointed a Committee on Contributions and requested it to submit a detailed scale for the apportionment of expenses for consideration at the second part of the first session. The Committee, consisting of experts from Australia, China, France, Iraq, Mexico, the Union of South Africa, the U.S.S.R., the United Kingdom, the United States, and Yugoslavia, is at present meeting in Washington.

20. The Committee on UNRRA was set up by the General Assembly by a resolution of February 1. Its members are Canada, China, the Dominican Republic, France, Greece, New Zealand, Norway, Poland, the U.S.S.R., the United Kingdom, and the United States of America. Its terms of reference direct it:

"a) To consult with states signatory to the UNRRA agreement which have not made or arranged to make the further contributions to UNRRA recommended in the Council resolution . . . of August 1945, and to urge upon them that they make such contributions with the least possible delay;

b) To urge upon members of the United Nations who are not signatories to the UNRRA agreement to join that organization. . . ."

This Committee should not be confused with the Joint UNRRA-United Nations Planning Commission, convened by the Secretariat and now working out plans for a smooth hand-over of UNRRA's responsibilities, facilities, and machinery to United Nations organs after the dissolution of UNRRA.

21. The General Assembly in London urged all governments to take immediate measures to insure maximum production of grain. Governments and international organizations concerned with food and agriculture were also requested to publish full information in their possession on the world food situation. The report of the Secretary-General will deal with the action taken so far.

22. The 21-member Subcommission on the Reconstruction of Devastated Areas held its first meeting in London on July 29, 1946. The United Nations Secretariat has prepared a report on European countries and is now preparing a similar report on non-European countries. Delegations to the London meeting have with them further figures and statistical data and will answer a final questionnaire submitted to them. A joint revised report on Europe should be ready at the conclusion of the London conference by the middle of September.

24. In a resolution passed on June 21, 1946, the Economic and Social Council recommended that the General Assembly approve the agreements reached between the Council and the International Labor Organization, the United Nations Educational, Scientific and Cultural Organization, and the Food and Agriculture Organization.

These agreements are subject to ratification by the General Assembly on the one hand and the general conference of the organization concerned on the other.

25, 26, 27. See chapter VI of the Secretary-General's report, pp. 38-40. Note: The Ariana site referred to in 27 (c) is a property in Geneva acquired by the League of Nations from the Swiss Government.

29. Article 102 of the Charter provides that every treaty and every international agreement entered into by any member of the United Nations shall as soon as possible be registered with the Secretariat, and that no party to any such treaty or international agreement which has not been registered may invoke that treaty or agreement before any organ of the United Nations. Consequently, the Assembly by a resolution of February 10 instructed the Secretary-General to submit to the Assembly detailed regulations for such registration.

30. In the course of its London session the General Assembly resolved, on the proposal of the Philippine Delegation, to instruct the Secretary-General "to place the question of the organization of an international press conference upon the agenda of the second part of the first session of the General Assembly".

Statistical Division of U.N. Takes Over League Activities

[Released to the press by the United Nations July 22]

As of August 1, 1946 the United Nations new Statistical Division will take over the activities, together with the main body of the staff, of the Economic, Financial, and Transit Department of the League of Nations, which was housed in Princeton during the war.

As a further step, David Owen, Assistant Secretary-General for the Department of Economic Affairs, is now in Geneva negotiating an early transfer to the United Nations of the League of Nations other statistical activities, including the publication of the *Statistical Yearbook*. Mr. Owen is also looking for additional experts to staff the new United Nations Statistical Division.

The United Nations Statistical Division was set up within the Secretariat of the Department for Economic Affairs on the recommendation of the Economic and Social Council, and its terms of reference are (1) that a single responsible staff within the Secretariat should handle the coordination and planning of all statistical activities undertaken by the various departments and divisions of the Secretariat, and (2) to continue the League of Nations statistical work until such time as those statistical activities could be evaluated in the light of the United Nations program as a whole.

At present the Division is providing a technical staff of experts in international income statistics, to assist the General Assembly's Committee on Contributions. This Committee, which is now meeting in Washington, will make recommendations on member nations' contributions to meet the expenses of the United Nations.

Highly important among immediate plans now being considered by the Statistical Division is the creation of a unit on international population statistics.

The Division will also assist, as called upon, in the preparation of international statistical conferences held under the auspices of the United Nations.

From August 1, when the Statistical Division takes over the work of the League's Princeton Department, the *Monthly Bulletin of Statistics* will be published by the United Nations. During the war this bulletin was published in Princeton and contained non-European figures on trade, produc-

tion, population, prices, etc., while a bulletin covering available European figures continued to be published in Geneva. The United Nations Statistical Division will now collect all relevant data and send them to Geneva, where they will be published pending the establishment of proper printing facilities at the Sperry gyroscope plant, where the United Nations will be temporarily housed.

Three specialized agencies have already provisionally accepted United Nations proposals for the coordination of the collection and presentation of statistical data: they are the International Labor Organization, the Food and Agriculture Organization, and the United Nations Educational, Scientific and Cultural Organization. Other agencies with which similar agreements are being sought include the International Bank for Reconstruction and Development, the International Monetary Fund, and the Provisional International Civil Aviation Organization. The proposed World Health Organization will also fall within the scope of these statistical agreements.

Committee on Finances of the International Refugee Organization

This Committee, which was established by the Economic and Social Council of the United Nations, met in London during the period from July 5 to July 20, 1946. The Committee met for the purpose of preparing provisional administrative and operational budgets, and scales of contributions, for the first financial year of the proposed International Refugee Organization. Upon the completion of its work the Committee submitted a detailed report to the President of the Economic and Social Council and to the Secretary-General of the United Nations.

The United States Representative on this Committee was George L. Warren, Adviser on Refugees and Displaced Persons in the Department of State. He was accompanied by Samuel T. Parelman of the State Department and Alvin J. Roseman of the Bureau of the Budget, who served as advisers. Nine other nations were represented on the Committee, including the United Kingdom, the Union of Soviet Socialist Republics, Poland, China, France, Brazil, Canada, the Netherlands, and Lebanon.

Congress Passes Resolution Authorizing U.S. Membership in UNESCO

STATEMENT BY THE PRESIDENT

[Released to the press by the White House July 30]

I am gratified that Congress has passed the joint resolution authorizing me to accept membership for the United States in the United Nations Educational, Scientific and Cultural Organization. I attach the greatest importance to this agency.

UNESCO will summon to service in the cause of peace the forces of education, science, learning,

and the creative arts and the agencies of the film, the radio, and the printed word through which knowledge and ideas are diffused among mankind.

The Government of the United States will work with and through UNESCO to the end that the minds of all people may be freed from ignorance, prejudice, suspicion, and fear and that men may be educated for justice, liberty, and peace. If peace is to endure, education must establish the moral unity of mankind.

STATEMENT BY ASSISTANT SECRETARY BENTON

[Released to the press July 30]

A major step in strengthening international organization for peace has been taken by the enactment of the joint resolution which authorizes the President to accept membership for the United States in the United Nations Educational, Scientific and Cultural Organization.

In addition to authorizing membership in UNESCO, the joint resolution provides for the organization of a National Commission on Educational, Scientific and Cultural Cooperation, which will advise the Government and serve as a link with national private organizations in matters relating to UNESCO. The commission will have 100 members, of whom 60 will be selected by each of 60 national organizations interested in education, science, and cultural matters and 40 will be individuals selected by the Department of State. Fifty of the organizations which will select representatives on the national commission will be named soon by the Department; the remaining 10 organizations will be chosen later by the national commission itself.

The instrument of our acceptance of membership in UNESCO will be deposited with the Government of the United Kingdom. In accordance with the constitution of UNESCO, drawn up last November in London, the Organization will come into legal existence when 20 nations have deposited acceptances. This is expected to occur during this summer. Membership has already been accepted by the following 9 countries: Australia, Dominican Republic, France, India, Mexico, New Zealand,

Saudi Arabia, the Union of South Africa, and the United Kingdom. Approval of UNESCO, awaiting only the final action of depositing the acceptance, has been reported from the following 8 countries: Brazil, China, Denmark, Egypt, Iran, Norway, Syria, and Turkey. To this list is now added the United States of America.

According to present plans, the first meeting of the general conference of UNESCO will be held in November at Paris, where the headquarters of the Organization will be established. At this conference each member country will be represented by not more than 5 delegates. The conference will approve a program of activities for UNESCO and will elect a Director General. The Director General will be responsible for the appointment of the secretariat.

The general conference will consider a report drawn up by the Preparatory Commission, which has been meeting in London at intervals since last November. The report, already approved in its main outlines at the fifth meeting of the Preparatory Commission, held in London July 5-12, is to be available in this country for study and discussion at least a month before the general conference meets.

Some of the main lines of activity contemplated for UNESCO include: recommendations on agreements which will promote the free flow of knowledge and ideas across international boundaries, through all means of mass communication; promotion of international interchange of persons active in the fields of education, science, and culture; as-

sistance to member states, on their request, in the development of educational activities; promotion of international collaboration in science, scholarship, and the arts; and promotion of education at all levels directed toward international understanding, adherence to democratic values, and the maintenance of peace. UNESCO will also be concerned with problems of educational rehabilitation in war-devastated countries. UNESCO will ascertain the needs of these countries and encourage official or private agencies to give effective assistance.

The United States has participated actively in the work of the Preparatory Commission of UNESCO. This country has been represented on the Preparatory Commission by the late Grayson N. Kefauver, Donald Stone, and Esther Brunauer. Richard Johnson and H. Harvard Arnason have served as alternates. Expert consultants on such subjects as education, the radio, films, the press, social science, physical science, arts and letters, and libraries were:

- Edward W. Barrett, Editorial Director of *Newsweek*
- John M. Bogg, Acting Chief, Division of International Motion Pictures, Department of State
- Harold Benjamin, Director, Division of International Educational Relations, U.S. Office of Education
- Floyde E. Brooker, Director, Division of Visual Education, U.S. Office of Education
- Verner Clapp, Director, Acquisition Department, Library of Congress
- Ferdinand Kuhn, Jr., Consultant to the Department of State
- Charles R. Morey, Cultural Attaché, American Embassy, Rome, Italy
- W. Albert Noyes, Jr., Chairman, Department of Chemistry, University of Rochester
- Robert Redfield, Dean of the Division of Social Sciences, University of Chicago
- Ralph Robert Shaw, Librarian, Department of Agriculture
- Donald Stone, Assistant Director, Bureau of the Budget
- Helen Constance White, Professor of English, University of Wisconsin
- Charles A. Thomson, Adviser, Office of International Information and Cultural Affairs, Department of State

David Gilbert Wilson, Assistant Chief, Area Division I (Europe), Department of State

American representatives have had the benefit of many suggestions made by experts whom the Department of State has consulted, or submitted by individuals and organizations.

UNESCO is a peoples' organization. It is established by governments "on behalf of their peoples . . . to develop and to increase the means of communication between their peoples and to employ these means for the purposes of mutual understanding and a truer and more perfect knowledge of each other's lives". It will succeed if the peoples of the member states use it and give it unstinting support.

Meeting of Joint UNRRA-U.N. Planning Commission

The elimination of every possible risk that the care and maintenance of displaced persons and refugees may be prejudiced by the possibility of a time-lag between the cessation of UNRRA and the taking over of the responsibilities by a new organization was the main concern of the Joint UNRRA-United Nations Planning Commission at its first meeting at Hunter College on July 25. The Commission was convened by the Secretariat of the United Nations to consider steps in the taking over of responsibilities from UNRRA by the proposed International Refugee Organization (IRO).

The Commission, in its report to the Secretary-General of the United Nations and the Director-General of UNRRA, will make suggestions on the best way of effecting a smooth transfer of UNRRA facilities and machinery either to the IRO, should the latter have come into existence when UNRRA terminates, or to an interim body.

The draft outline of a report, dealing in detail with questions of personnel, supplies, relationship with governments and voluntary agencies, operations, and organization, was adopted as a working basis for the Commission.

The draft report of the Finance Subcommittee of the IRO, which terminated its meetings in London last week, will also be considered so far as its recommendations will have an effect on the taking over of UNRRA's responsibilities by the proposed IRO.

International Organizations and Conferences

Calendar of Meetings

Far Eastern Commission	Washington	February 26
U.S.-Mexican Discussions on Air Services Agreement	Mexico City	June 24-July 25
International Institute of Agriculture: Meeting of the General Assembly	Rome	July 8-11
U.S.-British Cabinet Committee on Palestine and Related Problems	London	July 12-26
Peace Conference	Paris	July 29
International Union of Geodesy and Geophysics: Extraordinary General Assembly	Cambridge, England	July 29-August 2
CNRRA: Second Half of Fifth Session	Geneva	August 5
The United Nations:		
Security Council	New York	March 25
Military Staff Committee	New York	March 25
Commission on Atomic Energy	New York	June 14
Subcommission on the Reconstruction of Devastated Areas	London	July 29
General Assembly: Second Part of First Session	New York	September 23

The opening dates in the third column are current as of Aug. 4.

The Record of the Week

Bill Authorizes Use of Proceeds From Surplus Sales for Educational Purposes

STATEMENT BY ASSISTANT SECRETARY BENTON

[Released to the press August 11]

A step of great long-range significance for the advancement of international understanding was taken today when the President signed an act of Congress, introduced by Senator Fulbright of Arkansas, which authorizes the Department of State to use some of the proceeds from surplus-property sales abroad for exchanges of students and other educational activities.

The bill provides that up to \$20,000,000 can be earmarked for educational exchanges with any country which buys surplus property and up to \$1,000,000 can be spent each year in each country where such an agreement is made. Thus tens of millions of dollars should become available under this bill, over a period of years.

The exchange of students and scholars is, in my judgment, the surest single method, over the decades, for promoting understanding among peoples. The activities of the press, radio, and films are indispensable in the exchange of current information among countries; but the effect of current developments is often ephemeral, and news is often misunderstood for lack of background and context. The solid background acquired by those who study outside of their own countries can provide the basis for truer understanding of other peoples. The beneficent results of the Boxer Indemnity scholarships, in the relationship between the United States and China, provides one of the best examples of this.

The Department of State had already completed an agreement with Great Britain, pending congressional approval, which will provide \$20,000,000 from the sale of surplus property for educational exchanges with the United Kingdom and the British colonies. Similar agreements are now being negotiated for amounts ranging from \$3,000,000 to \$20,000,000 in the following coun-

tries, among others: Australia, New Zealand, China, the Philippines, Burma, India, Iran, Iraq, Saudi Arabia, Turkey, Egypt, Greece, Italy, Austria, France, Holland, Belgium, and the Scandinavian countries.

The Fulbright bill authorizes the following types of educational activities:

(1) American students can be given grants of foreign currencies to be used to pay the cost of higher education or research in foreign countries.

(2) American professors can be given grants to give lectures in foreign institutions of higher learning.

(3) Foreign students can be given scholarships to study at American non-denominational institutions abroad such as the American University at Beirut, Syria, and Robert College at Istanbul, Turkey.

(4) Foreign students can be given funds to pay for their transportation to the United States to attend American institutions of higher learning.

It is implicit in the bill that all of these activities must be financed with foreign currencies. The bill therefore cannot authorize expenses of foreign students within the United States. The bill is designed to utilize foreign credits in many countries in lieu of American dollars for American surplus property.

The students who will benefit by this bill will be selected by a ten-man Board of Foreign Scholarships, which the bill authorizes the President to establish. The bill provides that this Board shall include representatives of the United States Office of Education, the United States Veterans Administration, state educational institutions, and privately endowed institutions. If funds are negotiated to the limit of the bill's potential, and if

facilities abroad develop capable of handling the students, it is possible that 100,000 or more American students would be sent abroad under this bill in the next two or three decades.

Veterans of World War I and II will be given preference. The bill requires that "due consideration shall be given to applicants from all geographical areas of the United States." It is expected that some type of regional selection method will be devised to insure that all parts of the United States are suitably represented.

It is unlikely that any scholarships will be awarded under the authority of this act for the 1946-47 academic year. After the President has appointed the Scholarship Board, and the Board has determined the qualifications for awards, ample publicity and time should be permitted for all

suitably qualified people to make application. It is hoped that the grants will be made in the spring of 1947 for the school year beginning in the autumn of 1947.

While the major effect of the Fulbright bill will be to permit thousands of American students to study abroad, we should be prepared to welcome thousands of foreign students to our shores. I look forward to the day when we shall have as many as 50,000 foreign students in this country. Senator Fulbright, the author of the bill which was signed today, has seen at first hand the importance of such student exchanges as a result of his own studies abroad, and during his tenure as president of the University of Arkansas. It is due to his understanding and his leadership that this bill has been enacted by Congress.

Soviet Reply to U.S. Note on Hungarian Economic Situation

Text of a note¹ from the Soviet Vice Minister for Foreign Affairs, V. G. Dekanozov, to the American Ambassador to the Soviet Union, Lt. Gen. Walter Bedell Smith

July 27, 1946.

In connection with your letter of July 22, 1946 addressed to Minister of Foreign Affairs V. M. Molotov regarding the economic situation of Hungary and the payment by Hungary of reparations to the Soviet Union,² I consider it necessary to draw your attention to the fact that the data cited in your letter and the conclusions which you draw on the basis of this data do not correspond to reality.

In your letter you maintain that the difficulties observed at present in the economic life of Hungary are allegedly the result of the fact that the bulk of the current production of Hungarian industry is being consumed by reparations and by the satisfaction of other demands, as you express it, of the occupying power. You assert, moreover, that reparations consume from 80-90 percent of the production of heavy industry, including the production of iron, metal and machines. You add, that, moreover, from the supplies of the urban population the Red Army allegedly received from Hungary during the first months of 1945 "almost

all the supplies of meat, one sixth of the wheat and rye, more than one quarter of the vegetables, almost three quarters of the supply of lard", etc., and that thus reparations paid by Hungary, on the one hand, and the above withdrawals for the supply of the Red Army on the other hand, are the cause of the grievous economic situation of Hungary. The unfoundedness of such an assertion cannot fail to strike any unprejudiced person, particularly if one takes into account the fact that the entire sum of Hungarian reparations deliveries to the Soviet Union for 1945 did not exceed \$10,000,000, that is, constitutes a quite insignificant sum. This fact alone is sufficient to demonstrate the complete lack of foundation of the assertion in your letter that the bulk of Hungarian production is being consumed by reparations.

The extent of the unfoundedness of these assertions is apparent from the fact that the Hungarian Government addressing on May 28 of this year, a request to the Soviet Government to fix a plan for reparations deliveries for 1946-53 itself fixed the amount of these deliveries for 1946 as \$21,800,000. Under these circumstances the statement to the

¹ Translation by the American Embassy in Moscow.

² For text of U. S. note, see BULLETIN of Aug. 4, 1946, p. 229.

effect that the reparations obligations of Hungary are excessive, "crushing" and so on is deprived of any foundation.

The Soviet Government, taking into account the economic difficulties of Hungary, already a year ago made considerable concessions to the Hungarian Government, extending the term of reparations deliveries to eight years from six years, prescribed by the armistice agreement. The Soviet Government fully satisfied also the above request of the Hungarian Government for further concessions to Hungary regarding reparations, fully accepting the plan proposed by the Hungarian Government on May 28 for further reparations deliveries to the Soviet Union. According to this plan, reparations deliveries for 1946 are fixed at a sum of \$21,800,000; for 1947 23,000,000; for 1948, 25,000,000; for 1949-53, 30,000,000 annually. At the same time the Soviet Government released Hungary from payment of a fine of 6,000,000 for non-fulfillment on time of reparations deliveries in the first year in which the reparations agreement was in force. To the above must be added, that according to the Soviet-Hungarian trade agreement, Hungary received from the Soviet Union in the past year 1945, goods to the amount of \$6,300,000, while at the same time Hungary itself delivered to the Soviet Union goods only to the amount of \$26,600. If, thus, there are taken into account goods received by Hungary from the Soviet Union to the value of 6,300,000 then, in the account, it turns out that all Hungarian deliveries for the Soviet Union do not exceed \$3,700,000.

In your letter you state that the American Government agreeing to the conditions of the armistice with Hungary did not foresee that "the productive power of Hungary and its national income would be reduced by half or even more in the course of a few months and that, for example, reparations subject to payment by Hungary in 1945 would equal 24 percent of the national income". For a statement of this sort there are no foundations of reality. The above cited data prove fully convincingly that the extent of reparations pointed out in your letter, subject to delivery by Hungary in 1945 to no extent correspond to the real scope of these deliveries, constituting an entirely insignificant amount.

This is the real state of affairs regarding taking of reparations from Hungary for the benefit of the Soviet Union.

The situation also is the same with regard to the data on the supplying the Red Army at the expense of the Hungarian economy cited in your letter, particularly the data regarding wheat, rye, oats, meats, etc. All these data are entirely incorrect. In reality the Soviet forces received not more than three percent of the total amount of these cultures of the 1945 harvest and of fats not more than eight percent by head of swine. The Hungarian Government did not make deliveries of industrial products for the Red Army, with exception of fuel and a certain amount of commissary supplies.

Citing its data, the Government of the US made use of clearly incorrect information which can only create confusion.

It is impossible not to note the quite arbitrary characterization contained in your letter of the economic *situation* of Hungary. The data at the disposal of the Soviet Government do not confirm this characterization. In reality the capacity of the industrial enterprises of Hungary curtailed as the result of the war to 60 percent of the prewar level, had by the middle of July 1946 risen to 70-85 percent in the production of pig iron, steel, rolled metal and machine building and to 85-90 percent in light industry. If the output of industrial production in Hungary in 1945 constituted 30-35 percent of the prewar level at the present time, the output of production has been brought to 60 percent of the prewar level. Thus, despite the existing difficulties, Hungary, since the termination of the war, has increased the productive capacity of its industry by 20-25 percent and by 25-30 percent the output of industrial production. These successes have been achieved despite the fact that the Germans and the followers of Szalshai carried off to Germany a large quantity of the most valuable industrial equipment and raw materials which, like the removed Hungarian gold, fell into the hands of the American Government and to the present time has still not been returned to Hungary. Such a situation, deriving from the policy carried out by the American authorities creates extremely difficult economic conditions for Hungary and is in complete contradiction with the statements of the US Government regarding the necessity of accelerating the economic restoration of Hungary. In your letter of July 22 it is stated that the information regarding the amount of Hungarian property carried off by the

Germans and the followers of Szalshai which is already for the second year in the American zone of occupation is exaggerated. But the American Government, as you state, is still preparing lists of Hungarian property plundered and carried away to Germany and Austria and has still not determined the value of this property. The Hungarian Prime Minister Ferenc Nagy in his statement in Parliament on February 7 of the present year declared that the Hungarian Government had registered the property located in the American zone of occupation of Germany and Austria at more than 2 billion. Besides this, the Hungarian Prime Minister added that as the property which had been carried away came to light this sum would reach about 3 billion. This fully corresponds to the figure of 3 million indicated in the note of the Soviet Government of April 21, 1946.

Speaking of the economic situation of Hungary, it is impossible not to note that despite the difficulties existing in this sphere, a number of new factory shops and plants have also been restored and reequipped. It is worth noting such facts as the construction of a new plant for the production of machine tools, the new "Reniks Electric Resistance Plant", and a number of shops for the production of automobile pistons, the reconstruction of the tractor shop in the "Hoferstrans" plant, the restoration and reequipping of various shops in the "Rossman", "Kozma", and other plants. The expansion of the aluminum rolling and wares plant, large scale work on the reequipping of the "Hans" electro mechanical plant. All these facts indicate that the process of the restoration of industry is proceeding in Hungary and that the reparations obligations in Hungary are in no way hindering this process. In the same way is refuted the assertion contained in your letter that the bulk of Hungarian production of current output is allegedly being consumed by reparations and that nothing remains for the restoration of Hungarian economy and for the internal needs of Hungary. Such an assertion is refuted also by the fact that during the second half of 1945 almost 50 percent of the entire rolled metal output went to the needs of Hungarian economy.

In your letter of July 22 there is contained the entirely incorrect assertion that the Soviet authorities have allegedly removed in Hungary industrial equipment in the amount of \$124,000,000.

Such statements do not have any foundation and only elicit surprise with regard to the sources of the information which has been utilized in this connection. The Soviet forces removed from Hungary as trophy equipment certain military enterprises of a value not exceeding \$11,000,000.

With regard to the proposal of the American Government that the representatives of the Soviet Union, US and Great Britain in the Control Commission jointly work out a plan for the economic restoration of Hungary, the Soviet Government as before, considers this proposal not acceptable inasmuch as was pointed out in the letter of the Ministry of Foreign Affairs of April 21, the working of such a plan belongs exclusively to the competence of the Hungarian Government.

Answer to Polish President's Remarks Concerning Ambassador Lane

STATEMENT BY ACTING SECRETARY ACHESON

[Released to the press August 31]

In answer to a question regarding President Bierut's reported recent remarks concerning Ambassador Lane,¹ the Acting Secretary made the following statement, which he stated had the approval of the Secretary:

"I have been quite surprised by remarks which have been attributed in the press to the President of the Polish National Council, Mr. Boleslaw Bierut, in respect to Ambassador Lane. Ambassador Lane is an experienced diplomat who has represented this Government in many parts of the world. His reports from Warsaw have always indicated great sympathy for Poland and the difficulties with which it is faced. Ambassador Lane continues to enjoy the complete confidence of this Government."

¹ In Warsaw on July 19, President Bierut is reported to have stated that the Polish Government has difficulty "convincing Mr. Bliss Lane of our sincere wish for the most cordial relations because Mr. Bliss Lane does not believe us very much". He is reported to have said further that although Mr. Lane lives in Warsaw, he has very little understanding of the Polish people and that Mr. Lane either cannot or will not understand "our" problems.

British Government Accepts Offer To Treat Occupation Zones in Germany as Economic Unit

[Released to the press July 29]

The Department of State has been informed that the British Government has accepted in principle the offer of Secretary Byrnes to join the United States zone of occupation in Germany with any other zones for the purpose of treating the zones so joined as an economic unit.¹ The Department welcomes this announcement as a first step toward easing the heavy financial burden resting on the two occupying powers and relieving the distress which has resulted from Germany's being divided into four relatively watertight economic compartments. The Department hopes that the other occupying powers will find it possible to give an equally favorable response to Secretary Byrnes' offer. In the judgment of this Government the greatest general advantage would accrue from prompt measures to achieve the economic unity of Germany as prescribed by the Potsdam Agreement.²

¹ For comment on the instructions sent by the Secretary of State to General McNarney, see BULLETIN of Aug. 4, 1946, p. 227.

² At his press and radio news conference on July 29, Assistant Secretary Hilldring, commenting on the announcement that Great Britain had agreed in principle to join the United States in the economic treatment of their two zones in Germany, said that it is hoped that this may result in a free flow of goods between the two zones and a single flow of goods in international trade out of the two zones. He said that it was hoped that the two could run their transportation and communication systems as a unit.

Negotiations have already been started in Berlin between Gen. Lucius D. Clay, U.S. Military Commander in Germany, and the British officials in charge, the Assistant Secretary said. He emphasized that the United States was not attempting to set any form of provisional government and that the head of the U.S. Military Government would remain in Berlin. He also pointed out that the idea of unification of zones is not a new one but that it goes back to the Potsdam Agreement. Both the French and the Soviets agreed to the general idea, differences being on when and under what circumstances it could be put into operation.

Nothing that can be done, the Assistant Secretary said, through unification either of the two zones or of more than

The President Requests Cabinet Committee on Palestine To Return to Washington

[Released to the press by the White House July 31]

The President has been considering certain recommendations of the Alternates of the Cabinet Committee on Palestine and Related Problems and has decided in view of the complexity of the matter to request Ambassador Grady and his associates to return to Washington to discuss the whole matter with him in detail.

The President hopes that further discussions will result in decisions which will alleviate the situation of the persecuted Jews in Europe and at the same time contribute to the ultimate solution of the longer term problem of Palestine.

Visit of Peruvian Artist

Enrique Camino Brent, Peruvian artist and artistic director of the Central Polytechnic Institute of Peru, is visiting the art schools of the United States as a guest of the Department of State. While in this country, Mr. Camino Brent has been concerned with the teaching aspects of his subject and with the production of ceramics, glass, forged iron, wood carving, and other handicraft articles.

Two, can eliminate the need now for outside assistance for Germany. The sooner the nations involved get together, the greater will be the saving to their taxpayers, he said. He estimated the present cost of American occupation in Germany at about \$200,000,000 a year, mostly on account of food imports. The Assistant Secretary said that the food standards in neither the U.S. nor the British zones are up to the level of 1,550 calories a day—an amount which was set last year. He added that the U.S. zone is ahead of the British.

The union of the two zones would permit mutually helpful exchange of food, coal, drugs, and other supplies. The Assistant Secretary said, "We hope there won't be any dotted line left between the two zones after the negotiations are finished with respect to economic considerations."

Assistant Secretary Hilldring also said that the personnel in the American zone is constantly being reduced but that this reduction is independent of the problem of economic unity: in fact, even after the unity machinery is agreed upon, it might take increased personnel for a short time to get it set up and functioning properly, he explained.

Security for UNRRA Supplies in Yugoslavia

[Released to the press August 2]

Reply of Lt. Gen. Sir William D. Morgan, Supreme Allied Commander, Mediterranean, to Mr. La Guardia's letter of July 28, 1946, addressed to Lt. Gen. John Lee, Deputy Supreme Allied Commander, Mediterranean

I have received your signal and note your statements which I must point out are not in accordance with the facts.

The title to UNRRA supplies passes to the responsible importing government at ships side, and thereafter security of supplies and provision of transit guards is responsibility of owning government. On 2 April 1946 I authorized the following guards from foreign nationals for UNRRA supplies imported through Trieste for Austria, Czechoslovakia, Hungary and Yugoslavia.

Austria. 40 unarmed Austrian civilians.

Yugoslavia. Military personnel drawn from the Yugoslav Detachment, now under command of GOC, XIII Corps, provided that they were not armed and that they remained under the command of GOC, XIII Corps at all times.

Czechoslovakia and Hungary. Detachments of soldiers of not more than 3 officers and 40 men at any one time, from each of the Slovak and Hungarian Armies, provided that they were unarmed, in uniform, and subject to the orders of GOC, XIII Corps whilst within the territorial boundaries of his command.

The above arrangements were acceptable to Austria, Czechoslovakia and Hungary and are being implemented. Yugoslav Detachment, however, although under command XIII Corps, refused to supply unarmed guards as they considered that unless armed they could not adequately protect stores entrusted to their care. Armed guards were, however, not permitted as they were considered unnecessary and undesirable, and it was not until 23 June 1946, and then only after strong representation from General Harding, Commander XIII Corps, that Yugoslav unarmed guards were supplied.

As a part of their program to force permission for Yugoslavs to carry arms in Venezia Giulia,

large scale pilferage and holdups have been alleged of which in fact there has been no evidence and certainly none implicating civil or military police. For your information, American, British and Yugoslav troops are treated alike with regard to carrying arms in Venezia Giulia.

The greatest care has been taken by XIII Corps over arrangements for security of UNRRA supplies in Trieste port, such as:

Substantial increase of Venezia Giulia police for anti-pilferage duties within the port.

Improvements to floodlighting and fencing.

Establishment of an UNRRA port of Trieste committee in which *inter alia* anti-pilferage measures are discussed. In this connection it should be noted that Doctor Nederbracht, the Chairman, has been unable to quote any figures for pilferage at the last 5 weekly meetings of this committee.

This agitation for armed guards appears to be a continuation of a wide-spread and long term propaganda campaign to discredit Allied Military Government in Venezia Giulia and this campaign has been well known to Allied Force Headquarters for several months past. In this instance the object apparently is to infer that such a state of lawlessness exists in Trieste, that the transit of supplies without armed escort is unsafe. Furthermore, it is more than likely that the allegations of large scale pilferage of Yugoslav UNRRA supplies is an attempt to account for quantities of UNRRA supplies which have reportedly been used for unauthorized purposes.

In view of the possible political motives which may lie behind these allegations which are at variance with the facts reported above and the importance of this particular matter to us all, I would strongly recommend that prior to your departure from Europe you should visit Trieste, whence I have just returned after discussing this matter with General Harding. There you can examine the facts on the ground and subject could be further discussed without bias.

General Lee is in agreement with my views expressed above.

Views on Termination of UNRRA and the Problem of Relief

STATEMENT BY ASSISTANT SECRETARY CLAYTON¹

[Released to the press July 30]

Reports recently published purporting to give my views concerning the termination of UNRRA and the problem of relief in 1947 do not accurately reflect my position on this subject. My position was fully set forth in a statement presented to the House Appropriations Committee in connection with the recent hearings for the final contribution to UNRRA. At that time (June 5, 1946) I said:

"I would like to take this opportunity at what I expect will be the last hearing for an appropriation for UNRRA to tell you how much I am impressed with the wisdom of those who foresaw the need for an organization of this type and the magnificent job which was done by Governor Lehman in building the organization, and by Mayor La Guardia in piloting it during the recent critical months. Certainly conditions in the liberated countries which have received assistance from UNRRA would now be appalling had they not received both the financial aid and the technical facilities which UNRRA is providing. . . . I am confident that UNRRA is prepared to complete its programs with credit to itself and satisfaction to both its receiving and contributing members."

The period of acute need immediately following the war, which made necessary the establishment of a world-wide relief organization, is now drawing to a close. Although it is still too early to determine precisely what will be the situation in the needy areas during the period following UNRRA shipments, we are hopeful that almost all of these countries will be in a position to finance their essential imports of food and other relief supplies and to set up their own administrative machinery for handling their imports.

I accept it as axiomatic that the world will not permit the people of any nation to starve as long as there is food enough to go around.

OFLC—Continued from page 246

establishment of the office by Secretary of the Navy James Forrestal and Secretary of War Henry L. Stimson was made pursuant to the direction of the Office of War Mobilization and Reconversion and by regulation of the Surplus Property Act of 1944, and Thomas Bayard McCabe of Philadelphia was named Liquidation Commissioner.

Mr. McCabe in civilian life is chairman of the board of the Federal Reserve Bank of Philadelphia and president of the Scott Paper Company of Chester, Pa. He had previously served the Government as Executive Assistant to Edward R. Stettinius, Jr., in the Advisory Commission for the Council of National Defense, and as Deputy Director, Division of Priorities, Office of Production Management, Deputy Lend-Lease Administrator, member of the U.S. Committee for Inter-American Development, and Chairman of the Business Advisory Council for the Department of Commerce.

The Army, meanwhile, assigned Maj. Gen. Donald H. Connolly, former Commanding General of the Persian Gulf Command, as Deputy Commissioner, and the Navy assigned Rear Admiral William Brent Young, former Chief of the Bureau of Supplies and Accounts, as Assistant Commissioner.

By Executive order in October 1945 the ANLC was transferred to the State Department and redesignated as the OFLC; Mr. McCabe retained his post as Commissioner and the entire organization remained virtually unchanged.

A true story about him might appropriately sum up the incalculable difficulties and complexities which have beset OFLC from its inception and which have been overcome to the extent that almost half of the entire overseas disposal program is completed.

Shortly after accepting the post of Liquidation Commissioner he had dinner with Columnist Walter Lippmann. Mr. McCabe explained the problems which then confronted his infant organization in all parts of the world. When he concluded, Lippmann exclaimed:

"You should get the Congressional Medal just for your courage in accepting the job!"

¹Telegraphed from Paris, where Mr. Clayton is assisting Secretary Rhymer at the Paris Peace Conference.

Position of United States in the World Today

BY CARLTON SAVAGE¹

ONE OF THE MOST GRATIFYING aspects of our participation in the United Nations and in international affairs generally is the cooperative attitude of the major political parties. Members of both parties helped to develop the ideas of the United States on the Charter. They cooperated with members of the State Department in the background work a few years ago; they participated when the Charter was drawn up at San Francisco; and they worked together at the meeting of the United Nations Assembly in London early this year. You are aware that a Republican, Senator Austin of Vermont, has been named as the representative of the United States on the Security Council. Our Delegation to the September Assembly is composed of both Democrats and Republicans. This bipartisan support adds strength, nationally and internationally, to our participation as a member of the United Nations.

Another and related cause for gratification is the cooperation of the executive and legislative branches of the Government in international affairs. It has been especially noteworthy in connection with the preparations for the post-war world. It was seen in the development of the United Nations Charter. It is seen in practically every international conference when the Secretary of State of the United States is accompanied by members of the Senate and sometimes of the House of Representatives. It is seen in legislation in Congress relating to international affairs, the most recent noteworthy example of which was the passage of the British-loan legislation by the two houses of Congress. We have come a long way since a generation ago when the lack of cooperation between these two branches of government and the lack of unity in international affairs was manifest in our not becoming a member of the League of Nations. This new situation helps greatly toward the unity of the Nation in foreign affairs with a consequent increase in the effectiveness of our participation.

A current discussion of foreign affairs would not, of course, be complete without some reference to the present Paris conference. It was just 27 years ago that another Paris peace conference was held—to prepare a peace treaty with Germany. The present conference, however, will not consider a treaty with Germany; that task will come later. The purpose of this conference is to consider peace treaties with Bulgaria, Finland, Hungary, Italy, and Rumania. The 21 participating states are United Nations members which “actively waged war with substantial military force against European enemy states”, namely: United States, Soviet Union, Great Britain, France, China, Australia, Belgium, Byelorussian Soviet Socialist Republic, Brazil, Canada, Czechoslovakia, Ethiopia, Greece, India, Netherlands, New Zealand, Norway, Poland, South Africa, Yugoslavia, Ukrainian Soviet Socialist Republic.

The building of the peace is a long, weary, tedious process. For months the Foreign Ministers of the United States, the Soviet Union, Great Britain, and France and their Deputies have been hammering out the provisions for the five treaties. They have been ironing out national differences, reconciling conflicting points of view, and endeavoring to arrive at a mutually satisfactory conclusion. Finally, they have agreed upon five draft treaties which are under discussion at the 21-nation conference.

At this conference the primary task of the four Foreign Ministers will be to explain to the representatives of the other 17 governments the treaties which have been drafted. After the conference has submitted recommendations either as to amendments of the treaties or as to additional matters to be included in the treaties, the four Foreign Ministers must meet to consider the recommenda-

¹ Excerpts from an address delivered before the Commonwealth Club in San Francisco, Calif., on Aug. 2. Mr. Savage is Assistant to the Secretary of State. For complete text of the address, see Department of State press release 526 of July 30, 1946.

tions and agree upon the final texts of the treaties.

It is important for us to realize that we as a Nation have not had our own way completely at the Paris meetings of the Foreign Ministers nor will we during the Peace Conference. But no nation gets everything it asks for in a free international gathering.

In a way the struggle for an acceptable peace settlement is remindful of the battle which has been going on in Washington over price and rent control. At the Capitol our elected representatives have been contesting for weeks and weeks each for his own point of view. When the bill finally passed the House of Representatives, it was reported that this action was taken with a decided lack of enthusiasm among partisans on either side of the issue. In fact, one of the leaders described the compromise bill as "acceptable" rather than "agreeable."

The struggle for a mutually acceptable peace is a much harder process. Different nationalities are involved and national interests and rivalries are intense. Boundaries, war damages, reparations, and strength of armed forces—all these and many others are problems of adjustment which are almost insurmountable. In the end no nation gets its own way fully. Each must yield something to the wishes of others to arrive at a settlement.

At these international gatherings the Secretary of State puts forward with patience and firmness, tolerance and understanding, the points of view of the United States. He holds that if we fail to cooperate in a peace which is indivisible we may again find we may have to cooperate in a war which is world-wide. He is unwilling to admit that we cannot cooperate without sacrifice of our principles, believing that the victories of peace require sacrifice not of principle but for principle.

Even after the completion of the present Conference and the signature and entrance into force of the treaties with the five nations, the peace will not have been made. The big problem of a peace with Germany will still remain. And in addition to a treaty with Germany, it will be necessary before peace is finally concluded to have a settlement with Japan, the other principal Axis power.

In assessing the position of the United States

in the world today we cannot fail to be impressed by the contrast between the situation of the United States and the situation of a large number of other nations. Our homes and factories have not been destroyed and our population has not been decimated by war and disease and famine. On the other hand, many nations have suffered in this way. The hoped-for improvement at the conclusion of hostilities has not materialized. The war is over but the lights have not gone on fully all over the world. In many places they barely flicker. A few days ago in Washington a European diplomat, speaking of the condition of the people on the Continent, expressed to me the view that it would be generations before Europeans generally would again be able to lead what he called the "good life." He said with all earnestness that the difference between Europe and the United States at the present time is the difference between hell and heaven. For him, coming to the United States was like coming out of darkness into light. A British member of Parliament, who was in my office in Washington a short time ago, said that in Britain the problems of food, clothing, and shelter were as severe as during the darkest period of the war—that life is still very grim for the British people, with no early possibility for substantial improvement.

The situation in Europe is not greatly different from that in a large part of Asia. Never in all history have so many people suffered so much for so long. The result is that peoples of the world are in a frame of mind to fall an easy prey to demagogues and dictators. People who are starving and suffering severe privations are more interested in obtaining the necessities of life than they are in the abstract principles of freedom and democracy. The building of a better world is more than ever a work of tremendous magnitude, and the task of the United States in foreign affairs is thus increasingly difficult.

One of the nations which has suffered terribly from war is China, our good neighbor and friend across the Pacific. We have profound sympathy for the Chinese people, who struggled long and valiantly against a cruel invader, and we hope that soon they will have attained unity and peace in their land.

The various moves taken by the Government of the United States to aid China are steps in the complete implementation of a long-agreed program for helping the Chinese nation as a whole

to rid itself of the effects of a long and devastating war against Japan. These moves cannot rightfully be interpreted as current support of any factional military group in China. They will not fully materialize for many months. Their purpose is to cement rather than to destroy unity; to encourage the Chinese to find a solution of their internal problems by the democratic process of peaceful agreement rather than by resort to military force.

The final thought I should like to leave with you today concerns the part played by the people in the making of foreign policy in our democracy.

I should like to emphasize that in our democracy the foreign policy of the United States is ultimately determined by the people. If we the people lapse into the complacency and apathy of the twenties and thirties, tragedy almost certainly will result. On the other hand, if we are alert and informed and vigorous, there should be bright hope for the future. The continuing interest in foreign policy of such organizations as this, your study of problems and the development of views, will contribute toward a wise and successful foreign policy for the United States.

Protection for Americans Holding Securities of Japanese Enterprises

[Released to the press August 1]

The State Department on August 1 urged American holders of securities or obligations of Japanese business enterprises to file statements immediately with the Division of Foreign Service Administration of the State Department, in quadruplicate, containing information which they believe will serve to protect their interests in the program of monopoly dissolution being inaugurated by the Allied powers in Japan. The Supreme Commander for the Allied Powers in Japan already has data concerning American holdings of Japanese corporate securities which were filed during the war with the Treasury Department. In view, however, of the imminent reorganization of many Japanese combines and other economic

concentrations, it is believed that United States citizens should be given an opportunity to furnish General MacArthur, through the State Department, with any additional information and data which they believe would help him in protecting their property interests. No form is necessary for filing.

Philippine National Bank Reinstates American Deposits

[Released to the press August 1]

The Government of the Philippine Republic has advised the State Department through American Ambassador Paul V. McNutt, in Manila, that despite severe financial difficulties facing that Government it has ordered the Philippine National Bank, a Government-owned institution, to pay the pre-war deposits of American citizens in that bank which were transferred during the Japanese occupation to the Japanese Bank of Taiwan and the Yokohama Specie Bank.

The board of directors of the Philippine National Bank, acting on the suggestion of President Manuel Roxas, voted to pay the deposits, which are estimated to amount to more than \$2,000,000. The payments will be made on formal application and certification by the depositors. Depositors should communicate with the bank directly.

Ambassador McNutt in transmitting the information to the State Department commented that the "Philippine Government is continuing to show its great good-will toward American citizens, and is apparently determined to maintain the good credit not only of the Government but of all its instrumentalities, despite the extreme financial stringencies in which the Government finds itself today."

A Manila court of first instance had previously ruled in favor of American depositors seeking to establish the bank's liability for the deposits. The case had been on appeal to the Supreme Court. The board of directors voted to withdraw the appeal.

Ambassador McNutt expressed the hope that other Philippine banks in the Philippines will consider following the precedent set by the Philippine National Bank.

Preliminary Reports of the Second Atomic-Bomb Test

REPORT OF THE PRESIDENT'S EVALUATION COMMISSION¹

[Released to the press by UN August 2]

The President has received the following report on the Second Bikini Atom Bomb Test from the President's Evaluation Commission, which witnessed the test on July 25 (local time).

The report was signed in behalf of the Commission by the chairman, Senator Carl A. Hatch of New Mexico.

The other members of the President's Commission are: Senator Leverett Saltonstall, Massachusetts; Representative Chet Holifield, California; Representative Walter G. Andrews, New York; Edward U. Condon, director, U.S. Bureau of Standards, Washington, D. C.; Karl T. Compton, president, Massachusetts Institute of Technology, Cambridge, Mass.; Bradley Dewey, Cambridge, Mass.; William S. Newell, Bath, Me.; Fred Searls, New York.

29 July 1946.

DEAR MR. PRESIDENT:

Your acknowledgment on July 7th of our preliminary report on the first test at Bikini was much appreciated.

The second test was conducted in the same area, July 25 local time, and on the same target ships less those sunk in the first test. The bomb was exploded under a moderate depth of water at 8:30 a. m. local time, on schedule. Weather conditions were perfect. Seven members of your committee witnessed the results from the USS *Haven* stationed 11 miles from the point where the bomb exploded. There was no requirement of dark glasses for this test, and the target ships were readily visible to the naked eye and easily distinguishable with the aid of binoculars.

Our previous report endeavored to express our appreciation of the cooperation, assistance and unflinching courtesy extended by Admiral Blandy and by the officers and enlisted men and civilian scientific personnel of Joint Task Force One. Throughout, this attitude of interest and diligence

has remained at the same high level, and the effect of longer observation of operations and better acquaintance with officers and men has been to convince us that you and the people of the United States can place the utmost reliance on the fairness, thoroughness and real effort for the maximum of honest information which has characterized these tests. This disposition has expedited and lightened our task in complying with your directive. These tests have consistently adhered to the stated purpose of the mission: "Primarily to determine the effects of the atomic bomb on naval vessels in order to gain information of value to the national defense".

In the interval between tests the target ships were redeployed in respect to the point chosen for the second explosion, so as to furnish maximum scientific and technical information from expected results.

When the bomb exploded, the battleship *Arkansas*, nearest to the center of impact, and three other smaller ships sank at once. The aircraft carrier *Saratoga*, also placed close by, sank 7½ hours later. As soon as radioactivity lessened sufficiently to permit safe operations, the destroyer *Hughes* and the attack transport *Fallon* were beached to prevent their possible sinking. Of the eight submarines involved, six were submerged. Several of these appear to be injured and one at least has gone to the bottom. The two on the surface are not noticeably injured. All but a few of the target ships were drenched with radioactive sea water, and all within the zone of evident damage are still unsafe to board. It is estimated that the radioactivity dispersed in the water was the equivalent to that from many hundred tons of radium.

We believe that interesting distinctions between the general results of the two explosions can even now be drawn without the risk of serious error. Both explosions sank several ships. From the limited observation we have thus far been able to make, the ships remaining afloat within the damage area appear to have been more seriously damaged by the aerial explosion than by the submarine explosion. The damage to ships in the first

¹ For report of the President's Evaluation Commission on first atomic-bomb test on July 1, see BULLETIN of July 21, 1946, p. 115.

test might have been far greater if the bomb had exploded directly over the target ship, the *Yucca*.

In the first test much of the personnel within the ships would have received fatal doses of neutrons and gamma rays from the first deadly flash. On the other hand, the deadly effects of persistent radioactivity would have been much more severe in the second test. Had the target array been manned, it seems clear that casualties and both physical and psychological injury to personnel would have been very great. Rescue and attention to casualties would be difficult and dangerous. Within 2,000 yards of explosion, ships would probably have been inoperative and a lapse of weeks might well ensue before relatively undamaged ships could again be used in combat.

The second bomb caused a deluge of water loaded with deadly radioactive elements over an area that embraced 90 percent of the target array. Such results might be as disastrous to the fleet as results of the first test, although in part for different reasons. An enemy possessed of two or more bombs might well so dispose them as to create simultaneously the deadly features of both tests. Such tactics might effectively dispose of a fleet for many months; for example, consider a Pearl Harbor attack on these lines.

The results of both tests are already under study by the Bureau of Ships and will undoubtedly point the way to changes in ships' size, design and structure, both above and below the water line. Such changes can offer increased immunity to flash and blast effect, but protection from catastrophe by deadly gamma and neutron radiations lies rather in wide spacing of task forces and decentralization of navy yards, repair and loading facilities, of ships within ports, and amongst all available harbors. We are convinced distance is the best defense.

As was demonstrated by the terrible havoc wrought at Hiroshima and Nagasaki, the Bikini tests strongly indicate that future wars employing atomic bombs may well destroy nations and change present standards of civilization. To us who have witnessed the devastating effects of these tests, it is evident that if there is to be any security or safety in the world, war must be eliminated as a means of settling differences among nations.

Most respectfully submitted,

CARL A. HATCH.

To our report of 29 July add:

Japanese battleship *Yagato* sank last night, something less than five days after bomb detonation. Submarine *Dentada* beached. Two other submarines, *Tuna* and *Skate*, towed to shallow water for safety and observation.

CARL A. HATCH.

REPORT BY THE JOINT CHIEFS OF STAFF'S EVALUATION BOARD¹

[Released to the press by UN August 21]

30 July 1946.

In compliance with your directive of 27 February 1946, the Evaluation Board presents a second preliminary report of the atomic bomb tests held at Bikini Atoll.

SECTION I

Supplement to Preliminary Report on Test "A"

In general, the observations on ship damage presented by this board in its first report were confirmed by engineering surveys. The location of the bomb burst, accurately determined from photographs, was such that only one ship was within 1,000 feet of the surface point over which the bomb exploded. There were about 20 ships within half a mile, all of which were badly damaged, many being put out of action and five sunk. It required up to 12 days to repair all of those ships left afloat sufficiently so that they could have steamed under their own power to a major base for repair.

It is now possible to make some estimate of the radiological injuries which crews would have suffered had they been aboard Test "A" target vessels. Measurements of radiation intensity and a study of animals exposed in ships show that the initial flash of principal lethal radiations, which are gamma-rays and neutrons, would have killed almost all personnel normally stationed aboard the ships centered around the air burst and many others at greater distances. Personnel protected by steel, water, or other dense materials would have been relatively safe in the outlying target vessels. The effects of radiation exposure would

¹For report of the Joint Chiefs of Staff's Evaluation Board on first atomic-bomb test, see BULLETIN of July 21, 1946, p. 116.

not have incapacitated all victims immediately, even some of the most severely affected might have remained at their stations several hours. Thus it is possible that initial efforts at damage control might have kept ships operating, but it is clear that vessels within a mile of an atomic bomb air burst would eventually become inoperative due to crew casualties.

SECTION II

Observations on Test "B"

The Board divided into two groups for the observation of Test "B". Four members, after surveying the target array from the air, witnessed the explosion from an airplane eight miles away at an altitude of 7500 feet. The other three members inspected the target array from a small boat the day before the test and observed the bomb's explosion from the deck of the USS *Haven*, 11 miles at sea to the east of the burst.

The Board reassembled on the *Haven* on 26 July, and the members have since examined photographs, data on radioactivity, and reports of other phenomena, and have inspected some of the target vessels. They have also consulted with members of the Task Force Technical Staff.

As scheduled, at 0835 Bikini time on 25 July, a bomb was detonated well below the surface of the lagoon. This bomb was suspended from *LSM-60*, near the center of the target array. The explosion was of predicted violence and is estimated to have been at least as destructive as 20,000 tons of TNT.

To a degree which the Board finds remarkable, the visible phenomena of the explosion followed the predictions made by civilian and service phenomenologists attached to Joint Task Force One. At the moment of explosion, a dome, which showed the light of incandescent material within, rose upon the surface of the lagoon. The blast was followed by an opaque cloud which rapidly enveloped about half of the target array. The cloud vanished in about two seconds to reveal, as predicted, a column of ascending water. From some of the photographs it appears that this column lifted the 26,000-ton battleship *Arkansas* for a brief interval before the vessel plunged to the bottom of the lagoon. Confirmation of this occurrence must await the analysis of high-speed photographs which are not yet available.

The diameter of the column of water was about 2,200 feet, and it rose to a height of about 5,500

feet. Spray rose to a much greater height. The column contained roughly ten million tons of water. For several minutes after the column reached maximum height, water fell back, forming an expanding cloud of spray which engulfed about half of the target array. Surrounding the base of the column was a wall of foaming water several hundred feet high.

Waves outside the water column, about 1,000 feet from the center of explosion, were 80 to 100 feet in height. These waves rapidly diminished in size as they proceeded outward, the highest wave reaching the beach of Bikini Island being seven feet. Waves did not pass over the island, and no material damage occurred there. Measurements of the underwater shock wave are not yet available. There were no seismic phenomena of significant magnitude.

The explosion produced intense radioactivity in the waters of the lagoon. Radioactivity immediately after the burst is estimated to have been the equivalent of many hundred tons of radium. A few minutes exposure to this intense radiation at its peak would, within a brief interval, have incapacitated human beings and have resulted in their death within days or weeks.

Great quantities of radioactive water descended upon the ships from the column or were thrown over them by waves. This highly lethal radioactive water constituted such a hazard that after four days it was still unsafe for inspection parties, operating within a well-established safety margin, to spend any useful length of time at the center of the target area or to board ships anchored there.

As in Test "A", the array of target ships for Test "B" did not represent a normal anchorage but was designed instead to obtain the maximum data from a single explosion. Of the 84 ships and small craft in the array, 40 were anchored within one mile and 20 within about one-half mile. Two major ships were sunk, the battleship *Arkansas* immediately and the heavy-hulled aircraft carrier *Saratoga* after 7½ hours. A landing ship, a landing craft, and an oiler also sank immediately. The destroyer *Hughes*, in sinking condition, and the transport *Falcon*, badly listing, were later beached. The submerged submarine *Apogon* was sent to the bottom emitting air bubbles and fuel oil, and one to three other submerged submarines are believed to have sunk. Five days after the burst, the badly damaged Japanese battleship *Nagato* sank. It

was found impossible immediately to assess damage to hulls, power plants and machinery of the target ships because of radioactive contamination. Full appraisal of damage will have to await detailed survey by engineer teams. External observation from a safe distance would indicate that a few additional ships near the target center may have suffered some hull damage. There was no obvious damage to ships more than one-half mile from the burst.

SECTION III

Observations and Conclusions, Both Tests

The operations of Joint Task Force One in conducting the tests have set a pattern for close, effective cooperation of the Armed Services and civilian scientists in the planning and execution of this highly technical operation. Moreover, the tests have provided valuable training of personnel in joint operations requiring great precision and coordination of effort.

It is impossible to evaluate an atomic burst in terms of conventional explosives. As to detonation and blast effects, where the largest bomb of the past was effective within a radius of a few hundred feet, the atomic bomb's effectiveness can be measured in thousands of feet. However, the radiological effects have no parallel in conventional weapons. It is necessary that a conventional bomb score a direct hit or a near miss of not more than a few feet to cause significant damage to a battleship. At Bikini the second bomb, bursting under water, sank a battleship immediately at a distance of well over 500 feet. It damaged an aircraft carrier so that it sank in a few hours, while another battleship sank after five days. The first bomb, bursting in air, did great harm to the superstructures of major ships within a half-mile radius, but did only minor damage to their hulls. No ship within a mile of either burst could have escaped without some damage to itself and serious injury to a large number of its crew.

Although lethal results might have been more or less equivalent, the radiological phenomena accompanying the two bursts were markedly different. In the case of the air-burst bomb, it seems certain that unprotected personnel within one mile would have suffered high casualties by intense

neutron and gamma radiation as well as by blast and heat. Those surviving immediate effects would not have been menaced by radioactivity persisting after the burst.

In the case of the underwater explosion, the air-burst wave was far less intense and there was no heat wave of significance. Moreover, because of the absorption of neutrons and gamma rays by water, the lethal quality of the first flash of radiation was not of high order. But the second bomb threw large masses of highly radioactive water onto the decks and into the hulls of vessels. These contaminated ships became radioactive stores, and would have burned all living things aboard them with invisible and painless but deadly radiation.

It is too soon to attempt an analysis of all of the implications of the Bikini tests. But it is not too soon to point to the necessity for immediate and intensive research into several unique problems posed by the atomic bomb. The poisoning of large volumes of water presents such a problem. Study must be given to procedures for protecting not only ships' crews but also the populations of cities against such radiological effects as were demonstrated in Bikini lagoon.

Observations during the two tests have established the general types and range of effectiveness of air and shallow underwater atomic-bomb bursts on naval vessels, army matériel, including a wide variety of Quartermaster stores, and personnel. From these observations and from instrumental data it will now be possible to outline such changes, not only in military and naval design but also in strategy and tactics, as future events may indicate.

L. H. BREYTON
B. DEWEY
T. F. FARRELL
J. H. HOOVER
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J. W. STILWELL
K. T. COMPTON, *Chairman*

Erratum

BU LLETIN of July 21, 1946, pp. 115 and 116: The report on page 115 should be headed "Report of the President's Evaluation Commission"; that on page 116 should be headed "Report of the Joint Chiefs of Staff's Evaluation Board".

Oil in United States Foreign Policy

BY JOHN A. LOFTUS¹

WE FIND that the activities of the United States Government with respect to foreign oil operations prior to World War II fall under one or another of these four heads:

1. Insistence upon non-discriminatory commercial treatment of American oil marketers operating in foreign countries.

2. Insistence upon the "open door" principle of equal commercial opportunity (most-favored-nation treatment) with respect to the granting of rights to explore for and develop oil reserves.

3. Insistence on the principle of just and adequate compensation in circumstances where a foreign government exercises its sovereign right to nationalize the oil industry.

4. Diplomatic assistance to and support of American oil companies in their various dealings with foreign governments, when requested, such assistance and support being more or less routine, depending upon the circumstances.

All four of these points, however, are basic concepts in the foreign commercial policy of the United States. There is nothing in them peculiar to oil. With respect to any industry or any American commercial operation abroad we insist upon non-discriminatory most-favored-nation treatment (the open door) and just and adequate compensation, and the Government, upon request, renders to American commercial interests without discrimination or favoritism whatever measure of diplomatic assistance or support is necessary or appropriate under the particular circumstances.

In this sense then, we have not had until now a foreign oil policy in any way significantly different from, larger than, or more concrete than our foreign commercial policy generally. If there was at certain times greater emphasis upon the

application of these principles to oil than upon their application to other commodities, it was attributable primarily to the large importance of oil in the total volume of United States foreign investments and, in some slight degree, to a recognition of the strategic importance of oil. This latter recognition, however, was tempered by a soothing awareness of apparently unlimited oil resources available within the United States.

So much for the past. As of today what is the foreign oil policy of the United States? As I see it there are three aspects to foreign oil policy. In the first place, there is the specific application to oil of our general commercial policy. In the second place, there is what might be called our "national" oil policy—the things with reference to oil that we want to accomplish in our own strict national interest. Finally, there is what might be called "international" oil policy—the things with respect to oil that we and other nations individually and collectively want to accomplish in order to minimize the conflict and instability that oil can generate and in order to insure that oil will contribute to peace and prosperity rather than inhibit their attainment.

The principal historical applications of commercial policy to foreign operations of the oil industry I have already indicated. We shall continue to press for the same objectives—non-discrimination, equality of opportunity, fair treatment. Beyond this, however, we also assume that oil will find its place in that pattern of expanding and liberalized international trade which the United States Government seeks to attain by intergovernmental consultation and collaboration. Such a pattern of world trade is the end object of the United States *Proposals for Expansion of World Trade and Employment*. The mechanisms of collaborative action which we hope the nations of the world will undertake are described in those proposals. They include the elimination or reduction of restrictions upon trade imposed by governments, such as tariffs, preferences, quotas, miscellaneous import and export prohibitions or restrictions, export subsidies, discriminatory exchange controls, and discriminatory treatment on

¹ Excerpts from an address delivered on July 30 at the University of Pittsburgh, Pittsburgh, Pa., under the auspices of the Fuels and Lubricants Branch of the Supply Division, Office of the Quartermaster General, summer seminar in petroleum engineering. For complete text of the address, see Department of State press release 521 of July 29, 1946. Mr. Loftus is Chief of the Petroleum Division, Office of International Trade Policy, Department of State.

the part of state trading enterprises. They include also the elimination of restrictions imposed by private combines and cartels, such as combinations or agreements to fix prices and terms of sale, divide markets or territories, limit production or exports, suppress technology or invention, exclude enterprises from particular fields, or boycott or discriminate against particular firms. They also include the elimination or mitigation of that disorder in the markets for certain primary commodities which results from the existence of burdensome surpluses accompanied by wide-spread distress to many small producers; this object is to be effected by the negotiation, where appropriate, of intergovernmental commodity agreements designed to prevent or alleviate economic dislocations and so remedy, if possible, their root causes. Finally, our program calls for the elimination of those violent fluctuations in economic activity and prosperity which result from the inability of nations to maintain high and stable levels of employment and production. If these collaborative measures are firmly and boldly espoused, the pattern of world trade in oil will perhaps be modified somewhat, but its volume will be increased and its contribution to the prosperity of nations and to a general increase in levels of living will be enhanced.

Such, in too brief a summary, is our commercial policy in its application to oil. What is our "national" oil policy? A policy is, I think, essentially a coherent answer to these three questions:

- (1) What is the situation that confronts us?
- (2) What are the objectives that we must attain?
- (3) What are the main lines of action by which they can be attained?

The situation that confronts us is one wherein foreign oil supplies assume an unprecedented importance. It is almost a new experience for the United States to have to worry about the oil that might be needed in peace or war for essential requirements of the nation. In the early twenties there was much agitated discussion of our dwindling oil reserves and of our imminent dependence upon foreign sources of supply. This period of alarm was short-lived, and few remember it. The alarm, if so happens, was ill-founded, as the subsequent wave of sensational discoveries disclosed. Except for that short period the oil economy of the United States was one of abundance, indeed of surplus. There are serious indications that such is no

longer the case, and we cannot in good conscience close our eyes to these signs.

I do not propose to become engaged in a statistical controversy. I shall not attempt to tell you exactly how many years' supply of petroleum remain in the United States—principally because I do not know (and no one can know with certainty) what additional quantities of underground oil we shall discover. I shall not attempt either to tell you how many millions of barrels of oil per day we shall be importing in 1965. Again I do not know. But some things I do know:

1. In the opinion of the best market experts and petroleum economists the demand for petroleum products in the United States will increase steadily over the next 20 years and will by general consensus reach a level of approximately 6,500,000 barrels a day in 1965.

2. The productive capacity of presently known oil reserves, if produced at maximum efficient rates, commonly referred to in industry terminology as MER, will decline over the next 20 years to a level materially below 3,000,000 barrels per day.

3. The total productive capacity of the United States will be higher than the MER productive capacity of presently known fields only by the MER productive capacity of such new fields as may be discovered.

4. If the trend of discoveries that characterized the period from the end of 1938 through 1945 is continued substantially unchanged, the size and productive capacity of the new fields that will be discovered in the next 20 years will permit an additional MER productive capacity that will bring total MER capacity in 1965 to a level of not over 3,500,000 barrels per day.

5. The only circumstances that could produce a materially different result would be another wave of sensational discoveries of large new fields.

6. There are no presently known geological considerations justifying strong affirmative assumption that such a wave of discoveries is probable.

I do not rashly draw gloomy conclusions. I do not say that we cannot bring in another east Texas. I do not say that we shall necessarily have a deficit of 3,000,000 barrels per day by 1965. I do say that, on the basis of presently known facts, there is serious indication that *if* consumption increases at the rate foreseen by the best petroleum economists and *if* the discovery rate that characterized the last 7 years is not greatly surpassed, then

within a few years we shall of necessity be as a nation a significant net importer of petroleum. Either or both of these ifs may be invalidated by future events—but there is no present evidence affirmatively suggesting that they will be. The only conclusion which I draw is that we are obligated in prudence to consider the possibility of substantial dependence upon external sources of supply and therefore to consider the measures which we should take to insure the availability of foreign supplies.

The measures which we should take would be directed toward the following ends:

1. To promote the development of those sources of supply (primarily in the Western Hemisphere) which are well located from our point of view—that is, economically located under circumstances of peace and strategically located under circumstances of war.

2. To encourage and facilitate within reason the participation of American capital and enterprise in the development of such sources of supply—not merely because of the readier access which such participation would guarantee to us but also because on the record the technical and managerial skill of the American petroleum industry is preeminently competent to insure the prompt and efficient development of resources anywhere.

3. To promote the development of oil potentialities in the Eastern Hemisphere, particularly in the oil-rich areas of the Middle East—so that the expanding requirements of Europe and Asia for petroleum products can be met from Eastern Hemisphere production without that drain upon Western Hemisphere reserves which has characterized the pattern of world oil trade in the past.

4. To facilitate and encourage within reason the participation of American capital and enterprise in the development of Eastern Hemisphere resources.

These are the main objectives which from the point of view of our own national well-being we should seek to attain. The mechanisms by which we can further their attainment are too numerous to list in detail but include such things as:

1. Promotion of a generally stable political and economic environment.

2. Encouraging the emergence of sound conditions of basic law and of contract so that oil-indus-

try operations abroad can be conducted in an atmosphere of reasonable political tranquillity.

3. Promotion world-wide of conditions of expanding trade upon liberal principles and in stable convertible currencies so that an adequate commercial incentive will be provided for the development of known oil potentialities.

4. Promotion of free and flexible competition in the international oil trade so that supplies from abroad may be available to meet the needs of the United States and to supplement our indigenous productive capacity.

5. Promotion of fair and mutually beneficial contractual relations between American oil companies and the governments of those countries whose oil resources are being developed so that (a) the investment position of American companies will be solidly based; (b) it will promote good intergovernmental relations; and (c) the commercial operations of American companies are conducted always in such manner as to foster the economic advancement and to raise the standard of living of the people within whose territory the oil is found.

6. Elimination of political and commercial restrictions upon the free competitive development of oil resources wherever found. This, as you know, was one of the principal objectives sought in the negotiation of the Anglo-American Petroleum Agreement.

The foregoing is, I think, the outline of a sound foreign oil policy and program for the United States. Lest it be misunderstood, I hasten to add that it is not a program for forcing imports, or for undermining the American domestic petroleum industry, or for flooding the country with cheap oil. It is a policy and program designed to insure that, if this country finds that it needs to import substantial quantities of oil to maintain its complex industrial economy and to insure its military security, the circumstances of world trade in oil will be such as to guarantee the availability to the United States of whatever petroleum supplies the domestic industry may be incapable of producing.

Finally we turn to the question of what I earlier called "international" oil policy. The situation that confronts us can be described in the following terms:

In the first place, petroleum is a commodity of tremendous strategic and military, as well as com-

mercial, importance, and it is therefore an object of acquisitive competition among nations. This theme needs no elaboration.

In the second place, the irregular geographic distribution of petroleum reserves bears no relation to political boundaries or to the geographic distribution of the world's population. The occurrence of oil is determined by geologic phenomena of the remote past. It has in general been laid down along the shorelines of ancient seas, the location of which has little to do with the present division of the earth's surface as between land and water and has a purely adventitious relationship to present physical and human geography.

In the third place, oil reserves through sheer accident apparently occur in rough inverse correlation to the present occurrence of industrially advanced areas. For instance, little oil has been found or is likely to be found in western Europe or along the eastern seaboard of the United States. Very abundant supplies of oil are found in industrially undeveloped areas and sometimes in almost uninhabited parts of the world.

The foregoing are physical characteristics of the occurrence of oil. Certain other aspects of oil development which derive from the foregoing are less immutable.

For instance, control of underground oil resources, outside the continental United States and the Soviet Union, tends to be vested in a relatively small number of very large corporate organizations. Not more than a dozen companies in all control the bulk of production and marketing of that oil which moves in international commerce. Indeed, for practical purposes, seven companies exercise this control. Pairings and groupings of these seven conduct joint operations in many parts of the world. For instance, four of them control over 70 percent of the shares of the Iraq Petroleum Company, which in turn controls all the oil of Iraq, Qatar, the Trucial Coast, and other less important areas of the former Ottoman Empire; two of them control all the known oil of Saudi Arabia; one controls exclusively the presently developed oil production of Iran and (in equal partnership with another of the seven companies) controls all the oil of Kuwait; five of them, organized into three corporate entities, control almost all the oil of the Dutch East Indies and do most of the petroleum marketing in the Far East; one holds title to all the developed resources of Hungary; their combined direct and

indirect interest in the oil industry of Rumania accounts for almost 50 percent of the total; separately and in various combinations they control most of the oil in Latin America, except in those countries which have nationalized their resources.

This kind of concentrated control arose logically and naturally as a consequence of the geographic location of oil resources. When in fact the most promising oil regions coincided with areas of industrial underdevelopment, and indeed in some cases of political backwardness—areas the inhabitants of which lacked both the elaborate technical competence and the large quantities of capital required for the development of oil resources—it was to be expected that such development, which had to be undertaken by enterprises not native to the areas in question, would be undertaken only by organizations possessing large amounts of capital and qualified to assume large risks.

The result of these circumstances was that the great oil companies of the world in devising the arrangements under which they would operate in foreign countries have logically sought maximum latitude in their rights to operate and in their chances of gain and simultaneously sought to insure minimum political interference with their activities. This they have sought through the negotiation of concession contracts. A concession contract is, in the last analysis, a comprehensive set of rights, privileges, and immunities on the one hand and financial and other obligations on the other hand.

The successful negotiation of such contracts as these resulted in situations where the oil companies have enjoyed, or have had an opportunity to enjoy, tremendous grants of economic power and far-reaching rights of self-determination. In cases too numerous to mention the result has been uneasiness, suspicion, and distrust on the part of the grantor, and in the more extreme instances this has led to cancellation or expropriation. It promotes conditions under which the temptation always exists for some other power to play upon the uneasiness and suspicion latent in the minds of the granting government and thus establish an opportunity to acquire valuable developed oil rights.

This kind of an over-all situation is not conducive either to peace or to commercial stability.

What objectives should be sought if peace and stability are to be insured? Principally these:

1. To bring about circumstances whereunder, be-

cause of diminished political risks, small as well as large units can engage in the development of foreign oil resources.

2. To create conditions whereunder suspicion and meanness are allayed because there is some assurance that the contractual relations are fair, just, and beneficial to both parties.

3. To promote conditions providing assurance that unnecessary powers are not vested in private oil companies.

4. To assure that all nations will enjoy access on competitive and non-discriminatory terms to the petroleum resources of the world so that the distinction between have and have-not nations with respect to oil will become largely meaningless and the acquisitive greed of nations for control over external oil resources will be correspondingly reduced.

It is as yet too early in the process of moving toward a more orderly and stable organization of the world oil industry for anyone to profess to know how these objectives can best be accomplished.

One promising development taking place is a movement away from the granting of large concessionary rights through bilateral bargaining and in the direction of establishing a uniform and general basis of law governing the acquisition and exercise of rights with respect to oil resources.

Also there is a disposition, in the negotiation of concession contracts and in the formulation of basic laws, to include provisions designed clearly and frankly to recognize the legitimate interest of sovereign governments in the rate at which and the manner in which their oil resources are to be developed and to offer safeguards against two eventualities that governments tend to fear, namely bottling up of their resources by private companies and an excessive rate of extraction.

Also there is a disposition to welcome the financial and technical participation of foreign nationals or governments in the processes of the oil industry. Consequently new arrangements are being devised and new ways of organizing oil ventures are being worked out, the object of which is to permit genuine cooperative undertakings with management control continuing to reside in the element that is technically the more competent and that assumes the larger risks. This development is in the direction of stability and harmony. It should be facilitated where practicable by governments. The Department of State is presently rendering help

and guidance in the devising of new patterns of cooperation between American companies and foreign countries.

Also there is a disposition to recognize that oil development in foreign countries is not and cannot be something conducted with a view to pecuniary profit alone, but must also be consciously directed toward the economic betterment of the peoples within whose territory oil is found, by the provision of fair revenues, by cooperative planning of public improvements, and by the provision of abundant supplies of local fuel at reasonable prices.

Finally, there is a growing pressure for the negotiation of some kind of world oil agreement which would result in the establishment of an international body under the United Nations organization. Only time will tell the full scope and efficacy of such international undertaking as may ultimately emerge.

It is possible that the pattern of international consultation on oil will take something like the following form:

An instrumentality of the United Nations, consisting of expert representatives of many nations, would give continuing consideration to the political and economic problems of the international oil trade; would study the terms and conditions under which oil is developed in various parts of the world, whether under concession contracts or under general laws; and would be able and ready to advise governments and oil companies about the patterns of arrangements most likely to prove mutually beneficial and conducive to stability of commercial operations.

Such a body might additionally have authority to review the terms of concession contracts and to recommend revisions thereto. Nations which had already concessioned out part or all of their petroleum resources to private foreign companies might be free to appeal to such international body for a review of either the terms of the concession arrangements or the concessionaire's compliance. Nations believing themselves to have inadequate access or at unreasonable prices to the oil supplies of the world would be free to appeal to the international body for a review of the circumstances of the case; and the international body might be authorized to recommend to governments and companies corrective measures if such were needed. Through the fact-gathering facilities of the inter-

national body such basic facts of the international oil trade as costs, prices, royalties, inter-company contracts, and similar data would be of public record available internationally.

I shall not now conjecture further about the character and structure of an as yet hypothetical future world oil organization.

I recognize of course that existing international political stresses cannot be overcome overnight, any more than the tendency to think of oil along national, strategic lines. Nevertheless, it is not too soon to begin thinking of the conditions under which an international body could make a valuable contribution to the serious problems which have already arisen in the international field in regard to oil and which promise to become more serious in the future.

In any case, one important consequence of a collaborative undertaking among nations with respect to oil would be that a careful, competent, and continuing effort would be made to understand the causes of political friction, of conflict, of instability that might or do arise in connection with the international oil trade. Such an effort would be made by nations intent upon achieving tranquil relations, and therefore no matter how limited or how ambitious its scope might be it would be bound to bear fruit.

The Governments of the United States and the United Kingdom, when they negotiated their bilateral agreement on petroleum, undertook to seek early multilateral agreement among nations and to promote the convocation at an early date of a world oil conference looking toward the negotiation of such an agreement and the establishment of an international consultative body. The early realization of this objective not only will be of incalculable benefit to the preservation of cordial relations among nations with respect to a potentially explosive commodity of tremendous industrial and military significance; it will be of comparable benefit to the commercial prosperity and stability of oil-industry operations.

UNRRA SESSION—Continued from page 259

ing the Fifth Council Session, where they will report on the facts they have gathered.

No attempt has been made to discuss the future of UNRRA in the Far East, but the problems in that area cannot be solved quickly or easily.

It has not been asserted that UNRRA has been the only means for relieving the distress left in the

wake of World War II. The beneficial result of its operations, however, cannot be measured by percentages or quantities. The organization has made mistakes, and it has encountered many difficulties, but a sober valuation of its over-all accomplishments will bring the sure judgment that it has worked valiantly to relieve hunger and suffering to the greatest extent possible under the conditions confronting the organization. Whatever future will be decided for UNRRA at the Fifth Council Session, the Administration still has a job to do with the remaining resources at its command, and in the accomplishment of its remaining commitments it will make further contributions to the international effort to feed and to rehabilitate countries which have been devastated by war.

Gold and Dollar Exchange Equivalents of Hungarian "Forint"

[Released to the press August 2]

The Department of State has been informed by the American Minister in Budapest, Arthur Schoenfeld, that the Hungarian Government has announced the gold- and dollar-exchange equivalents of the new Hungarian monetary unit called "forint". One kilogram of fine gold equals 13,210 forint, which corresponds to 0.0757 grams of fine gold to one forint. The official dollar-exchange rate is 11.7333 forint to one U.S. dollar. The conversion rate for old pengo currency is 200 million tax pengo to one forint.

Visit of Czechoslovak Journalists

Four prominent Czechoslovak journalists, guests of the Department of State, arrived here on July 29 for a week's stay on the last leg of a seven-week tour of the United States.

The journalists are: Miss Alena Bernaskova, feature writer on *Scoboduc Varsity*, independent Prague newspaper, representing cultural organizations; Frantisek Meloun, assistant editor in chief of the Socialist newspaper *Scoboduc Slovo*; Karel Zieris, an editor of *Pravo Lidu*, organ of the Czechoslovak Social Democratic Party; and Jan Trachta, editor in chief of *Narodni Obroda*, organ of the Slovak National Council.

Treaty of General Relations and Protocol Between U. S. and Philippines

PRESIDENT'S MESSAGE TO THE SENATE

[Released to the press by the White House July 30]

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the treaty of general relations and protocol between the United States of America and the Republic of the Philippines signed at Manila on July 4, 1946. I transmit also, for the information of the Senate, the report of the Secretary of State with respect to that treaty and protocol.

In view of the unique relationship existing between the United States of America and the Republic of the Philippines and the desire of our Government and people to further the interests of the Government and people of the Republic of the Philippines, I should be grateful for the earliest possible consideration of the treaty and protocol by the Senate.

HARRY S. TRUMAN.

THE WHITE HOUSE

July 30, 1946

REPORT BY THE SECRETARY OF STATE¹

DEPARTMENT OF STATE,

Washington, July 26, 1946.

The PRESIDENT,

The White House:

The undersigned, the Secretary of State, has the honor to lay before the President, with a view to its transmission to the Senate to receive the advice and consent of that body to ratification, if his judgment approve thereof, the treaty of general relations and protocol between the United States of America and the Republic of the Philippines, signed at Manila on July 4, 1946.²

History records few instances of the voluntary relinquishment of sovereignty by one nation over another. The present treaty is an example of

faith—mutual faith of one government and people in another—faith preserved and strengthened in dark days of struggle against foes of freedom.

For nearly a half century the United States of America exercised sovereign control over the Philippines. During that time it was the constant purpose of the American Government to promote the welfare of the Philippine people to the end that they, at the earliest practicable time, might become free and independent.

An important step toward the granting of Philippine independence took place on August 29, 1946, with the enactment of Public Law 240, Sixty-fourth Congress (39 Stat. 545), which placed in the hands of the Philippine people rights with respect to the control of their domestic affairs and stated the policy of the people of the United States to be the withdrawal of their sovereignty over the Philippine Islands and the recognition of Philippine independence upon the establishment of a stable Philippine government.

On March 24, 1934, there was enacted the Tydings-McDuffie Act (Public Law 127, 73d Cong., 48 Stat. 456), providing for the complete independence of the Philippines and for the adoption of a Philippine constitution and form of government. Pursuant to this law a new constitution was framed and duly ratified by the Philippine people. Under this constitution the Republic of the Philippines was established on July 4, 1946.

The enclosed treaty and protocol signed at Manila on that day do not prestage a withdrawal of American interest in the Philippine Government or a severance of the ties binding the American and Philippine peoples. The relationships between the two peoples have shown steady improvement ever since the assumption by the United States of sovereignty over the Philippines. The unity of American and Philippine ideals was demonstrated in the recent war in which the two peoples fought side by side in the cause of liberty. The enclosed treaty represents the end of one

¹ Printed from Exec. Rept. 10, 79th Cong., 2d sess., p. 2.

² Not printed.

era of American-Philippine relations and the commencement of a new era. In that new era the two Governments and peoples will be bound as closely as ever by ties of friendship and mutual trust.

Article I of the treaty provides for the withdrawal and surrender of all right of possession, supervision, jurisdiction, control, or sovereignty existing and exercised by the United States of America in and over the territory and the people of the Philippine Islands, except for the use of such bases as the United States of America, by agreement with the Republic of the Philippines, may deem necessary for mutual protection of the two countries. The United States of America, in Article I of the treaty, recognizes the independence of the Republic of the Philippines as a self-governing nation.

Article II provides for the rights to be accorded by each country to the diplomatic and consular officers of the other country.

Article III relates to the representation by the Foreign Service of the United States, pending the final establishment of Philippine Foreign Service establishments abroad, of the interests of the Republic of the Philippines in countries where there is no Philippine representation.

Article IV pertains to the assumption by the Republic of the Philippines of all debts and liabilities of the Philippine Islands, its provinces, cities, municipalities, and instrumentalities.

Article V provides that all cases at law concerning the Government and people of the Philippines which, in accordance with section 7 (6) of the Independence Act of 1934, are pending before the Supreme Court of the United States of America at the date of the granting of the independence of the Republic of the Philippines shall continue to be subject to the review of the Supreme Court of the United States of America for such period of time after independence as may be necessary to effectuate the disposition of the cases at hand.

Article VI relates to the adjustment and settlement of claims of either Government or its nationals against the other Government. This article provides also for the safeguarding of property rights of each contracting state and its citizens and corporations in the territory of the other contracting state.

Article VII provides for the assumption by the Republic of the Philippines of all continuing obligations assumed by the United States of America under the treaties between the United States of America and Spain concluded on December 10, 1898, and November 7, 1900.

Article VIII provides for the ratification of the present treaty by the United States of America and the Republic of the Philippines and for its entry into force upon the exchange of instruments of ratification at Manila.

The protocol which accompanies the treaty¹ sets forth understandings of the two Governments with respect to the purpose and scope of the treaty. The protocol provides also for the provisional observance of articles II and III of the treaty.

Respectfully submitted.

JAMES F. BYRNES

U.S.-Chilean Provisional Commercial Agreement

[Released to the press July 31]

By means of an exchange of notes, the Governments of the United States and Chile have agreed to continue in force for another year, unless superseded by a more comprehensive agreement, the provisional commercial agreement concluded by the two Governments on July 30, 1945.² The Chilean note was signed on July 23 and the United States note on July 30.

In this commercial agreement the Chilean Government granted to the commerce of the United States, without compensation, reductions in the Chilean import duties on certain commodities. The Government of Chile made these unilateral duty concessions in the interest of the expansion and liberalization of trade in accordance with the economic objectives of the Atlantic Charter and of the Inter-American Conference on Problems of War and Peace, held at Mexico City in the spring of 1945.

¹ Not printed.

² BULLETIN of Aug. 5, 1945, p. 188. For text of agreement, including list of concessions, see Department of State press release 581 of Aug. 2, 1945.

Protocol Amending Whaling Agreement

PRESIDENT'S MESSAGE TO THE SENATE

[Released to the press by the White House July 19]

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith a certified copy of a protocol signed at London on November 26, 1945, for the United States of America, the Union of South Africa, the Commonwealth of Australia, Canada, Denmark, the Provisional Government of the French Republic, the United Mexican States, the Netherlands, New Zealand, Norway, and the United Kingdom of Great Britain and Northern Ireland, amending in certain particulars the international agreement for the regulation of whaling signed at London on June 8, 1937, as amended by the protocol signed at London on June 24, 1938.¹

I transmit also for the information of the Senate the report made to me by the Secretary of State regarding the protocol signed at London on November 26, 1945 with accompanying documents, namely, a certified copy of the final act of the International Whaling Conference at which that protocol was drafted and recommended,² and a copy of the report of the United States Delegation to that Conference.² The final act does not require ratification and is submitted only as explanatory of the amendments made to the whaling agreement of June 8, 1937, and the protocol of June 24, 1938.

HARRY S. TRUMAN

THE WHITE HOUSE

July 19, 1946

REPORT BY THE SECRETARY OF STATE

July 18, 1946.

THE PRESIDENT,

The White House:

The undersigned, the Secretary of State, has the honor to lay before the President, with a view to its transmission to the Senate to receive the

advice and consent of that body to ratification, if his judgment approve thereof, a certified copy of a protocol signed at London on November 26, 1945, for the United States of America, the Union of South Africa, the Commonwealth of Australia, Canada, Denmark, the Provisional Government of the French Republic, the United Mexican States, the Netherlands, New Zealand, Norway, and the United Kingdom of Great Britain and Northern Ireland, amending in certain particulars the international agreement for the regulation of whaling signed at London on June 8, 1937 (Treaty Series 933), as amended by the protocol signed at London on June 24, 1938 (Treaty Series 944).

The provisions of the present protocol were drafted and recommended by the International Whaling Conference, held at London on November 20, 21, 22, 23, and 26, 1945. The object of that Conference was to consider whether special measures should be put into force for the 1946-47 whaling season. Because of the acute shortage of fats and oils and in view of the probability that the fats and oils situation would continue to be serious through 1947, it was agreed to relax for another year certain provisions of the above-mentioned whaling agreement of 1937, as amended. It was agreed also to carry over for the 1946-47 season, with revisions, regulations similar to those set forth in the protocol signed at London on February 7, 1944 (Senate Executive D, Seventy-eighth Congress, second session). Article 4 of the 1944 protocol provided for its termination after the first season in which whaling operations were resumed, which was the 1945-46 season.

For the information of the Senate, as explanatory of the amendments to the international agreement of 1937 for the regulation of whaling and the protocol of 1938, there is enclosed a certified copy of the final act of the 1945 Conference. The final act does not require ratification.

Article 1 of the present protocol amends article 7 of the 1937 agreement. It extends for the 1946-47 season the period during which factory ships or whale catchers attached thereto may be used to take or treat baleen whales in waters south of 40° south latitude from the period

¹ On July 30 the Senate gave its advice and consent to ratification of the protocol.

² Not printed.

Printed from Executive 1 (79th Cong., 2d sess.), pp. 2-4.

December 8 to March 7 to the period December 8 to April 7. This is a continuation of the 4 months' season authorized in the 1944 protocol, with the exception that the starting date for the season is changed from November 24 to December 8, the date originally established by the 1937 agreement. The closing date is changed from March 24 to April 7 to compensate for the later opening of the season. The representatives at the Conference were of the view that whales taken prior to December 8 had not spent sufficient time in the Antarctic feeding grounds to accumulate the optimum amount of fat, and that many of the whales carrying young have left the Antarctic feeding grounds prior to this date. At the same time it was thought practicable to extend the season beyond March 24, because recent experience had given some indication that ice conditions were not as important a factor as had been thought in the past.

Article 2 is carried over in identical substance from article 1 (ii) of the 1944 protocol. It provides that each contracting government intending to operate a factory ship in the area defined by article 7 of the 1937 agreement will notify the British Government, which in turn will inform the other contracting governments of such notice.

Article 3 continues the prohibition relating to the taking of humpback whales in any waters south of 40° south latitude originally contained in article 1 of the 1938 protocol and reimposed by article 2 of the 1944 protocol. The purpose of this prohibition is to protect humpback whale stocks in certain areas from depletion.

Article 4 retains the provision of the 1944 protocol imposing a limit of 16,000 blue-whale units as the maximum catch of baleen whales in the 1946-47 season in the area defined by article 7 of the 1937 agreement. In addition, it provides machinery, which was not included in the 1944 protocol, to prevent the catch from exceeding the blue-whale-unit quota. Each contracting government undertakes to insure the submission of a weekly report to the International Bureau for Whaling Statistics on the number of blue-whale units caught by each of its factory ships. If it appears from this information that the annual limit of 16,000 blue-whale units will be attained before April 7, the above-mentioned Bureau shall be requested to determine an earlier closing date and notify each contracting government thereof at least 2 weeks in advance. The taking of baleen whales in the area

referred to shall be illegal after the date so determined.

Article 5 relaxes, during the period May 1 to October 31, 1947, the provisions of article 3, paragraph 2, of the 1938 protocol on the operation of factory ships as land stations in territorial waters.

Article 6 defines the expressions and technical terms used in the present protocol.

Articles 7, 8, and 9 are formal in their character. They relate to ratification of the protocol, accession thereto, and its entry into force. Article 8 provides that the present protocol shall come into force in its entirety as soon as instruments of ratifications or notifications of accessions have been deposited on behalf of all the signatory governments. The deposit of ratifications, however, by at least three signatory governments will make binding on those governments and each other government which subsequently ratifies or accedes, those portions of the present protocol which do not provide for relaxation of restrictions contained in previous whaling agreements which are still in force. The ratification of or accession to the present protocol will not be effective for any government not a party to the 1937 agreement and the 1938 protocol until such government becomes a party to that agreement and protocol.

For the further information of the Senate, a copy of the report of the delegation of the United States to the International Whaling Conference held at London November 20, 21, 22, 23, and 26, 1945, is furnished herewith.

Respectfully submitted,

JAMES F. BYRNES.

The Foreign Service

Consular Offices

The American Consulate at Taipei (Taihoku), Taiwan (Formosa), was opened to the public on July 25.

According to an undated telegram from Göteborg, Sweden, received on July 24, 1946, the American Consulate there has been raised to the status of a Consulate General.

Confirmations

On Aug. 2 the Senate confirmed the nomination of John G. Erhardt to be Envoy Extraordinary and Minister Plenipotentiary to Austria.

On July 31 the Senate confirmed the nomination of Louis G. Dreyfus, Jr., to be Envoy Extraordinary and Minister Plenipotentiary to Sweden.

The Department

Colonel Harris Elected President of Inter-American Institute and Foundation

Col. Arthur R. Harris, a career officer of the United States Army who formerly headed the Latin American, Military Attaché, and Foreign Liaison Sections of the War Department and has served as a military attaché in Mexico and Central and South America, has been elected president of both the Institute of Inter-American Affairs and the Inter-American Educational Foundation.

This announcement was made on August 1 by Spruille Braden, Assistant Secretary of State in charge of American republic affairs and chairman of the Boards of Directors of these Government corporations, on which Assistant Secretaries Benton, Clayton, and Russell are also represented. They were organized as part of the former Office of Inter-American Affairs and recently were placed directly under the Secretary of State.

Colonel Harris will assume his duties as common president of these corporations immediately and will administer the extensive health and sanitation, agricultural and educational programs they conduct in the other American republics. These cooperative programs are carried out by small field parties of United States technicians, working in close collaboration with government experts of these neighboring countries. By demonstrating the use of the best practices and techniques in the solution of basic health, sanitation, agricultural, and educational problems they contribute tangibly to raising living standards and improving the general welfare. In discharging his important functions Colonel Harris will maintain close liaison with Public Health, Agriculture, and Educational Ministries of the other American republics.

The new head of the Institute and the Foundation is a West Point graduate and served as an officer in France during World War I. He has a friendly understanding of the problems of Latin American countries based upon long study and personal acquaintance with government and civic

leaders there and upon his own observations during years of living and traveling in the nations to the south.

During World War II he helped to cement the unity of the Americas by special missions to the other hemisphere republics, as well as by his services as a military attaché. He held the wartime rank of Brigadier General.

Colonel Harris made it clear that his election will bring no change in the objectives of the programs for which he now is responsible.

"I have been a close observer of the work of The Institute of Inter-American Affairs and the Inter-American Educational Foundation since they were created about three years ago," he said. "Their programs, planned and carried out on a cooperative basis, are examples of the good-neighbor policy in action. By contributing through mutual collaboration to the improvement of living standards in the Americas, they take that policy directly to the people.

"During the war, when the other Americas helped us to set up vital defense bases and worked to supply us with some 60 strategic materials, we realized better than we ever had before what inter-American understanding and cooperation means. We need that cooperation and understanding just as much today, in meeting our common peacetime problems.

"I have always welcomed assignments that have taken me to the other American republics. Naturally, I am delighted now at the opportunity to become identified with the administration and direction of programs which mean so much to the development of our traditional hemisphere unity. I look forward to this job as a further opportunity to work for the type of sincere friendship toward the United States that I have encountered during the years I have been privileged to serve my country in the other Americas."

Appointment of Officers

Colonel Eddy as Special Assistant in Charge of Research and Intelligence

Acting Secretary of State Acheson announces the appointment of Col. William A. Eddy to be Special Assistant to the Secretary of State in charge of research and intelligence, succeeding William L. Langer, who resigned effective July 19, 1946 in order to carry out a previous com-

mitment which he had with the Rockefeller Foundation. Colonel Eddy assumed his duties on August 1.

Colonel Eddy has had a distinguished record of service on behalf of this Government on several occasions and until recently has been American Minister to Saudi Arabia.

Clair Wilcox as Acting Deputy to the Assistant Secretary for economic affairs, effective July 25.

Frank W. Fetter as Acting Director of the Office of Financial and Development Policy, effective July 17.

James W. Swihart as Special Assistant, Office of Public Affairs, effective July 1.

George J. Haering as Chief of the Visa Division, effective July 1.

The Congress

Interchange of Persons, Knowledge, and Skills Between the People of the United States and the Peoples of Other Countries. S. Rept. 1730, 79th Cong., to accompany S. 2432. 2 pp. [Favorable report.]

Interchange of Knowledge and Skills Between the People of the United States and Peoples of Other Countries: Hearings Before the Committee on Foreign Affairs, House of Representatives, Seventy-ninth Congress, first and second sessions, on H.R. 4968, a bill to extend and broaden the existing programs for the interchange of persons, knowledge, and skills between the people of the United States and the peoples of other countries, October 16, 17, 18, 19, 23, and 24, 1945, and on H.R. 4982, a bill to enable the Department of State more effectively to carry out its responsibilities in the foreign field by means of (a) public dissemination abroad of information about the United States, its people, and its policies, and (b) promotion of the interchange of persons, knowledge, and skills between the people of the United States and the peoples of other countries, May 14, 1946. iv, 216 pp.

Reorganization of the Foreign Service. S. Rept. 1731, 79th Cong., to accompany S. 2451. 10 pp. [Favorable report.]

Providing for Membership and Participation by the United States in the United Nations Educational, Scientific, and Cultural Organization, and Authorizing an Appropriation Therefor. H. Rept. 2636, 79th Cong., to accompany H.J. Res. 365. 2 pp. [Favorable report.]

Acceptance of Certain Decorations From Foreign Governments. H. Rept. 2632, 79th Cong., to accompany H.J. Res. 387. 2 pp. [Favorable report.]

Disposal of Surplus Property Abroad. H. Rept. 2546, 79th Cong., to accompany S. 1636. 11 pp. [Favorable report.]

Providing That Nationals of the United States Shall Not Lose Their Nationality by Reason of Voting Under

Legal Compulsion in a Foreign State. S. Rept. 1742, 79th Cong., to accompany H.R. 434. 2 pp. [Favorable report.]

Amending the Immigration Act of February 5, 1917, As Amended. H. Rept. 2599, 79th Cong., to accompany H.R. 6906. 6 pp. [Favorable report.]

Amending the Nationality Act of 1940 To Preserve the Nationality of Citizens Residing Abroad. H. Rept. 2559, 79th Cong., to accompany H.R. 6905. 3 pp. [Favorable report.]

Establishing the Office of Under Secretary of State for Economic Affairs. S. Rept. 1824, 79th Cong., to accompany H.R. 6946. 2 pp. [Favorable report.]

Third Deficiency Appropriation Bill for 1946: Hearings Before the Subcommittee of the Committee on Appropriations, House of Representatives, Seventy-ninth Congress, second session, on the Third Deficiency Appropriation Bill for 1946. ii, 857 pp. [Indexed.]

Warney Petroleum Policy Under the Petroleum Administration for War: Hearings Before a Special Committee Investigating Petroleum Resources, United States Senate, Seventy-ninth Congress, first session, pursuant to S. Res. 36 (Extending S. Res. 253, 78th Congress), a resolution providing for an investigation with respect to petroleum resources in relation to the national welfare, November 28, 29, and 30, 1945. iv, 280 pp. [Indexed.]

Government Corporations Appropriation Bill for 1947: Hearings Before the Subcommittee of the Committee on Appropriations, United States Senate, Seventy-Ninth Congress, second session, on H.R. 6777, an act making appropriations for Government corporations and independent agencies for the fiscal year ending June 30, 1947, and for other purposes. ii, 303 pp. [Indexed.]

Publications

UNRRA

UNRRA has announced the publication of *A Compilation of the Resolutions on Policy, Third and Fourth Sessions of the UNRRA Council*. Included in this volume are the resolutions on policy adopted by the Third and Fourth Sessions of the Council, together with a number of related documents, including the agreement establishing the United Nations Relief and Rehabilitation Administration.

Resolutions 1 through 41, adopted at Atlantic City, 1943, appeared in the volume entitled *First Session of the Council of the United Nations Relief and Rehabilitation Administration—Selected Documents*.

Resolutions 42 through 61, adopted at the Second Session in Montreal in 1944, have been brought together with resolutions adopted at the First Session in Atlantic City in 1943 in one volume entitled *A Compilation of the Resolutions on Policy, First and Second Sessions of the UNRRA Council*.

Resolutions 62 through 93, adopted at London in 1945 and Atlantic City in 1946, are brought together in this volume, which becomes volume 3 of this series.

Training Announcements

CLERICAL TRAINING OPPORTUNITIES: AUGUST 19-30

The Division of Training Services is now receiving registrations for August classes. The purpose of these classes is to improve work-performance and to prepare employees for greater responsibility within the Department.

Each registrant must have the approval of his supervisor or administrative officer. To register for classes or to secure further information call Miss Katherine Wilkey or Mr. Ralph S. Rowland on extension 2122 or 2742. The classes will meet daily in room 50, Main State Department Building. A new class starts each Monday.

State Department Correspondence—2 weeks

Time: 9-10:30, starting Aug. 19
11-12:30, starting Aug. 26

Prerequisite: Proficiency in typewriting

Instructor: Miss Eoline Howze

Shorthand 1—5-5:45 for 4 weeks

Prerequisite: Previous training in Gregg shorthand

Instructor: Miss Marian Harlin

Shorthand 2-1: 10-1:55 for 4 weeks

Prerequisite: Ability to take dictation at 80 w.p.m.

Instructor: Miss Marian Harlin

Shorthand 3-3: 3:45 for 4 weeks

Prerequisite: Ability to take dictation at 100 w.p.m.

Instructor: Miss Fairah Cruzan

Typewriting 1-4: 4:45 for 4 weeks

Prerequisite: Previous training in touch typewriting

Instructor: Miss Fairah Cruzan

Typewriting 2-2: 05-2:50 for 4 weeks

Prerequisite: Ability to type accurately at 50 w.p.m.

Instructor: Miss Marian Harlin

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The texts of the agreed and unagreed articles of the draft treaties with Italy, Bulgaria, Rumania, Hungary, and Finland as drafted by the Council of Foreign Ministers will appear in a supplement to a forthcoming issue of the *Bulletin*.

THE DEPARTMENT OF STATE BULLETIN

VOL. XV, NO. 372

AUGUST 18, 1946

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BULLETIN

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The Department of State BULLETIN, a weekly publication compiled and edited in the Division of Research and Publication, Office of Public Affairs, provides the public and interested agencies of the Government with information on developments in the field of foreign relations and on the work of the Department of State and the Foreign Service. The BULLETIN includes press releases on foreign policy issued by the White House and the Department, and statements and addresses made by the President and by the Secretary of State and other officers of the Department, as well as special articles on various phases of international affairs and the functions of the Department. Information concerning treaties and international agreements to which the United States is or may become a party and treaties of general international interest is included.

Publications of the Department, cumulative lists of which are published at the end of each quarter, as well as legislative material in the field of international relations, are listed currently.

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American Policy in Occupied Areas

Article by VELMA HASTINGS CASSIDY

THE BASIC OBJECTIVES of American policy with respect to the occupied areas—Germany, Austria, Japan, and Korea—are to create conditions under which political and economic democracy can flourish and to prepare for the eventual peaceful cooperation of these countries in international affairs. The pattern and machinery employed in achieving these ends have an intimate relation to our American democracy. The essential factors in the creation of a democratic order in the occupied enemy countries are the thousands of people—individual members of the State, War, and Navy Departments as well as other agencies of the Government—who constitute the machinery and make its use possible. Formulation of the political pattern upon which the foundation may be laid for developing the occupied countries on democratic principles is a privilege and responsibility of the first order. That responsibility belongs to the Department of State.

The mechanism set up for the formulation of American occupation policy embodies the typical features of a democratic network—its power and its weakness, its unity and its complexity, its effectiveness and its slowness. The creative process may be illustrated by tracing the evolution of our policy for the control of Germany, which began at the Crimea Conference¹ and culminated in the Potsdam Conference.² Common policies and plans for the occupation and control of Germany after victory were agreed upon by the late President Roosevelt, former Prime Minister Winston Churchill, and Generalissimo Stalin at the Crimea Conference, which was concluded on February 11, 1945.

On February 28 President Roosevelt addressed the following memorandum to the Secretary of State, Edward R. Stettinius, Jr.:

"I desire that you, as Secretary of State, assume

the responsibility for seeing that the conclusions, exclusive of course of military matters, reached at the Crimea Conference, be carried forward. In so doing you will, I know, wish to confer with other officials of this Government on matters touching upon their respective fields. I will expect you to report to me direct on the progress you are making in carrying the Crimea decisions into effect in conjunction with our Allies."

On March 12, 1945 the President addressed the following memorandum to the Secretary of War, Henry L. Stimson; the Secretary of the Navy, James A. Forrestal; the Secretary of the Treasury, Henry Morgenthau, Jr.; and the Foreign Economic Administrator, Leo T. Crowley:

"I am, of course anxious to see that the decisions we reached at the Crimea Conference should in the light of current developments be carried forward as expeditiously as possible in conjunction with our Allies. I have, therefore, charged the Secretary of State with the responsibility for implementing the Crimea decisions exclusive, of course, of those dealing with purely military matters and I am enclosing for your information a copy of a Memorandum which I sent him on February 28. Mr. Stettinius will, I know, wish to tell you personally of those decisions of the Conference which are of interest to you in connection with your duties."

¹ Written in collaboration with the office of the Assistant Secretary for occupied areas. This is the second in a series of three articles on American policy in occupied areas; for the first article, by Assistant Secretary Bildring, see BULLETIN of July 14, 1946, p. 47. Mrs. Cassidy is Research Associate in the Foreign Policy Studies Branch, Division of Research and Publication, Office of Public Affairs, Department of State.

² BULLETIN of Mar. 4, 1945, p. 321.

³ BULLETIN of Aug. 5, 1945, p. 153.

As a result of the above directives, the heads of the four Departments (State, War, Navy, and Treasury) and the Foreign Economic Administrator agreed to set up a committee, composed of representatives of their Departments, to be known as the Informal Policy Committee on Germany (IPCOG). It was subsequently agreed that the secretariat of the State-War-Navy Coordinating Committee would function as the secretariat for this Committee. The following served as members of this Committee:

State Department

William L. Clayton, Assistant Secretary of State (*Chairman*)

War Department

John J. McCloy, Assistant Secretary of War

Navy Department

Ralph A. Bard, Under Secretary of the Navy
Artemus L. Gates, Assistant Secretary of the Navy for Air

Treasury Department

Henry Morgenthau, Jr., Secretary of the Treasury
Harry D. White, Assistant Secretary of the Treasury
Frank Coe

Foreign Economic Administration

Leo Crowley, Administrator
H. H. Fowler

The above-named representatives held their first meeting on April 15, 1945 and prepared a summary of American policy relating to Germany in the initial post-defeat period. With this summary of policy as a basis, a working party composed of representatives of the four Departments and the Foreign Economic Administrator prepared a directive to the Commander in Chief of United States Forces of Occupation regarding the military government of Germany, which was approved by IPCOG on April 26 and forwarded to the Joint Chiefs of Staff for their consideration. On April 26 Acting Secretary of State Grew submitted a memorandum to the President enclosing a copy of the directive. After certain changes acceptable to both the Committee and the Joint Chiefs of Staff were made, a new paper was sub-

mitted to and approved by the President on May 11. The Joint Chiefs of Staff on May 14 were requested to transmit the directive to the Commander in Chief, United States Forces in Germany, for his guidance in the military government of that portion of Germany occupied by the American forces.⁴ Before this directive was discussed in the Control Council, President Truman, Prime Minister Attlee, and Generalissimo Stalin met at Potsdam and issued a communiqué setting forth agreed policies for the control of Germany. This communiqué was made public on August 2, 1945.

On August 30, 1945 the President approved a memorandum from the Secretary of State which terminated the functions of the Informal Policy Committee on Germany and transferred pending matters on the IPCOG agenda to the State-War-Navy Coordinating Committee (SWNCC).⁵

In order to accomplish the maximum of unity and consistency in American policy and administration in the occupied areas, SWNCC, under the chairmanship of the State Department, is charged with responsibility for the coordination of American policy regarding such occupation and government and for its communication through appropriate channels to American representatives in the field and to American representatives on Allied bodies such as the Far Eastern Commission.

Subcommittees, composed of personnel of the service departments, study and report to the parent Committee on problems which arise in connection with particular geographic areas or special matters of a politico-military nature. There are subcommittees for Europe, the Near and Middle East, the Far East, and Latin America; subcommittees for special subjects such as Rearmament, Military Information Control, the Release of State Papers, and Security Control; and *ad hoc* committees created for such purposes as effecting collaboration between the State, War, and Navy Departments on security functions of the United Nations and as reviewing directives and procedures for the seizure of captured enemy archives.

All occupation-policy decisions presented by the State Department to SWNCC or communicated from outside to the Department are transmitted through the Assistant Secretary of State for occupied areas, Maj. Gen. John H. Hildring.⁶ He

⁴ BULLETIN of Oct. 21, 1945, p. 596 (JCS 1067).

⁵ BULLETIN of Nov. 11, 1945, p. 745.

⁶ BULLETIN of Apr. 28, 1946, p. 734.

is in no sense responsible for the making of policy. It is his business to coordinate all State Department policy in regard to occupation matters. The mechanism for coordinating the activities of all the divisions that deal with the occupied territories is provided through the operation of two secretariats which are responsible to Assistant Secretary Hildring on all matters of policy with respect to (1) Germany and Austria and (2) Japan and Korea.

The fundamental objectives of occupation policy in these areas, as stated above, are not very different; they aim, simply, toward the same end: the eventual reconstruction of political life in these countries on a peaceful and democratic basis. The difference is chiefly in the mechanism of control and administration of military government in those countries, which, in turn, is reflected in the character of the different occupation problems referred to the Department of State for policy determination.

Germany, in which there is no central government, has been divided into four zones of occupation,⁷ subject to the authority of four Commanders in Chief, each in his own zone, of the Governments of the United States, the United Kingdom, the Union of Soviet Socialist Republics, and the French Republic. The Commanders in Chief, acting jointly, constitute the Control Council, which exercises supreme authority in Germany. The basic control machinery in Austria is similar to this arrangement.⁸

With a view to the reestablishment of Korea as an independent state, a joint commission has been established which consists of representatives of the United States command in southern Korea and of the Soviet command in northern Korea to assist in the formation of a provisional Korean democratic government.⁹

The pattern of military occupation in Japan, where a national government still exists, is quite different.¹⁰ The sole executive authority for the Allied powers is the Supreme Commander, who exercises his authority through the Japanese governmental machinery and agencies to the extent that this arrangement satisfactorily furthers Allied objectives.¹¹

The three Foreign Ministers at the Moscow Conference in December 1945 created the Allied Control Council for Japan¹² for the purpose of

consulting with and advising the Supreme Commander with respect to the implementation of the terms of surrender and to the occupation of Japan. The membership of the Council consists of George Acheson, Jr., deputized by General MacArthur as American representative and chairman; a Union of Soviet Socialist Republics member; a Chinese member; and a member representing jointly the United Kingdom, Australia, New Zealand, and India.

Another major agreement on the control of Japan reached at Moscow was the establishment of the Far Eastern Commission,¹³ a policy-making group composed of representatives of the United States, Great Britain, the Soviet Union, China, France, the Netherlands, Australia, New Zealand, Canada, India, and the Philippines. The terms of reference designated the Commission as the final and ultimate authority for formulating the policies and principles in conformity with which the fulfillment by Japan of its obligations under the terms of surrender may be accomplished.

It is apparent that the difference in mechanism for coordinating Allied policy and administration in the occupied countries, in accordance with existing political and military agreements between the Allied powers, accounts for the difference in character of the policy decisions handled in the respective secretariats of the Department of State. Unlike the situation in Japan, the administrative arrangement in Germany and Austria¹⁴ produces special problems of immediate urgency as well as of long-range significance. Policy questions referred for decision to the Department from the Germany-Austria area arise chiefly out of day-to-day needs; questions from Japan and Korea, for the most part, involve long-range policy determinations.

The Germany-Austria secretariat holds meetings twice a week under the chairmanship of James W. Riddleberger, Chief of the Division of Central European Affairs, to consider matters of policy in

⁷ BULLETIN of APR. 14, 1946, p. 599.

⁸ BULLETIN of APR. 21, 1946, p. 649.

⁹ BULLETIN of DEC. 30, 1945, pp. 1039 and 1035.

¹⁰ BULLETIN of JULY 29, 1945, p. 137, and AUG. 12, 1945, p. 205.

¹¹ BULLETIN of SEPT. 30, 1945, p. 480.

¹² BULLETIN of DEC. 30, 1945, p. 1029.

¹³ BULLETIN of DEC. 30, 1945, p. 1028.

¹⁴ BULLETIN of JULY 28, 1946, p. 175.

connection with the control of these areas which may have been referred from the field or initiated by members of the secretariat on the basis of information received from departmental sources abroad. The agenda includes a wide range of questions affecting American political, economic, and social interests in those areas. The majority of the problems, however, are economic, requiring at least 80 percent of the secretariat's time and attention. The secretariat is composed of members from special offices of the Department which are responsible for the formulation of political, economic, and cultural policy with respect to the occupation of Germany and Austria, such as the Office of European Affairs (Division of Central European Affairs), the Office of Economic Security Policy (Division of German and Austrian Economic Affairs), and the Office of International Information and Cultural Affairs (Occupied Areas Division). Officers of other divisions, when matters of interest to them are under consideration, are invited to attend the meetings. Decisions on the various matters laid before the secretariat are rooted in international conferences such as the Crimea and Potsdam Conferences. From that point on, the evolution of a policy decision is an intricate process.

The machinery for policy making and its execution requires the cooperation of thousands of people. Application of the cooperative, democratic method may be shown further by tracing the course of a German or Austrian occupation problem. The majority of the requests originate in the field. A cable stating the problem and asking for instructions is sent by United States Forces in Austria (USFA), United States Forces, European Theater (USFET), or Office of Military Government, U.S. Zone (OMGUS) to the War Department and relayed from there to the State Department. Within the Department this communication is sent through a chain of offices somewhat as follows: the Office of the Assistant Secretary for Occupied Areas; a working committee for the Germany-Austria secretariat that determines the appropriate division and sends the cable to that division for action, e. g.: (1) to the Division of Central European Affairs for political policy; (2) to the Division of German and Austrian Economic Affairs for policy on economic and financial matters related to the occupation and control of Ger-

many and Austria and to the reestablishment of Austria as an independent state, and reparations, restitution, and economic and financial aspects of peace treaties relating to Germany and Austria; (3) to the Occupied Areas Division of the Office of International Information and Cultural Affairs for policy on international information and cultural affairs in these areas; and (4) to various other technical or functional divisions such as the Aviation Division, the Telecommunications Division, etc., whose functions touch upon any aspect of the problem. Political problems sometimes involve nine or ten different groups in the State Department, though usually not more than a half dozen. Certain questions with regard to occupation affairs in the American zone may be related to conditions in one or more of the other zones in Germany or Austria. In these cases the geographic and other divisions concerned with policy toward the respective countries must jointly work out the problem and, harmonizing any differences in ideas, agree on a uniform policy. The result of these various deliberations is incorporated in a policy statement which is sent on a return trip for clearance by the appropriate divisions. When the statement is initialed by the appropriate officers and is approved by the Germany-Austria secretariat, it is sent to Assistant Secretary Hilldring's office for clearance and for transmission, over his signature, to the War Department. The statement is dispatched to the field by the War Department.

The Department of State does not concern itself with the administration of purely military matters and does not communicate directly with the American forces of occupation. On special policy matters involving military government, however, the Department may communicate its views to the field and may request information from its representatives in the occupied areas. Outgoing cables of this nature are directed through State Department channels to the United States Political Adviser in Germany or Austria. These cables are first cleared with Assistant Secretary Hilldring's office, and the War Department is informed of any such communications in order that the policy-making and administrative functions may be coordinated in all phases of occupation affairs.

Instructions to the American commanders in Europe are sent through War Department chan-

nels. For example, the recent instructions involving the economic unification of occupation zones in Germany were sent by Secretary Byrnes through the War Department to Gen. Joseph T. McNarney, American Military Governor in Germany (USFET), and our policy was publicly announced by the Secretary on July 15 on the occasion of his return from the Paris conference.¹⁵

The substance of the instructions to General McNarney, made public July 22, was as follows:

"You are to announce in the Allied Control Council, Berlin, that, since there is in Germany no zone that is self-sustaining and since the treatment of two or more zones as a single economic unit would improve the situation in these zones, the zonal authorities of the United States will, pending a four-power agreement for the application of the Potsdam agreement regarding the treatment of all Germany as a single economic unit and the attainment of a balanced economy throughout Germany, join with those of any other zone or zones in measures for the treatment of their respective zones as an economic unit; and you are also to announce that to this end you are prepared to cooperate with any or with all of the three other occupying governments to make appropriate administrative arrangements. These arrangements would be made in such fields as finance, transportation, communications, industry, and foreign trade in such a way as will obtain the economic unification of the zones concerned and as will be capable of being developed, upon the adherence of all four zones, into central German administrative departments, headed by state secretaries, provided for in the Potsdam decision. It is the intention of the United States, in making this proposal, to expedite its treatment of Germany as an economic unit and not to divide Germany.

"At any time governments of other zones are prepared to participate, the arrangements that are made with the government of any one zone will be open to them on equal terms. The Government of the United States believes that it is not possible for Germany to continue to be administered in four airtight compartments with no free economic interchange, and that the economic paralysis in Germany will inevitably result from the continuation of the present situation. The Government of the United States is unwilling to allow such a creeping paralysis, when, as a prelude to the economic unity of Germany as a whole, it may be pos-

sible to attain economic unity between some of the zones.

"You are hereby authorized and requested, if all the participating representatives do not accept this offer, to enter at once into negotiations with the occupation authorities of any other zone or zones for the establishment of measures to accomplish the principles of the preceding paragraph and to create an economic unit with such zone or zones. Regarding the French zone, you are authorized to negotiate with the French representative on the basis of excluding the Saar from any arrangements that may be agreed upon for economic unity. You are to advise the Department of State and the War Department currently of the progress of such negotiations and submit for approval in Washington any recommendations and plans agreed upon."

In this manner the American forces of occupation put into effect the Government's policy decision.

The Japan-Korea secretariat, under the chairmanship of Edwin O. Reischauer, the designee of the Director of the Office of Far Eastern Affairs, is responsible for coordinating and expediting the State Department's political, economic, and cultural policy with regard to these occupied areas. Its membership is composed of officers from the Office of Far Eastern Affairs, the Office of Economic Security Policy, the Office of International Information and Cultural Affairs, and others directly concerned in occupation activities. The Divisions most actively engaged in the secretariat's work are the following: Japanese Affairs, in matters of political policy; Japanese and Korean Economic Affairs, in matters of economic and financial policy related to the control of Japan and Korea and the reestablishment of Korea as an independent state; and Occupied Areas Division of the Office of International Information and Cultural Affairs, in matters of cultural policy.

Meetings are held whenever necessary to discuss problems of policy either initiated in the Japan-Korea secretariat or referred from outside the Department. The majority of the questions are referred to the Department from the Far Eastern Commission. The varied subjects under consideration range from economic problems, industry, labor, and the *Zaibatsu* to science, public health

¹⁵ BULLETIN of July 28, 1946, p. 167

and welfare, and government, but the most urgent and persistent are economic in nature.

The basis of all policies and directives on Japan is still the statement of initial post-surrender policy which was in substance sent to General MacArthur by radio on August 29 and, after approval by the President, by messenger on September 6, 1945. This document was prepared by SWNCC. In accordance with an agreement made at SWNCC's fourth meeting on January 5, 1945, a subcommittee was appointed to consider matters in connection with the control of Pacific and Far Eastern areas. This Subcommittee, composed of Mr. Eugene H. Dooman (Department of State), Maj. Gen. J. H. Hilldring (War Department), and Rear Admiral H. C. Train (Navy Department), initially prepared an outline of politico-military problems, which then, or soon, would confront the United States in the Pacific. This outline de-

veloped into a document entitled "U.S. Initial Post-Defeat Policy Relating to Japan", which was circulated for consideration by SWNCC and was forwarded to the Joint Chiefs of Staff for con-

ment from a military point of view. After a series of consultations and revisions, a new paper acceptable to JCS and SWNCC was approved on August 31, 1945 and forwarded by Secretary Byrnes to the President with the memorandum which is reproduced on this page. After additional editing by the Subcommittee for the Far East, the revised paper was communicated by the Department of State to the Governments of the United Kingdom, the Soviet Union, China, France, the Commonwealth of the Philippines, Australia, Canada, New Zealand, and the Netherlands with a statement that the United States Government intended to release the document to the press. This document was subsequently released to the press by the White House on September 22, 1945 as "U.S. Initial Post-Surrender Policy for Japan".¹⁶

The Japan-Korea secretariat corresponds to the Germany-Austria secretariat in that it operates on two levels, the secretariat and the working committee, as a clearing-house for policy matters coming into and going out of the Department. Policy statements are drafted by the appropriate divisions, cleared with the political or other divisions especially concerned, coordinated by the secretariat, and presented to the Assistant Secretary for occupied areas for his approval. After approval by Assistant Secretary Hilldring, the policy documents are transmitted by SWNCC to the United States representative on the Far Eastern Commission, or, where appropriate, the document is transmitted through War Department channels to the Supreme Commander for the Allied Powers.

The fact is thus demonstrated that our American occupation policy is not the product of a single-minded institution. Some may argue that the democratic way of making policy is elaborate, slow, and cumbersome and that it lacks the efficiency of a totalitarian system. Others will reply that the machinery for policy making is the instrument of the American people and offers the opportunity to make our democracy a practicable thing in the building of world peace and security.

DEPARTMENT OF STATE
WASHINGTON

MEMORANDUM FOR THE PRESIDENT

I am presenting for your approval a statement of United States Initial Post-Defeat Policy relating to Japan (SWNCC 150/4) which has been prepared by the State-War-Navy Coordinating Committee. The statement sets forth principles for the treatment of Japan and is intended to serve a similar purpose as regards Japan as the memorandum approved by President Roosevelt on 23 March did with regard to Germany.

The statement has been reviewed by the Joint Chiefs of Staff who perceive no objections thereto from a military point of view. It has the approval of Secretary Stimson and Secretary Forrestal.

I recommend your approval.

approved
9/16/45
Harry Truman

James B. Byrnes

veloped into a document entitled "U.S. Initial Post-Defeat Policy Relating to Japan", which was circulated for consideration by SWNCC and was forwarded to the Joint Chiefs of Staff for con-

¹⁶ BULLETIN of Sept. 23, 1945, p. 423.

The Conference on German-Owned Patents

Article by BENNETT BOSKEY¹

THE CONFERENCE ON GERMAN-OWNED PATENTS, which was convened on the joint invitation of the Governments of France, the United Kingdom, and the United States, held meetings in London from July 15 to 27, 1946. The purpose of the Conference was to formulate principles to govern the disposition of patents which have come into the possession or control of various governments as a result of wartime sequestration or vesting of German-owned property. Delegations attended from 12 countries: Australia, Belgium, Canada, Czechoslovakia, Denmark, France, Luxembourg, the Netherlands, Norway, the Union of South Africa, the United Kingdom, and the United States. Commissioner of Patents Casper W. Ooms was the United States Delegate, and the six advisers on the Delegation were Bennett Boskey, James Simsarian, and Robert P. Terrill of the Department of State, Francis C. Brown and Howland H. Sargeant of the Office of Alien Property Custodian, and John C. Green of the Department of Commerce.

To a considerable extent the policy advocated at the Conference by the American Delegation was the outgrowth of the wartime experience of the United States Alien Property Custodian. Since 1942 the Custodian has administered former wholly German-owned patents in the United States on a royalty-free non-exclusive licensing basis, subject to certain exceptions designed to protect legitimate rights and interests previously acquired by non-enemies. With the approval of both the Executive Committee on Economic Foreign Policy and the President, the Custodian has made these patents freely available to American business. His object has been to avoid conferring monopoly privileges on a limited few. He has endeavored instead to obtain the maximum benefits for the American economy as a whole by stim-

ulating interest in the inventions and processes covered by vested patents, by bringing them into general use, and by assuring that all business enterprises would have equal access to them.

The favorable results of the Custodian's domestic policy suggested the desirability of extending this policy, on a reciprocal basis, to the international sphere. Moreover, there was a real likelihood that some of the governments which had come into possession or control of substantial blocs of former German-owned patents might permit those patents to be used in ways that would create undesirable barriers to the free flow of international trade. A patent, it should be remembered, is a right to exclude. Thus if a government were to retain a former German-owned patent for the sole use of its own nationals, or were to grant licenses only to persons agreeing to manufacture within its own territory, the patent would operate as an effective bar against the importation into that country of any product using the invention covered by the patent.

Last winter the United States initiated informal discussions with the British and French authorities, in the hope of finding a solution which would forestall the emergence of such new trade barriers and would at the same time accomplish the important security objective of permanently eliminating all German interests in these patents.² The

¹ Mr. Boskey is Adviser on Enemy Property Problems in the Division of Economic Security Controls and was an adviser on the United States Delegation to the Conference.

² Article 6A of the Paris Reparations Agreement provides that "Each Signatory Government shall, under such procedures as it may choose, hold or dispose of German enemy assets within its jurisdiction in manners designed to preclude their return to German ownership or control". The American republics have also adopted resolutions providing for elimination of German interests.

problem was also discussed in the Committee on Industrial Property Rights of the Inter-Allied Reparation Agency (IARA) at Brussels, and on April 9 the IARA Assembly adopted a resolution requesting France, the United Kingdom, and the United States to call a technical conference, apart from IARA.³ It was in consequence of this resolution that invitations to the London conference were issued to those member countries of IARA which, because of the large number of former German-owned patents within their jurisdiction, appeared to be the countries most directly concerned.

Additional exploratory conversations were held with representatives of a number of the interested governments. Moreover, in connection with the discussions relating to the French loan, the matter became the subject of formal negotiations between the United States and France, and in article 6 of the Declaration of Commercial Policy, dated May 28, the two governments "agreed, subject to participation in the program by other important industrial nations, each to license freely and without royalty to the nationals of the other, on conditions of reciprocity, all former German-owned patents which have come into the full possession of either government, reserving only those rights which have already been granted with respect to such patents".

Before the opening session of the Conference the Delegations of France, the United Kingdom, and the United States held two meetings in London to discuss the procedural phases of the Conference and to prepare, if possible, a draft accord which could be proposed to the Conference as embodying the joint policy of the three inviting governments. The three Delegations fortunately were able to agree on all important questions of substance.

After the Conference elected Sir Harold L. Saunders, the senior United Kingdom Delegate, as its chairman, each Delegation made an opening statement, describing in considerable detail the practices which its government had adopted with respect to former German-owned patents, and in some cases intimating the policy which its government thought desirable for the future. Many variations appeared in the practices followed by the 12 governments. Some had allowed large numbers of the German-owned patents to lapse for non-payment of renewal fees, others had issued sub-

stantial numbers of licenses, with or without royalty, and still others had issued few or no licenses. The policy of the United States Alien Property Custodian was explained to the Conference, and the United States Delegate emphasized the mutual advantages which would follow from multilateral adoption of such a policy on a reciprocal basis.

On the third day of the conference, a draft of a proposed accord which had been worked out jointly by the French, United Kingdom, and United States Delegations was presented for consideration, at the request of the other delegations. Ensuing discussion disclosed some desire to qualify the basic proposal that former wholly German-owned patents be opened up to nationals of all participating governments without the payment of any royalties. The delegations from several of the countries which had been occupied by German forces suggested that, because of the heavy burdens which the occupation had placed upon their economy, it was desirable for them to reserve the right, at least during a transitional period of from one to three years, to issue licenses only to licensees undertaking to manufacture domestically within their own territory. Such licenses in effect would have operated to protect the domestic manufacturer by blocking imports into that country during the transitional period.

The Conference recessed for several days to afford the delegations an opportunity of consulting with their governments on the proposals advanced. When the meetings were resumed a drafting committee consisting of representatives from the Delegations of Belgium, Czechoslovakia, France, the Netherlands, the United Kingdom, and the United States sought to harmonize the conflicting views. On the question of the transitional period, the difference of opinion persisted, and a vote taken at the Conference disclosed that eight delegations, including that of the United States, opposed any provision in the accord for such a transitional period. Those eight delegations feared, first, the international trade barriers which would be created during the transitional period and, second, the great impetus which there would be at the end of the transitional period to employ other types of trade restrictions in order to perpetuate the protection originally conferred by the participating government on its domestic manufacturer.

³ The discussions in IARA were noted in the BULLETIN of June 23, 1946, p. 1066.

The Conference then proceeded to prepare the final text of an accord,⁴ omitting any provision for a transitional period. The four Delegations (of Belgium, Denmark, Luxembourg, and Norway) which had favored the inclusion of a transitional period reserved their positions, stating that their Governments would desire to give further consideration to the problem. The Conference was of the view that it would be to the common benefit of all governments to have wide participation in the accord and, consequently, provided that any member of the United Nations or any neutral government may become a party. The accord was signed on July 27 on behalf of the Governments of France, the Netherlands, the United Kingdom, and the United States. It will come into force as soon as signed or accepted by three additional governments, and the Delegations of Australia, Canada, Czechoslovakia, and the Union of South Africa informed the Conference that they will recommend that their governments sign.

The general effect of the accord will be to make available to the nationals of all participating governments full rights to use, without the payment of any royalties, all former wholly German-owned patents issued by those governments, subject to the protection of existing rights lawfully acquired prior to August 1, 1946 by non-Germans. In addition, where a participating government makes available to its own nationals rights under other patents in which there was formerly a German interest, it must grant equal rights to nationals of other participating governments. Provision is made for the interchange of information through a central office to be maintained by the French Government. The number of patents in the vari-

ous countries which will be affected by the accord, although not definitely ascertained, is known to be well above 100,000.

The accord represents a satisfactory solution of the complex problems created by the existence of large numbers of former German-owned patents throughout the world. It will, if widely accepted, remove the possibility that these patents can become a barrier to international trade. It will also assure the permanent elimination of German interests in these patents, for the patents will become freely available to all and thus no monopoly privileges will be preserved which could be returned to Germans at a later date. The patents which served as an instrument of German economic aggression will be thrown open for the benefit of the nationals of all participating countries.

The Conference also adopted a resolution pledging the governments represented at the Conference to maintain the *status quo* and to take no action which would interfere with their ability to carry out the terms of the accord, pending their decision whether to sign. By another resolution, the eight delegations which were in favor of the accord recommended that their governments should support in IARA a proposal that the value of German rights or interests in any patent issued by a participating government should not be a charge against that government's reparations account if the patent is made available without royalty in the manner contemplated by the accord.

The successful results of the Conference indicate the broad possibilities of international cooperation in the rather technical but very important field of patents.

⁴ Printed in this issue, p. 300.

Agreement on Treatment of German-Owned Patents¹

ACCORD

The Governments on whose behalf the present Accord is signed:

Desiring to make arrangements with regard to former German-owned patents in their possession or control:

Have agreed as follows:

Article 1

Subject to the provisions of the following Articles, each Government, party to this Accord, undertakes that all former wholly German-owned patents, issued by it and in its possession or control under the general law and regulations relating to German-owned property, which have not ceased or been dedicated to the public, shall be dedicated to the public or placed in the public domain or continuously offered for licensing without royalty to the nationals of all Governments, parties to this Accord.

Article 2

In cases where a Government, party to this Accord, makes available by the grant of licenses or otherwise to its own nationals rights under patents in which there was formerly a German interest (other than the patents specified in Article 1), such rights shall be made available to the nationals of all Governments, parties to this Accord, on the same terms as to the nationals of that Government.

Article 3

Subject to the provisions of Article 4, all licenses granted in accordance with Article 1 and, in cases where the Government is not prevented by the terms of the patent, license or other right which it acquires, all licenses granted in accordance with Article 2 shall include the right to practice and exercise the inventions claimed in the patents, and to make, use and sell the products of the inventions regardless of where such products are manufactured.

Article 4

The provisions of Articles 1 and 2 shall be subject to the right of each Government to take appropriate measures to protect and preserve proprietary, license or other rights or interests in such patents which have been before the 1st August, 1946, lawfully granted to or acquired by any non-German. An exclusive license granted before the 1st August, 1946, may be protected by declining to grant any new license during the period of such exclusive license, and a non-exclusive license may be protected by imposing on new licensees the same terms as those imposed on the existing licensee.

Article 5

For the purposes of this Accord, each Government may treat as non-German-owned those patents, or interests in patents, belonging to persons in special classes (such as Germans residing outside Germany, German refugees, etc.) whose property that Government has exempted or may in the future exempt from its general law and regulations relating to German-owned property.

Article 6

In order to carry out the purposes of this Accord and to provide for the interchange of information through a central office, the Government of the French Republic will provide facilities for receiving and disseminating reports from Governments, parties to this Accord, and for notifying these Governments of matters of common interest under this Accord.

Article 7

Each Government, party to this Accord, shall furnish as soon as possible to the central office referred to in Article 6, for transmission to the other Governments, parties to this Accord, a list of all former wholly or partly German-owned patents which are not available to the nationals of these Governments by way of dedication or royalty-free licenses, together with a schedule of

¹ Released to the press Aug. 5.

the licenses and of non-German interests existing under or in those patents. In addition, the Governments, which can conveniently do so, shall furnish a list of all such patents still in force which are licensable on a royalty-free basis and of all such patents as have ceased or been dedicated to the public.

Article 8

The present Accord shall remain open for signature in London on behalf of any Government represented at the Conference in London until the 31st December, 1946. The Government of the United Kingdom shall notify to all other Governments represented at the Conference the names of the Governments on whose behalf the Accord has been signed.

Article 9

The Government of any other member of the United Nations, or of any country which remained neutral during the second World War, may become a party to this Accord by notifying the Government of the United Kingdom of its acceptance thereof before the 1st January, 1947. The Government of the United Kingdom shall inform all Governments represented at the Conference in London on German-owned patents, or which have accepted this Accord under this Article, or all acceptances so notified.

Article 10

Any Government, party to this Accord, may extend the Accord to any of its colonies, overseas territories, or to any territories under its protection or jurisdiction or which it administers under mandate, by a notification addressed to the Government of the United Kingdom.

The Government of the United Kingdom shall inform all other Governments, party to this Accord, of any notification which it receives under this Article.

Article 11

This Accord shall come into force as soon as it has been signed or accepted by the Governments of the French Republic, the United Kingdom, the United States of America and of four other countries.

IN WITNESS WHEREOF the undersigned duly authorized thereto have signed the present Accord.

DONE in London this 27th day of July, 1946, in English and French, both texts being equally authentic, in a single copy which shall remain deposited in the archives of the Government of the United Kingdom. The Government of the United Kingdom shall transmit certified copies of this Accord to all Governments represented at the Conference in London on German-owned patents and to all Governments entitled to become a party to this Accord under the provisions of Article 9.

For the Government of the French Republic

R. MOUMAYOU
MATHON

For the Government of the Netherlands

DYCKMEESTER

For the Government of the United Kingdom

HAROLD L. SAUNDERS
B. G. CREWE

For the Government of the United States of America

CASPER W. OOMS

Work of the United Nations "Legal Committees"

Article by HENRY REIFF

Part II: The London Committees

THE PREPARATORY COMMISSION AND ITS EXECUTIVE COMMITTEE

At the conclusion of the labors of the United Nations Conference on International Organization at San Francisco, Interim Arrangements were adopted on June 26, 1945¹ providing for the setting up of a Preparatory Commission, consisting of one representative from each government signatory to the Charter, "for the purpose of making provisional arrangements for the first sessions of the General Assembly, the Security Council, the Economic and Social Council, and the Trusteeship Council, for the establishment of the Secretariat, and for the convening of the International Court of Justice." Seven specific tasks were set out in Paragraph 4 of the Agreement:

The Commission shall:

(a) convoke the General Assembly in its first session;

(b) prepare the provisional agenda for the first sessions of the principal organs of the Organization, and prepare documents and recommendations relating to all matters on these agenda;

(c) formulate recommendations concerning the possible transfer of certain functions, activities, and assets of the League of Nations which it may be considered desirable for the new Organization to take over on terms to be arranged;

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(d) examine the problems involved in the establishment of the relationship between specialized intergovernmental organizations and agencies and the Organization;

(e) issue invitations for the nomination of candidates for the International Court of Justice in accordance with the provisions of the Statute of the Court;

(f) prepare recommendations concerning arrangements for the Secretariat of the Organization; and

(g) make studies and prepare recommendations concerning the location of the permanent headquarters of the Organization.

The Agreement further authorized an Executive Committee of the Preparatory Commission, composed of representatives of the 14 Governments represented on the Executive Committee of UNCIO, to exercise "the functions and powers of the Commission, when the Commission is not in session." The Executive Committee itself was directed to "appoint such committees as may be necessary to facilitate its work, and . . . make use of persons of special knowledge and experience." According to Paragraph 6 of the Agreement, the Executive Committee was to call the Preparatory Commission into session again (after its first brief meeting in San Francisco) as soon as possible after the Charter of the Organization had come into effect and whenever subsequently it considered such a session desirable. Meanwhile the Executive Committee was to prepare work for submission to the full Preparatory Commission when it met.

¹UNCIO Doc. 1190, G 127, June 25, 1945. Also in *Report by the Executive Committee to the Preparatory Commission of the United Nations*, PC/EX 113 Rev. 1, Nov. 12, 1945, at p. 135.

THE EXECUTIVE COMMITTEE

In accordance with these arrangements and the decisions of the first meeting of the Preparatory Commission in San Francisco,² the Executive Committee met in London, holding its sessions in Church House, Dean's Yard, Westminster, from August 16 to November 24, 1945. It utilized 10 technical committees,³ at first called "subcommittees", the term *committee* coming into use after numerous "sub-subcommittees" had been established. Of the 10 committees, the fifth dealt with "Court and Legal Problems." It held 10 sessions and employed subcommittees from time to time. The working papers and the daily summary reports of these technical committees, as well as of the Executive Committee itself, have not yet been published. Verbatim records were kept of the proceedings in the Executive Committee but not of the technical committees. These also have not yet been published.⁴ The final *Report by the Executive Committee to the Preparatory Commission of the United Nations*⁵ is, however, compendious and available to the public.

COMMITTEE 5 ON COURT AND LEGAL PROBLEMS

The terms of reference for Committee 5 were as follows:

This Committee should be concerned with the preparation of the provisional Agenda and appropriate documents for the first session of the Court, with issuing invitations for the nomination of candidates for the Court, and with related problems involved in ensuring the prompt convening and organization of the Court.

It should prepare studies and make recommendations on the privileges and immunities of the United Nations, its officials, the representatives of Members and international officials who may be appointed in an expert capacity by the organs of the United Nations.

It should prepare recommendations for procedures which might be followed on the registration and publication of treaties and international agreements.

This Committee should also keep informed of the arrangements being made for winding up the Permanent Court of International Justice.

It should assist the other Committees and the Executive Committee on legal problems referred to

it by those Committees or by the Executive Committee.⁶

In pursuance of these instructions, Committee 5 produced five recommendations, which were approved by the full Executive Committee, and a study on privileges and immunities, which was included as an appendix in the final *Report*. It also gave assistance on several occasions to fellow committees.

ASSISTANCE TO OTHER COMMITTEES

While preparing its report⁷ on the "problems involved in the establishment of relationships between specialized inter-Governmental organizations and agencies and the United Nations," Committee 8 on Relations with Specialized Agencies asked Committee 5 on October 6, 1945 for its comments on certain paragraphs in its draft report dealing with (a) requests from specialized agencies for advisory opinions by the International Court of Justice and (b) requests from the Court under Article 34 of the Statute for information from public international organizations. It also asked for comments on (c) a proposed text for insertion into its report concerning the privileges and immunities of specialized agencies. Committee 8 sitting simultaneously with Committee 5 but desiring the comments at that session, the legal committee proceeded immediately to discuss the subjects of inquiry and, after formulating their views, despatched two of their number, Mr. Beckett (United Kingdom) and Dr. Liang (China), to

² Summary Report of First Meeting of the Preparatory Commission, June 27, 1945, Doc. 2 [of the San Francisco meeting], June 27, 1945.

³ For their terms of reference, see Suggested Methods of Work of the Executive Committee, FC/EX Prot. 1 Rev. 13, Aug. 30, 1945, as revised and reprinted in *Report, op. cit. supra*, n. 1, p. 133. For the personnel of the several committees and the Secretarial staff assigned to them, see *Directory of the Delegations Committees and Secretarial, Executive Committee of the Preparatory Commission of the United Nations*.

⁴ An exception is the extract from the Verbatim Report of the Twenty-first Meeting of the Executive Committee, Oct. 3, 1945, which dealt with the question of locating the permanent headquarters of the United Nations, in *Report, op. cit. supra*, n. 1, p. 118.

⁵ *Cit. supra*, n. 1, hereinafter cited as *Execom Report*.

⁶ *Execom Report*, pp. 123-134.

⁷ Second Revision of the Draft Report of Committee 8, FC/EX. SA 16 Rev. 2, Oct. 2, 1945.

Committee 8 to present them orally.⁸ Subsequently, a written statement amplifying these views was communicated to Committee 8.⁹

On September 25, 1945 Committee 2, dealing with Security Council matters, inquired of Committee 5 "whether in the opinion of Committee 5 it was necessary for the Security Council to take early action under Article 93 (2) of the Charter and Article 35 of the Statute of the International Court of Justice", which provisions relate to the determination of the conditions under which states not members of the United Nations may become parties to the Statute or otherwise have access to the Court. The members of the legal committee "unanimously expressed their opinion that no early action was necessary."¹⁰

Committee 9 on the League of Nations, while discussing what disposition should be made of treaties entrusting functions and powers to the League, encountered so many legal complexities that it considered seeking the aid of Committee 5. Since, however, several of the members of the legal committee were also members of Committee 9, it was decided to refer the problem to a subcommittee of certain of them instead of bringing it

formally to the attention of Committee 5. Though the composition of the subcommittee changed during the next several weeks, the resolution finally reported to Committee 9 was the product of members serving in this dual capacity.¹¹

Of the five subjects on which the legal committee submitted recommendations to the Executive Committee, namely, (1) the nomination of candidates for the new Court, (2) the dissolution of the old Court, (3) the convening of the first session of the new Court, (4) the registration and publication of treaties, and (5) privileges and immunities, only the first encountered some difficulty in the committee. Since the objections were revived in the Preparatory Commission immediately on its convening, that topic will be discussed here last.

In cooperation with the expressed desire of the Executive Committee that its own work be completed if possible by October 15 and at latest by November 1, so that the Preparatory Commission and the General Assembly could meet with due celerity thereafter, and further, that the first meeting of the General Assembly be "primarily organizational in character,"¹² Committee 5 carefully restricted its program and deliberations to meet these objectives.

REGISTRATION OF TREATIES

Accordingly, when the topic of registration and publication of treaties and international agreements came under discussion in Committee 5 and the Australian representative urged the study and recommendation of details of procedure,¹³ Committee 5 decided to recommend only what it felt to be the steps immediately necessary to implement Article 102 of the Charter, leaving to the Secretary-General, when appointed, the elaboration of the detailed rules in cooperation with the General Assembly. Its recommendation,¹⁴ approved by the Executive Committee on October 5, 1945,¹⁵ therefore, expressed that point of view. In addition, however, it pointed out the need for the General Assembly (a) to provide "facilities for the registration of treaties and international agreements as from the date of the entry into force of the Charter"; (b) to take "all necessary measures to avoid any gap in the publication of these instruments between the termination of the League of Nations Treaty Series and the beginning of the Treaty Series of the United Nations"; and (c) to take

⁸ Summary Report of the Tenth Meeting of Committee 5, Oct. 6, 1945, PC/EX/ICJ/26, Oct. 9, 1945; Summary Report of the Fourteenth Meeting of Committee 8, Oct. 6, 1945, PC/EX/SA/28, Oct. 9, 1945.

⁹ Reply from Committee 5 etc., PC/EX/SA/29, Oct. 12, 1945.

¹⁰ Summary Report of the Fourth Meeting of Committee 2, Sept. 21, 1945, PC/EX/SC/12, Sept. 22, 1945. Summary Report of the Sixth Meeting of Committee 5, Sept. 25, 1945, PC/EX/ICJ/19, Sept. 25, 1945.

¹¹ Summary Report of the Third Meeting of Committee 9, Sept. 10, 1945, PC/EX/LN/6, Sept. 11, 1945; and of the Ninth Meeting, Oct. 4, 1945, PC/EX/LN/25, Oct. 13, 1945.

¹² Delegation of the United States: Draft Resolution Submitted Sept. 11, 1945, PC/EX/34, Sept. 13, 1945; Summary Record of the Fourteenth Meeting of the Executive Committee, Sept. 11, 1945, PC/EX/33, Sept. 11, 1945; Resolution Adopted by the Executive Committee, Sept. 20, 1945, PC/EX/44, Rev. 2, Sept. 20, 1945.

¹³ Summary Report of the Third Meeting of Committee 5, Sept. 6, 1945, PC/EX/ICJ/9, Sept. 7, 1945; Summary Report of Meeting of Subcommittee of Committee 5, Sept. 11, 1945, PC/EX/ICJ/11, Sept. 12, 1945.

¹⁴ PC/EX/ICJ/13/Rev. 2, Sept. 22, 1945; also as PC/EX/51, Sept. 26, 1945. With the necessary stylistic changes it appears in *Execom Report*, p. 68.

¹⁵ Summary Record of the Twenty-Second Meeting of the Executive Committee, Oct. 5, 1945, PC/EX/76, Oct. 6, 1945, p. 14.

"steps to secure the voluntary registration with the United Nations of treaties by non-members." The resolution directed the Executive Secretary of the Executive Committee "to send a circular letter to the Members [of the United Nations] informing them that, as from the date of the entry into force of the Charter of the United Nations, treaties and international agreements which Members send in will be received and filed on a provisional basis until the adoption of the detailed regulations" under the General Assembly. Finally, it recommended that the Preparatory Commission invite the General Assembly to consider "(a) inviting non-members voluntarily to send treaties and international agreements for registration with, and publication by, the Secretariat of the United Nations; and (b) inviting all Governments, whether or not Members of the United Nations, voluntarily to send for publication by the Secretariat of the United Nations, treaties and international agreements, concluded in recent years but before the date of entry into force of the Charter, which have not been included in the Treaty Series of the League of Nations."

The Charter entering into force on October 24, 1945, the Executive Secretary sent out the circular letter on November 8, 1945.³⁶

PRIVILEGES AND IMMUNITIES AND LEGAL STATUS

The legal committee's discussion of the implementation of Article 105 of the Charter, which provides for privileges and immunities for the United Nations, and of Article 104, which deals with the legal capacity of the Organization, proceeded on the basis of a draft resolution and an accompanying report introduced by the United Kingdom Delegation.³⁷ To the report was annexed a comparative study of the provisions on privileges and immunities to be found in the basic instruments of several of the new international organizations, such as the International Monetary Fund, the United Nations Relief and Rehabilitation Administration, and others.

In the three meetings³⁸ of the committee in which the United Kingdom paper was discussed, it was supposed, and so expressed by various of the members, that the object of the report to be adopted "was only to make general recommendations to the First General Assembly"³⁹ which could then in deliberate fashion proceed with elaboration of

detailed recommendations or conventions, as authorized by Article 105 of the Charter. Citing the experience of the League of Nations and the International Labor Office in support, the report stated: "It would seem desirable that the working out of the detailed immunities and privileges of the United Nations Organisation should be deferred until the question of the seat of the Organisation has been decided"⁴⁰. Meanwhile it was thought sufficient to draw to the attention of members the fact that the obligation under Article 105 operated from the coming into force of the Charter and was therefore applicable even before the General Assembly had taken the action authorized under the Article.⁴¹ Before the committee adopted its report, however, it considered for inclusion, but decided not to include, in the report the detailed criteria for privileges and immunities at the seat which were mentioned in a debate in the Executive Committee at its twentieth meeting.⁴²

Committee 5 finally adopted,⁴³ and the Executive Committee approved⁴⁴ a recommendation (a) that the Preparatory Commission instruct the Executive Secretary to remind the Members of the United Nations of their obligation under Article 105 and (b) that the study on privileges and immunities, attached to the recommendation, if approved by the Preparatory Commission, be referred to the General Assembly. The study ex-

³⁶ Text is in PC/LEG.6, Nov. 24, 1945. The letter also suggested "that all treaties and international agreements concluded before the entry into force of the Charter, but not published in the League of Nations Treaty Series, might suitably be conveyed to the Secretariat for filing along with the other instruments" which were sent in for filing on the "provisional basis".

³⁷ PC/EX.10J.20, Sept. 26, 1945. Mr. Eric Beckett sat for the United Kingdom at this time.

³⁸ The seventh, eighth, and ninth, Sept. 27, Oct. 3 and 4, 1945, Summary Reports PC/EX.10J.22, 24 and 25, respectively.

³⁹ PC/EX.10J.25, p. 2.

⁴⁰ *Op. cit. supra*, n. 17, p. 3; repeated without change in *Ercom Report*, p. 69.

⁴¹ *Ercom Report*, p. 69.

⁴² Held Sept. 29, 1945, PC/EX.62, Oct. 1, 1945; examined by Committee 5, Oct. 4, 1945, PC/EX.10J.25, Oct. 5, 1945.

⁴³ PC/EX.10J.20 Rev. 1, with a few changes, at its meeting on Oct. 4, 1945; reissued as PC/EX.10J.23, Oct. 3, 1945, and PC/EX.10J.23 Rev. 1, Oct. 5, 1945.

⁴⁴ PC/EX.84, Oct. 9, 1945, at its twenty-fifth meeting Oct. 12, 1945, PC/EX.96, Oct. 13, 1945, making a few changes in the recommendation and the study.

plored the following aspects of the general problem: (1) privileges and immunities at the seat of the Organization and elsewhere; (2) precedents afforded by the constitutions of specialized agencies; (3) coordination of the privileges and immunities of the United Nations with those of specialized agencies; (4) creation of an international passport; (5) the scope of privileges and immunities; (6) taxation of officials in the state of which they are nationals; and (7) the special situation relating to the privileges and immunities of the International Court of Justice. In accordance with the recommendation, the study was printed as an appendix in the *Report* of the Executive Committee, but by inadvertence the compilation of provisions from the instruments of specialized agencies was not.²⁵

DISSOLUTION OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE

Establishment of the new International Court of Justice under the Statute adopted at the UNCTO assumed the dissolution of the old Permanent Court of International Justice. The task of terminating the protocol of signature of the old Statute, technically a multilateral instrument, devolved, of course, upon the parties to that agreement, and not upon the United Nations as such. It was expected that the League of Nations, at its forthcoming meeting, would furnish some leadership in the liquidation of the old Court. Certain of the parties to the old Statute were not, however, members of the League and would not therefore be represented at the final meeting of that body. Most of such non-League parties were,

however, members of the United Nations and would accordingly be represented at the meeting of the Preparatory Commission. Furthermore, most of the League members which were parties to the old Statute were also members of the United Nations and would presumably also be represented on the Preparatory Commission. A suitable instrument devised to record the assent of the states parties to the old Statute represented on the Preparatory Commission, whether they were League members or not, would therefore advance the process of dissolution *pro tanto*. The securing of the consent of the remaining states parties to the old Statute was a matter which it was thought could be worked out at the final meeting of the League of Nations and perhaps with the assistance of appropriate clauses in the contemplated peace treaties. To the Committee on Court and Legal Problems was entrusted, therefore, the task of preparing an appropriate instrument to these ends for adoption in the meeting of the Preparatory Commission.

On the basis of drafts proposed by the United Kingdom Delegation,²⁶ Committee 5 prepared and reported a recommendation²⁷ concerning the dissolution of the Permanent Court of International Justice providing for the recording of the assent of "those members of the Preparatory Commission which are parties to the Protocol of Signature [of the Statute of the Permanent Court], whether members of the League or not" and declaring that the Preparatory Commission "would welcome the taking by the League of Nations of appropriate steps for the purpose of dissolving the Permanent Court". Accompanying this recommendation as presented to the Executive Committee, for "information to the members of the Preparatory Commission," was the text of the resolution to be moved in the Assembly of the League of Nations. Committee 5 intended that in the printing of the *Report* of the Executive Committee this text should be appropriately marked as "information" and not be set forth, as it was, in an ambiguously important position in the record.²⁸

In the Executive Committee after the Delegate of Australia, H. V. Evatt, had expressed an opinion adverse to the method of dissolution implicit in the instruments under consideration, the recommendation was approved.²⁹

²⁵ The omission being pointed out in Committee 5 of the Preparatory Commission, it was printed in the final report of the Commission, cited *infra*, n. 45, at p. 63.

²⁶ Suggested Procedure for Dissolution of Permanent Court of International Justice, PC/EX/ICJ 10, Sept. 12, 1945.

²⁷ PC/EX/ICJ 15, Rev. 2, Sept. 25, 1945; Summary Report of Sixth Meeting of Committee 5, Sept. 25, 1945, PC/EX/ICJ 19, Sept. 25, 1945.

²⁸ Summary Record of the Fifth Meeting of Committee 5, Sept. 21, 1945, PC/EX/ICJ 18, Sept. 22, 1945; but see *Execum Report*, p. 67. See, however, disposition of this resolution, *infra*.

²⁹ Summary Record of the Twenty-Second Meeting of the Executive Committee, Oct. 5, 1945, PC/EX 76, Oct. 6, 1945, p. 13.

CONVENING OF FIRST SESSION OF THE INTERNATIONAL COURT OF JUSTICE

With respect to the setting up of the new International Court of Justice, Committee 5 was charged with two tasks: (1) preparing for the issuing of invitations for the nomination of candidates for the Court and (2) preparing the provisional agenda and appropriate documents for the first session of the Court.

At its second meeting, the committee examined preliminarily a memorandum dealing with the new Court submitted by the Delegation of Australia²⁰ and decided that certain of the matters, such as the drafting of a set of rules of procedure for the Court, staff arrangements, and so forth, could be left to the Court itself when it should have been constituted.²¹ Later, in response to the exhortations of the Executive Committee to report the minimum essentials necessary to the organizing of the United Nations, Committee 5 reduced its agenda further,²² preparing and reporting a brief recommendation concerning the steps to be taken for the convening of the First Session of the Court.²³

As approved by the Executive Committee on October 5, 1945²⁴ the recommendation provided that the Preparatory Commission invite its Executive Secretary (or the Secretary-General of the United Nations "if he has been appointed at the time when the action in question is required") to do three things:

(a) to take the necessary steps to convene a first meeting of the Court at The Hague as soon as can be conveniently arranged after the election of the judges;

(b) to appoint a secretary and such other temporary staff as may be required to assist the Court and to act for so long as the Court desires during the period preceding the appointment by the Court of its Registrar and his staff; and

(c) to make any arrangements necessary to ensure that premises are available for the first session of the Court.

The recommendation further dealt with the emoluments of the judges, a matter which had been the subject of considerable discussion in Committee 5²⁵ and which was discussed subsequently in sundry committees up to the adoption of the budget in the first part of the first session of the

General Assembly. The recommendation provided:

that the Preparatory Commission call the attention of the General Assembly to the necessity for fixing the emoluments of the judges early in the first session and to the desirability of ensuring that their real value shall be not less than that of those of the judges of the Permanent Court of International Justice during the period 1936-1939.

The object of fixing the salaries early in the first session was, of course, to apprise prospective incumbents of judgeships of the nature of the income attached to the office. The object of the "real value" criterion was to make the bench of the new Court at least as attractive financially to successful jurists as was that of the old.

INVITATIONS FOR NOMINATIONS OF CANDIDATES FOR THE INTERNATIONAL COURT OF JUSTICE

In early September 1945 it was thought in the Executive Committee²⁶ that the preparatory work could be finished in time to hold the first session of the General Assembly, if it were devoted to "constituent" purposes, early in December. Its work could then be finished before Christmas. It was also desired that the election of the judges to the new Court take place during the contemplated "constituent" session. Article 5 of the Statute of the Court, however, required that the invitations to the national nominating groups should be sent out "at least three months before the date of the election." In this situation it was urgent that the invitations go out promptly. Committee 5 accord-

²⁰ PC/EX/ICJ/2, Sept. 1, 1945.

²¹ Summary Report of Second Meeting of Committee 5, Sept. 3, 1945, PC/EX/ICJ 4, Sept. 3, 1945.

²² PC/EX/ICJ 17, Sept. 21, 1945; Summary Report of the Sixth Meeting of Committee 5, Sept. 25, 1945, PC/EX/ICJ 19, Sept. 25, 1945.

²³ Draft Resolution, PC/EX/ICJ 21, Rev. 2, Oct. 3, 1945; Summary Report of the Seventh Meeting of Committee 5, Sept. 27, 1945, PC/EX/ICJ 22, Sept. 28, 1945.

²⁴ *Op. cit. supra*, n. 29, at p. 15. Text in *Execom Report*, pp. 67-68.

²⁵ Sixth Meeting, cited *supra*, n. 32.

²⁶ Summary Report of the Twelfth Meeting of the Executive Committee, Sept. 7, 1945, PC/EX/29, Sept. 7, 1945; Memorandum from the Executive Secretary on a Time Schedule for the Meeting of the Preparatory Commission and the First General Assembly, PC/EX/31, Sept. 11, 1945; Summary Record of the Fourteenth Meeting of the Executive Committee, Sept. 11, 1945, PC/EX/33, Sept. 11, 1945.

ingly was asked as its first piece of business to prepare the necessary resolution.

The committee thereupon speedily prepared a resolution³⁷ which was approved by the Executive Committee on September 7, 1945.³⁸ The question was raised in the legal committee whether the Executive Committee had the right to issue the invitations. After close examination it was decided that any doubt could be resolved by providing that the resolution be laid before the full Preparatory Commission for its approval when it met.

In pursuance of the resolution as approved by the Executive Committee, the Executive Secretary despatched appropriate letters to each of the United Nations and for each of the four members of the national nominating groups on September 12, 1945 stating that the Executive Committee regarded the three months period as running from September 15th and requesting that the nominations be received by him "not later than the 15th December, 1945". In addition, in view of the urgency of the matter, the Executive Secretary sent telegrams to each of the United Nations summarizing the correspondence and asking the Ministers of Foreign Affairs to extend invitations to the members of the national groups.³⁹

Toward the end of the labors of Committee 5, the principal delegate of Australia to the Executive Committee, Dr. Evatt, appeared in one of the meetings of the legal committee and questioned the "legality and justice of the procedure used in the issuing" of the invitations. He contended, *inter alia*, that the provisions of Article 5 of the Statute (which authorized the Secretary General of the

United Nations to issue the invitations) prevailed over the terms of reference of the Preparatory Commission established in the Interim Arrangements, Paragraph 4c. Furthermore, as a matter of policy, the procedure was in his view unduly hurried. In reply the chairman of the committee, Hugh McKinnon-Wood (United Kingdom), stated that the committee had considered the question of competence very carefully and was satisfied that the procedure adopted was correct.⁴⁰ With respect to the election of the judges in the first session of the General Assembly rather than in its second—that decision, the committee felt, was something on which the Executive Committee could and had made a recommendation. The Australian member of Committee 5, A. P. Renouf, amplified his Delegation's point of view at the next meeting of the committee. He did not reiterate the contention as to the alleged incompetence of the Executive Committee to authorize the issuance of the invitations, but he elaborated the argument that the procedure employed by the Executive Secretary had not accorded with the requirements of Article 5 of the Statute, and he repeated the view of his Delegation that the action of the Executive Committee had been precipitate. The committee examined and agreed to abandon as unnecessary a draft resolution prepared by the Secretariat designed to cure any alleged defect in the procedure which might be ascribed to the statement made by the Executive Secretary in his circular letter that the period of three months would be regarded by the Executive Committee as running from September 15th. The Australian member thereupon "reserved the right of his delegation to raise their contention as to the irregularity of the procedure adopted by the Executive Secretary at a later date".⁴¹ In the course of discussion by the Executive Committee of other reports presented by Committee 5, Dr. Evatt stated his "opinion that the new Court should be established by the second part of the first session of the General Assembly, which would give additional time for the consideration of nominations and would afford much better results".⁴²

On this note, the labors of the Committee on Court and Legal Problems of the Executive Committee came to an end. Members were on notice, however, that the Preparatory Commission might witness a renewal of controversy concerning the

³⁷ PC/EX/ICJ/3, Sept. 1, 1945; as revised, PC/EX/ICJ/8, September 7, 1945; Summary Records of Committee 5, Aug. 31, 1945, and Sept. 3, 1945, PC/EX/ICJ/1, Sept. 1, 1945, and PC/EX/ICJ/4, Sept. 3, 1945, respectively.

³⁸ Summary Report of the Twelfth Meeting of the Executive Committee, Sept. 7, 1945, PC/EX/29, Sept. 7, 1945, pp. 12-13; *Execom Report*, p. 66.

³⁹ Note by the Executive Secretary on the Letters of Invitation for Nominations of Candidates for the International Court of Justice, PC/EX/71, Oct. 4, 1945.

⁴⁰ Summary Report of the Ninth Meeting of Committee 5, Oct. 4, 1945, PC/EX/ICJ/25, Oct. 5, 1945.

⁴¹ Summary Report of the Tenth Meeting of Committee 5, Oct. 6, 1945, PC/EX/ICJ/28, as corrected in PC/EX/ICJ/26, Corr. 1, Oct. 12, 1945.

⁴² Summary Record of the Twenty-Second Meeting of the Executive Committee, Oct. 5, 1945, PC/EX/76, Oct. 6, 1945.

procedure and timing of the issuance of the invitations for nominations of the candidates for the International Court of Justice.

Subsequently, however, the Executive Committee abandoned its hope of having the General Assembly meet in December and agreed to recommend to the Preparatory Commission that the General Assembly meet between the second and seventh of January.⁴⁵ The Executive Secretary accordingly despatched telegrams to the Ministers of Foreign Affairs of the 51 United Nations requesting them to inform their respective national nominating groups that, in view of the postponement of the first part of the first session of the General Assembly, nominations of candidates for the Court should be sent in by January 10, 1946 and not as originally stated by December 15, 1945.⁴⁶

COMMITTEE 5 ON LEGAL QUESTIONS OF THE PREPARATORY COMMISSION

Immediately after the new legal committee⁴⁵ serving the Preparatory Commission had organized itself and had authorized the establishment of two subcommittees, one on registration of treaties and another on privileges and immunities, it entered upon a discussion⁴⁶ of a proposal made by the delegate of Australia that the election of the judges of the International Court of Justice be postponed until the second part of the first session of the General Assembly.

NOMINATION AND ELECTION OF JUDGES OF THE INTERNATIONAL COURT OF JUSTICE

The Australian resolution, citing the fixing of January 10, 1946 as "the closing date for the receipt of nominations" and expressing the opinion "that more time than would thus be available is necessary for securing the best available candidates and for the due consideration when completed," proposed that it be recommended "to the Commission that the election of judges should take place in the second part of the first session of the General Assembly and in the meetings of the Security Council at that time."⁴⁷ The discussion of this proposal occupied the committee for four days. The debate centered principally on the policy of postponing the elections, the United Kingdom and a few other delegations supporting the move. Most members felt, however, that sufficient time had been allowed for the purpose

in hand and feared that if the second part of the first session of the General Assembly were for some unforeseen reason postponed from the contemplated meeting in the spring of 1946 the United Nations might find itself without any court until some time in the fall of 1946. Numerous weighty arguments were advanced on both sides of the proposition. K. H. Bailey, the Australian Delegate, in concluding the debate, after restating his arguments in favor of postponement, stressed once again the view of his Delegation that the procedure required under the Statute had not been complied with. In the end, the proposal to postpone was defeated by a vote of 26 to 8.⁴⁸

⁴⁵ Summary Record of the Thirty-Fourth Meeting of the Executive Committee, Oct. 27, 1945, PC/EX 128, Oct. 30, 1945, p. 27.

⁴⁶ Memorandum by the Executive Secretary, PC/EX 141, Nov. 17, 1945.

⁴⁷ The Preparatory Commission met at Church House, Dean's Yard, Westminster, Nov. 24 to Dec. 24, 1945. The terms of reference of Committee 5, adopted by the Commission at its Second Plenary Meeting, Nov. 26, 1945, *Journal of the Preparatory Commission*, p. 20, were as follows:

Committee 5: Legal Committee would consider and report to the Preparatory Commission on Chapter V of the Report of the Executive Committee; on any proposals or amendments submitted by Delegations on matters falling within the scope of Chapter V, and on the clauses of the Interim Arrangements relating to the International Court of Justice and to other legal problems not coming within the terms of reference of other committees. It should assist the other committees and the Preparatory Commission on legal problems referred to it by those committees or by the Preparatory Commission. (Text in PC/9, Annex III, Nov. 24, 1945.)

The *Journal of the Preparatory Commission and the Summary Records of the meetings of its eight committees* have been published, as has its final report, *Report of the Preparatory Commission of the United Nations*, PC/20, Dec. 23, 1945, hereinafter cited as *Preco Report*, but the working papers of the committees and their subcommittees have not. For lists of the delegations and the committee secretariats, see *Handbook (Revised Edition) of the Preparatory Commission of the United Nations, November 24, 1945*.

⁴⁸ Summary Record, Second Meeting, Nov. 28, 1945, PC/LEG/10.

⁴⁹ PC/LEG 13, Nov. 29, 1945, reprinted in Summary Record of Committee 5, Third Meeting, Nov. 29, 1945, PC/LEG 16.

⁵⁰ Summary Record of Committee 5, Second, Third, Fourth, and Fifth Meetings, Nov. 28 and 29, Dec. 1 and 3, PC/LEG 10, PC/LEG 16, PC/LEG/19, PC/LEG/23, respectively.

During the debate, the French representative announced that it was the intention of the French national group to nominate a Republican Spaniard as a candidate. The Mexican and other delegates expressed themselves as welcoming this declaration.

A suggestion advanced by the Delegate of South Africa that the elections be held as near to the end of the first part of the first session as possible was unanimously endorsed by the committee after the Australian proposal had been defeated. This desire of Committee 5 was accordingly communicated to Committees 1 and 2, which dealt with the agendas of the General Assembly and the Security Council, respectively, and it was incorporated in the report of Committee 5 approved by the Preparatory Commission.⁴⁹ That report also approved the action of the Executive Committee and of the Executive Secretary in the matter of fixing the time for the elections and of sending out the invitations to nominate.⁵⁰ The controversy was thus ended.

DISSOLUTION OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE

In the discussion of the Executive Committee's recommendation relating to the dissolution of the

old Court, the Australian Delegation proposed an addition to the recitals of the resolution to be moved in the League of Nations as follows: "Considering also that upon the dissolution of the League of Nations the Statute of the Permanent Court will, by reason of the impossibility of its execution, become legally void."⁵¹ This language was to be in addition to the procedure already recommended by the Executive Committee. On the grounds that the dissolution of the old Court was the affair of the League, the committee, however, decided to delete the entire text of the resolution to be moved in the League and the reference to it in the recommendation. The Australian amendment was then not pressed. As thus altered, the recommendation of the Executive Committee was approved by Committee 5.⁵² When the resolution was adopted by the Preparatory Commission on December 18, 1945,⁵³ it operated to record the assent to dissolution of those states represented in the Commission which were parties to the Protocol of Signature of the Permanent Court. This action ended the proceedings in the United Nations with respect to the matter of dissolution.

CONVENING OF THE FIRST SESSION OF THE INTERNATIONAL COURT OF JUSTICE

When Committee 5 was considering the Executive Committee's recommendation concerning the steps to be taken for the convening of the first session of the new Court,⁵⁴ the Canadian Delegation offered an amendment to it reflecting their feeling that the salaries of the judges "should not be necessarily fixed at the level of 1936 to 1939, but should more properly be correlated to the emoluments of the senior officers of the Secretariat."⁵⁵

After an effort was made to adopt only general language, omitting reference to any specific criterion, the Canadian proposal was put to a vote and was lost. Thereupon, the committee adopted the original recommendation, with only stylistic changes. The Preparatory Commission subsequently approved it also.⁵⁶

REGISTRATION OF TREATIES

The subcommittee which had been elected⁵⁷ to examine the recommendation of the Executive Committee on the registration and publication of treaties and international agreements reported a

⁴⁹ *Journal*, p. 106, and *Preco Report*, p. 57.

⁵⁰ On adoption by the committee of PC/LEG/25, which was a redraft of the recommendation contained in section 1 of Chapter V of the Executive Committee Report, however, the Australian delegate "stated that his Delegation reserved its position in regard to this resolution and would raise the question again in the General Assembly. For that reason, they did not press for a vote on certain proposed amendments." Summary Record, Sixth Meeting, Dec. 7, 1945, PC/LEG/31. The question was not, however, revived in the General Assembly.

⁵¹ PC/LEG/28, Dec. 4, 1945, not PC/LEG/29 as erroneously given in the Summary Record for the day. Dr. Evatt indicated this view of his Delegation in the Executive Committee, *op. cit. supra*, n. 29.

⁵² Summary Record, Sixth Meeting, Dec. 7, 1945, PC/LEG/31.

⁵³ Report of Committee 5, PC/LEG/32, Dec. 8, 1945; *Journal*, pp. 106-107.

⁵⁴ PC/LEG/27; Sixth Meeting, *supra*, n. 52.

⁵⁵ PC/LEG/29, Dec. 4, 1945.

⁵⁶ *Supra*, n. 53.

⁵⁷ Summary Record, Third Meeting, Nov. 29, 1945, PC/LEG/16. It consisted of representatives of eight delegations under the chairmanship of Professor Korovin (Soviet Union). The United States was not represented on this subcommittee.

resolution⁵⁵ in which was provision for approval by the Preparatory Commission of the action taken by the Executive Secretary in sending out the circular letter of November 8, 1945.⁵⁶ Otherwise it repeated, with some editing, the substance of the original recommendation. After an explanation that it was unlikely that any political construction would be put upon the proposed invitation by the General Assembly to invite non-members of the United Nations to register their treaties with the Secretariat, Committee 5 unanimously adopted the draft recommendation.⁵⁷ With the necessary stylistic changes, the Preparatory Commission approved it.⁵⁸

PRIVILEGES AND IMMUNITIES

In view of the developments in the Executive Committee⁵⁹ and in Committee 8⁶⁰ of the Preparatory Commission with regard to the choice of a site for the location of the permanent headquarters of the United Nations, it was regarded by sundry members of the Preparatory Commission to be a matter of some urgency to advance the work of the Commission in relation to privileges and immunities considerably beyond the program⁶¹ recommended by Committee 5 of the Executive Committee. Hence Committee 8 of the Preparatory Commission established a juridical subcommittee "to draft an appropriate text on the conditions to be embodied in an agreement with any host country."⁶² In the subcommittee of Committee 5 set up to deal with the subject of privileges and immunities,⁶³ it was explained that the elaboration of a draft convention dealing with the privileges and immunities of the Organization throughout its membership was desired so that certain of its provisions could be referred to in the contemplated special agreement relating to the site. The subcommittee of Committee 5 was therefore urged to proceed with appropriate speed to the completion of this task.

Accordingly, the subcommittee in three meetings examined a draft resolution⁶⁴ embodying a draft general convention on privileges and immunities introduced by Senator Hugesson of the Canadian Delegation. Committee 5 discussed the subcommittee's report⁶⁵ and the draft recommendation⁶⁶ containing the draft convention at four of its meetings.⁶⁷ After delegates had expressed the view that "a convention was an extremely diffi-

cult document to draft and required much time and detailed study," but that the draft "could be submitted, as *material*, to the General Assembly for its consideration together with the study" [on privileges and immunities elaborated in the Executive Committee], Committee 5 agreed "to pass on the draft convention as a working paper only, together with the study and annex" [containing the compilation of provisions in the constitutions of specialized agencies].⁶⁸

Meanwhile, the juridical subcommittee of Committee 8 elaborated a draft agreement in relation to the site.⁶⁹

In the beginning of the deliberations of the Preparatory Commission it had been expected in Committee 8 that a joint subcommittee of Committees 5 and 8 could be set up to handle the two aspects of the subject of privileges and immunities, i.e. in relation to any host state and in relation to all the members of the United Nations.⁷⁰ As

⁵⁵ PC/LEG/30, Dec. 6, 1945.

⁵⁶ *Supra*, n. 16.

⁵⁷ Summary Record, Seventh Meeting, Dec. 10, 1945, PC/LEG/35.

⁵⁸ PC/13; *Journal*, p. 107; *Preco Report*, p. 59.

⁵⁹ The discussion and recommendation relating to location of the seat in the United States. *Execom Report*, pp. 15, 115, 118.

⁶⁰ The counterpart of Committee 10 of the Executive Committee. Both dealt with "General Questions", including the question of locating the permanent headquarters of the United Nations.

⁶¹ *Supra*, n. 24.

⁶² Summary Record, Second Meeting, Nov. 28, 1945, PC/G/4. The delegations of nine states were represented on this subcommittee. In accord with its announced policy of "neutrality" in matters related to the selection of the site, the Delegation of the United States preferred not to be, and was not, represented on this subcommittee. Summary Record, Fourth Meeting, Nov. 30, 1945, PC/G/5.

⁶³ Summary Record, Third Meeting, Nov. 29, 1945, PC/LEG/16. Eight delegations, including the United States, were represented on this subcommittee. Mr. Eric Beckett (United Kingdom) was chosen chairman.

⁶⁴ PC/LEG/17, Nov. 30, 1945.

⁶⁵ PC/LEG/33, Dec. 8, 1945.

⁶⁶ PC/LEG/34, Dec. 8, 1945.

⁶⁷ Seventh to Tenth Meetings, Dec. 10, 11, 14, and 15, Summary Record, PC/LEG/35, PC/LEG/37, PC/LEG/40, and PC/LEG/41, respectively.

⁶⁸ PC/LEG/35 and PC/LEG/37. The revised recommendation embodying those views is in PC/LEG/38, Dec. 11, 1945.

⁶⁹ PC/G/24, Dec. 14, 1945.

⁷⁰ Committee 8, Summary Record, Second Meeting, Nov. 28, 1945, PC/G/4.

things developed, however, no joint subcommittee or joint meetings of the two subcommittees were provided for, but the chairman of the subcommittee of Committee 5 (Mr. Beckett, United Kingdom) and another member of the same (M. Bomquin, Belgium) were asked by the juridical subcommittee of Committee 8 to attend its meetings. In these circumstances, during the discussions in Committee 5, "it was pointed out that Committee 5 could not take any responsibility for any of the proposals made by Committee 8 concerning privileges and immunities at the headquarters of the United Nations, included in the convention with the host State, since Committee 5 could not consider and discuss these proposals," [owing to the imminence of the closing of the labors of the Preparatory Commission]. Furthermore, Committee 5 felt that "the convention with the host State should not appear in the same part of the *Report* [of the Preparatory Commission] as the general convention on privileges and immunities." The Committee adopted these two views unanimously. In addition, "the Committee agreed to ask Mr. Beckett to inform the juridical subcommittee of Committee 8 that Committee 5 considered that the convention with the host State should be submitted to the General Assembly as a working paper in the same way as the general convention on privileges and immunities which had been drafted by Committee 5."⁷¹

After further discussion of the draft general

convention, article by article, various delegations making reservations against one or another of the provisions, Committee 5 approved it as a working paper for transmission to the General Assembly. The recommendation⁷² which it adopted on the general subject provided in brief for the following: (a) an instruction by the Preparatory Commission to the Executive Secretary to invite the attention of the Members of the United Nations to the operation of Article 105 as from the coming into force of the Charter; (b) a recommendation to the General Assembly that at its first session it make recommendations or propose conventions in application of Article 105; (c) transmission for the consideration of the General Assembly of the study on privileges and immunities submitted by the Executive Committee, and its annex and the draft convention on privileges and immunities annexed thereto; (d) a view that the privileges and immunities in connection with the International Court of Justice "should be determined after the Court has been consulted", and a recommendation that "until further action has been taken the rules applicable to the Members of the Permanent Court of International Justice should be followed"; and (e) a recommendation looking toward coordination of the privileges and immunities of specialized agencies with those of the United Nations.

As edited by the central Drafting Committee,⁷³ the draft recommendation of Committee 5 on privileges and immunities was approved by the Preparatory Commission on December 18, 1945.⁷⁴ The recommendation of Committee 8 relating to the site agreement, accompanied by the draft convention with an annex of provisions copied from the general convention, was approved by the Preparatory Commission on December 23, 1945.⁷⁵ In the final *Report* of the Commission, this latter draft convention appears in Chapter VII on "Privileges, Immunities, and Facilities of the United Nations".

Thus ended the work of the legal committee of the Preparatory Commission. It was evident, however, that among the most arduous of the tasks which might be assigned to a legal committee of the General Assembly, when it should meet, could be the subject of the privileges and immunities of the United Nations, at its headquarters and generally throughout its membership.

⁷¹ Summary Record, Ninth Meeting, Dec. 14, 1945, PC/LEG/40.

⁷² PC/LEG/42, Dec. 15, 1945.

⁷³ Among its first acts on organizing itself, the Preparatory Commission authorized the establishment of a Drafting Committee, proposed in PC/G/Annex III; *Journal* p. 20. See also *Journal*, pp. 39, 61, 79, 84, on the organization and terms of reference of the Drafting Committee. In general it performed editorial service in relation to the products of the several technical committees. Through inadvertence, the question was not properly put on one of the documents reported by Committee 5 to the Preparatory Commission on Dec. 18, 1945, *Journal*, p. 107. This was corrected by the Commission on Dec. 23, 1945, *Journal*, p. 143.

⁷⁴ *Journal*, p. 107, *Preco Report*, p. 60.

⁷⁵ PC/G/36 and PC/G/31; *Journal*, p. 141, *Preco Report*, p. 75, 114. PC/G/31 contains a redraft of the draft convention originally in PC/G/24, submitted by the Delegation of Canada and approved by Committee 8 on Dec. 22, 1945, Summary Record, PC/G/29.

The Paris Peace Conference

Meetings of Committee on Rules of Procedure

REMARKS BY THE SECRETARY OF STATE¹

Paris, August 3

[Released to the press August 5]

Mr. President, I have refrained from speaking on any of the procedural matters save one. I am prompted to ask your indulgence now because of statements which have been made within the last half hour. In response to what was said by the speaker preceding me as to "decisions" and as to the attitude of the Council of Foreign Ministers toward procedural questions here, I must say that day after day the United States took the position that it would agree to submit the proposals as to rules only if it were made clear that they were suggestions to be agreed to or disagreed with by the Conference. I have the minutes of the Council of Foreign Ministers made by our own representative but which I have found to be extremely accurate, and I find that on seven different occasions I made such statement prior to the agreement upon the suggestions. When that agreement was made the gentleman who was keeping the minutes recorded this:

"The Secretary in agreeing to these proposals said that he wished it clearly understood that when the conference convened the United States was entirely free to accept or reject on its merits any amendment or new proposals concerning rules of procedure which might be offered. He said he had no particular changes or amendments in mind but he could not bind the United States in advance to taking a dishonest position in regard to any amendment or new proposal on rules of procedure because of prior agreement with his three colleagues.

"Mr. Molotov² stated that he felt that it was up to the head of each delegation to decide its view on any new suggestions or amendments to the rules of procedure, that there was no need for a decision to that effect but that it should be left to the heads of each delegation.

"The Secretary said that on that condition he was prepared to accept the proposals concerning procedure and he hoped that the invitations could be sent out promptly."

I say that because I want the matter clear now, what the position is as to new amendments, as to any amendment that is offered. When the suggestions sent out by the Council do not cause me to believe that it would be harmful, I want to stand by the suggestions that were sent to the Conference by the Council of Foreign Ministers, and intend to do so. Whenever I cannot find it possible to go along with it, I shall vote against it. On the question we have yet to reach as to voting procedure, I shall vote for an amendment. Therefore, the position of the United States is based upon its belief as to the wise thing to do in this particular case. Mr. Molotov is right. I did tell him yesterday I intended to vote for the recommendations of the Council, and I so advised the other members of the Council of Foreign Ministers. I so advised the press. In my opinion the matter is not of as great importance as it seems to be in the opinion of others. It is apparent to me from the discussion at the table that no individual can receive a unanimous vote. That is unfortunate, because I have complete confidence in the honesty and fairness of any member of this Conference who should preside as president of the plenary session. My regret about it is that it causes such a division. When I vote to sustain the recommendation or suggestions of the members of the Council of Foreign Ministers I do so because you cannot secure unanimity, and in looking for a *plan* I am willing to go along with this one. I know Mr. Molotov feels strongly about this recommendation on chairmanship. I remember he

¹ Head of the U.S. Delegation to the Peace Conference.

² Soviet Minister for Foreign Affairs and head of the Soviet Delegation to the Conference.

stated the fact that it was followed at San Francisco, and at San Francisco worked out satisfactorily; therefore, he hoped it would be followed here. I do not feel so strongly about it. All I hope for is that the Conference be allowed to proceed to vote its conviction, one way or the other. When that is done, let us hope that it will not create an atmosphere of suspicion and distrust that would not only affect our deliberations here but might possibly affect the ability of the Council of Foreign Ministers to reach agreement when your recommendations are forwarded to it. I am more interested in your sending recommendations to the Council of Foreign Ministers than I am in what individual shall preside over our session. Therefore, I hope, without being influenced in any way by the Council of Foreign Ministers, that you vote your convictions. I am going to vote to sustain the recommendations of the Council for the reasons I have stated.

Paris, August 5

[Released to the press August 6]

Mr. President, the United States Delegation will support the amendment offered by the representative of the United Kingdom. That amendment recognizes the principle of a two-thirds majority vote which has been followed in many international conferences and is followed in the General Assembly of the United Nations.

The treaties under consideration, as we all know, must go to the Council of Foreign Ministers for final drafting. In the Council of Foreign Ministers, the agreement must be unanimous. A proposal that receives here a two-thirds majority is more likely to be adopted than a proposal receiving a bare majority. It is said that a two-thirds majority cannot be obtained, because the four members of the Council have agreed to support the draft treaty. It is true that it would be difficult as to matters agreed upon. It would not be true as to questions in disagreement.

I have had prepared for my own use a list of subjects not agreed to in the Council of Foreign Ministers. There are 26 questions not agreed to. Some, in my opinion, are very important. Others are not so important, but they were sufficiently controversial questions to cause disagreement in the Council. Therefore, as to those questions, certainly we will agree that the voting would not be affected by the agreement in the Council that the

four members would support the draft treaties submitted.

Then as to any new question, certainly there would be no effect by reason of any agreement in the Council, because it is clearly understood that the four will be at liberty to vote as they please on supplemental questions.

Now I am informed by my good friend representing the Netherlands that he misunderstood my position last week with reference to the position of the United States where a proposal receives a two-thirds vote. I stated that if any proposal received a two-thirds vote in this Conference that when the recommendation came to the Council of Foreign Ministers that regardless of how I had voted in the Conference, even if I had voted against the proposal, that I would feel called upon to change my views and in the Council of Foreign Ministers urge acceptance of the view that was adopted by the Conference by a two-thirds vote.

Certainly, from what I have said to you about the number of questions in disagreement and as to the supplementary questions, my statement would mean this:

That if the other members of the Council of Foreign Ministers will make to you the same statement I have, then as to these 26 or more questions this Conference will write the treaty and *not* the Council of Foreign Ministers in its final meeting. That would be something you did not expect and we did not expect when we came here to consider these draft treaties.

But the question is raised as to the difficulty of securing a two-thirds vote as to matters that are agreed to. I must agree with the members of the Conference who have expressed that view. I make clear now that it certainly does not apply to these 26 or more questions where the Council is not bound. As to the matters in which the Council is bound, it does make it extremely difficult for this Conference to submit a recommendation, and because I recognized that to be true, when this Committee first met I drafted an agreement following the plan for voting in the commissions which would make it possible for any proposal in which members of this Conference are interested to be brought to the attention of the Council of Foreign Ministers. It would be more liberal, in my opinion, than other amendments, but I have determined that the practical thing to do is to support the amendment that has been circulated by the United Kingdom.

The question has been asked as to what the effect would be of having two kinds of recommendations. It would mean that as to the proposal receiving a majority vote, it would be sent to the Council of Foreign Ministers, and under the Moscow Agreement as it is a recommendation, and Council is bound to give it serious consideration and not reject it arbitrarily. Certainly, it should be given serious consideration. Any proposal that came from this Conference with a majority even of one should be given the benefit of every doubt.

But I would not feel that I would be justified in taking the same position as to a proposal having a bare majority that I would take as to a proposal having a two-thirds majority. For I can conceive the possibility of a proposal receiving a bare majority which I had opposed in the Conference and which in my opinion would make it difficult for me to secure the ratification of a treaty in the Senate. Therefore, I would not bind myself to support in every case, as against my own view, a recommendation that had only a bare majority. But where it has two thirds, I will say to the United States Senate that whenever a proposal has a majority of two thirds of the members of this Conference supporting it, that the United States ought to be willing to go along with that proposal.

I do not know the order in which the vote will be taken. For the reasons I have expressed, I cannot support the amendment offered by the Netherlands, but I will support the amendment offered by the United Kingdom, which will provide substantially what the Netherlands wants to accomplish and in addition would provide a two-thirds vote, which I still hope my associates of the Council will accept and support in the Council whether they vote for it in the Conference or not.

While I am on my feet, I want to speak to a proposal of my friend the Prime Minister of Canada, Mr. Mackenzie King, who says the Council might well meet while this Conference is in session to consider Conference recommendations. I think that is right. I think that, after discussion is had on proposals, the members of the Council may feel that they are justified in agreeing to accepting some recommendations that are offered by this Conference. I am not afraid of the Conference. When we were at war, we called on you. When we are at peace, we should be willing to listen to you.

Paris, August 6

[Released to the press August 6]

I must apologize for taking the time of the Commission, but it is necessitated by the remarks made yesterday.

Since this Commission convened one week ago I have not uttered one word in criticism of any position taken by the representative of the Soviet Republic. I know you will agree with me that on no occasion have I questioned his motives; therefore, I imagine you shared my surprise when on yesterday the Soviet representative chose to introduce this note into our discussions. I first address myself to the last statement he made in his references to me.

Referring to my approval of the suggestion of Mr. Mackenzie King that when the Conference has made recommendations the Council of Foreign Ministers should meet to consider such recommendations, Mr. Molotov said that on the thirtieth of July he had suggested to the American Delegate and certain other delegates that they meet but the American Delegate replied that there was no need for the Council of Foreign Ministers to meet. He said if I now supported his proposal for a meeting it would make him happy. Clearly he wished you to believe that he desired the Council to meet as did the Canadian representative for the purpose of considering recommendations, but the Soviet representative knows that is not in accord with the facts.

The evening of the thirtieth of July, the day after the Conference convened, the gentleman who acts as his interpreter called my secretary to say that Mr. Molotov wanted the Council of Foreign Ministers to meet at 9:30 a.m. to consider the question of who should be elected chairman of this Commission. At the meeting which was scheduled for 10 o'clock I sent Mr. Molotov word that it was for the members of this Commission and not for the Council of Foreign Ministers to decide who should be elected president and it would be unwise for the Council of Foreign Ministers to meet for the purpose stated. This suggestion has no relevancy to the proposal made by the Canadian representative.

Last Saturday I received another message from Mr. Molotov asking me to agree to a meeting of the Council of Foreign Ministers to discuss who should be named to preside over the various sub-

committees when they are established by the Conference. I stated it would be unwise for the Council to meet for that purpose, that the members of the Conference and not the members of the Council of Foreign Ministers should determine who would preside over the Conference commissions.

This statement shows conclusively that Mr. Molotov was not asking as did Mr. Mackenzie King that the Council of Foreign Ministers should meet later on to consider recommendations when such recommendations were made by the Conference. What he was seeking to do was to have the Council of Foreign Ministers meet for the purpose of trying to dictate on that date to this Conference who should be elected chairman of the various commissions, and the Conference may as well know this. Ever since the Potsdam Agreement we have encountered at every step Soviet determination to restrict the right to make peace to the fewest possible number of great powers. At London in September the issue was the Soviet desire to exclude France and China from any part in drafting the Balkan treaties. At Moscow the Soviet Government fought stubbornly for the smallest possible number of participants in this Conference.

The struggle then moved on to fixing the powers of the Conference and its procedure, culminating in this effort while the Conference is in session to have the Council meet to dictate even the officials of the Conference. At various times whenever the Soviet representative could not have his way he has indulged in impugning the motives of his colleagues. He might as well realize now that such tactics do not help his cause and even the most patient people will finally resent them. Because of my statement yesterday morning that I would support the amendment of the United Kingdom providing for the submission to the Council of Foreign Ministers of a recommendation adopted by a majority vote as well as a recommendation adopted by two-thirds vote, Mr. Molotov presumed to lecture me about consistency.

If you will look at the first paragraph of the proposed treaty with Hungary which was sent you by the Council, you will find listed the states Mr. Molotov agreed in the Council should consider that treaty. Last week the Soviet representative made a speech here in behalf of changing the suggested procedure and urged that Poland be added

to the states to consider the treaty with Hungary. He didn't even claim he had made a reservation to change his view. He couldn't. But no member of the Council or of the Conference has thought of criticizing him for his action or of impugning his motives.

Yesterday Mr. Molotov lectured the representatives of the United Kingdom and the United States for what he termed their inconsistency in supporting an amendment to the rules as to voting procedure, which amendment was offered by the United Kingdom. Mr. Molotov concluded his statement by offering an amendment to the same section of the rules. This amendment has been circulated and is now before the Conference. Now only Mr. Molotov could do that. He would have no hesitancy in criticizing the United Kingdom for offering an amendment to the rules which were suggested by the Council, but he would be utterly surprised that anyone should criticize him for inconsistency in offering an amendment similar in some respects to the amendment offered by the United Kingdom and to the amendment offered by France yesterday afternoon. When Mr. Molotov states that I agreed to support the rules of procedure, this is a misrepresentation of the position of the United States, and I want the members of this Conference to know the facts.

On July 4 Mr. Molotov agreed to send out the invitations to this Conference. At that time not one word was said about procedure. The next day he insisted that the invitations should not be sent out until the Council had drafted rules of procedure for the Conference. For days we reminded him of his agreement; however, we could act only by unanimous vote and the invitations were held up.

I will not read all of the statements I made during those days that I would not be bound by any rules of procedure the Council drafted. I will read a few. After discussing the subject for 24 hours on July 6, I stated among other things that the Council could submit rules to the Conference as a suggestion, but I added, and now I quote: "I would object to this being done unless the rules were submitted in courteous language which made it clear that the rules were only suggestions and no attempt was being made to usurp the power of the Conference." I said if some other government makes a suggestion which the United States Government considered fair and reasonable, the

United States would be prepared to agree to it. Now Mr. Molotov heard that, yet he speaks of the United States being bound by the rules of procedure.

The minutes show that later that day I made this statement: "As to the rules Mr. Byrnes wished to make sure, however, that they would not be binding on the Conference and the Conference could draw up its own rules of procedure. He wished it further understood that the United States Government would not be bound to support any rules drawn up." Mr. Molotov heard that. Mr. Bevin made substantially the same statement on several occasions.

Still later on July 6 the minutes record: "Mr. Byrnes stated that the United States Delegation considered as fundamental the right of the Peace Conference to determine its own procedure. The United States Delegation did not agree to any proposal which would become binding on the Conference or on it (the United States). With that understanding and if it were agreed to issue the invitations, Mr. Byrnes would be willing to consider the proposals made by Mr. Molotov and Mr. Bidault but he was not going to be bound by anything."

On the evening of July 6 the minutes show: "Yesterday afternoon Mr. Byrnes had made clear the position of the United States Delegation. He wished to make it clear again in order that there may be no misunderstanding. He would agree to discuss rules of procedure only on the condition that the views of the Council go forward to the Peace Conference as proposals and suggestions and that the United States Delegation as well as the Conference should not be bound by them." Mr. Molotov heard that.

I was forced frequently to repeat my statement because Mr. Molotov persisted in his efforts to have the rules discussed and I knew from experience that if we entered into a discussion of the rules with him without repeating time and time again these statements we would be expected to be bound by them, otherwise we would not have discussed them. Therefore, time and time again before I would even agree to discuss rules of procedure, I repeated these statements.

On July 8 the record shows that I made the following statement: "If the invitations could be sent the United States Delegation was entirely willing to enter into a discussion of rules of procedure

which might be suggested to the inviting governments. The United States was already on record to the effect that it would not approve any procedure proposed by the four powers here as binding on the four governments, which would be free to consider and to accept any other proposals on the subject which might be made by the members of the Conference. Mr. Bevin said that he took it that Mr. Byrnes' last remarks applied only to questions of procedure. Mr. Byrnes said that the statement meant that the Conference could adopt its own procedure. If at the Conference some government made a proposal concerning procedure which impressed the United States Delegation as being reasonable and fair the United States Delegation reserved the right to vote for such a proposal." Mr. Molotov heard that.

At the afternoon session on that day when after some discussion some suggested rules were being considered, in order to show there was no change in the United States position the record shows that I made the following statement: "The Secretary in agreeing to these proposals said that he wished it clearly understood that when the Conference convened the United States was entirely free to accept or reject on its merit any amendment or new proposals concerning rules of procedure which might be offered."

There is no need to read the rest of the statement, which is already in the minutes of this Conference. Mr. Molotov heard me make these and many other similar statements. He knows that, while this matter was under discussion, wherever there is a free press the newspapers were publishing the position of the United States. In the light of this record only Mr. Molotov would say that I had agreed to support the suggested rules of procedure.

Not content with rejecting the facts as to my position, Mr. Molotov stated that if the United States Delegation would reverse itself on questions of procedure it was possible to believe it would do the same on questions other than procedure agreed to by the Council of Foreign Ministers.

The United States has advised the Conference that it considers itself bound by the decisions of the Council of Foreign Ministers on matters of substance but not on matters of procedure. The United States will keep its word in both cases.

I am entirely willing to leave the record I have

read to be judged by you and by public opinion. In the United States we have a free press; therefore, the Soviet representative can be sure that his charges impugning the motives of the United States have been published today in the United States press. I challenge him to secure or permit publication in the Soviet Union of the statement I have now made.

I have confidence in the people of the Soviet

Republic. When their backs were to the wall and they were making a gallant fight against great odds, the United States promised aid. They didn't question the good faith of the United States. To the best of our ability we came to their aid. Today we have only admiration and respect for the people of the Soviet Republic, and we will not permit that admiration and respect to be lessened by any attack by Mr. Molotov.

ADDRESS BY THE SECRETARY OF STATE ON VOTING PROCEDURE¹

MR. PRESIDENT AND MEMBERS OF THE CONFERENCE: It has been more than a year since our fighting men won the war. They worked together; they fought together; they died together. They were friends and comrades fighting in the cause of freedom. Let us be friends and comrades. Let us work together for peace as they fought together for freedom. We the leaders of the Allied nations should show ourselves worthy of our sons and daughters who risked their lives and gave their lives that freedom might live.

To make peace we must be inspired by the spirit of peace. We must have the will to make peace, the will to achieve common understanding. The will to make peace and reach common understanding does not depend on any rules of procedure.

This Conference has been called to give the nations which fought the war the opportunity to express their views and to make recommendations. All of us agree that the final texts of the treaties will be drawn by the Council of Foreign Ministers and that to be effective they must be ratified by the states which are members of the Council. Now why should we have this interminable struggle to determine the right of the nations which helped to win the war to participate in the making of the peace? Why should we try to deny to the nations which fought with us the right to make recommendations here to the Council of Foreign Ministers even though those recommendations do not secure a full two-thirds vote? If a proposal receives 13 votes and is opposed by 8 states, are the views of the 8 so important that they should pre-

vent the submission to the Council of Foreign Ministers of the views of the 13 states?

I think the Council of Foreign Ministers should consider the views of the nations which helped to win the war even though they are not the views of a majority of us here. That is why I voted for the resolution presented by Yugoslavia which recognizes the right of a neighboring Allied state to present its proposals to the Council of Foreign Ministers though they fail to get a majority vote. If the Foreign Ministers were convinced that the proposal was right and just and in accord with world opinion, the Foreign Ministers should not hesitate to include it in the treaty to be submitted to the states for ratification. But I think that the nations which sent their sons overseas to fight are entitled to the same right, and I take exception to the charge that those of us who wish to recognize their right are fomenting a third world war.

I shall not discuss the statement as to our position in the Council of Foreign Ministers on voting procedure. The record has been presented. The repetition of an inaccurate statement will not make it accurate. Whence comes this talk of blocs, by what right do those who vote ballot after ballot with the Soviet Union call those of us who do not always agree with the Soviet Union a bloc?

When the New Zealand proposal to have all recommendations made by a simple majority vote was defeated in the Commission by a bare 11 to 9 votes, no one complained that the proposal had been rejected by a Soviet bloc, but when the Soviet proposal on voting procedure is defeated by the overwhelming vote of 15 to 6 here in this Conference the charge is made that the defeat was brought about by an Anglo-Saxon bloc. What

¹ Delivered in Paris on Aug. 9 at the plenary session of the Conference and released to the press on the same date.

loose and wicked talk this is! France and Norway voted with the majority. They have striven so hard to bring about a common accord. Should they now be arraigned as partisans of disunity? Brazil, China, and Ethiopia are also so arraigned. Britain, which for a whole year fought to keep our freedom almost alone, is attacked for daring to stand up for its convictions. The United States, which has steadfastly pursued a policy of friendship with all peace-loving nations and has firmly opposed all forms of exclusive political or economic arrangements, is accused of being leader of a bloc.

Gentlemen of the Conference, we have come here to make peace. We want to work with all nations. We are not going to gang up against any nation. We have been willing to make concessions to harmonize our views with others, but we do not intend to make all the concessions. We have not fought for a free world in order to dictate terms of peace to our Allies or to let them dictate terms of peace to us.

I believe in unity; I believe in general agreement. I do not believe that the peace treaties can be written just as this Conference, by a bare majority vote, would write them, but I do believe that the Council in the writing of the treaties should consider every recommendation which a majority of the members of this Conference would like them to consider.

I believe that this Conference should strive to achieve common agreement on its recommendations so far as it possibly can, but I would be less than frank if I did not say that those who have insisted most loudly on unanimity here have not

shown quite the same desire to achieve unanimity. We can never achieve unanimity, we can never achieve common agreement unless we show a respect for the opinions, the feelings, and the judgments of our Allies.

In our efforts during the past year to make peace and to make peace secure, we have found time and again the rule of unanimity insisted upon not to secure unanimity, not to secure common agreement, but to block action. Time and again we have found the rule of unanimity insisted upon to compel a majority to yield to a minority which was unwilling on its part to make the concessions necessary to make common understanding possible.

The proposed rule of procedure here in question was adopted by a vote of 15 to 6, almost a three-fourths vote, after full debate in which all members of the Conference had an opportunity to participate. Further debate is not going to help to create an atmosphere in which we can reach common agreement. Quite the contrary, I think it will hamper our efforts to reach common agreement.

I say to you only this: the fighting men of the Allied nations who cooperated in winning the war will never understand our wrangling about questions of procedure. I appeal to the Conference to get on with its work. The world is crying for peace. The people do not want armies of occupation continued indefinitely in countries which are trying to reconstruct their national life on democratic lines. The people want our fighting men returned to their homes and to their families. The people want us to get on with the peace. We should not disappoint them.

Economic Questions and Policies

ADDRESS BY UNDER SECRETARY CLAYTON¹

[Released to the press August 5]

Here we are in Paris where for the second time in one generation a delegation from the United States is meeting with delegations from other countries to try to make peace after a great world war. Altogether there are 21 nations represented here—countries which fought the war together against Axis aggression in Europe.

We have got so used to the radio in the last few years that some of my listeners may have forgotten that it was not possible during the drafting of the Versailles Treaty some 27 years ago to talk from Paris to the United States as I am now doing.

In the speech of Secretary Byrnes at the opening of the Paris Peace Conference, we find words which I want to use as my text this evening.

He said: "We want to plant the seeds of future peace and not the seeds of future wars."²

The Department of State, where I work, has the responsibility, in conjunction with the President and the Congress, of fixing the foreign policy of the United States Government. My own responsibility relates to the economic aspects of such policy.

The foreign economic policy of the United States is simple. Here it is:

The United States is committed to the support of all sound measures which will contribute to an increase in the production and consumption of goods throughout the world to the end that people everywhere will have more to eat, more to wear, and better homes in which to live.

We do not contend that higher living standards will of themselves guarantee the peace but we do believe that they will create a climate conducive to the preservation of peace in the world.

In order to achieve our objective of a rising standard of living throughout the world, we are committed to the reduction of barriers to the in-

ternational movement of goods and to the elimination of discriminatory practices in international trade. Such barriers and discriminations sprang up rapidly following the first World War.

The United States Congress has given the President ample authority to deal with these matters through the extension and enlargement of the Hull Reciprocal Trade Agreements Act.

Not only must barriers be lowered and discriminations eliminated if trade is to revive and flourish, but positive action must also be taken for the reconstruction of devastated areas and for the further development of the world's resources.

The Congress of the United States has also acted promptly and adequately in this field through a substantial increase in the lending power of the Export-Import Bank, by ratification of the Bretton Woods agreements, by a contribution of \$2,700,000,000 to UNRRA for relief and rehabilitation purposes, and by ratification of the credit to Britain. Add to this the foreign credits extended for the purpose of taking over lend-lease inventories and pipe-lines, and sales made or to be made to foreign countries on credit of surplus property, and we reach a grand total of nearly \$20,000,000,000 invested by the United States Government since the ending of the war in its effort to assist in the restoration of economic life abroad.

All of which should be sufficient proof of our deep and substantial interest in the economic aspects of the peace treaties now being written here in Paris.

In the economic field, these peace treaties must provide workable settlements of the issues arising out of the war. They must likewise lay a basis for the resumption of normal economic relations between the former enemy states and the United Nations. But many of these problems give rise to conflicting views and interests.

Take, for example, the question of reparations. It is natural that the countries which suffered from aggression should demand reparations from the aggressor, but we must take into account the ag-

¹ Delivered from Paris on Aug. 3 over the facilities of the NBC. Mr. Clayton is a member of the U.S. Delegation to the Peace Conference.

² BULLETIN of Aug. 11, 1946, p. 251.

gressor's ability to pay. It would do much more harm than good to exact so much of the former enemy that his economic and social structure would be so seriously weakened as to endanger not only his own stability but that of his neighbors as well. We must not repeat the mistakes of the Versailles Treaty.

The peace treaties must deal with a variety of other complicated economic subjects. The most obvious are the claims arising out of the war. In modern warfare all the numerous and complicated relations existing between warring nations in finance, trade, transport, and other fields of economic activity are severed. These relations must be reestablished. The legal position of business enterprises affected by the disruption of relations must be defined. Methods must be provided for the settlement of disputes regarding property relations, patents, shipping, and many other items.

The United States wishes to see these and other war problems settled fairly and promptly. International business relations cannot be restored if there is to be a long period of uncertainty and if assets are to be tied up in protracted litigation for claims procedures. It took many years after the last war to settle many of these problems. The present treaties should provide for speedy settlements so that the former enemy states may promptly resume normal economic relations with the United Nations.

The draft treaties also include provisions of a temporary character governing trade and other economic relations between the former enemies and the United Nations. These provisions, which would assure non-discriminatory treatment, are designed to bridge the gap until new economic agreements can be concluded between the former enemy states and the United Nations. Unlike the provisions of the 1919 treaties on these subjects, which imposed unilateral obligations on the enemy states, the clauses proposed by the Council of Foreign Ministers are reciprocal. The Allies will be entitled under these proposals to fair treatment of their trade and business enterprises only if they in turn grant similar treatment to the enemy states. Agreement on any other basis could not long endure.

Indeed there are many differences between the 1919 treaties and the drafts which are now being considered at this Peace Conference. We have really learned something from experience. One

striking difference is in the length of the treaty provisions. In the First World War treaties the economic clauses contain a vast amount of detail and added together make up a book of substantial size. The drafts prepared by the Council of Foreign Ministers are short in comparison. Principles are laid down within the framework of which details can be worked out with the enemy states on a fair basis.

In attempting to deal with future economic relations, the clauses are brief and directed only toward the problems of the first year or so in the post-war period. Many of the rather lengthy and complicated provisions regarding trade, transport, and other matters found in the 1919 treaties are avoided. After the present treaties are concluded, the enemy states will be eligible to apply for admission into the United Nations and into the various international organizations which the United Nations have already created in the economic fields, such as the International Bank, the Monetary Fund, Food and Agriculture Organization, and numerous others.

There are certain economic questions on which the Council of Foreign Ministers did not reach agreement or which the Council felt could be settled only after study and recommendations by the Peace Conference. These questions include certain aspects of the reparation problem, the status of property relations. Some involve issues of principle. Others involve problems primarily of a technical character. The appropriate commissions of the Conference will doubtless discuss these matters fully and will make recommendations which will facilitate the task of the Council of Foreign Ministers in drawing up the final treaty texts.

The economic provisions of the Versailles peace treaties were full of faults; the economic policies of the nations of the world, ours included, following the first World War were tragically wrong; we broke just about all the rules. No one can say with certainty just how much all of this contributed to the second World War. We do know that it was a powerful factor in the creation of conditions making for war.

In drafting the present treaties we have constantly striven to avoid the mistakes of the past, in the hope that wise economic provisions might help plant the seeds of future peace and not the seeds of future wars.

The United Nations

Report of the Economic and Social Council¹

LETTER OF TRANSMITTAL FROM THE U.S. REPRESENTATIVE TO THE SECRETARY OF STATE

New York, July 15, 1946.

MY DEAR MR. SECRETARY:

In less than a year—during part of which the world was still at war—the long-range campaign for economic and social advancement has been opened on a world-wide front. On June 21st, just five days before the first anniversary of the signing of the United Nations Charter in San Francisco, the Economic and Social Council created by that Charter ended its Second Session. It was the first session of the Council to be held in the United States. It made substantial progress toward completion of the organizational structure through which we can actively and concretely pursue the objectives which only a year ago were hardly more than hopes.

The Economic and Social Council formally came into existence last January, with the initial election of its members by the General Assembly. Its First Session was held concurrently with the meeting of the General Assembly in London. There, preliminary or "nuclear" working commissions were established, and these groups worked on their respective blueprints at meetings which began in New York on April 29th. By the time the Council convened in New York on May 25th, these groups had laid the foundations for the full permanent commissions of the Council. And, during the Council Session, lasting from May 25th through June 21st, the main framework for the Council's activities was erected.

The work already done should make it possible for the Council, its commissions and its related

agencies to concert their efforts before the end of this year toward the attainment of the economic and social objectives of the United Nations Charter.

The worth of an organization can only be tested surely by experience. But we have, I believe, organized well. This has been accomplished despite the diversity of interests inevitably reflected by representatives of eighteen different nations.

The creation of conditions which will permit the achievement of an enduring peace is the keystone of our national foreign policy. It is clear that peace will not endure in a world weakened and split by economic chaos and wracked by social injustice. The strong support of the United States for the creation of the Economic and Social Council and our whole-hearted participation in its functions is founded upon that premise and upon that knowledge. Because of this conviction that our national welfare is so inextricably linked with that of our global neighbors I take particular pleasure in transmitting to you this review of what was accomplished at the First and Second Sessions of the Economic and Social Council.

First Things First

The most urgent tasks before us are the economic reconstruction of devastated areas and the repatriation or resettlement of hundreds of thousands of men, women and children, driven from their homes by oppression and war, who will still be homeless when the United Nations Relief and Rehabilitation Administration ends early next year. Another is to deal effectively with the network of trade barriers, governmental and private, which restrict world trade and employment. The world cannot be restored to full economic and social

¹The text of the report will be made public on August 16 and will be printed in final form on Sept. 15, 1946.

health until substantial progress has been made on these tasks. On all three of them, the Council has now taken the first steps. It has voted to recommend to the General Assembly the establishment of an International Refugee Organization to take up the problem of displaced persons where UNRRA will leave off. A draft constitution has been worked out and is being circulated to all members of the United Nations, so that it may be put into final form ready for signature during the forthcoming meeting of the General Assembly. In the case of the United States, participation in this organization will be subject to acceptance by Congress in the same way as the International Bank for Reconstruction and Development, the International Monetary Fund, and other specialized agencies. Entirely aside from the humanitarian aspects, the presence—in and out of camps—of large numbers of refugees and displaced persons will be a continuing source of political friction until they can be returned to their homes or resettled.

In the field of economic reconstruction, the Council has established a Temporary Subcommission on the Economic Reconstruction of Devastated Areas which will form two working teams, one for Europe and Africa and the other for Asia and the Far East. These groups will survey the needs of all devastated countries except Germany and Japan. When the Subcommission has done its work, the Economic and Employment Commission and the Council itself will then have the necessary facts at their disposal to work out and recommend to the governments a coordinated and practical program for reconstruction.

At its first session in London, the Council established, on the initiative of the United States, a Preparatory Committee for an International Conference on Trade and Employment. The Secretary General has announced that the first meeting of this committee, on which the United States will be represented, will be held in London on October 15, 1946.

The Council at its First Session also called an International Health Conference in New York to effect establishment of a special agency to stimulate international cooperation in the field of health. Consequently a constitution has been drafted for a World Health Organization. This agency will not only promote the general improvement of health standards but will be able to tackle the im-

mediate danger of wide-spread epidemics resulting from the dislocations and hardships of war.

Responding to requests from the Food and Agriculture Organization of the United Nations and the Special Meeting on Urgent Food Problems, the Council has requested the Secretary General to offer the full assistance and cooperation of the United Nations Secretariat in working on a survey and proposals for international machinery to cope with longer-range food problems.

Organizing the Council

The Council has made important progress in organizing its work for the main objectives assigned to it by the United Nations Charter. Essentially, the Council constitutes a means of coordination, consultation, and recommendation. Operative functions generally are to be detailed to specialized inter-governmental agencies closely related to the United Nations organization. At the recent sessions, machinery for both the advisory and operative functions was set in motion.

The working teams of the Council will be its permanent commissions and the subcommissions. Reports prepared by the preliminary commissions, and approved by resolutions of the Council after consideration and amendment, provided for the establishment of commissions and subcommissions on a full operating basis.

At London the Economic and Employment Commission was organized to be the Council's chief adviser on international economic action for the achievement and maintenance of full employment with higher standards of living. At the Second Session in New York, the Council further strengthened the functions of this Commission.

The report of the Commission on Human Rights, as it was finally adopted by unanimous vote, included provisions particularly desired by the United States. One of these was a recommendation that human rights provisions be written into future treaties, including treaties of peace as far as practicable. A second important recommendation authorized the establishment of a permanent Subcommission on Freedom of Information and of the Press, as proposed by the United States. At the suggestion of the Soviet Union, the Council also voted to authorize establishment of a Subcommission on the Protection of Minorities and a Subcommission on the Prevention of Discrimination. A third important recommendation in the

field of human rights, proposed and strongly supported by the United States Representative and adopted by the Council, was to create a full Commission on the Status of Women to replace the preliminary Subcommittee.

A permanent Social Commission was established to advise the Council on coordination of international work in the social field, and particularly to concern itself with raising standards of living and welfare through social measures such as health services, recreational facilities, furtherance of general cultural relations, housing improvement, welfare of children and aged persons, crime prevention, and rehabilitation of offenders.

The Council must have the facts and figures on which to base sound recommendations for international economic and social action. It therefore approved proposals of the preliminary Statistical Commission to develop an integrated system for collecting, maintaining, and disseminating reliable world statistics.

The Council decided to establish a permanent Transport and Communications Commission to replace the temporary body set up in London. In addition, the Council took action to endorse a world telecommunications conference. The United States has already taken the first steps toward calling this conference. Machinery was set in motion by the Council to bring the Provisional International Civil Aviation Organization and the Universal Postal Union into relationship with the United Nations and to examine the question of establishing an international shipping organization on technical matters. A general pattern has been worked out for cooperation in international transport and communications.

Specialized Agencies

Most of the operative functions of the United Nations in economic and social cooperation will be performed by public international agencies working in specialized fields and based on separate intergovernmental agreements. Through a special Committee which negotiated with similar groups appointed by the respective specialized agencies, the Council concluded agreements—as provided in the Charter of the United Nations—to establish relationships with the International Labor Organization, the Food and Agriculture Organization of the United Nations, and the United Nations Educational, Scientific and Cultural Organization. Similar action will be taken

with respect to the International Bank for Reconstruction and Development and the International Monetary Fund, at the next session of the Council. Coordination of the vitally important work of these agencies within the framework of the United Nations represents a significant marshalling of existing forces to carry forward in orderly fashion a concerted campaign for human betterment.

Non-Governmental Organizations

The Economic and Social Council deals with matters that affect individual human beings. Its successes and its failures will have a bearing on the security a man has in his job, and his old age, on the kind of housing and food and clothing and medical care he can provide for his wife and children, on the educational opportunities that will be open to his children, and on the opportunities for advancement that will be open to himself. It is of great importance, therefore, that the Council keep in touch with the people of the world, not only through governments, but through the many non-governmental organizations through which people make their desires known and their opinions felt. After close examination and extended debate, the Council approved a plan by which this direct contact can be carried out on a democratic basis. Special arrangements were made to permit organizations of labor, of management and business, of farmers, and of consumers to join in the work of the Council and its commissions. Provision also was made for seeking the advice and securing the help of other non-governmental organizations.

Conclusions

It is natural that the discussions of a deliberative body like the Economic and Social Council should bring out disagreements, and it had its share of them during the recent sessions. But it is only by airing these differences of opinion that they can be compromised and settled. A disagreement developed over the membership of the commissions of the Council, but perhaps the most difficult of the disagreements concerned the problems of refugees and displaced persons. Nevertheless the Council was able to go ahead toward the establishment of a new refugee organization because the areas of agreement were much larger than the areas of disagreement.

A compromise generally was worked out through patient and persistent negotiation. It has

been the amount of agreement, rather than the points of disagreement, which is significant for the future of the Council's work. The experience of working together and finding solutions for specific problems constitutes the first step toward achieving the economic and social goals of the United Nations.

In closing the Second Session, Sir Ramaswami Mudaliar of India as President of the Economic and Social Council declared:

"Throughout this work a common pattern has evolved. A common purpose has been visible:—the Members of this Council are determined to do their best to see that the aims and objectives of the Charter . . . are kept steadily in view and that progress is made in the direction of those aims and objectives. We may occasionally get what I venture to call a "pisgah" sight of that land which will be free, which will be happy, which will be contented and where discrimination in any form will be a thing of the past. That is yet to come. But I do think that in all these deliberations, and in the spirit which has characterized them, and in the spirit which has characterized them, the sight of that land far, far off is yet visible."

Through patience and understanding, and by a willingness to negotiate, compromise, and work together, I believe the Council in these early sessions has brought that far land a little nearer.

The example of international cooperation recorded in this report was a joint product of eighteen national delegations to the Council, the United Nations Secretariat, and public and private organizations which participated. The contribution made by the United States to this work reflects fine support and cooperation which our Delegation, both in London and New York, received from the Department of State and from other United States Government Departments and agencies which sent advisers. There were representatives of the Departments of the Treasury, Agriculture, Labor, Justice, and Commerce, as well as the Tariff Commission, Federal Security Agency, and the Bureau of the Budget.

I wish to express here my appreciation of their efficient and wholehearted assistance.

Sincerely,

JOHN GILBERT WINANT

The General Assembly

INFORMATION ON THE MEETING OF THE SECOND PART OF THE FIRST SESSION¹

[Released to the press by UN August 4]

There will be a total of from three to four hundred meetings held during the second part of the first session of the General Assembly which will begin on Monday, September 23, 1946, at the New York City Building, Flushing Meadows, Long Island.

It is estimated that the session will last six to seven weeks. There will be approximately 35 plenary meetings of the Assembly as a whole. Each of the 6 main committees and the General Committee will meet 15 to 20 times. In addition there will be about 30 subcommittees and *ad hoc* committees holding 5 to 10 meetings each.

To expedite the work of the Assembly and enable it to complete its packed schedule within seven

weeks, a special committee on which all branches of the Secretariat are represented has been reconstituted on a basis similar to that of an equivalent committee which operated in connection with the first part of the session held in London last January.

This committee, under the chairmanship of Andrew Cordier, Executive Assistant to the Secretary-General, is now engaged in preparing an over-all plan of work for the Assembly. It is working on the basis that meetings of the Assembly will be held six days a week, but that night sessions will be avoided.

A recommendation that all meetings of the General Assembly and its committees be open to the press, radio, and general public will be made by this committee of the Secretariat.

¹For the provisional agenda of the meeting of the General Assembly, see BULLETIN of Aug. 11, 1946, p. 254.

This recommendation is based on the provisional rules of procedure for the General Assembly adopted during the first part of the first session held in London last January.

The rule governing the publicity of meetings is as follows:

The meetings of the General Assembly and the main committees shall be held in public unless the body concerned decides that exceptional circumstances require that the meeting be held in private. Meetings of other committees and subsidiary organs shall also be held in public unless the body concerned decides otherwise.

As this meeting of the Assembly will be a continuation of the first session, the same officers who presided in London over the various committees will continue in their posts under the President of the Assembly, Paul-Henri Spaak, Foreign Minister of Belgium.

Plenary meetings of the Assembly and meetings of the General Committee will be held in the New York City Building, Flushing Meadows; all other committee meetings will be held in the Sperry plant, Lake Success.

Most of the first week will be devoted to plenary meetings. The chairmen of national delegations will address the Assembly, outlining their positions and views on international questions and on items on the agenda. Items on the agenda will then be assigned to the six main committees on the recommendations of the General Committee, which will be comparable to a steering committee. There will follow several weeks of committee deliberation, after which the committees will present their reports and resolutions to the General Assembly as a whole in plenary meeting.

The fourteen-member General Committee will consist of the President of the Assembly, the seven Vice Presidents and the chairmen of the six main committees. This General Committee is expected to meet almost every working day. The seven Vice Presidents are the chairmen of the Delegations of China, France, U.S.S.R., Union of South Africa, United Kingdom, United States, and Venezuela.

The bulk of the work will be performed by the six main committees, each of which will consist of one delegate from each member state. These main committees are:

1. Political and Security Committee—Chairman, D. Z. Manuilsky, Ukrainian S. S. R.

This will have referred to it such questions as the admission of new members, the voting procedure in the Security Council, and the report of the Security Council.

2. Economic and Financial Committee—Chairman, W. Kondorski, Poland.

3. Social, Humanitarian and Cultural Affairs Committee—Chairman, Peter Fraser, New Zealand.

The above two Committees will have the general responsibility for the consideration of items referred to the General Assembly by the Economic and Social Council and also of other items in the economic and social field proposed by member states.

4. Trusteeship Committee—Chairman, R. E. MacEachen, Uruguay.

If any trusteeship agreements are submitted to the General Assembly, this Committee will consider them and, if the agreements are approved, will also consider the question of setting up a Trusteeship Council.

5. Administrative and Budgetary Committee—Chairman, F. Al-Khoury, Syria.

This Committee will have a heavy agenda, covering such items as the study and approval of the 1946 and 1947 budgets and the organization of the Secretariat.

6. Legal Committee—Chairman, R. Jimenez, Panama.

This Committee will be responsible for the drafting of rules of procedure and the study and approval of numerous legal instruments arising from the transfer of League of Nations assets to the United Nations. In addition it will study those instruments drawn up in connection with the establishment of the seat of the United Nations in the United States.

In addition to these main committees of the General Assembly, there will be a Permanent Headquarters Committee which will review the report of the Headquarters Commission, and two standing committees—the Committee on Contributions and the Advisory Committee for Administrative and Budgetary Questions. It is also certain that the Assembly will set up numerous *ad hoc* committees and subcommittees for the handling of special problems.

The provisional agenda for the session, which has been circulated by cable to the member governments, includes four general classes of items:

1. Items upon which the General Assembly meeting in London required a report at this second part of the session.
2. Items proposed by other organs of the United Nations.
3. Items proposed by member states of the United Nations.
4. Items which the Secretary-General deems it necessary to put before the General Assembly.

The most comprehensive report which will come before the Assembly will be that of the Secretary-General on the work of the organization, which has already been circulated to the member states in order to give their governments ample time to examine it prior to the opening of the Assembly on September 23.

The report of the Security Council, which is the only organ required to submit an annual report,

will deal with such matters as the Iranian and Spanish questions, the Atomic Energy Commission, and the admission of new members.

The Economic and Social Council is reporting on many matters, including: the draft constitution of the International Refugee Organization, the establishment of the Economic and Social Commissions, the consideration of agreements with specialized agencies, the transfer of the functions of the League of Nations in the field of narcotic drugs, reports of specialized agencies, the report of the Subcommittee on the Reconstruction of Devastated Areas now meeting in London, and the report of the Committee on UNRRA.

The organization and administration of the Secretariat will also come under review by the General Assembly in the supplementary report of the Secretary-General on administrative and budgetary matters, including the question of staff contribution plans, children's allowances, education grants, etc.

Access of Non-Member States to the International Court of Justice

MEMORANDUM TO DEPUTY U.S. REPRESENTATIVE ON SECURITY COUNCIL¹

July 30, 1946.

The Secretary of State presents his compliments to the Deputy United States Representative and encloses for his information a memorandum dated July 24, 1946 on the subject of Access of Non-Member States to International Court of Justice.

July 24, 1946.

The Department in its telegram 132 of July 10, 1946² to New York took the position that the Security Council might appropriately proceed to give effect to Article 35, paragraph 2, of the Statute of the Court by means of a Resolution, along the lines of the League Council Resolution of May 17, 1922.

Following is the Department's position on certain questions of detail, some of which were raised

at the first meeting of the Committee of Experts on this subject.

1. *Should the application of the Resolution be restricted to states which are not parties to the Statute?*

Position: Yes, because the purpose of the Resolution is to permit access to the Court. States upon becoming parties to the Statute automatically acquire such access.

2. *If non-member states should file general declarations accepting the jurisdiction of the Court as compulsory, should the application of such declarations be excluded, in the absence of special conventions, vis-à-vis parties to the Statute, or only as to members of the Organization?*

Position: Either alternative would be legally possible. However it is considered preferable to exclude the application of such declarations vis-à-vis parties to the Statute as well as members of the Organization. Membership in the United Nations

¹ Doc. US/ICJ/3 of Aug. 2, 1946. Memorandum sent to Herschel Johnson by John C. Ross, Deputy Director of the Office of Special Political Affairs, Department of State.

² Not printed.

and in the Court are now coterminous. Therefore, the question would only arise as between states subsequently admitted as parties to the Statute under Article 93 (2) of the Charter and states which may file declarations under the proposed Resolution. A State not a member of the United Nations but made a party to the Statute might find itself bound to litigate disputes with any non-member state or political entity permitted to file a declaration under the proposed resolution unless this precautionary step is taken either by the proposed resolution or at the time of becoming a party to the Statute.

3. *Do declarations pursuant to the proposed Resolution have any relationship to declarations made by parties to the Statute under Article 36, paragraphs (2) or (5)?*

Position: No. The purpose of the Resolution is to accord access to the Court. Declarations filed under the proposed Resolution are not filed under Article 36 of the Statute, as the Statute would need to be amended in order to do that and we are not amending the Statute; rather, such declarations under the Resolution are to be filed, as stated in the last paragraph of paragraph 2 of the Resolution, "in conformity with Article 36 of the Statute".

The phrase in section (1) in the League Council Resolution: "providing that such states shall deposit declarations accepting the jurisdiction of the Court" is not intended to be a grant of compulsory jurisdiction under the meaning of Article 36, paragraphs (2) and (5) of the Statute. It is true that in Section 2, paragraph 4 of this Resolution, non-member states are permitted to file declarations of this type not under Article 36 (2) but in conformity therewith, but the application of these declarations as to members (of the League) is specifically excluded except by special convention. Therefore the basic necessity of special agreements between the parties in order to submit a dispute to the Court remains.

4. *What obligations should be assumed by states not parties to the Statute in the declarations which they file in order to secure access to the Court?*

Position: In general, a party depositing a declaration should assume with respect to the matter concerning which access is given to the Court the same obligations as a party to the Statute. These are:

- a. The obligation to carry out in good faith the decisions of the Court.
- b. The obligation to carry out the decisions of the Security Council in the event that the enforcement of the decision is referred to the Security Council pursuant to Article 94 (2). (These obligations are set forth in Article 2 (5) and Article 25 of the Charter.)
- c. The obligations of Members of the United Nations under Article 2 (3) and Article 2 (4) of the Charter.

A suggested provision in the proposed resolution concerning the obligations assumed by states not parties to the Statute under declarations would be as follows:

" . . . A Declaration by which it accepts the jurisdiction of the Court in accordance with the Charter of the United Nations and with the terms and subject to the conditions of the Statute and Rules of the Court, and undertakes with respect to the matter submitted to the Court to carry out in full good faith the decisions of the Court and of the Security Council, and to act in accordance with the Principles prescribed for Members of the United Nations by Article 2 of the Charter."

5. *Should there be a reference in the proposed Resolution to the clause in paragraph 2 of Article 35 stating that the conditions which the Security Council shall specify are "subject to the special provisions contained in treaties in force"?*

Position: A mere reference to the clause might be desirable, but does not appear important because of its presence in the Statute itself.

6. *What should be the position of the United States in the event of a proposal to deny access to the Court on the part of certain states?*

Position: It would be extremely hazardous to undertake to lay down a definition as to the kind of political entities that might be comprehended within the meaning of the term "state". The Statute and the Resolution each use the term "state". If a question should arise whether a particular entity could file a declaration, the Registrar of the Court would presumably consult with the Security Council which has authority to determine the matter under Article 35 of the Statute. It would seem the course of wisdom to avoid the subject for the reason that it is impossible to foresee the situations that may arise.

Since, under the proposed Resolution a non-member state could not proceed against the United States or any other member of the United Nations without a special agreement, this country would be fully protected against unwanted suits by such countries.

The Department has an interest in seeing the Court opened as broadly as possible to the states of the world.

Proposals for a World Food Board

POSITION OF U.S. GOVERNMENT

The creation of an international committee at the forthcoming September meeting in Copenhagen of the United Nations Food and Agriculture Organization which will consider various world food proposals, including those recently set forth by FAO, is favored by the United States Government, the State Department said on August 9.

Answering queries on FAO's world food proposals, the Department issued the following statement on August 9:

"As proposed by FAO, the plan is not sufficiently developed to permit this Government to determine whether it provides a promising approach to these agricultural problems. It is believed, however, that these problems are important and should be studied, and alternate solutions considered. Accordingly the Government favors creation of an international committee to analyze this and any alternate proposals and to prepare a plan for international action."

Also on August 9 the White House revealed that the President's Cabinet had informally discussed the FAO plan for the establishment of an international food organization to take over some of the functions of UNRRA when that organization goes out of existence but that the cabinet had neither disapproved nor rejected the plan.

The State Department explained that the FAO plan formulated under FAO Director General Sir John Boyd Orr seeks to stabilize agricultural prices and to dispose of agricultural products

For these reasons the Department is opposed to limitations being imposed as to the states to which the proposed Resolution will be applicable. It is realized however that political considerations may be involved, and that these may include the question of access to the Security Council under Article 94 (2) of the Charter. Consequently, if it becomes necessary to take a position on such a question, the Department should be consulted.

where urgently needed, to set maximum and minimum prices and buy and sell products, diverting marketable surpluses.

It was reported that Norris E. Dodd, United States Delegate to the Copenhagen conference of FAO, will propose that the conference name a committee to study various means to attain aims of the "Orr plan" and report back by December 31.

It was also reported that the United States Government believes the aims of the Orr plan are of great importance for long and short term, and that there is a great need among nations for some international cooperative action for the solution of these problems.

Criticisms of the Orr plan point out that it would involve huge expenditures and potentially be the most expensive of all international organizations so far proposed. Certain conflicts between the plan and the proposals for an International Trade Organization were also noted.

Handling of surplus commodities and overcoming shortages in any emergency periods is provided for in the plans of the International Trade Organization, based on the "charter" of trade proposals promulgated by the United States State Department. These provide for dealing with the problem without large-scale buying and selling of commodities by an international body.

The United States Delegate to the FAO conference is therefore expected to urge further consideration of the Orr plan in relation to this broader plan for facilitating the flow of world trade.

International Organizations and Conferences

Calendar of Meetings

Far Eastern Commission	Washington	February 26
Peace Conference	Paris	July 29
UNRRA: Second Half of Fifth Session	Geneva	August 5
The United Nations:		
Security Council	New York	March 25
Military Staff Committee	New York	March 25
Commission on Atomic Energy	New York	June 14
Subcommission on the Reconstruction of Devastated Areas	London	July 29
UNESCO: Executive Committee	London	August 19
PICAO: Caribbean Regional Air Navigation Meeting	Washington	August 26
FAO: Annual Session	Copenhagen	September 2-14
Committee for Arrangements for Consultation with Non-Governmental Organizations	New York	September 6 or 7
Economic and Social Council (Third Session) with Commissions and Subcommissions	New York	September 11
General Assembly: Second Part of First Session	New York	September 23

The opening dates in the third column are current as of Aug. 11.

Activities and Developments

UNRRA Fifth Council Session.³ The Fifth Council Session of the United Nations Relief and Rehabilitation Administration opened on August 5, 1946, in the old League of Nations Palace at Geneva, Switzerland.

After the formal opening proclamation by Fiorello H. La Guardia, UNRRA Director General, and a welcome by Philip Etter, Swiss Federal Councillor, the Conference appointed subcommittees to grapple with the task of solving UNRRA's urgent problems.

One of the major questions to be discussed is the organization's future. The original intention was to complete its affairs in Europe by the end of this year. Speaking before the Council at its meeting on August 7, Mr. La Guardia recommended liquidation of UNRRA beginning about October 1; Assistant Secretary of State Will Clayton supported the recommendation.

On August 8, representatives from seven countries—Czechoslovakia, Poland, Norway, Greece, Yugoslavia, China, and Austria—pleaded before the Council for continuation of UNRRA's aid for their devastated economies until the organization's responsibilities are taken over by other bodies.

³ Prepared by the Division of International Conferences, Department of State.

Provisional International Civil Aviation Organization: Caribbean Regional Air Navigation Meeting.¹ The United States has accepted the invitation of the Interim Council of the Provisional International Civil Aviation Organization to act as host to a meeting of representatives of those nations interested in air navigation in the Caribbean area. The Caribbean Regional Air Navigation Meeting has been scheduled to convene at Washington on August 26 and is expected to remain in session for approximately three weeks.

The meeting is being called for the purpose of examining the problems and procedures related to the provision for, and operation of, air-navigation facilities and services deemed necessary for international air transportation within the Caribbean area.

PICAO, as the parent organization, is following a very intensive program of regional meetings throughout the world in order to (1) implement the international standards for air navigation already adopted by the Interim Council of PICAO; (2) develop operational procedures in each region; (3) determine facilities required for air transportation in the area; and (4) determine the permanent secretariat required for each of the regions established. The Caribbean Regional Meeting will be the third in this series of meetings. The first, which was held at Dublin in March 1946, made recommendations concerning the procedures and facilities required on the North Atlantic air route. The second, which was held at Paris in April 1946, covered the European-Mediterranean area. Subsequent meetings will be scheduled for the Middle East, Southeast Asia, South Pacific, North Pacific, South Atlantic, South American, and African-Indian Ocean areas. When this series of regional meetings is completed the Interim Council of PICAO will have at hand recommendations for air navigation throughout the world. It will then be able to adopt and establish uniform operational procedures and to recommend facility requirements for both hemispheric and global civil aviation.

Invitations to participate in the Caribbean Regional Air Navigation Meeting have been extended by PICAO and the United States Government to the following 21 governments: Argentina, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, El Salvador, France,

Guatemala, Haiti, Honduras, Mexico, Netherlands, Nicaragua, Panama, Peru, United Kingdom, United States, and Venezuela. Invitations have also been extended to the International Air Transport Association, the International Meteorological Organization, the International Telecommunications Union, the Inter-American Radio Office, and the International Commission on Air Navigation.

The opening and final meetings are scheduled to be held in the Pan American Union building and will be open to the public. The committee meetings, which will concern themselves with such subjects as air-traffic control, communications, weather, meteorology, air-ground aids, and search and rescue, will be closed technical meetings.

The recommendations resulting from this regional meeting will be forwarded to PICAO for consideration and adoption. Printed reports will be issued by PICAO at a subsequent date.

Eighteenth International Congress for Housing and Town Planning.² Hastings, England—October 7-12, 1946. The Department of State has received an official invitation to the United States from the Government of Great Britain to participate in the Eighteenth International Congress for Housing and Town Planning, to be held at the White Rock Pavilion, Hastings, England, October 7-12, 1946. The Congress is being organized by the International Federation for Housing and Town Planning, 13 Suffolk Street, Haymarket, London. This institution, which was established in 1913, is composed of technical organizations and societies and private individuals concerned with the theory and administration of housing and planning operations.

This is the eighteenth of a series of similar meetings, the last five of which were held as follows: 17th Congress, Stockholm, Sweden, July 8-15, 1939; 16th Congress, Mexico City, Mexico, August 13-20, 1938; 15th Congress, Paris, 1937; 14th Congress, London, July 15-20, 1935; 13th Congress, Berlin, 1931. The United States was represented at the 13th, 14th, 17th, and 18th Congresses.

¹ To be held in Washington, D. C., Aug. 26-Sept. 14, 1946. Prepared by the Division of International Conferences, Department of State.

² Prepared by the Division of International Conferences, Department of State.

Previous meetings have had under discussion among other topics the following problems: rational distribution of cottages and tenements; respective costs; their relation to town and regional planning; post-war housing; public utilities; building costs; mass and density of buildings in relation to open spaces and traffic facilities; methods of attracting new capital; planning apartment schemes in large cities; replanning old and historic towns to meet modern conditions; traffic problems; and rural development.

The agenda for the proposed Eighteenth Congress covers the following topics:

1. Replacing of the centers of cities
 - (a) New plans
 - (b) Decentralization
 - (c) Implementing the plans
2. Housing techniques
3. Housing economies

The State Department, in conjunction with other departments and agencies and with outside organizations, is considering the composition of a suitable Delegation from the United States to attend the meeting.

Inter-American Commission of Women. The Chairman of the Inter-American Commission of Women, Miss Minerva Bernardino, has issued invitations to the governments of the American republics to send their delegates to the next General Assembly, which is to take place from November 10 to 20 at the Pan American Union in Washington.

The Inter-American Commission of Women is an official organization established in 1928 and placed on a permanent basis by the Eighth Inter-

national Conference of American States, held at Lima in 1928. It is composed of one delegate appointed by each of the 21 American republics. Its headquarters is the Pan American Union building in Washington.

The Commission, which has worked untiringly on the improvement of the condition of women on this continent, constitutes an important cross-section of women in America, being made up of lawyers, journalists, congresswomen, and, generally, feminine leaders in every field.

Among the many important items on the agenda is the preparation of a project of Statutes of the Commission, which is then to be submitted to the Governing Board of the Pan American Union for the preparation of a definitive project to be transmitted to the Bogotá conference of American states for final approval.

The Assembly is also planning a very interesting forum which will be attended by representatives of the outstanding women's organizations in this country as well as the other American republics.

Broadcast on the New International Court

A discussion of the new International Court of Justice by Judge Green H. Hackworth, American member of the International Court of Justice, and Charles Fahy, Legal Adviser of the Department of State, was broadcast on August 10 and issued as press release 556 on the same date. This was one in a group of State Department programs in the NBC University of the Air series entitled "Our Foreign Policy".

The Record of the Week

The Foreign Service Act of 1946

The Foreign Service Act of 1946, signed by the President on August 13, reorganizes the Foreign Service of the United States, increases the salaries and allowances, establishes a new promotion and retirement system, provides for additional training and re-Americanization of Foreign Service officers, and codifies previous legislation.

The bill, which becomes effective on November 2, is the result of over two years' study by the Department of State and of a series of conferences held with a subcommittee of the House Foreign Affairs Committee. It aims to improve, strengthen, and expand the overseas arm of American foreign policy when the execution of that policy in the field has become of greatest importance.

Although the bill itself is over 100 pages in length, the principal changes in the organization and operation of the Service may be briefly summarized. The great length of the bill is due to the gathering together of all previous legislation into one basic charter.

The provisions dealing with reorganization of Foreign Service personnel set up five basic groups. These consist of Ambassadors and Ministers, Foreign Service officers, Foreign Service Reserve officers, Foreign Service staff officers and employees, and alien personnel. The structure of the Service, through the addition over a period of years of various small categories, has become extremely complex, difficult to administer, and in some cases inequitable.

Although there is little change in the status of Ambassadors and Ministers, except for the long-overdue increases in pay and allowances referred to later, the organization of the Foreign Service officer corps is materially altered. The present 11 classes are reduced to 7, the highest one being a new class known as Career Ministers. By the establishment of this class it will be possible for

Foreign Service officers to become Ambassadors and Ministers without resigning from the Foreign Service itself.

A new arm of the Service made up of Foreign Service Reserve officers is established to give flexibility in meeting numerical and functional needs. These officers will have the same rights, privileges, pay, and allowances as Foreign Service officers. They will be drawn from other branches of the Government and from civilian life and will be specialists in such fields as aviation, petroleum, telecommunications, and information and cultural work. They will serve for periods not to exceed four years, but in cases where individuals show particular talent for Foreign Service work they may become permanent members of the Foreign Service.

The Foreign Service staff arm is also set up by this bill to include all other American employees of the Service. Salaries will range up to \$10,000 a year, and an equitable classification system is presented which will greatly simplify administration.

Alien personnel employed by the Foreign Service are placed in a separate arm with a separate pay scale.

A completely new pay scale is set up for Ambassadors and Ministers which provides for four classes, dependent upon the importance of the mission. The four classes are to receive salaries of \$25,000, \$20,000, \$17,500 and \$15,000. Currently based on the pay scale of 1955, Ambassadors and Ministers receive either \$17,500 or \$10,000 a year. The salaries of Foreign Service officers which now range from \$3,271 to \$10,000 a year will range from \$3,300 to \$13,500.

The legislation provides for needed allowances for Foreign Service personnel serving abroad, in addition to the present rent, cost of living, and representation allowances. The new allowances include a transfer allowance, a maintenance al-

lowance for residences of principal officers abroad, and the authority to reimburse expenses resulting from illness or injury incurred in line of duty.

In order to provide for a more highly trained Foreign Service, the bill establishes a Foreign Service Institute, which, like the Army and Navy Staff Colleges, will train Foreign Service personnel progressively throughout their careers. Also aimed at improving the quality and value of the Foreign Service personnel are the provisions to increase the amount of time spent in the United States. The bill provides that Foreign Service personnel must complete 2 years of service abroad before receiving home leave, as compared with the present requirement of 3 years. It also requires that 3 of the first 15 years of service of Foreign Service officers must be spent in the United States.

Finally, the new legislation sets up a promotion-up and selection-out procedure somewhat similar to that now followed by the Navy. This applies only to Foreign Service officers and provides that officers who fail to develop and as a result fail of promotion will be retired. In this way it is hoped to keep Foreign Service officers at all levels developing continuously and prevent the accumulation at any level of personnel who have passed their peak of performance.

Meeting of Acting Secretary Acheson With Committees on Palestine

[Released to the press August 8]

The Acting Secretary of State has received a number of questions from the press regarding the purpose, course, and future of the meetings which he previously informed the press he would hold beginning Wednesday of this week with Henry F. Grady, Goldthwaite Dorr, and Herbert Gaston, the alternates of the Cabinet Committee on Palestine and Related Problems; Judge Joseph C. Hutcheson, Jr.; and Frank W. Buxton, William Phillips, Bartley C. Crum, James G. McDonald, and Frank Aydellotte, the American members of the Anglo-American Committee of Inquiry. These meetings were arranged so that the Acting Secre-

tary might have the benefit of the information and background of these gentlemen on many perplexing questions which arise out of the proposals recently reported to the House of Commons by the Lord President of the Council, Mr. Morrison. The meetings which were held on Wednesday morning, Wednesday afternoon, and Thursday morning [August 7 and 8] produced a most helpful exchange of views on these problems and have been of great benefit to the Acting Secretary in preparation for discussions of the Cabinet Committee. The meetings have now been concluded, and it is expected that the Cabinet Committee will discuss the matter further and later report to the President.

Information for Businessmen on Conditions in Shanghai

[Released to the press August 8]

American businessmen planning to visit Shanghai to reestablish their connections will find good hotel accommodations difficult to obtain, a recent report from the American Consulate General at that city states. When obtainable, hotel rooms cost about \$12 (in U.S. currency) a day for first-class accommodations. Hotel managers are reported to be unwilling to reserve rooms in advance. However, it would be advisable for American businessmen to arrange for quarters with personal connections whenever possible.

No difficulty is experienced in obtaining meals, a day's hotel fare costing about \$13. Quotations in United States dollars cannot be considered firm, however, due to fluctuations in open-market exchange rates.

Local transportation within the city of Shanghai is described as precarious and expensive, but obtainable. Long-distance transportation to other parts of the country, which is chiefly by air, is very difficult to obtain on account of large backlogs of applications.

Reports from several other cities, including Peiping, Tsingtao, and Hankow, indicate that conditions there are in general somewhat more difficult than at Shanghai.

Gold Returned to Hungarian National Bank

STATEMENT BY AMERICAN MINISTER TO HUNGARY

[Released to the press August 8]

It was most gratifying to the members of the American Legation to be present last night on the occasion of the arrival in Budapest of the special train which brought to Hungary the monetary gold to the National Bank. This gold, which had been removed from Hungary by the Germans and their Hungarian accomplices, was captured by the armed forces of the United States and held under their protection in the American zone of occupation.²

The United States Secretary of State acting on behalf of the American Government was asked by the Hungarian Government to release the monetary gold in question during the visit of the Hungarian Prime Minister and members of the Hungarian Government to Washington last June. Secretary Byrnes acceded to the request of the Hungarian Government for the release of the gold, with special reference to the plan of the Hungarian Government then being considered for the stabilization of Hungarian finances. The stabili-

zation and rehabilitation of the Hungarian economy have been a matter of special interest to the Government of the United States. The American Government therefore took the initiative in harmony with the declaration made by the heads of the Allied governments at the Crimea Conference to bring about concerted action among the Allied governments with a view to the improvement and stabilization of the Hungarian economic position. These efforts were marked as recently as July 23 of this year by a note to the Government of the Soviet Union urging as had been done before such cooperation of the Allied powers to assist Hungary in rehabilitating its national economy.³

The arrival in Budapest of the gold of the National Bank is a source of special satisfaction as marking an important contribution to the goal desired by the people and Government of the United States—that Hungarian economy may be promptly restored so that it may take its place in the economy of Europe and the world.

Financial Arrangements for Credit to Poland

[Released to the press August 9]

On June 26, 1946, when this Government announced the resumption of surplus-property deliveries to Poland, it was stated that the Polish Government had given assurances to the American Embassy at Warsaw that the texts of Poland's economic agreements would be furnished to this Government.⁴ This was in accordance with the undertaking of the Polish Government at the time of the negotiations for the Export-Import Bank credit to Poland of \$40,000,000 and for an additional credit of up to \$50,000,000 for the purchase of United States surplus property held abroad, "to make available to the Government of the United States full information similar in

scope and character to that normally made public by the United States concerning the international economic relations of Poland". The texts of the agreements in question have now been received from the Polish Government, and the Polish Embassy has been informed that final arrangements may now be made for the Export-Import Bank credit, which is for the specific purpose of enabling Poland to purchase locomotives and coal cars in the United States.

¹ H. F. Arthur Schoenfeld. The statement was released to the press in Budapest by Mr. Schoenfeld on Aug. 7.

² Approximately \$32,000,000 worth of gold was returned.

³ BULLETIN of Aug. 4, 1946, p. 229.

⁴ BULLETIN of July 7, 1946, p. 33.

Gift Parcels Accepted for Delivery to British Zone in Germany

[Released to the press by the Post Office Department August 7]

Effective Monday, August 12, 1946 ordinary gift parcels will be accepted for delivery to the British zone of Germany, except Berlin. Postmaster General Robert E. Hannegan announced on August 7.

Parcels must not exceed 11 pounds in weight or 72 inches in length and girth combined. Only one parcel a week may be sent by any one person to the same addressee. Contents are limited to essential relief items, such as non-perishable foods, clothing, soap, medicines. No writing or printed matter of any kind may be included. The postage rate is 14 cents a pound.

Parcels and customs declarations must be marked "Gift Parcel" by the senders, and the value and contents must be stated on the customs declarations. Undeliverable parcels will not be returned to the senders but will be turned over to authorized German relief organizations for distribution to the needy.

Parcels should bear the name of the addressee, street and house number, town, postal-district number if known, province, and the indication "British Zone, Germany". Box numbers may be used as part of the address provided the name of the box holder is shown. Parcels will not be ac-

cepted for mailing when addressed "General Delivery", or when addressed to Berlin.

The British zone includes the following regions of Germany: The entire province of Schleswig-Holstein, with the city area of Hamburg (Postal District 24), the entire provinces and areas of Hannover, Oldenburg, Braunschweig, Lippe, Schaumburg-Lippe, and the Bremen Enclave (Postal Districts 20 and 23), the entire province of Westfalen (Postal District 21), the northern portion of the Rhein Province (Postal District 22), including the cities and *Kreise* of Aachen, Köln (Cologne), Düren, Schleiden Euskirchen, Bonn, Siegburg and Gummersbach, and places north thereof.

The cities and *Kreise* of Prum, Daun, Ahrweiler, Koblenz, Neuwied, and Altenkirchen (Westerwald), and places south thereof in the Rhein Province, although located in Postal District 22, are not in the British zone or the American zone. Therefore parcels may not be sent there from the United States.

The export-control regulations of the Office of International Trade, Department of Commerce, are applicable to parcels for delivery in the British zone of Germany.

Deadline Extended for Filing Claims for Property Damage in Belgium

[Released to the press August 5]

The Department of State has been informed by the American Embassy at Brussels that the deadline for filing of claims by American nationals for damage or destruction to their property in Belgium during the war has been extended from July 15, 1946 to January 15, 1947.

Declarations of damage should be filed with the Minister of Reconstruction in Brussels. As was stated in a prior press release,¹ at present there is no provision in the Belgian law for the payment of a compensation to American nationals. However, Belgian authorities suggest that, as at some

future time there may possibly be an agreement with the United States which would provide for the inclusion of Americans in the benefits of the Belgian law, interested Americans should present the essential facts for the census of war damages provided for by decrees of September 19 and December 26, 1945 and January 11, 1946. Special forms for the declaration of damages may be obtained in this country through the Belgian Consulates at New York, Chicago, San Francisco, and New Orleans.

¹ BULLETIN OF APR. 11, 1946, p. 634.

Chicago Aviation Agreements

[Released to the press August 10]

Convention on International Civil Aviation:

On August 9, 1946 the United States instrument of ratification of the Convention on International Civil Aviation was deposited in the archives of the Department of State. This convention was formulated at the International Civil Aviation Conference in Chicago on December 7, 1944. The President ratified the convention on August 6, 1946, pursuant to advice and consent thereto given by the Senate on July 25.

The Ambassador of Brazil deposited with the Department of State on July 8 the Brazilian instrument of ratification of the convention.

The convention provides that the Government of the United States shall be the depository government and that as soon as the convention has been ratified or adhered to by 26 states it shall come into force between them on the thirtieth day after deposit of the twenty-sixth instrument. Countries which have now deposited instruments of ratification of the convention are as follows:

- Poland on April 6, 1945
 - Turkey on December 20, 1945
 - Nicaragua on December 28, 1945
 - Paraguay on January 21, 1946
 - Dominican Republic on January 25, 1946
 - Canada on February 13, 1946
 - China on February 29, 1946
 - Peru on April 8, 1946
 - Mexico on June 25, 1946
 - Brazil on July 8, 1946
 - United States of America on August 9, 1946
- Argentina adhered to the convention on June 4, 1946

Interim Agreement on International Civil Aviation:

The Agent General for India informed the Secretary of State by a note dated July 18 that the reservation made by the Government of India in accepting the Interim Agreement on International Civil Aviation is withdrawn with respect to Denmark. The text of the reservation is as follows:

"In signifying their acceptance of these agreements (interim and transit), the Government of India wish me to point out that they do not regard Denmark or Thailand as being parties thereto, or themselves as being in treaty relations with either of these countries as a result of these agreements, since the Danish and Thai ministers in Washington who signed the final act and agreements did

not represent the Governments in their own Countries, and their signatures are regarded as having been given in their personal capacity only."

No additional acceptances have been received since the announcement of July 3 on the Interim Agreement on International Civil Aviation, the International Air Services Transit Agreement, and the Convention on International Civil Aviation.¹

Ratification and Proclamation of Protocols Prolonging the 1944 Sanitary Conventions

[Released to the press August 10]

On August 6, 1946 the President ratified and proclaimed the Protocol to Prolong the International Sanitary Convention, 1944, Modifying the International Sanitary Convention of June 21, 1926, and the Protocol to Prolong the International Sanitary Convention for Aerial Navigation, 1944, Modifying the International Sanitary Convention for Aerial Navigation of April 12, 1933. Advice and consent to ratification of the protocols was given by the Senate on July 25, 1946.

The two protocols came into force on April 30, 1946 between the following countries on behalf of which the protocols were signed without any reservation with respect to ratification: Australia, Canada, China, France, Greece, Haiti, Luxembourg, New Zealand, Nicaragua, and the United Kingdom of Great Britain and Northern Ireland. The protocols were signed with a reservation requiring ratification on behalf of Belgium, Ecuador, and the United States of America.

Accessions to the two protocols were made by Poland on May 28, 1946, the Dominican Republic on May 29, 1946, Honduras on July 8, 1946, the Union of South Africa on July 12, 1946, and Italy on July 23, 1946.

The Government of the United States is designated in each of the protocols as the depository government. With the deposit of the United States instrument of ratification in its archives on August 6, 1946, the United States became the sixteenth government with respect to which the two protocols have come into effect.

¹ BULLETIN of July 14, 1946, p. 78.

Senate Advice and Consent to Ratification of Treaties

On July 25 the Senate gave its advice and consent to ratification of the following treaties and conventions:

The International Civil Aviation Convention concluded at the International Civil Aviation Conference at Chicago on December 7, 1944.

A protocol, which was signed on April 30, 1946, to prolong the International Sanitary Convention, 1944, modifying the International Sanitary Convention of June 21, 1926.

A protocol, which was signed on April 30, 1946, to prolong the International Sanitary Convention for Aerial Navigation, 1944, modifying the International Sanitary Convention for Aerial Navigation of April 12, 1933.

A convention on the regulation of Inter-American automotive traffic, which was opened for signature at the Pan American Union in Washington on December 15, 1943 and signed on behalf of the United States on December 31, 1943.

The Department

Confirmations

On August 2 the Senate confirmed the nomination of William L. Clayton as Under Secretary of State for Economic Affairs.

Appointment of Officers

Thomas H. Englesby as Executive Officer, Office of American Republic Affairs, effective August 13, 1945.

Parker May as Executive Officer, Office of International Information and Cultural Affairs, effective January 18, 1946.

James J. Farriss as Special Assistant to the Director, Office of the Foreign Service, effective May 12, 1946.

Daniel M. Braddock as Chief of the Division of Brazilian Affairs, effective June 18, 1946.

Leroy D. Stinchower as Special Assistant to the Assistant Secretary for economic affairs, effective July 22, 1946.

The Congress

An Act For the acquisition of building and grounds in foreign countries for the use of the Government of the United States of America. Approved July 25, 1946. [H. R. 6627.] Pub. Law 547, 79th Cong. 1 p.

An Act To amend the Act of June 7, 1939 (53 Stat. 811), as amended, relating to the acquisition of stocks of strategic and critical materials for national defense purposes. Approved July 23, 1946. [S. 752.] Public Law 520, 79th Cong. 5 pp.

Investigation of International Communications by Wire and Radio; Interim Report of the Committee on Interstate Commerce, United States Senate, pursuant to S. Res. 24 of the Seventy-ninth Congress. S. Rept. 1907, 79th Cong. ii, 4 pp.

Atomic Energy Act of 1946. H. Rept. 2670, 79th Cong., to accompany S. 1717. 13 pp.

Extending Temporarily the Time for Filing Applications for Patents, for Taking Action in the United States Patent Office With Respect Thereto, for Preventing Proof of Acts Abroad With Respect to the Making of an Invention. H. Rept. 2696, 79th Cong., to accompany H.R. 5223. 7 pp.

Creating an Evacuation Claims Commission. H. Rept. 2679, 79th Cong., to accompany H.R. 6780. 5 pp. [Favorable report.]

Extending Financial Aid to the Republic of the Philippines. H. Rept. 2671, 79th Cong., to accompany H.J. Res. 388. 2 pp. [Favorable report.]

Improving International Collaboration With Respect to Meteorology. S. Rept. 1842, 79th Cong., to accompany H.R. 6630. 3 pp. [Favorable report.]

Administration of Alien Property. S. Rept. 1839, 79th Cong., to accompany S. 2378. 13 pp. [Favorable report.]

Twenty-seventh International Labor Conference: Message From the President of the United States Transmitting Recommendation Adopted by the International Labor Conference at its Twenty-Seventh Session, Paris, October 15-November 5, 1945. H. Doc. 749, 79th Cong. 12 pp.

Supplemental Estimate of Appropriation for the Atomic Energy Commission: Communication from the President of the United States Transmitting Supplemental Estimate of Appropriation for the Fiscal Year 1947 in the amount of \$750,000 for the Atomic Energy Commission. H. Doc. 722, 79th Cong. 2 pp.

Council of Foreign Ministers at Paris: Remarks of Hon. Tom Connally, Senator from the State of Texas, in the Senate of the United States, July 19, 1946, relative to the peace treaties which will finally terminate World War II. S. Doc. 243, 79th Cong. ii, 12 pp.

Training Announcements

Departmental Orientation Program

On Monday, September 3, the Division of Training Services will resume its 10-6'clock series of orientation lectures for Department of State personnel and for members of the Foreign Service.

The lectures presented in this series will take place from 10 a.m. to 11 a.m. each workday during September and will be repeated in substantially the same form each month thereafter. These lectures will be confined, for the most part, to the operations of the Department of State at the Office level.

Later in the fall it is anticipated that the orientation program on the Office level may be supplemented by a series of lectures at the Division level. These lectures will follow the 10-6'clock hour, from 11 a.m. to 12 m.

The pattern for the lectures will usually be the same; the first 20 minutes of each period will, it is hoped, be devoted to an outline of the organizational structure and functions of an Office, and the remaining time will be given to a discussion of outstanding problems of the moment in connection with the operations of the Office as a whole.

The program allows for a certain amount of flexibility for scheduling talks by the various advisers and special assistants to the Secretary on their special work and for other topics of interest that will undoubtedly appear from time to time.

These lectures afford a splendid opportunity for both new and older members of the Department of State, as well as Foreign Service personnel, to acquaint themselves with the operations, problems, and basic policies of the organization to which they belong.

The proposed program for September is as follows:

First Week: Political Problems of the American Republics, the Near East and Africa, the Far East, Europe, Office of Special Political Affairs.

Second Week: Work and Problems of the Office of Foreign Liquidation, Office of Transport and Communications Policy, Office of International Trade Policy, Office of Financial and Development Policy, Office of Economic Security Policy.

Third Week: Work and Problems of the Office of Public Affairs, Office of International Information and Cultural Affairs, Office of Research and Intelligence, Office of Intelligence Collection and Dissemination.

Fourth Week: Work and Problems of the Office of Controls, Office of the Foreign Service, Office of the Legal Adviser, Congressional Relations of the Department of State.

Foreign Service Orientation Series

This series will continue in September in the same manner as in August.

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of the DEPARTMENT OF STATE

For sale by the Superintendent of Documents, Government Printing Office, Washington 25, D. C. Address requests direct to the Superintendent of Documents, except in the case of free publications, which may be obtained from the Department of State.

The American Foreign Service. Sample Entrance-Examination Questions. Pub. 1771 (reprint). 110 pp. Free.

Includes questions of general and special examinations used in September 1941.

Report of the Delegation of the United States of America to the Inter-American Conference on Problems of War and Peace. Mexico City, Mexico, February 21-March 8, 1945. Conference Series 85. Pub. 2497. 371 pp. 55¢.

Report on the work of the Conference together with introductory material and appendixes. The appendixes include the texts of the final act of the Conference and of draft resolutions presented to the Conference.

7th Report to Congress on Operations of UNRRA. As of March 31, 1946. Pub. 2549. 62 pp. 15¢.

The President's letter of transmittal to the Congress and quarterly report on the operations of UNRRA. The appendixes contain tables on (1) The United States Contribution, and (2) Over-All UNRRA Operations.

The Problem of German Political Revival. Article by Leon W. Fuller, Department of State, European Series 9. Pub. 2550. 22 pp. 5¢.

An explanation of the problem and a description of the four principal parties in Germany today.

American Trade Proposals. Commercial Policy Series 88. Pub. 2551. 23 pp. Free.

A series of articles looking toward a world conference on trade.

The Russell Plan for the Organization of Positive Intelligence Research in the Department of State. Pub. 2554. 5 pp. Free.

Program planned by Donald S. Russell, Assistant Secretary of State for administration.

The Philippines Prepares for Independence. Article by Edward W. Mill, Department of State, Far Eastern Series 10. Pub. 2558. 5 pp. Free.

United States Atomic Energy Proposals. The United States and the United Nations Report Series 2. Pub. 2560. 12 pp. 5¢.

Statement of the United States policy on control of atomic energy as presented by Bernard M. Baruch, U.S. representative to the United Nations Atomic Energy Commission, June 14, 1946.

Former Proclaimed List Nationals and American Foreign Trade. Article by George N. Monsma, Department of State. Commercial Policy Series 89. Pub. 2564. 6 pp. Free.

Paris Conference of Foreign Ministers, June 15-July 12, 1946. Report by the Secretary of State. Conference Series 87. Pub. 2572. 20 pp. 5¢.

Report to Congress on Foreign Surplus Disposal. July 1946. Pub. 2571. 66 pp. 15¢.

Report of the Department of State, Office of the Foreign Liquidation Commissioner, on the disposal of U.S. surplus property in foreign areas. The appendixes include tables, memoranda, and agreements on surplus-property transactions.

Interchange of Patent Rights, Information, Inventions, Designs, or Processes. Agreement Between the United States of America and the United Kingdom of Great Britain and Northern Ireland, Amending the Agreement of August 24, 1942—Signed at Washington March 27, 1946; effective January 1, 1942. Treaties and Other International Acts Series 1510. Pub. 2535. 10 pp. 5¢.

Agreement intended to avoid post-war infringement litigation arising out of each government's use in war production of patents owned by nationals of the other.

Preparatory Commission for the United Nations Educational, Scientific and Cultural Organization. Agreement Between the United States of America and the Other United Nations—Signed at London November 16, 1945; effective November 16, 1945. Executive Agreement Series 506. Pub. 2545. 16 pp. 5¢.

THE DEPARTMENT OF STATE BULLETIN

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The Department of State BULLETIN, a weekly publication compiled and edited in the Division of Research and Publication, Office of Public Affairs, provides the public and interested agencies of the Government with information on developments in the field of foreign relations and on the work of the Department of State and the Foreign Service. The BULLETIN includes press releases on foreign policy issued by the White House and the Department, and statements and addresses made by the President and by the Secretary of State and other officers of the Department, as well as special articles on various phases of international affairs and the functions of the Department. Information concerning treaties and international agreements to which the United States is or may become a party and treaties of general international interest is included.

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Work of the United Nations "Legal Committees"

Article by HENRY REIFF

Part III: The London Committees

COMMITTEE 6, THE LEGAL COMMITTEE, OF THE GENERAL ASSEMBLY

The General Assembly sat at Central Hall, Westminster, London, from January 10 to February 14, 1946. To Committee 6, the Legal Committee, of the General Assembly¹ was entrusted not only the work of its predecessor in the Preparatory Commission² for examination and report but also the performance of certain new tasks. It revised the convention relating to the seat of the United Nations prepared by Committee 8 of the Preparatory Commission. It considered and reported upon several of the provisional rules of the General Assembly. At the request of the Advisory Group of Experts on Administrative and Budgetary Questions,³ it dealt with a matter relating to pension rights of personnel transferring to Secretariat service. Though its predecessors in London had dealt with various aspects of the setting up of the new International Court of Justice, the controversy which developed in the General Assem-

bly and the Security Council with respect to the procedure in balloting for the judges was not referred for opinion to Committee 6.⁴

Of the several problems referred to it, those involving the provisional rules of the General Assembly and privileges and immunities of the United Nations were the most difficult. Two large subcommittees were appointed to deal with these subjects. The United States was represented on

¹ For description of documentation, lists of delegates, and personnel of Secretariat, see [Handbook of] *United Nations, First Session of the General Assembly*, London, Jan. 10, 1946. For personnel of delegations assigned to committees, see A/7, Jan. 11, 1946, and its addenda. The Summary Records of the several committees appear as supplements to the *Journal of the First Session of the General Assembly*. The Summary Record of the Sixth Committee is uniformly designated as "Supplement No. 6" to the *Journal*.

² For initial terms of reference see A/BUR/7, Jan. 14, 1946, and A/9, Jan. 18, 1946.

³ For composition, see Provisional Rules of Procedure for the General Assembly, Rules 37-39, A/4, Jan. 10, 1946.

⁴ The controversy may be traced in the following: Memorandum of the Secretariat on the Election of Judges of the International Court of Justice, A/25, Jan. 31, 1946; *Journal of the General Assembly*, First Session, pp. 438, 440, 443, 468, 657, 619; *Journal of the Security Council*, First Year, Ninth Meeting, Feb. 6, 1946, pp. 143-168. As matters stood at adjournment, consideration of a request for an advisory opinion from the International Court of Justice on interpretation of articles 11 and 12 of the Statute of the Court (A/39) may apparently be renewed in the second part of the first session of the General Assembly when it convenes in Sept. 1946.

Dr. Reiff is an officer in the Division of International Organization Affairs, Office of Special Political Affairs, Department of State. He served as a technical expert with the Delegation of the United States to the United Nations Conference on International Organization at San Francisco. For Part I of this article dealing with the work of the "Legal Committees" at San Francisco, see BULLETIN of July 7, 1946, p. 3. For Part II, also on the "London Committees", see BULLETIN of Aug. 18, 1946, p. 302.

each of them.⁵ A small subcommittee of five members was appointed to confer with a similar subcommittee of Committee 5 on the emoluments of the judges of the new Court.⁶ As was the practice of technical committees at San Francisco, the Legal Committee availed itself of the presence of a rapporteur among its officers (Mr. John E. Read of Canada) for the performance of a variety of drafting services which in the Executive Committee and Preparatory Commission stages would have required the attention of a number of special small drafting subcommittees.

The resolutions and reports adopted by the General Assembly in the first part of its first session have been gathered together in a single number of its *Journal*, No. 34, under date of March 7, 1946. Some 14 distinct items appear in the section devoted to the product of the Sixth Committee.⁷ The legal committee also participated in the extended discussion which developed over the terms of office of members elected to Councils. For present purposes, the less complicated of these numerous matters will be discussed first.

⁵ To the subcommittee on rules of procedure, the representatives of 11 states were first appointed, not including the United States (Jan. 14, 1946, *Journal*, No. 6; Supp. No. 6—A. C. 6/5). When the agenda item relating to "Committee Structure" was referred to this subcommittee, representatives of the United States and the Soviet Union were added (Jan. 24, 1946, *Journal*, No. 14; Supp. No. 6—A. C. 6/13). When the proposed amendment by the delegation of Egypt to two of the provisional rules of procedure was referred to the subcommittee for study, the delegate of Egypt, who was not a member of the subcommittee, was invited by Committee 6 to attend the meetings of the subcommittee (*Journal*, No. 18; Supp. No. 6—A. C. 6/19). To the subcommittee on privileges and immunities the representatives of 16 members were appointed, including the United States (Jan. 24, 1946, *Journal*, No. 14; Supp. No. 6—A. C. 6/13).

⁶ Jan. 28, 1946, *Journal*, No. 18; Supp. No. 6—A. C. 6/19. The United States was not represented on this subcommittee but it was represented on the correlative subcommittee of Committee 5, Administrative and Budgetary Questions (Jan. 29, 1946, *Journal*, No. 18; Supp. No. 5—A. C. 5/21).

⁷ *Journal*, No. 34, pp. 685-706.

⁸ Report of Committee 5, PC/LEG 32, Dec. 8, 1945; *Journal*, pp. 106-107.

⁹ Memorandum concerning the International Court of Justice, submitted by the secretariat of the Sixth Committee, A/C.6/16, Jan. 26, 1946.

¹⁰ *Supra*, n. 6.

¹¹ A. C. 6/24, Jan. 31, 1946.

MATTERS RELATING TO THE INTERNATIONAL COURT OF JUSTICE

So far as the United Nations could deal with any matter relating to the dissolution of the Permanent Court of International Justice, it was disposed of at the Preparatory Commission stage.⁸ In as much as no further question concerning the procedure governing and the timing of the issuance of the invitations to nominate candidates for the new International Court of Justice was raised in the General Assembly, those matters may be taken to have been disposed of also at the Preparatory Commission stage. There remained to be attended to the following:⁹ (1) the emoluments of the judges of the Court; (2) pensions of the judges and staff of the Court; (3) steps necessary for convening the Court; and (4) the privileges and immunities of the Court.

EMOLUMENTS, PENSIONS, AND ALLOWANCES OF THE JUDGES

The small subcommittee of five appointed to confer with a correlative subcommittee of Committee 5 on Administrative and Budgetary Questions dealt with the question of the emoluments of the judges and was also directed to study the retirement pensions and allowances of the judges.¹⁰ On February 4, 1946 the chairman of the joint subcommittee reported¹¹ to Committee 6 that it had accepted the view of the Preparatory Commission that the value of the emoluments of the judges of the new Court should be not less than that of the judges of the old Court during the period 1936 to 1939 and accordingly that those salaries should be increased by 20 percent to allow for the higher cost of living in The Hague since 1939. The allowances would remain the same as the allowances paid to the president and vice presidents of the old Court, but the allowances for judges *ad hoc* should be increased by 20 percent. The joint subcommittee also recommended that the General Assembly direct the Secretary-General "in consultation with the registrar of the Court to develop a pension plan for judges and registrar for submission to the second session of the General Assembly". Committee 6 amended the draft resolution to include the staff of the registrar in the pension plan. During the meeting consultations between the secre-

ariat of Committee 6 and the secretariat of Committee 5 having indicated that there would be no objection on the part of Committee 5 to the inclusion of a reference to the staff, the Committee adopted the amended recommendation unanimously.¹² The General Assembly adopted resolutions embodying these recommendations on February 6, 1946.¹³

CONVENING THE NEW COURT

In accord with the recommendation of the Preparatory Commission on the steps necessary to be taken for the convening of the International Court of Justice,¹⁴ the rapporteur of Committee 6 submitted a draft resolution¹⁵ on the subject for consideration by the committee. It recited that the Executive Secretary of the Preparatory Commission had ascertained in correspondence with the secretary of the Board of Directors of the Carnegie Foundation that the board was "willing to meet representatives at The Hague to begin preliminary negotiations in order to fix the conditions on which the Premises in the Peace Palace at the Hague, which are required by the International Court of Justice, can be placed at the disposal of the Court." The draft resolution, following the lines of the recommendation of the Preparatory Commission, provided for instructing the Secretary-General (a) to take the necessary steps to summon a first meeting of the Court at The Hague, and (b) to appoint a secretary and other needful temporary officers to assist the Court until its registrar and officers should be appointed. It added an instruction to the Secretary-General (c) to conduct preliminary negotiations with the Board of Directors of the Carnegie Foundation with respect to the use of the premises by the new Court, the conditions to be "embodied in an agreement subject to the approval of the General Assembly". Committee 6 agreed unanimously to this proposal and requested the rapporteur to draft the appropriate recommendation for submission to the General Assembly.¹⁶ With the necessary stylistic changes, this resolution was approved by the General Assembly on February 10, 1946.¹⁷

PRIVILEGES AND IMMUNITIES OF THE NEW COURT

In view of the fact that special provision was made in the Statute of the International Court

of Justice for its privileges and immunities and those of agents, counsel, and advocates of parties before it, and that arrangements¹⁸ separate from those relating to the League of Nations had been made by the old Court itself with the Netherlands Government, the Preparatory Commission had recommended that the matter of arranging for the privileges and immunities of the new Court be left over until it had been constituted and could be consulted.¹⁹ Accordingly, the subcommittee on privileges and immunities proposed,²⁰ Committee 6 approved,²¹ and the General Assembly adopted²² a resolution: (1) inviting the members of the Court at their first session to consider the question of the privileges, immunities, and facilities necessary for the exercise of its functions and the fulfillment of its purposes in the country of its seat and elsewhere and to inform the Secretary-General of their recommendations; (2) deciding that "the question of the privileges and immunities of the Court shall be considered as soon as possible after the receipt of the recommendations of the Court"; and (3) recommending that "until further action has been taken, the rules which have been applied to the Permanent Court of International Justice should be observed by Members in relation to the International Court of Justice."

¹² Eighth Meeting, Committee 6, Feb. 4, 1946, *Journal*, No. 23; Supp. No. 6-A, C.6/26.

¹³ A/29 and A/30, both dated Feb. 4, 1946. *Journal*, No. 25, pp. 437-438.

¹⁴ *Supra*, n. 8.

¹⁵ A/C.6/22, Jan. 31, 1946.

¹⁶ *Journal*, No. 18; Supp. No. 6-A, C.6/19.

¹⁷ As part of A/31, Feb. 5, 1946, a Report of the Sixth Committee to the General Assembly (*Journal*, pp. 497-498). See the authorizing by the General Assembly of a small negotiating committee consisting of one representative of each of eight named members "to assist the Secretary-General in negotiating further agreements in connection with the transfer of certain assets in Geneva, and in connection with the premises in the Peace Palace in The Hague" (*Journal*, No. 34, p. 709).

¹⁸ For the texts and related information, see PC/LEG, 12, Nov. 29, 1945.

¹⁹ *Preco Report*, p. 63; PC/LEG, 42, Dec. 15, 1945; *Journal*, p. 107, *Preco Report*, p. 60.

²⁰ A/C.6/33, Feb. 5, 1946.

²¹ Feb. 8, 1946, *Journal*, No. 27; Supp. No. 6-A, C.6/38.

²² As Annex 3 of A/43, Feb. 9, 1946 (*Journal*, No. 31, Feb. 13, 1946, pp. 569, 575).

REGISTRATION AND PUBLICATION OF TREATIES AND INTERNATIONAL AGREEMENTS

The Secretariat, having submitted to Committee 6 on January 10, 1946 a comprehensive working paper on the question of registration and publication of treaties and international agreements,²⁵ submitted later, on January 28, 1946, a draft resolution on the subject which had been prepared on the basis of the Report of the Preparatory Commission.²⁶ In Committee 6 the question was raised by the delegate of Panama "whether it was intended that Franco Spain should be invited [as one of the non-Member states] to send its treaties and international agreements for registration with and publication by the Secretariat". He was of the opinion "that the United Nations should not have anything to do with a fascist State". After some discussion the committee agreed that the rapporteur should redraft the last two paragraphs of the resolution "for the sake of clarity" and that the delegate for Panama should submit his proposed amendment in writing.²⁷

In an effort to overcome the obvious difficulties of placing the desired excepting language in the operating portion of the draft resolution, the rapporteur, using "the wording of the Potsdam Agreement when referring to Spain", placed it in the recitals of the new draft.²⁸ After considerable debate in Committee 6, language was devised to achieve the purpose in hand, substantially along the lines which the rapporteur had proposed. As redrafted by the rapporteur in pursuance of instructions by Committee 6,²⁷ the resolution was adopted by the General Assembly on February 10, 1946.²⁸

The resolution, as so adopted, referred to the action of the Executive Secretary of the Preparatory Commission in sending out his circular letter of November 8, 1945 and expressed the desire that

arrangements be made for the publication of treaties or international agreements which non-member states may voluntarily transmit and which have not been included in the treaty series of the League of Nations, with the exception, however, that these arrangements should not extend to such instruments transmitted by any non-member state such as Spain, "the Government of which has been founded with the support of the Axis powers" and which "does not, in view of its origin, its nature, its record and its close association with the aggressor States, possess qualifications necessary to justify membership in the United Nations under the provisions of the Charter." The resolution then instructed the Secretary-General: (1) "to submit to the General Assembly proposals for detailed regulations and other measures designed to give effect to the provisions of Article 102 of the Charter"; (2) to invite the governments of Members to transmit to the Secretary-General (a) "for filing and publication, treaties and international agreements entered into in recent years but before the date of entry into force of the Charter, which had not been included in the League of Nations treaty series", and to transmit (b) "for registration and publication treaties and international agreements entered into after the date of entry into force of the Charter"; and (3) "to receive from the governments of non-member States, treaties and international agreements entered into both before and after the date of entry into force of the Charter, which have not been included in the League of Nations treaty series and which they may voluntarily transmit for filing and publication", the Secretary-General "to dispose of them in accordance with the foregoing provisions, and subject to such detailed regulations and other measures as may hereafter be adopted."

PROVISIONAL RULES OF PROCEDURE OF THE GENERAL ASSEMBLY

As a result of the debate on the adoption of the provisional rules of procedure of the General Assembly "in the second plenary meeting" of that body, amendments introduced by the Ecuadorian, Cuban, and Ukrainian delegations were referred for examination and report to the legal committee.

In brief, the Ecuadorian proposal²⁹ sought to amend supplementary Rule T, which authorized the Economic and Social Council to summon inter-

²⁵ A/C.6/L.²⁶ A/C.6/15, Jan. 25, 1946, P. 13; *Journal*, p. 107; *Preco Report*, p. 59.²⁷ Jan. 28, 1946, *Journal*, No. 18; Supp. No. 6-A/C.6/19.²⁸ Draft Report of the rapporteur to Committee 6, A/C.6/22, Jan. 31, 1946, p. 4.²⁹ Feb. 4, 1946, *Journal*, No. 23; Supp. No. 6-A/C.6/26.³⁰ As part of A/31; *Journal*, No. 29, p. 497.³¹ A.4, Jan. 10, 1946.³² Jan. 11, 1946, *Journal*, No. 3, pp. 38-52.³³ A/C.6/6, Jan. 15, 1946.

national conferences within the meaning of article 62 of the Charter on any matters within the competence of the Council "including the following matters: international trade and employment, and health", by adding to the "matters" the subject of "the equitable adjustment of prices on the international market."

The Cuban proposal³² sought to change Rule 32, which provided for a General Committee³³ composed of the President and seven Vice Presidents of the General Assembly and the chairmen of the six main committees, to provide for a General Committee composed of the presidents of the delegations of the members of the United Nations. The Cuban amendment also proposed an executive committee for this enlarged General Committee. Alternatively, the Cuban Delegation proposed, in the event of rejection of the above major amendments, three minor rules in qualification of Rule 32.

The Ukrainian amendment³⁴ to Rule 73, which dealt with the use of a secret ballot in the General Assembly, sought to secure open nominations.

While the provisional rules of procedure were being discussed in the General Assembly in its second plenary meeting, the president suggested that the amendments could be referred to an *ad hoc* committee or to Committee 6. Without much discussion as to which type of committee might be most suitable to handle them, the amendments were referred to the legal committee. Discussion of them in Committee 6 revived considerations of a political and economic character which, in the Executive Committee and Preparatory Commission stages, had been dealt with by committees other than the legal committees.

The "legislative history" of these several proposals is long and tortuous. For present purposes it should be sufficient merely to summarize it. After preliminary discussion,³⁵ Committee 6 referred the matter to the subcommittee on rules of procedure, which made a report and an amended report³⁶ on the subject. Three further meetings³⁷ of Committee 6 produced a report to the General Assembly.³⁸ After extensive debate³⁹ on this report, the General Assembly approved: (1) an amendment based upon one of the Cuban proposals, to add to Rule 33 the following: "It [the General Committee] shall not, however, decide any political question;" (2) the Cuban alternative proposal that when an additional matter pro-

posed for the agenda of the General Assembly by a delegation not represented on the General Committee should come before that committee such delegation should be entitled to *ad hoc* representation on the committee for purposes of discussing, but not voting on, the item; (3) a Lebanese substitute for the original Ukrainian proposal amending Rule 73 by adding the words, "There shall be no nominations"; and (4) the Ecuadoran proposal to include the topic of "the equitable adjustment of prices on the international market" in supplementary Rule T.

Before proceeding to the absorbing "Terms of Office Controversy", it may be convenient to discuss the matter of the rules relating to committee structure. At its sixth meeting,⁴⁰ Committee 6 in pursuance of its terms of reference sent to the subcommittee on rules of procedure the question of committee structure for the General Assembly dealt with by the *Report* of the Preparatory Commission,⁴¹ together with Appendix II of that *Report*.⁴² On proposal of the chairman, the committee agreed unanimously that the subcommittee should be enlarged by the inclusion of the representatives of the United States⁴³ and the Soviet

³² A/C.6/8, Jan. 16, 1946.

³³ The functions of the General Committee as set forth in Provisional Rules 33-35 dealt with matters concerning the provisional agenda of the General Assembly, assistance to the president in the general conduct of the work of the General Assembly, and so forth.

³⁴ A/C.6/7, Jan. 15, 1946.

³⁵ Jan. 14, 1946, *Journal*, No. 6; Supp. No. 6 A/C.6/5.

³⁶ A/C.6/9, Jan. 20, 1946, and A/C.6/9/Rev. 1, Jan. 21, 1946.

³⁷ Jan. 21, 1946, *Journal*, No. 11; Supp. No. 6-A/C.6/10; Jan. 22, 1946, *Journal*, No. 12; Supp. No. 6-A/C.6/11; Jan. 23, 1946, *Journal*, No. 14; Supp. No. 6-A/C.6/12.

³⁸ A/14, Jan. 24, 1946.

³⁹ Jan. 26, 1946, *Journal*, No. 16, pp. 316-336.

⁴⁰ Jan. 24, 1946, *Journal*, No. 14; Supp. No. 6-A/C.6/13.

⁴¹ *Ibid.*, pp. 21-28.

⁴² This contained a "Report of Mr. Gerig (United States of America), Chairman of the Sub-Committee on the General Committee of the General Assembly," pp. 123-124.

⁴³ Accordingly, at this juncture, Dr. Benjamin Gerig, Chief of the Division of Dependent Area Affairs and Associate Chief of the Division of International Organization Affairs, Office of Special Political Affairs, Department of State, and a member of the American Delegations to UNCIO, the Executive Committee, the Preparatory Commission, and the General Assembly, was added to the staff of advisers assisting Mr. Walker, the American Delegate on Committee 6.

Union. The subcommittee reported that no amendments relating to committee structure had been submitted to it.⁴⁴ Committee 6 considered this report at its ninth meeting on February 5, 1946.⁴⁵ Mr. Read, the rapporteur, having been elected to the International Court of Justice and having thereupon resigned his committee office,⁴⁶ the new rapporteur, Mr. Beckett (United Kingdom), prepared a report⁴⁷ for the General Assembly reciting that the General Assembly had already dealt with two of the Cuban amendments relating to committee structure and that no further amendments on the subject had been submitted to Committee 6. "There is, therefore", he concluded, "no need for further action by the General Assembly in this respect." In this conclusion the General Assembly concurred by adopting the report.⁴⁸

TERMS OF OFFICE CONTROVERSY

Another matter involving the provisional rules of procedure of the General Assembly, raised by the Egyptian Delegation, grew, during the course of its consideration in Committee 6, the General Assembly, and the General Committee, to the proportions of a "legislative" *cause célèbre*. In the early discussions in Committee 6 of the terms of reference of the committee with regard to rules of procedure, the delegate for Egypt expressed his view that the committee was competent to discuss any amendments to the provisional rules of procedure in addition to those already referred to the committee.⁴⁹ At a subsequent meeting,⁵⁰ accordingly, the Egyptian representative introduced a proposal⁵¹ to amend Rule 78 and to delete the related supplementary Rule S.

In brief, the Egyptian amendment sought to solve the following problem: articles 23, 61, and 86 of the Charter in dealing with the terms of office of members of the Security Council, the Economic and Social Council, and the Trusteeship Council use the words "year" or "years". The Preparatory Commission proposed in Rule 1 of the Provisional Rules that "the General Assembly shall meet every year in regular session commencing on the first Tuesday after 2 September". In practice, September has been a favorite month for the beginning of the "operational" year of various international organizations, including the League of Nations. Rule 78 sought to provide for the beginning and ending of terms of office of members of councils thus: "The term of office of each member shall begin immediately on election by the General Assembly and shall end on the election of a member for the next term." In view, however, of the decision to hold a "constitutive" and "organizing" meeting of the General Assembly in January of the first year of operation of the new organization, at which members of councils would be elected, the Preparatory Commission reported the temporary supplementary Rule S, which read: "The term of office of members of Councils elected for one, two and three years shall end on the day of the elections held at the second, third, and fourth regular sessions respectively of the General Assembly."

It was thought in the Preparatory Commission that the second part of the first session of the General Assembly would be held in the late spring of 1946 and that the second regular session could be held, in accordance with Rule 1, in September. If the annual elections after the first were held, as intended in supplementary Rule S, in September, and if the word "year" as used in the Charter were construed to mean a "calendar year", the effect would be, in relation to the initial terms of members of councils begun in January 1946, to foreshorten the first "year" to about eight months. Construing the term "year" as used in the Charter to mean a "calendar year", the Egyptian Delegation contended that such foreshortening of the initial year was "unconstitutional"; the General Assembly could not by rules of procedure lawfully

⁴⁴ Second Report of the Subcommittee on Rules of Procedure, A/C.6/25, Feb. 2, 1946.

⁴⁵ *Journal*, No. 24:Supp. No. 6-A C.6/30.

⁴⁶ Feb. 7, 1946, *Journal*, No. 26:Supp. No. 6-A C.6/37.

⁴⁷ On the Committee Structure of the General Assembly, A 36, Feb. 7, 1946.

⁴⁸ Feb. 12, 1946, *Journal*, No. 31, p. 575.

⁴⁹ Third Meeting, Jan. 21, 1946, *Journal*, No. 11: Supp. No. 6-A C.6/10.

⁵⁰ Seventh Meeting, Jan. 28, 1946, *Journal*, No. 18: Supp. No. 6-A C.6/19.

⁵¹ A C.6/14, Jan. 25, 1946.

reduce the duration of terms stipulated in the Charter.⁵²

The matter having been referred by Committee 6 to its subcommittee on rules of procedure, the committee "agreed unanimously that the Delegate for Egypt, who was not a member of the subcommittee, should be invited to attend the meetings of the subcommittee."⁵³

Throughout the exhaustive discussions in the subcommittee, in Committee 6, and subsequently in the General Assembly and in the General Committee,⁵⁴ there was recourse to a great variety of argument: "strict" construction of the Charter versus "loose" construction; "literal" construction versus "functional" construction; arguments invoking principle; arguments reflecting interest; political arguments and legal arguments; arguments based on expediency, on practicality, on convenience. At times they were reminiscent of the reports of the debates in the first session of the first Congress of the United States under the new Constitution. Repeatedly there was reference by various delegations to American experience under its "lame duck" Congressional sessions. Sundry solutions were suggested, utilizing conceptions of a "first year" in terms of 8, 12, and 20 months. It was also proposed that "the term of office of a member begins on 1 January after its election by the General Assembly and ends on 31 December of the year of election of a member for the following term". In the end, after the General Assembly had agreed to drop the idea of a second regular session for September 1946 and merely to postpone the second part of the first session to that date, it decided on February 13, 1946 in favor of the "literal" construction of the term "year" as comprising 12 calendar months and requested the Secretary-General "to report at the opening of the second part of the first regular session what, if any, changes in the rules he deems necessary to give effect to the foregoing" [decision].⁵⁵

PRIVILEGES AND IMMUNITIES

Privileges and immunities was the first piece of business handled by Committee IV, 2 in San Francisco. It was the last piece of business handled by Committee 6 of the General Assembly in London.

On adjournment of the Preparatory Commis-

sion, an Interim Committee on Headquarters, set up in pursuance of a recommendation of Committee 8, and on which the United States preferred not to be represented, continued to work through its Juridical Subcommittee on the draft of the convention dealing with the establishment of the headquarters in the United States, "for eventual submission to the General Assembly".⁵⁶ In due course, the product of this juridical subcommittee was transmitted to the subcommittee on privileges and immunities established by Committee 6.

With respect to the privileges and immunities to be accorded generally throughout the membership of the United Nations, there was some question at the end of the Preparatory Commission stage whether the best method was to proceed by means of recommendations adopted by the General Assembly or by means of a convention proposed by that body for accession thereto by the members.

⁵²The Egyptian Delegation also objected to the effect of Rule 78 by itself, without relation to supplementary Rule 8. If violated the Charter, they contended, "inasmuch as it provided that the term of office of each elected member should end on the election of a member for the next term. Thus, the General Assembly could, at its own discretion, extend or reduce a term by holding elections". (A/C.6/25, p. 2.) To prevent this, the Egyptian proposal provided as follows: "The term of office of each member shall begin immediately on election by the General Assembly, provided the seat to which such member has been elected is vacant, or, if the election takes place before the expiry of the term of office of the member previously elected, immediately it becomes vacant."

⁵³Seventh Meeting, Jan. 28, 1946, *Journal*, No. 18; Supp. No. 6-A/C.6/19.

⁵⁴The discussion can be traced as follows: Report of the Subcommittee on Rules of Procedure, A/C.6/25, Feb. 2, 1946; Committee 6, two meetings, on Feb. 5, 1946, *Journal*, No. 24; Supplement No. 6-A/C.6/30 and *ibid.*, A/C.6/36; General Committee, Report on the Date of the Next Meeting of the General Assembly, A/35, Feb. 7, 1946, *Journal*, No. 28, Feb. 9, 1946, p. 479; General Assembly, Report of Committee 6, A/38, Feb. 7, 1946, *Journal*, No. 29, Feb. 10, 1946, pp. 498, 516; General Committee, Feb. 11, 1946, *Journal*, No. 29, p. 547 and *Journal*, No. 30, p. 525, and A/51; General Assembly, Feb. 12, 1946, *Journal*, No. 31, p. 576, and Feb. 13, 1946, *Journal*, No. 32, p. 586.

⁵⁵*Journal*, No. 32, p. 590.

⁵⁶*Precco Report*, pp. 114-115.

⁵⁷A/C.6 Immunities 2, Jan. 28, 1946 and A/C.6/21, Jan. 30, 1946, *Journal*, No. 18; Supp. No. 6-A/C.6/19.

To its newly constituted subcommittee on privileges and immunities, Committee 6 therefore immediately entrusted the question for recommendation.⁵⁵ The subcommittee reported in favor of proceeding by means of a convention.⁵⁵ In this decision Committee 6 concurred.⁵⁶ Thereupon, the legal committee, having already at its previous meeting charged the subcommittee with the preparation of a draft agreement in relation to the host state, now also requested it to prepare a general convention for submission to all the members.

The General Assembly operated under the same sense of urgency as had the Executive Committee and the Preparatory Commission. In compliance with a request from the president of the General Assembly that the committees finish their work in a few days, the chairman of Committee 6 on January 29, 1946 asked the subcommittees to "proceed with their work with the utmost speed."⁶⁰

Accordingly, the subcommittee on privileges and immunities made its report⁶¹ to the full committee on February 7, 1946. It dealt with six separate items and was accompanied by the appropriate separate recommendations and documents.

One of the items was new to the deliberations of the legal committees. During its deliberations the subcommittee considered a proposal from the Advisory Group of Experts on Administrative and

Budgetary Questions that "an article should be included in the General Convention providing for the preservation of the accrued pension rights of persons who, at the time that they enter the service of the United Nations, have held official positions in the territories of Members". The subcommittee "did not consider that a provision on these lines could be included in the Convention," but it did offer a recommendation embodying the purpose for adoption by the General Assembly.⁶²

Another matter, previously dealt with in the draft general convention,⁶³ relating to "third party car risks," was now made the subject of a separate recommendation.⁶⁴

Of the remaining recommendations of the subcommittee, one provided that the General Assembly approve the annexed convention on the privileges and immunities of the United Nations and propose it for accession by each member of the United Nations.⁶⁵ On consideration by Committee 6, several delegations entered reservations with respect to certain of its provisions, including the Delegation of the United States, which reserved against the provisions dealing with exemption from taxation on the salaries and emoluments and exemption from national service obligations of officials as far as United States nationals were concerned.⁶⁶

Another recommendation provided that the General Assembly should authorize the Secretary-General (with the assistance of a committee composed of representatives of a number of the members of the United Nations) "to negotiate with the competent authorities of the United States of America the arrangements required as a result of the establishment of the seat of the United Nations in the United States of America"; that the annexed draft convention should be "transmitted by the General Assembly to the Secretary-General for use in these negotiations as a basis of discussion"; that the Secretary-General should "report to the Second Part of the First Session of the General Assembly the results of these negotiations"; and that "any agreement apart from purely temporary agreements with the competent authorities of the United States resulting from these negotiations" should be "subject to approval by the General Assembly before being signed on behalf of the United Nations."⁶⁷

⁵⁵ Sixth Meeting, Jan. 24, 1946, *Journal*, No. 14; Supp. No. 6-A, C.6/13. The United States was represented on the subcommittee but confirmed its policy of "neutrality" when matters relating to the site convention were under discussion.

⁵⁶ A. C.6/17, Jan. 26, 1946.

⁵⁷ *Journal*, No. 18; Supp. No. 6-A, C.6/19.

⁵⁸ A. C.6/31, Feb. 5, 1946.

⁵⁹ A. C.6/32, Feb. 5, 1946. The subcommittee examined another proposal submitted by the same Advisory Group "with a view to exempting all members of the staff of the Organization from taxation on retirement benefits and exempting their beneficiaries from taxation on death benefits, either in the form of a lump sum or benefits paid by the Organization to widows and orphans". The subcommittee decided, without prejudice to this question being taken up and considered separately at a later stage, that a provision to this effect should not be included in the General Convention." A. C.6/31, p. 3.

⁶⁰ Art. 8, *Preco Report*, p. 74.

⁶¹ A. C.6/35, Feb. 5, 1946.

⁶² A. C.6/28, Feb. 5, 1946.

⁶³ *Journal*, No. 26; Supp. No. 6-A, C.6/37.

⁶⁴ A. C.6/29, Feb. 5, 1946.

Upon approval of this recommendation by Committee 6, "Mr. Feller (United States of America) asked that it should be placed on record that the delegation of the United States had abstained from discussions or voting when the Sixth Committee adopted this convention".⁶⁵

In accord with the views expressed by the Preparatory Commission,⁶⁶ the subcommittee reported a recommendation for adoption by the General Assembly instructing the "Secretary-General to open negotiations with a view to the reconsideration of the provisions under which the specialized agencies at present enjoy privileges and immunities in the light of the General Convention adopted by the United Nations" and the considerations set forth in the preamble of the resolution.⁶⁷

The last of the recommendations⁶⁸ dealt with the privileges and immunities of the International Court of Justice, which have already been discussed.⁶²

Committee 6 approved,⁶⁷ without change, the recommendation relating to the General Convention on February 7, and the other recommendations on February 8, 1946. Thereupon its work was, for the moment, ended.

In the course of the discussion on the report of Committee 6 embracing these six recommendations in the General Assembly, Senator Vandenberg took occasion to restate and explain on behalf of the American Delegation the position of the United States with respect to its reservations on tax exemption and military service exemption of American nationals employed by the United Nations. Both these matters fell, under the Constitution of the United States, within the prerogatives of the Congress. He also stated: "So far as the special convention is concerned, we shall abstain from voting, because the special convention is one to which the Government of the United States will be a party, and we consider it would be inappropriate for us to prejudice the case here".⁷⁴

Without making any changes the General Assembly then speedily adopted each of the six resolutions on privileges and immunities.⁷⁵ It approved one remaining document, A/336, relating to the committee structure of the General Assembly, already noted above, and thereupon Committee 6 of the first part of the first session of the General Assembly passed into history.

CONCLUSION

In concluding this outline of the work of the legal committees of the United Nations, from Dumbarton Oaks to Central Hall, Westminster, it might not be inappropriate to recall that although the variety of their work was not infinite it was indeed not meager. In the performance of it, skill and resourcefulness were always available, vision and statesmanship when invoked. Patience and good humor are reflected in the records and borne in the memory of those who served. And drama, muffled heavily in the vestments of the law, was no stranger to the meetings of these, the first, it may be hoped, of a long line of legal committees of the United Nations.

⁶⁵ *Journal*, No. 27; Supp. No. 6-A C.6/38. At this same meeting Committee 6 "acted unanimously to recommend that, as proposed by the General Committee, the committee appointed to assist the Secretary-General in the negotiations with the competent authorities of the United States of America should be composed of the following delegations: Australia, Belgium, Bolivia, China, Cuba, Egypt, France, Poland, United Kingdom, and the U.S.S.R." The resolution, as presented to the General Assembly, therefore included the names of the above states. (A 43, p. 16).

⁶⁶ *Picco Report*, p. 60.

⁶⁷ A C.6/34, Feb. 5, 1946.

⁶⁸ A C.6/23, Feb. 5, 1946.

⁶⁹ A C.6/23, Feb. 5, 1946.

⁷⁰ *Journal*, No. 26; Supp. No. 6-A C.6/37 and *Journal*, No. 27; Supp. No. 6-A C.6/38.

⁷¹ Feb. 13, 1946, *Journal*, No. 31, pp. 574-575.

⁷² As set forth in A 43, Feb. 9, 1946, *Journal*, No. 31, p. 575.

The Paris Peace Conference

“ . . . we do object to misrepresentation of our position and our motives.”

ADDRESS BY THE SECRETARY OF STATE¹

[Released to the press August 15]

The procedure of having the representatives of the former enemy states present their views at the beginning of the Conference instead of at its end is a commendable one. This procedure will enable the commissions to start their work not only with the preliminary treaty drafts prepared by the Council of Foreign Ministers but with the general observations of the former enemy states on those drafts.

This procedure was wisely devised to facilitate the work of the Conference. But some of the discussions which immediately followed the general observations of the former enemy states on the proposed treaties have not made the work of the Conference easier and have not helped us on the road to peace. America would be willing even to let the reflections cast on her policies here pass unnoticed if her silence would help us on the way to peace. America is as eager to work and cooperate with her Allies in peace as she was willing to fight with them in the war. And no one views with greater regret than I the rebuffs to our efforts so to work and cooperate. But peace among allies in this interdependent world cannot be furthered by ignoring the repeated abuse and misrepresentation which have been levelled against America from this floor.

America has no apology to make for the principles of justice, equality, and freedom which we have striven to the best of our ability, sometimes successfully and sometimes unsuccessfully, to have written into the peace treaties.

A word of explanation however is required to make clear why some questions were decided in the Council of Foreign Ministers and others were not. All the members of the Council were agreed that it would be helpful to harmonize their viewpoints so far as possible to avoid conflict, friction, and misunderstanding when this Conference did convene. But we urged from the outset that, when after discussion in the Council there was a difference of viewpoint, we should request the advice and recommendations of this Conference. The Soviet Government on the other hand took the view that it would not consent to the calling of the Conference until all issues which they regarded as fundamental from their viewpoint were agreed upon in the Council of Foreign Ministers.

It so happens therefore that the issues which the Soviet Government regards as fundamental have been settled in the Council of Foreign Ministers. We support those settlements. On the other hand a number of issues which we regard as important are unsettled and the Soviet Government vigorously opposes our viewpoint.

We do not object to the Soviet Government's vigorously presenting its viewpoint on these issues before the Conference. We did not and do not ask the Soviet to come to agreement with us on these issues before we would be willing to discuss them with our Allies in this Conference. But we do object to a misrepresentation of our position and our motives. We do object to accusations being made against the Italian Government because in its opening statement it did not on all issues associate itself with the Soviet point of view.

We do object to the Soviet Government's giving

¹ Delivered before the plenary session of the Conference in Paris on Aug. 15.

the impression to the Conference that other ex-enemy states are more democratic than Italy because they have harmonized their viewpoints with the Soviet Union. The new Italy constituted by a free election is entitled to the sympathy and encouragement of every democratic state.

The United States believes in the sovereign equality of nations. We are opposed to making the small nations satellites of the larger states.

The Soviet representative in answering the opening statement of the Italian representative referred to great powers which have enriched themselves during the war. The Soviet representative so spoke in the course of warning Italy against the economic ambitions of these powers. What great power enriched itself during the war? I know of none. I hope that the Soviet representative was not referring to America, which came unhesitatingly to the support of the Soviet Union when it was in great peril.

America never bound herself to withhold aid from those resisting Axis aggression. Many months before America was attacked, Franklin Delano Roosevelt announced that America would become the arsenal of the democracies and took energetic action to organize the lend-lease program, which was continued even in increased measure after America entered the war. Over 11 billions went to the Soviet Union under the lend-lease program. Our only regret was that we could not send more to help her in her struggle against the enemy.

America's expenditures during the war have aggregated 400 billion dollars. That represents American labor, American human and material resources. That money was borrowed from the American people. For years to come they must work to pay off this debt. For those expenditures America has received and has asked for no recompense other than the freedom she fought to secure for herself and for all mankind.

America has contributed generously to UNRRA. In other ways also she has contributed and will continue to contribute to the rehabilitation of the war-devastated countries. She offers her friendship to all who will reciprocate her friendship. I need not recall again that America has directly and indirectly aided the people of Italy to the extent of 900 million dollars since the armistice.

Under the proposed treaties America seeks no

territory and seeks no reparations. The United States has asked that property of the United States and other United Nations lost or damaged in the ex-enemy states should be restored or compensated for. That principle is usually recognized in peace treaties. The proposal was agreed to in principle by the Soviet Government at Potsdam. It was agreed to in the armistice terms. But now the Soviet Government says that this proposal is an unfair and onerous burden although it involves nothing like the great sums which the Soviet Union is exacting from these countries as reparations.

The restoration of United Nations properties in these countries would be by local currencies and would leave productive assets in those countries which add to their taxable resources. Reparations are different. Reparations means foreign exchange or goods taken out of these countries constituting a drain on their resources.

Repairing the damages to United Nations factories in ex-enemy countries helps to restore industry in those countries and aids their economic recovery. It takes nothing out of those countries. Reparation deliveries on the other hand take valuable assets from these impoverished lands and necessarily slow down their economic recovery.

The United States must also repudiate the suggestion of the Soviet Delegation that the economic clauses proposed by the United States and based upon the principle of equality and most-favored-nation treatment are part of an effort to exploit the ex-enemy countries for the selfish advantage of the United States.

I should have thought it unnecessary at this late date in the history of the United Nations to occupy the time of this Conference with a defense of the principle of equality of economic opportunity for all countries. It is a principle embodied in the Atlantic Charter and reaffirmed in the United Nations Declaration. It is an accepted principle in one of the treaties presented to this Conference by the Council of Foreign Ministers.

Yet in spite of this impressive record of agreement we have heard this principle of economic liberty denounced as a method of enslavement and exploitation of the weak by the strong. We have heard it suggested that the ex-enemy countries should have objected to the provisions establishing for them a position of reciprocal equality with

members of the United Nations during a transitional period in which they will have time to conclude definitive commercial treaties. But at the Potsdam Conference the proposal of the United States was accepted in principle. Among other things the proposal declared that "We deem it essential that the satellites not conclude treaties, agreements or arrangements which deny to Allied nationals access on equal terms to their trade, raw materials and industry."

A policy of economic equality permits each nation to carry on its economic relations with others along lines of its own economic welfare. By avoiding preferential arrangements with some countries it eliminates the corresponding discrimination against others which inevitably gives rise to counter-discriminations.

Would anyone seriously propose that an opposite intent be written into these treaties—that Italy or the Balkan countries should be free to discriminate in favor of some and against others of the Allied countries which cooperated in the defeat of the aggressors?

Would anyone suggest that these countries which were the principal objects of German economic penetration and encirclement should continue under the same system of economic relationship but that they should merely substitute for Germany some other country upon which they would be almost entirely dependent for supplies and for markets? It is out of such arrangements and not out of non-discriminatory trade that enslavement and exploitation arise.

It has been suggested that the article constitutes an invasion of the sovereignty of the ex-enemy states. Let us examine that argument. Unlike the corresponding articles of the 1919 treaties the present draft treaties impose no unilateral obligations. They merely require that during a period of 18 months Italy, the three Balkan countries, and Finland will accord non-discriminatory treatment in commercial matters to those members of the United Nations which reciprocally grant similar

treatment in like matters. This is not a punitive article. It is as much in the interest of the countries to which it is offered as it is of the United Nations. It affords all countries and especially small countries a measure of protection against the ruthless exercise of economic and political power. It allows each country to develop its resources according to its aptitudes and to buy to its best advantage what it needs from other countries. It is the best assurance against a deterioration of the world's economy into a series of economic blocs.

The United States has sought no territorial or other exclusive advantages for itself from the war. But it does attach the greatest importance to the establishment of conditions of a stable peace and of prosperity throughout the world. It cannot remain indifferent to arrangements under the treaties or outside them which tend to restrict and divert trade or distort international economic relations to the prejudice of the great majority of the United Nations and of world peace and prosperity.

Before closing I want to say a few words about Greece. In the Conference she has been criticized by an ex-enemy state and by some members. That is very unfair. At a most critical hour before some of us realized our own peril that small but great nation resisted with matchless valor the full might of the European Axis. I shall never forget how we then waited for news from Greece. With the courage her people have ever shown, she held the Italian and German armies and gained valuable time for our other Allies. Her losses were great. Whatever our differences may be we should not forget our debt to the people of Greece.

I worked to bring about this Conference to advance the cause of peace, not to quarrel with any of our Allies. The American people have no quarrel with the people of any Allied state. The peoples of all the United Nations want peace. Let us, their responsible leaders, not disappoint their hopes and their prayers.

The United Nations

U.S. Proposes Two Items for Provisional Agenda of the General Assembly¹

[Released to the press by UN August 8]

The Acting Secretary-General of the United Nations, Arkady Sobolev, has communicated to member states the following communications from Herschel V. Johnson, acting representative of the United States to the United Nations, proposing two supplementary items for the provisional agenda for the second part of the first session of the General Assembly, which will meet in New York on September 23:

July 31, 1946.

DEAR MR. SOBOLEV:

I am instructed to request, on behalf of the Government of the United States, that the Secretary-General include in the provisional agenda for the second part of the first session of the General Assembly an item relating to the interpretation of articles 11 and 12 of the Statute of the International Court of Justice.² This request is made in view of the difficulty which arose in the Security Council and the General Assembly at London over the interpretation of these two articles.

Sincerely yours,

HERSCHEL V. JOHNSON

August 2, 1946.

DEAR MR. SOBOLEV:

I should like to request that the Secretary-General include in the provisional agenda for the second part of the first session of the General Assembly an item looking toward the carrying

out of the provisions of article 13 of the Charter. This article states that "The General Assembly shall initiate studies and make recommendations for the purpose of . . . encouraging the progressive development of international law and its codification:".

Sincerely yours,

HERSCHEL V. JOHNSON

¹ For list of items on the provisional agenda of the General Assembly, see BULLETIN of Aug. 11, 1946, p. 254.

² Articles 11 and 12 of the Statute of the International Court of Justice refer to the election of judges for that Court.

Article 11 reads as follows: "If after the first meeting held for the purpose of the election, one or more seats remain to be filled, a second and, if necessary, a third meeting shall take place."

Article 12, paragraph 1, reads: "If, after the third meeting, one or more seats still remain unfilled, a joint conference consisting of six members, three appointed by the General Assembly and three by the Security Council, may be formed at any time at the request of either the General Assembly or the Security Council, for the purpose of choosing by the vote of an absolute majority one name for each seat still vacant, to submit to the General Assembly and the Security Council for their respective acceptance."

³ At the first part of the first session of the General Assembly in London, the question was raised as to whether only one vote was to be held at each meeting. One group favored this interpretation while a suggestion was also made that the question should be submitted to the Court itself. As the question was then left undecided, the United States is pressing for a final decision on the proper interpretation.

National Commission on Educational, Scientific and Cultural Cooperation

[Released to the press August 15]

William Benton, Assistant Secretary of State, announced August 15 that 50 national organizations representing many phases of American life have been invited to name representatives to serve on the National Commission for Educational, Scientific and Cultural Cooperation. The National Commission, creation of which was recently authorized by the Congress, will advise the Department of State on matters relating to the United Nations Educational, Scientific and Cultural Organization, and serve as a link with national and local groups. The list of organizations follows:

1. American Association for Adult Education
2. American Association for the Advancement of Science
3. American Association of Museums
4. American Association of University Professors
5. American Association of University Women
6. American Book Publishers Council
7. American Committee for the International Union of Local Authorities
8. American Council of Learned Societies
9. American Council on Education
10. American Farm Bureau Federation
11. American Federation of Arts
12. American Federation of Labor
13. American Federation of Teachers
14. American Institute of Architects
15. American Library Association
16. American Philosophical Society
17. American Society for Engineering Education
18. American Society of Newspaper Editors
19. American Teachers Association
20. Association of American Law Schools
21. Association of American Medical Colleges
22. Associated Youth Serving Organizations, Inc.
23. Association for Education by Radio
24. Association of American Colleges
25. Chamber of Commerce of the United States
26. Committee for Economic Development
27. Congress for Industrial Organization
28. Cooperative League of the U. S. A.
29. Educational Film Library Association
30. Farmers Educational and Cooperative Union of America
31. Federal Council of Churches of Christ in America
32. General Federation of Women's Clubs
33. Motion Picture Association of America, Inc.
34. National Academy of Sciences
35. National Association for the Advancement of Colored People

36. National Association of Broadcasters
37. National Catholic Educational Association
38. National Catholic Welfare Conference
39. National Congress of Parents and Teachers
40. National Editorial Association
41. National Education Association
42. National Grange
43. National League of Women Voters
44. National Music Council
45. National Publishers Association, Inc.
46. National Research Council
47. National Social Welfare Assembly
48. Social Science Research Council
49. Society of Independent Motion Picture Producers
50. Synagogue Council of America

In making public this list, Mr. Benton said:

"The formation of the National Commission is an important and a distinctive event in the intellectual and social life of America.

"It brings together in a single body representatives of education, the press, radio, the films, science, learning, arts, and civic life.

"It establishes a novel procedure in cooperation between non-governmental organizations and the government.

"It implements the policy by which government and non-governmental groups will work together in fulfilling the purposes of an international organization—UNESCO (the United Nations Educational, Scientific and Cultural Organization).

"UNESCO is being formed to support the aims of the United Nations by promoting mutual understanding among the peoples of the world. The Organization will come into existence officially when twenty nations have accepted membership; eighteen nations including the United States have already taken this step. It is anticipated that the first meeting of the General Conference of UNESCO will be held in November in Paris.

"The National Commission is being established in the United States in accordance with article VII of the UNESCO constitution, which recommends that 'Each Member State shall make such arrangements as suit its particular conditions for

the purpose of associating its principal bodies interested in educational, scientific and cultural matters with the work of the Organization, preferably by the formation of a National Commission broadly representative of the Government and such bodies."

"Composition of the National Commission for cooperation with UNESCO was determined by the Congress. It will consist of one hundred persons. In addition to the fifty representatives to be named by the organizations listed above, forty outstanding individuals will be appointed directly by the Department of State. Further, the National Commission itself will select ten additional organizations, whose representatives will bring the total membership up to one hundred. No individual may serve for more than two consecutive terms of three years each. The National Commission, moreover, will review periodically the list of sixty organizations, and make such changes as it judges desirable. These provisions are intended to ensure an equitable rotation of membership.

"The Department of State has received from many sources, including experts in numerous fields of interest, valuable suggestions concerning organizations to be chosen for the National Commission. As a result of an extended process of consultation, the Commission comprises a wide variety of organizations corresponding to the great scope of UNESCO's interests. For example, UNESCO is considering such projects as: an inventory of obstacles to the free flow of information and ideas; methods by which schools can contribute to the aims of the United Nations; the role of adult education in building peace; establishment of a worldwide international broadcasting system; encouragement of international understanding through youth groups; the dissemination of information about the implications of scientific discoveries; promotion of international exchanges in the arts; and conferences on fundamental problems in the social sciences and philosophy.

"Since so many fields of activity must be represented, only a few of the numerous outstanding organizations in various fields could be included in the total list of fifty. In order to ensure that all interested organizations may take an active part in UNESCO, whether represented on the National Commission or not, two additional steps will be taken: (1) the Commission will call on the services of expert consultants; (2) the Commission will convene, annually or biennially, a national conference on UNESCO to which all interested national organizations will be invited to send delegates.

"It is hoped that the list of representatives of the organizations, together with the additional individuals to be appointed, will be completed early in September. The first meeting of the National Commission will be held in Washington in the week beginning September 23."

Three Nations Ask FAO Membership

In accordance with its rules of procedure, the Food and Agriculture Organization has transmitted to member governments an application for membership from Spain. Applications had been received earlier from Italy and Switzerland.

Approval of two thirds of the entire FAO membership is required for admission of nations that were not eligible for original membership through being represented on the Interim Commission on Food and Agriculture. In the case of the three applications, and any which may be received within the next few days, action at the next session of the FAO Conference, which opens in Copenhagen on September 2, depends on whether the Conference decides to suspend a requirement that 90 days elapse between receipt of an application and its consideration by the Conference.

International Organizations and Conferences

Calendar of Meetings

Far Eastern Commission	Washington	February 26
Peace Conference	Paris	July 29
UNRRA: Second Half of Fifth Session	Geneva	August 5-16
International Wheat Council: Thirteenth Session	Washington	August 19
Fourth General Assembly of the Pan American Institute of Geography and History and Third Pan American Consultation on Cartography	Caracas	August 25-September 1
ILO: Permanent Migration Committee	Montreal	August 26
Fifth Congress of the Postal Union of the Americas and Spain	Rio de Janeiro	September 1
The United Nations:		
Security Council	New York	March 25
Military Staff Committee	New York	March 25
Commission on Atomic Energy	New York	June 14
Subcommission on the Reconstruction of Devastated Areas	London	July 29
UNESCO: Executive Committee	London	August 19
PICAO: Caribbean Regional Air Navigation Meeting	Washington	August 26
FAO: Annual Session	Copenhagen	September 2-14
Committee for Arrangements for Consultation with Non-Governmental Organizations	New York	September 6 or 7
Economic and Social Council (Third Session) with Commissions and Subcommissions	New York	September 11
General Assembly: Second Part of First Session	New York	September 23

The opening dates in the third column are current as of Aug. 19.

Activities and Developments

UNRRA—Fifth Council Session.³ The Fifth Council Meeting of the United Nations Relief and Rehabilitation Administration at Geneva was concluded on August 16, 1946. Fiorello H. La Guardia, UNRRA Director General, announced that the relief agency's work would be transferred to the United Nations. The general Council was scheduled to meet again this year, probably in New York, sometime after the next session of the United Nations General Assembly, which is scheduled for September.

³ Prepared by the Division of International Conferences, Department of State.

One of the Council's closing actions was to establish an international children's fund to care for minors in liberated countries. Money and supplies left over from the liquidation of UNRRA, which is to begin in October, will be used along with contributions from the United States and the other 47 member governments on UNRRA's Council.

Director General La Guardia told the final Council meeting that UNRRA personnel would be reorganized immediately to bring their work into harmony with that of the International Refugee Agency, which emphasizes resettlement

as well as repatriation for Europe's 830,000 displaced persons. Otherwise UNRRA's concern with these persons would have to cease not later than June 30, 1947, it was explained.

The Thirteenth Session of the International Wheat Council¹ is scheduled to convene at Washington on August 19, 1946, to consider a new international wheat agreement. This agreement when ratified would replace the Memorandum of Understanding regarding wheat now in effect between Argentina, Australia, Canada, the United Kingdom, and the United States, which was entered into by these countries in 1942. This Memorandum of Understanding was intended only to serve as a temporary measure until a formal convention acceptable to all participating countries could be worked out.

On July 15, 1946 at the Twelfth Session of the Council, a number of new members were welcomed. Representatives of the Governments of Belgium, Brazil, China, Denmark, France, Italy, India, and the Netherlands accepted invitations to join the Council, and it was hoped in this way to make it more fully representative of both wheat-importing and wheat-exporting countries. The Soviet Union and Yugoslavia, which had also been invited, have not accepted membership.

This enlarged Council appointed a preparatory committee to carry out a twofold task: (1) to revise the draft convention for an international wheat agreement which had been drawn up in 1941-1942, but which had never been ratified by the participating countries; and (2) to carry out various studies in preparation for an international wheat conference. Each of the 13 countries now comprising the Council's membership was invited to appoint a representative on the Preparatory Committee. It was also agreed that the Council should invite representatives of the Food and Agriculture Organization and the Economic and Social Council of the United Nations to attend its meetings and those of its committees. The Preparatory Committee held three meetings in July to consider a memorandum prepared by one of the delegates regarding the scope of the new international wheat agreement. A revision of this document was then referred by the various members to their governments for comments. The Committee reconvened on August 15, 1946, in

order to prepare its report for the forthcoming Thirteenth Session of the Council. That report will be the principal subject for discussion at the Washington meeting.

Fourth General Assembly of the Pan American Institute of Geography and History and Third Pan American Consultation on Cartography²

Two official pan-American conferences will be held simultaneously at the invitation of the Government of Venezuela in the city of Caracas at the end of this month—the Fourth General Assembly of the Pan American Institute of Geography and History, and the Third Pan American Consultation on Cartography. The Fourth General Assembly will be held in accordance with the resolution approved by acclamation at the Third Assembly which designated the city of Caracas as the seat of the Fourth General Assembly.

Previous assemblies have been held as follows. Inaugural Assembly, Mexico City, 1929; First General Assembly, Rio de Janeiro, 1932; Second General Assembly, Washington, 1935; and Third General Assembly, Lima, 1941. The Fourth General Assembly meeting, originally scheduled for 1942, was not possible due to the international conditions prevailing at that time. The Venezuelan organizing commission in collaboration with the Pan American Institute has arranged for the Fourth General Assembly to meet at Caracas between August 25 and September 1, 1946.

In regard to previous consultations, the First Consultation on Geodesy, Aeronautical Charts, and Topographic Maps was held in Washington in 1943. The Second Pan American Consultation on Geography and Cartography took place at Rio de Janeiro in 1944. The Third Consultation will be held simultaneously and as a part of the Fourth General Assembly of the Pan American Institute of Geography and History. The consultations are sponsored by the Commission on Cartography of the Institute. The Consultation on Cartography will hold its preliminary plenary session on August 22. Preliminary technical discussions start the same day. Its other functions will be

¹ Prepared in collaboration with the International Resources Division and the Division of International Conferences, Department of State.

² Prepared in the Division of International Conferences, Department of State.

identical, in most cases, with those of the Assembly.

The work of the Assembly will be divided into four sections, two for geography and two for history, corresponding to the division of work within the Pan American Institute, as follows:

Geography

First Section: Topography, cartography, geodesy, and geomorphology (this section will be given over to meetings of the Third Pan American Consultation on Cartography).

Second Section: Human geography, ethnography, historical geography, biological geography, and economic geography.

History

Third Section: Prehistory, pre-Columbian history, colonial history, and archaeology; also investigations in libraries and archives, especially of Spanish and Portuguese sources.

Fourth Section: History of the emancipation of the American nations and history of the period of independence; also, an examination of the organization of the library, map library, and museum of the Institute as indispensable elements for initial office studies.

Each section will have a chairman and other officials, in accordance with its needs and dispositions, who will be elected from among the delegates.

The first section—that given over to the sessions of the Third Pan American Consultation on Cartography—will devote one plenary session to the reading and discussion of selected papers. The remaining sessions will be dedicated to discussion of current problems of surveying and mapping, including aerophotogrammetric operations and the preparation of maps and charts of all types with the view of attaining uniformity of product in field and office operations, including norm of precision required in the different categories of cartographic operations.

The remaining sections of the Assembly—second, third, and fourth—will be devoted to the reading of papers and discussions covering such fields as human geography and ethnography, historical geography, biological geography, economic geography, prehistory, pre-Columbian history, archaeology, and history of the colonial period.

Specific subjects to be treated include the following: the influence of climate and of vegetation on population distribution on the American continent, geography of the cattle industry of the continent, economic land utilization in the tropical countries of America, influence of the discovery of America on European economy, the Royal Consulates in America, the revolutionary process in America, and the religious factor in the cultural development of the New World.

Business properly coming before the Assembly will be handled by two committees and three or more special subcommittees. A subcommittee on organization will prepare recommendations concerning the reorganization of the Pan American Institute and will propose the names of important persons in the Pan American scientific world to form the Executive Committee of the Institute, which according to the statutes of the Institute acts for the Assembly until the subsequent Assembly convenes. A finance subcommittee will make a study of the financial situation of the Institute and will prepare a budget for the next triennial period.

Invitations to the Assembly were of two categories, official and professional. The invitations covered the sending of delegates as well as the submission of papers. Official invitations from government to government were extended to all American countries, including the Dominion of Canada, by the Government of the United States of Venezuela. The Pan American Institute of Geography and History also extended official invitations to its member governments. Invitations to appropriate societies, academies, and institutes of the Americas were extended by the Venezuelan Government and by the Pan American Institute of Geography and History, which is intimately connected with these professional organizations by virtue of its statutes as well as by virtue of previous assemblies.

The United States has accepted the invitation of the Venezuelan Government and plans to send an official delegation of 7 persons to the Third Pan American Consultation on Cartography, which is scheduled to convene on August 22, and 13 persons to the Fourth General Assembly of the Pan American Institute of Geography and History, which is scheduled to convene on August 25. An adviser and members of a joint secretariat for both delegations numbering about 5 persons are expected

to accompany the delegates. In addition to the official United States Delegation, a group of historians and geographers are expected to attend from the United States as representatives of various societies and associations. It is expected that most, if not all, of the 21 American republics and Canada will be represented at the forthcoming meetings.

Permanent Migration Committee of the ILO.

The first post-war meeting of the Permanent Migration Committee of the International Labor Organization will be held in Montreal, August 26, 1946. The agenda, as established by the Governing Body at its Philadelphia session in 1944 and its Montreal meeting in May 1946, includes the following topics:

1. Exchange of views on post-war migration prospects;
2. Forms of international cooperation capable of facilitating an organized resumption of migration movements after the war;
3. Racial discrimination in connection with migration; and
4. The technical selection of migrants.

The President has approved the designation of Robert C. Goodwin, Director, United States Employment Service, Department of Labor, as United States Government member of the Committee. Advisers to Mr. Goodwin include: Murray Ross, Assistant Chief, ILO Branch, Division of International Labor, Social, and Health Affairs, Department of State; Helen V. Seymour, Assistant to the Deputy Director, United States Employment Service, Department of Labor; and Herman R. Landon, District Director of Immigration and Naturalization, Saint Albans, Vermont.

Joseph P. Chamberlain of Columbia University will substitute for George L. Warren, Adviser on Refugees and Displaced Persons, Office of the Under Secretary of State for Economic Affairs, Department of State. Mr. Warren, one of the expert members of the Committee, is unable to attend because of engagements to participate in United Nations meetings.

*The Fifth Congress of the Postal Union of the Americas and Spain*¹ is scheduled to be held at Rio de Janeiro, Brazil, beginning September 1,

1946. It is expected that there will be prominent postal representatives present from all of the postal administrations composing the Union. A United States Delegation of approximately 10 persons is expected to attend, including: Robert E. Hannegan, Postmaster General, *Chairman*; Gael Sullivan, Second Assistant Postmaster General; John J. Gillen, Director, International Postal Service, Post Office Department; and Edward J. Mahoney, Assistant Director, International Postal Service, Post Office Department. A printed agenda has not been received here, but a number of propositions have been circulated to the postal administrations involved.

The First Pan American Postal Congress was held at Buenos Aires, Argentina, in 1921. The following 18 countries were represented there: United States, Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Ecuador, El Salvador, Guatemala, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay, and Venezuela. Subsequently, the Dominican Republic, Haiti, Honduras, and Spain also adhered. Other Pan American Postal Congresses have been held as follows: the Second Congress, México, D. F., in 1926; the Third Congress, at Madrid, Spain, in 1931 (it was at this Congress that the name of the union was changed to "the Postal Union of the Americas and Spain"); and the Fourth Congress at the city of Panama, Panama, in 1936.

Second Session of Conference of FAO. The Food and Agriculture Organization of the United Nations (FAO) will hold the second session of its Conference in Copenhagen on September 2, 1946. Representatives from the 42 member governments of FAO are expected to attend. In addition, invitations have been sent to those governments which were members of the Interim Commission on Food and Agriculture (Costa Rica, El Salvador, Ethiopia, Iran, U. S. S. R.), and

¹ Prepared in collaboration with the Division of International Labor, Social, and Health Affairs and the Division of International Conferences, Department of State.

² Prepared by the Division of International Conferences, Department of State.

³ Prepared in collaboration with the Division of International Organization Affairs and the Division of International Conferences, Department of State.

to Afghanistan, Albania, Argentina, Austria, Byelorussian S.S.R., Bulgaria, Erie, Finland, Hungary, Iceland, Italy, Portugal, Rumania, Saudi Arabia, Siam, Sweden, Switzerland, Trans-Jordan, Turkey, Ukrainian S.S.R., and Yemen to be represented by observers. All these governments were invited to be represented at the recent Health Conference.

In order to provide for the closest possible cooperation between FAO and other international organizations, the following groups have also been invited to send observers: United Nations, International Bank for Reconstruction and Development, International Labor Office, International Monetary Fund, United Nations Educational, Scientific and Cultural Organization, World Health Organization, Office International des Epizooties, UNRRA, International Emergency Food Council, and Emergency Economic Committee for Europe.

Included on the Conference agenda are questions concerning longer-term food machinery; the technical work of the Organization in the fields of agricultural production, nutrition, economics, and statistics; fisheries and forestry; relations with other international organizations and non-governmental organizations; report of the FAO mission to Greece; and budgetary and administrative questions.

Discussion on longer-term food machinery will center upon the Director General's *Proposals for a World Food Board* and the *World Food Survey* prepared by FAO in cooperation with experts loaned by member governments. Discussions in the technical fields of FAO activity will be based on reports to be presented by the Standing Advisory Committees. These Committees will meet in advance of the Conference at Copenhagen, The Hague, Bergen, and Oslo.

Relations of FAO with the United Nations will be considered in connection with the draft agreement negotiated by committees of the United Nations and FAO and approved by the Economic and Social Council at its second session.

Plans for completing the integration of the functions and assets of the International Institute of Agriculture at Rome into FAO will also be discussed by the Conference.

Another important topic of discussion will be the report of the FAO mission to Greece because of its recommendations to FAO. It will also serve

as an example of the kind of technical service FAO hopes to render to governments.

Since FAO is still very young, the consideration of administrative, budgetary, and financial questions will be of considerable interest as a guide to the future policy of organization.

It is expected that the Conference will last about two weeks and that its recommendations will be forwarded to the United Nations and to other interested bodies for their consideration and action.

The United States Delegation to the Conference session will include:

- NORRIS E. DOBB, Under Secretary of Agriculture; *United States Member*
- LESLIE A. WHEELER, Director, Office of Foreign Agricultural Relations, Department of Agriculture; *Deputy United States Member*
- EDMER THOMAS, United States Senate, Chairman, Committee on Agriculture and Forestry; *Congressional Adviser*
- RAYMOND E. WILLIS, United States Senate, Member, Committee on Agriculture and Forestry; *Congressional Adviser*
- JOHN W. FLANNAGAN, JR., United States House of Representatives, Chairman, Committee on Agriculture; *Congressional Adviser*
- CLIFFORD R. HOPE, United States House of Representatives, Member, Committee on Agriculture; *Congressional Adviser*
- ANDREW W. ANDERSON, Chief, Division of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior; *Adviser*
- JOSEPH A. BECKER, Chief, International Commodities Branch, Office of Foreign Agricultural Relations, Department of Agriculture; *Adviser*
- EDWARD G. CALE, Associate Chief, Division of International Resources, Department of State; *Adviser*
- PAUL T. DAVID, Assistant Chief, Fiscal Division, United States Bureau of the Budget; *Adviser*
- JOHN H. DAVIS, Executive Secretary, National Council of Farmer Cooperatives; *Adviser*
- ERESLA DUFEUS, Division of International Organization Affairs, Department of State; *Adviser*
- ESTHER COLE FRANKLIN, Consumer Relations Adviser, Office of Price Administration; *Adviser*
- CARL N. GIBBONEY, Chief, Commodity Arrangements Division, Office of International Trade, Department of Commerce; *Adviser*
- ALBERT S. GOSK, MASTER, The National Grange; *Adviser*
- WILLIAM V. LAMBERT, Assistant Research Administrator, Agricultural Research Administration, Department of Agriculture; *Adviser*
- W. RAYMOND OGG, Director, Washington Office, American Fifth Bureau Federation; *Adviser*
- RUSSELL SMITH, Legislative Secretary, National Farmers' Union; *Adviser*
- JOHN L. STEWART, United States Agricultural Attaché, Copenhagen, Denmark; *Adviser*

HAZEL K. STIEBELING, Chief, Bureau of Human Nutrition and Home Economics, Department of Agriculture; *Adviser*

WILLARD L. THORP, Deputy to the Assistant Secretary for Economic Affairs, Department of State; *Adviser*

LYLE F. WATTS, Chief, Forest Service, Department of Agriculture; *Adviser*

ORRIS V. WELLS, Chief, Bureau of Agricultural Economics, Department of Agriculture; *Adviser*

FAITH WILLIAMS, Director, Staff on Foreign Labor Conditions, Department of Labor; *Adviser*

KEITH HIMEBAUGH, Director of Information, Department of Agriculture; *Special Assistant to the United States Member*

DUNCAN WALL, Chief, Division of Information and Statistics, Office of Foreign Agricultural Relations, Department of Agriculture; *Secretary*

L. INGEMANN HIGHLY, Division of International Resources, Department of State; *Secretary*

U. S. Accepts Invitation to Telecommunications Conference. The Department of State announced on August 14 that the United States has accepted the Soviet invitation to a five-power preparatory telecommunications conference to be held in Moscow.

The decision was reached after consideration was given to the advisability of holding a five-power preparatory conference. The United States is planning to issue invitations to the World Plenipotentiary Conference on Telecommunications for about April 1947.

Although the Soviet invitation fixed the date of convening the preparatory conference on August 28, 1946, the United States is asking that the conference be convened as soon as possible after the middle of September in order to give the necessary time to prepare its delegation for departure. Francis Colt de Wolf, Chief of the Telecommunications Division of the Department of State, will be the delegation chairman.

It is understood that France, Great Britain, and China have all indicated a willingness to attend the conference, but France and Great Britain have also indicated their desire to delay the conference until after the middle of September.

The International Emergency Food Council announced to the press on August 9 the addition of five countries not heretofore represented on commodity committees, bringing total accepted IEFEC membership to 24. The new members are Czechoslovakia, Finland, Italy, Republic of the Philippines, and Switzerland.

Membership on the Council is open to any country, through membership on any of the commodity committees of the International Emergency Food Council.

At the same time, 10 countries that already were members of the Council were accepted as members of additional commodity committees, as indicated in the full committee list that follows.

The Central Committee at a recent meeting also considered applications from countries whose import requirements are now being presented by the United Nations Relief and Rehabilitation Administration and decided to defer action on those applications pending clarification of the future relations between these countries and UNRRA.

Other applications for membership are now being considered by commodity committees, and additional ones continue to arrive, D. A. Fitz-Gerald, Secretary General, said.

As of August 9, the complete list of accepted IEFEC members was as follows: Australia, Belgium, Brazil, Canada, Chile, China, Cuba, Czechoslovakia, Denmark, Finland, France, Greece, India, Italy, Netherlands, New Zealand, Norway, Republic of the Philippines, Siam, Switzerland, Turkey, Union of South Africa, United Kingdom, and United States.

The Record of the Week

Trial of Axis War Criminals

CLOSING ADDRESS BY ROBERT H. JACKSON¹

[Released to the press by the War Department July 26]

MR. PRESIDENT AND MEMBERS OF THE TRIBUNAL: An advocate can be confronted with few more formidable tasks than to select his closing arguments where there is great disparity between his appropriate time and his available material. In eight months—a short time as state trials go—we have introduced evidence which embraces as vast and varied a panorama of events as has ever been compressed within the framework of a litigation. It is impossible in summation to do more than outline with bold strokes the vitals of this trial's mad and melancholy record, which will live

¹ Delivered on July 26 before the International Military Tribunal, which is trying the major Nazi war criminals at Nürnberg, Germany. Mr. Jackson, Associate Justice of the Supreme Court of the United States, is U.S. Chief of Counsel for the Prosecution of Axis Criminality. On Aug. 17 the U.S. Government released vol. III of the planned eight-volume publication on Nazi conspiracy and aggression, a collection of documentary evidence and guide materials prepared by the American and British Prosecuting Staffs for presentation before the International Military Tribunal at Nürnberg. These volumes will be sold in complete sets by the Superintendent of Documents, U.S. Government Printing Office, Washington 25, D. C. A brief review of vol. III is printed in this issue on page 379. The preface to this volume states that "These documents consist, in the main, of official papers found in archives of the German Government and Nazi Party, diaries and letters of prominent Germans, and captured reports and orders. There are included, in addition, excerpts from governmental and Party decrees, from official newspapers and from authoritative German publications. The authenticity of all these materials is established by Maj. Coogan's affidavit (001-A-PS). Considered together, they reveal a fairly comprehensive view of the inner workings and outward deeds of the German Government and of the Nazi Party, which were always concealed from the world, and for which the world will always hold the Hitler regime in horror and contempt."

² For text of the Charter of the International Military Tribunal, see Department of State publication 2420.

as the historical text of the twentieth century's shame and depravity.

It is common to think of our own time as standing at the apex of civilization, from which the deficiencies of preceding ages may patronizingly be viewed in the light of what is assumed to be "progress". The reality is that in the long perspective of history the present century will not hold an admirable position, unless its second half is to redeem its first. These two-score years in this twentieth century will be recorded in the book of years as one of the most bloody in all annals. Two world wars have left a legacy of dead which number more than all the armies engaged in any war that made ancient or medieval history. No half-century ever witnessed slaughter on such a scale, such cruelties and inhumanities, such wholesale deportations of peoples into slavery, such annihilations of minorities. The Terror of Torquemada pales before the Nazi Inquisition. These deeds are the overshadowing historical facts by which generations to come will remember this decade. If we cannot eliminate the causes and prevent the repetition of these barbaric events, it is not an irresponsible prophecy to say that this twentieth century may yet succeed in bringing the doom of civilization.

Goaded by these facts, we have moved to redress the blight on the record of our era. The defendants complain that our pace is too fast. In drawing the Charter of this Tribunal, we thought we were recording an accomplished advance in international law.² But they say that we have outrun our times, that we have anticipated an advance that should be, but has not yet been, made. The agreement of London, whether it originates or merely records, at all events marks a transition in international law which roughly corresponds to

that in the evolution of local law when men ceased to punish local crime by "hue and cry" and began to let reason and inquiry govern punishment. The society of nations has emerged from the primitive "hue and cry", the law of "catch and kill". It seeks to apply sanctions to enforce international law, but to guide their application by evidence, law, and reason instead of outcry. The defendants denounce the law under which their accounting is asked. Their dislike for the law which condemns them is not original. It has been remarked before that—

"No thief ere felt the halter draw
With good opinion of the law."

I shall not labor the law of this case. The position of the United States was explained in my opening statement.¹ My distinguished colleague, the Attorney General of Great Britain, will reply on behalf of all the Chief Prosecutors to the defendants' legal attack. At this stage of the proceedings, I shall rest upon the law of these crimes as laid down in the Charter. The defendants, who except for the Charter would have no right to be heard at all, now ask that the legal basis of this trial be nullified. This Tribunal, of course, is given no power to set aside or to modify the agreement between the four powers, to which 49 other nations have adhered. The terms of the Charter are conclusive upon every party to these proceedings.

In interpreting the Charter, however, we should not overlook the unique and emergent character of this body as an International Military Tribunal. It is no part of the constitutional mechanism of internal justice of any of the signatory nations. Germany has unconditionally surrendered, but no peace treaty has been signed or agreed upon. The Allies are still technically in a state of war with Germany, although the enemy's political and military institutions have collapsed. As a Military Tribunal, it is a continuation of the war effort of the Allied nations. As an International Tribunal, it is not bound by the procedural and substantive refinements of our respective judicial or constitutional systems, nor will its rulings introduce precedents into any country's internal system of civil justice. As an International Military Tribunal, it rises above the provincial and transient and seeks guidance not only from international law but also from the basic principles of jurispru-

dence, which are assumptions of civilization and which long have found embodiment in the codes of all nations.

Of one thing we may be sure. The future will never have to ask, with misgiving, "What could the Nazis have said in their favor?" History will know that whatever could be said they were allowed to say. They have been given the kind of a trial which they, in the days of their pomp and power, never gave to any man.

But fairness is not weakness. The extraordinary fairness of these hearings is an attribute to our strength. The prosecution's case, at its close, seemed inherently unassailable because it rested so heavily on German documents of unquestioned authenticity. But it was the weeks upon weeks of pecking at this case by one after another of the defendants that has demonstrated its true strength. The fact is that the testimony of the defendants has removed any doubts of guilt which, because of the extraordinary nature and magnitude of these crimes, may have existed before they spoke. They have helped write their own judgment of condemnation.

But justice in this case has nothing to do with some of the arguments put forth by the defendants or their counsel. We have not previously and we need not now discuss the merits of all their obscure and tortuous philosophy. We are not trying them for possession of obnoxious ideas. It is their right, if they choose to renounce the Hebraic heritage in the civilization of which Germany was once a part. Nor is it our affair that they repudiated the Hellenic influence as well. The intellectual bankruptcy and moral perversion of the Nazi regime might have been no concern of international law had it not been utilized to goose-step the *Herrnvolk* across international frontiers. It is not their thoughts, it is their overt acts which we charge to be crimes. Their creed and teachings are important only as evidence of motive, purpose, knowledge, and intent.

We charge unlawful aggression, but we are not trying the motives, hopes, or frustrations which may have led Germany to resort to aggressive war as an instrument of policy. The law, unlike politics, does not concern itself with the good or evil in the *status quo*, nor with the merits of grievances against it. It merely requires that the *status*

¹ BULLETIN of Nov. 25, 1945, p. 850.

quo be not attacked by violent means and that policies be not advanced by war. We may admit that overlapping ethnological and cultural groups, economic barriers, and conflicting national ambitions created in the 1930's, as they will continue to create, grave problems for Germany as well as for the other peoples of Europe. We may admit too that the world had failed to provide political or legal remedies which would be honorable and acceptable alternatives to war. We do not undertake either the ethics or the wisdom of any country, including my own, in the face of these problems. But we do say that it is now, as it was for some time prior to 1939, illegal and criminal for Germany or any other nation to redress grievances or seek expansion by resort to aggressive war.

Let me emphasize one cardinal point. The United States has no interest which would be advanced by the conviction of any defendant if we have not proved him guilty on at least one of the counts charged against him in the Indictment. Any result that the calm and critical judgment of posterity would pronounce unjust would not be a victory for any of the countries associated in this prosecution. But in summation we now have before us the tested evidences of criminality and have heard the flimsy excuses and paltry evasions of the defendants. The suspended judgment with which we opened this case is no longer appropriate. The time has come for final judgment, and if the case I present seems hard and uncompromising it is because the evidence makes it so.

I perhaps can do no better service than to try to lift this case out of the morass of detail with which the record is full and put before you only the bold outlines of a case that is impressive in its simplicity. True, its thousands of documents and more thousands of pages of testimony deal with an epoch and cover a continent, and touch almost every branch of human endeavor. They illuminate specialties, such as diplomacy, naval development and warfare, land warfare, the genesis of air warfare, the politics of the Nazi rise to power, the finance and economics of totalitarian war, sociology, penology, mass psychology, and mass pa-

thology. I must leave it to experts to comb the evidence and write volumes on their specialties, while I picture in broad strokes the offenses whose acceptance as lawful would threaten the continuity of civilization. I must, as Kipling put it, "splash at a ten-league canvas with brushes of comet's hair".

The Crimes of the Nazi Regime

The strength of the case against these defendants under the conspiracy count, which it is the duty of the United States to argue, is in its simplicity. It involves but three ultimate inquiries: *First*, have the acts defined by the Charter as crimes been committed; *second*, were they committed pursuant to a common plan or conspiracy; *third*, are these defendants among those who are criminally responsible?

The charge requires examination of a criminal policy, not of a multitude of isolated, unplanned, or disputed crimes. The substantive crimes upon which we rely, either as goals of a common plan or as means for its accomplishment, are admitted. The pillars which uphold the conspiracy charge may be found in five groups of overt acts, whose character and magnitude are important considerations in appraising the proof of conspiracy.

*Warfare in Disregard of International Law*¹

It is unnecessary to labor this point on the facts. Göring asserts that the Rules of Land Warfare were obsolete, that no nation could fight a total war within their limits. He testified that the Nazis would have denounced the conventions to which Germany was a party, but that General Jodl wanted captured German soldiers to continue to benefit from their observance by the Allies.

It was, however, against the Soviet people and Soviet prisoners that Teutonic fury knew no bounds, in spite of a warning by Admiral Canaris that the treatment was in violation of international law.

We need not, therefore, for purposes of the Conspiracy count, recite the revolting details of starving, beating, murdering, freezing, and mass extermination admittedly used against the eastern soldiery. Also, we may take as established or admitted that lawless conduct such as shooting British and American airmen, mistreatment of western prisoners of war, forcing French prison-

¹The other four groups of overt acts are: The Seizure of Power and Subjugation of Germany to a Police State; The Preparation and Waging of Wars of Aggression; Enslavement and Plunder of Populations in Occupied Countries; and Persecution and Extermination of Jews and Christians.

ers of war into German war-work, and other deliberate violations of the Hague and Geneva conventions did occur, and in obedience to highest levels of authority.

A glance over the dock will show that, despite quarrels among themselves, each defendant played a part which fitted in with every other, and that all advanced the common plan. It contradicts experience that men of such diverse backgrounds and talents should so forward each other's aims by coincidence.

The large and varied role of Göring was half militarist and half gangster. He stuck a pudgy finger in every pie. He used his SA muscle-men to help bring the gang into power. In order to entrench that power he contrived to have the Reichstag burned, established the Gestapo, and created the concentration camps. He was equally adept at massacring opponents and at framing scandals to get rid of stubborn generals. He built up the Luftwaffe and hurled it at his defenseless neighbors. He was among the foremost in harrying the Jews out of the land. By mobilizing the total economic resources of Germany he made possible the waging of the war which he had taken a large part in planning. He was, next to Hitler, the man who tied the activities of all the defendants together in a common effort.

The parts played by the other defendants, although less comprehensive and less spectacular than that of the Reichsmarshal, were nevertheless integral and necessary contributions to the joint undertaking, without any one of which the success of the common enterprise would have been in jeopardy. There are many specific deeds of which these men have been proven guilty. No purpose would be served—nor indeed is time available—to review all the crimes which the evidence has charged up to their names. Nevertheless, in viewing the conspiracy as a whole and as an operating mechanism it may be well to recall briefly the outstanding services which each of the men in the dock rendered to the common cause.

The zealot HESS, before succumbing to wanderlust, was the engineer tending the party machinery, passing orders and propaganda down to the Leadership Corps, supervising every aspect of party activities, and maintaining the organization as a loyal and ready instrument of power. When

apprehensions abroad threatened the success of the Nazi scheme for conquest, it was the duplicitous RIBBENTROP, the salesman of deception, who was detailed to pour wine on the troubled waters of suspicion by preaching the gospel of limited and peaceful intentions. KEITEL, weak and willing tool, delivered the armed forces, the instrument of aggression, over to the party and directed them in executing its felonious designs.

KALTENBUNNER, the grand inquisitor, took up the bloody mantle of Heydrich to stifle opposition and terrorize compliance, and buttressed the power of National Socialism on a foundation of guiltless corpses. It was ROSENBERG, the intellectual high priest of the "master race", who provided the doctrine of hatred which gave the impetus for the annihilation of Jewry, and put his infidel theories into practice against the eastern occupied territories. His woolly philosophy also added boredom to the long list of Nazi atrocities. The fanatical FRANK, who solidified Nazi control by establishing the new order of authority without law, so that the will of the party was the only test of legality, proceeded to export his lawlessness to Poland, which he governed with the lash of Caesar and whose population he reduced to sorrowing remnants. FRICK, the ruthless organizer, helped the party to seize power, supervised the police agencies to insure that it stayed in power, and chained the economy of Bohemia and Moravia to the German war-machine.

SREICHER, the venomous vulgarian, manufactured and distributed obscene racial libels which incited the populace to accept and assist the progressively savage operations of "race purification". As Minister of Economics FUNK accelerated the pace of rearmament, and as Reichsbank president banked for the SS the gold teeth fillings of concentration-camp victims—probably the most ghoulish collateral in banking history. It was SCHACHT, the facade of starched respectability, who in the early days provided the window dressing, the bait for the hesitant, and whose wizardry later made it possible for Hitler to finance the colossal rearmament program, and to do it secretly.

DÖNITZ, Hitler's legate of defeat, promoted the success of the Nazi aggressions by instructing his pack of submarine killers to conduct warfare at sea with the illegal ferocity of the jungle. RÄDER, the political admiral, stealthily built up the

German Navy in defiance of the Versailles Treaty, and then put it to use in a series of aggressions which he had taken a large part in planning. VOX SCHMACH, poisoner of a generation, initiated the German youth in Nazi doctrine, trained them in legions for service in the SS and Wehrmacht, and delivered them up to the party as fanatic, unquestioning executors of its will.

SAUCKEL, the greatest and cruelest slayer since the Pharaohs of Egypt, produced desperately needed manpower by driving foreign peoples into the land of bondage on a scale unknown even in the ancient days of tyranny in the kingdom of the Nile. JOEL, betrayer of the traditions of his profession, led the Wehrmacht in violating its own code of military honor in order to carry out the barbarous aims of Nazi policy. VOX PAPEN, pious agent of an infidel regime, held the stirrup while Hitler vaulted into the saddle, lubricated the Austrian annexation, and devoted his diplomatic cunning to the service of Nazi objectives abroad.

SEYSS-INGQUART, spearhead of the Austrian fifth column, took over the government of his own country only to make a present of it to Hitler, and then, moving north, brought terror and oppression to the Netherlands and pillaged its economy for the benefit of the German Juggernaut. VOX NEURATH, the old-school diplomat, who cast the pearls of his experience before Nazis, guided Nazi diplomacy in the early years, soothed the fears of prospective victims, and as Reich Protector of Bohemia and Moravia strengthened the German position for the coming attack on Poland. SPEER, as Minister of Armaments and War Production, joined in planning and executing the program to dragoon prisoners of war and foreign workers into German war industries, which waxed in output while the laborers waned in starvation. FRIEDRICH, radio propaganda chief, by manipulation of the truth goaded German public opinion into frenzied support of the regime and anesthetized the independent judgment of the population so that they did without question their masters' bidding. And BORMANN, who has not accepted our invitation to this reunion, sat at the throttle of the vast and powerful engine of the party, guiding it in the ruthless execution of Nazi policies, from the scourging of the Christian church to the lynching of captive Allied airmen.

The activities of all these defendants, despite

their varied backgrounds and talents, were joined with the efforts of other conspirators not now in the dock, who played still other essential roles. They blend together into one consistent and militant pattern animated by a common objective to reshape the map of Europe by force of arms. Some of these defendants were ardent members of the Nazi movement from its birth. Others, less fanatical, joined the common enterprise later, after successes had made participation attractive by the promise of rewards. This group of latter-day converts remedied a crucial defect in the ranks of the original true believers, for as Dr. Seimers has pointed out in his summation:

" . . . There were no specialists among the National Socialists for the particular tasks. Most of the National Socialist collaborators did not previously follow a trade requiring technical education."

It was the fatal weakness of the early Nazi band that it lacked technical competence. It could not from among its own ranks make up a government capable of carrying out all the projects necessary to realize its aims. Therein lies the special crime and betrayal of men like Schacht and Von Neurath, Speer and Von Papen, Räder and Dönitz, Keitel and Jodl. It is doubtful whether the Nazi master plan could have succeeded without their specialized intelligence which they so willingly put at its command. They did so with knowledge of its announced aims and methods, and continued their services after practice had confirmed the direction in which they were tending. Their superiority to the average run of Nazi mediocrity is not their excuse. It is their condemnation.

The dominant fact which stands out from all the thousands of pages of the record of this trial is that the central crime of the whole group of Nazi crimes—the attack on the peace of the world—was clearly and deliberately planned. The beginning of these wars of aggression was not an unprepared and spontaneous springing-to-arms by a population excited by some current indignation. A week before the invasion of Poland Hitler told his military commanders:

"I shall give a propagandist cause for starting war—never mind whether it be plausible or not. The victor shall not be asked later on whether we

told the truth or not. In starting and making a war, not the right is what matters, but victory."

The propagandist incident was duly provided by dressing concentration-camp inmates in Polish uniforms, in order to create the appearance of a Polish attack on a German frontier radio station. The plan to occupy Belgium, Holland, and Luxembourg first appeared as early as August 1938 in connection with the plan for attack on Czechoslovakia. The intention to attack became a program in May 1939, when Hitler told his commanders that—

"The Dutch and Belgian air bases must be occupied by armed forces. Declarations of neutrality must be ignored."

Thus, the follow-up wars were planned before the first was launched. These were the most carefully plotted wars in all history. Scarcely a step in their terrifying succession and progress failed to move according to the master blueprint or the subsidiary schedules and timetables until long after the crimes of aggression were consummated.

Nor were the war crimes and the crimes against humanity unplanned, isolated, or spontaneous offenses. Aside from our undeniable evidence of their plotting, it is sufficient to ask whether six million people could be separated from the population of several nations on the basis of their blood and birth, could be destroyed and their bodies disposed of, except that the operation fitted into the general scheme of government. Could the enslavement of five millions of laborers, their impressment into service, their transportation to Germany, their allocation to work where they would be most useful, their maintenance, if slow starvation can be called maintenance, and their guarding have been accomplished if it did not fit into the common plan? Could hundreds of concentration camps located throughout Germany, built to accommodate hundreds of thousands of victims, and each requiring labor and materials for construction, manpower to operate and supervise, and close gearing into the economy—could such efforts have been expended under German autocracy if they had not suited the plan? Has the Teutonic passion for organization become famous for its toleration of non-conforming activity? Each part of the plan fitted into every other. The slave-labor program meshed with the needs of industry and agriculture, and these in turn synchronized with the military

machine. The elaborate propaganda apparatus geared with the program to dominate the people and incite them to a war their sons would have to fight. The armament industries were fed by the concentration camps. The concentration camps were fed by the Gestapo. The Gestapo was fed by the spy system of the Nazi Party. Nothing was permitted under the Nazi iron rule that was not in accordance with the program. Everything of consequence that took place in this regimented society was but a manifestation of a premeditated and unfolding purpose to secure the Nazi state a place in the sun by casting all others into darkness.

Common Defenses Against the Charge of Common Responsibility

The defendants meet this overwhelming case, some by admitting a limited responsibility, some by putting the blame on others, and some by taking the position, in effect, that while there have been enormous crimes there are no criminals. Time will not permit me to examine each individual and peculiar defense, but there are certain lines of defense common to so many cases that they deserve some consideration.

Counsel for many of the defendants seek to dismiss the conspiracy or common-planning charge on the ground that the pattern of the Nazi plan does not fit the concept of conspiracy applicable in German law to the plotting of a highway robbery or a burglary. Their concept of conspiracy is in the terms of a stealthy meeting in the dead of night, in a secluded hideout, in which a group of felons plot every detail of a specific crime. The Charter forestals resort to such parochial and narrow concepts of conspiracy taken from local law by using the additional and non-technical term *common plan*. Omitting entirely the alternative term of *conspiracy*, the Charter reads that "Leaders, organizers, instigators and accomplices participating in the formulation or execution of a common plan . . . to commit" any of the described crimes "are responsible for all acts performed by any persons in execution of such plan."

The Charter concept of a common plan really represents the conspiracy principle in an international context. A common plan or conspiracy to seize the machinery of a state, to commit crimes against the peace of the world, to blot a race out of existence, to enslave millions, and to subjugate and loot whole nations cannot be thought of in the

same terms as the plotting of petty crimes, although the same underlying principles are applicable. Little gangsters may plan which will carry a pistol and which a stiletto, who will approach a victim from the front and who from behind, and where they will waylay him. But in planning a war the pistol becomes a Wehrmacht, the stiletto a Luftwaffe. Where to strike is not a choice of dark alleys but a matter of world geography. The operation involves the manipulation of public opinion, the law of the state, the police power, industry, and finance. The baits and bluffs must be translated into a nation's foreign policy. Likewise, the degree of stealth which points to a guilty purpose in a conspiracy will depend upon its object. The clandestine preparations of a state against international society, although camouflaged to those abroad, might be quite open and notorious among its own people. But stealth is not an essential ingredient of such planning. Parts of the common plan may be proclaimed from the housetops, as anti-Semitism was, and parts of it kept under cover, as rearmament for a long time was. It is a matter of strategy how much of the preparation shall be made public, as was Göring's announcement in 1935 of the creation of an air force, and how much shall be kept covert, as in the case of the Nazis' use of shovels to teach "labor corps" the manual of arms. The forms of this grand type of conspiracy are amorphous, the means are opportunistic, and neither can divert the law from getting at the substance of things.

The defendants contend, however, that there could be no conspiracy involving aggressive war because (1) none of the Nazis wanted war; (2) rearmament was only intended to provide the strength to make Germany's voice heard in the family of nations; and (3) the wars were not in fact aggressive wars but were defensive against a "Bolshevik menace".

When we analyze the argument that the Nazis did not want war it comes down, in substance, to this: "The record looks bad indeed—objectively—but when you consider the state of my mind—subjectively I hated war. I knew the horrors of war. I wanted peace." I am not so sure of this. I am even less willing to accept Göring's description of the General Staff as pacifist. However, it will not injure our case to admit that as an abstract proposition none of these defendants liked war. But they wanted things which they knew they could

not get without war. They wanted their neighbors' lands and goods. Their philosophy seems to be that, if the neighbors would not acquiesce, then they are the aggressors and are to blame for the war. The fact is, however, that war never became terrible to the Nazis until it came home to them, until it exposed their deceptive assurances to the German people that German cities, like the ruined one in which we meet, would be invulnerable. From then on war was terrible.

But again the defendants claim, "To be sure we were building guns. But not to shoot. They were only to give us weight in negotiating." At its best this argument amounts to a contention that the military forces were intended for blackmail, not for battle. The threat of military invasion which forced the Austrian *Anschluss*, the threats which preceded Munich, and Göring's threat to bomb the beautiful city of Prague if the President of Czechoslovakia did not consent to the Protectorate are examples of what the defendants have in mind when they talk of arming to back negotiation.

But from the very nature of German demands, the day was bound to come when some country would refuse to buy its peace, would refuse to pay Danegeld—

"For the end of that game is oppression and shame,

And the nation that plays it is lost."

Did these defendants then intend to withdraw German demands, or was Germany to enforce them and manipulate propaganda so as to place the blame for the war on the nation so unreasonable as to resist? Events have answered that question, and documents such as Admiral Carl's memorandum, earlier quoted, leave no doubt that the events occurred as anticipated.

But some of the defendants argue that the wars were not aggressive and were only intended to protect Germany against some eventual danger from the "menace of Communism", which was something of an obsession with many Nazis.

At the outset this argument of self-defense fails because it completely ignores this damning combination of facts clearly established in the record: *first*, the enormous and rapid German preparations for war; *second*, the repeatedly avowed intentions of the German leaders to attack, which I have previously cited; and, *third*, the fact that a series of wars occurred in which German forces

struck the first blows, without warning, across the borders of other nations.

Even if it could be shown—which it cannot be—that the Russian war was really defensive, such is demonstrably not the case with those wars which preceded it.

It may also be pointed out that even those who would have you believe that Germany was menaced by Communism also compete with each other in describing their opposition to the disastrous Russian venture. Is it reasonable that they would have opposed that war if it were undertaken in good-faith self-defense?

The frivolous character of the self-defense theory on the facts it is sought to compensate, as advocates often do, by resort to a theory of law. Dr. Jahrreiss, in his scholarly argument for the defense, rightly points out that no treaty provision and no principle of law denied Germany, as a sovereign nation, the right of self-defense. He follows with the assertion, for which there is authority in classic international law, that—

“ . . . every state is alone judge of whether in a given case it is waging a war of self-defense.”

It is not necessary to examine the validity of an abstract principle which does not apply to the facts of our case. I do not doubt that if a nation arrived at a judgment that it must resort to war in self-defense, because of conditions affording reasonable grounds for such an honest judgment, any tribunal would accord it great and perhaps conclusive weight, even if later events proved that judgment mistaken.

But the facts in this case call for no such deference to honest judgment because no such judgment was even pretended, much less honestly made.

In all the documents which disclose the planning and rationalization of these attacks, not one sentence has been or can be cited to show a good-faith fear of attack. It may be that statesmen of other nations lacked the courage forthrightly and fully to disarm. Perhaps they suspected the secret rearmament of Germany. But if they hesitated to abandon arms they did not hesitate to neglect them. Germany well knew that her former enemies had allowed their armaments to fall into decay, so little did they contemplate another war. Germany faced a Europe that not only was unwilling to attack but was too weak and pacifist

even adequately to defend, and went to the very verge of dishonor, if not beyond, to buy its peace. The minutes we have shown you of the Nazis' secret conclaves identify no potential attacker. They bristle with the spirit of aggression and not of defense. They contemplate always territorial expansion, not the maintenance of territorial integrity.

Minister of War von Blomberg, in his 1937 directive prescribing general principles for the preparation for war of the armed forces, has given the lie to these feeble claims of self-defense. He stated at that time:

“The general political situation justifies the supposition that Germany need not consider an attack on any side. Grounds for this are, in addition to the lack of desire for war in almost all nations, particularly the Western Powers, the deficiencies in the preparedness for war in a number of states and of Russia in particular.”

Nevertheless, he recommended—

“a continuous preparedness for war in order to (a) counterattack at any time, and (b) to enable the military exploitation of politically favorable opportunities should they occur.”

If these defendants may now cynically plead self-defense, although no good-faith need of self-defense was asserted or contemplated by any responsible leader at the time, it reduces non-aggression treaties to a legal absurdity. They become only additional instruments of deception in the hands of the aggressor and traps for well-meaning nations. If there be in non-aggression pacts an implied condition that each nation may make a *bona fide* judgment as to the necessity for self-defense against imminent threatened attack, they certainly cannot be invoked to shelter those who never made any such judgment at all.

In opening this case I ventured to predict that there would be no serious denial that the crimes charged were committed, and that the issue would concern the responsibility of particular defendants. The defendants have fulfilled that prophecy. Generally, they do not deny that these things happened, but it is contended that they “just happened”, and that they were not the result of a common plan or conspiracy.

One of the chief reasons the defendants say there was no conspiracy is the argument that

conspiracy was impossible with a dictator. The argument runs that they all had to obey Hitler's orders, which had the force of law in the German state, and hence obedience cannot be made the basis of a criminal charge. In this way it is explained that while there have been wholesale killings, there have been no murderers.

This argument is an effort to evade article 8 of the Charter, which provides that the order of the government or of a superior shall not free a defendant from responsibility but can only be considered in mitigation. This provision of the Charter corresponds with the justice and with the realities of the situation, as indicated in defendant Speer's description of what he considered to be the common responsibility of the leaders of the German nation:

" . . . with reference to utterly decisive matters, there is total responsibility. There must be total responsibility insofar as a person is one of the leaders, because who else could assume responsibility for the development of events, if not the immediate associates who work with and around the head of the state?"

And again he told the Tribunal:

" . . . it is impossible after the catastrophe to evade this total responsibility. If the war had been won, the leaders would also have assumed total responsibility."

Like much of defense counsel's abstract arguments, the contention that the absolute power of Hitler precluded a conspiracy crumbles in face of the facts of record. The *Führerprinzip* of absolutism was itself a part of the common plan, as Göring has pointed out. The defendants may have become slaves of a dictator, but he was *their* dictator. To make him such was, as Göring has testified, the object of the Nazi movement from the beginning. Every Nazi took this oath:

"I pledge eternal allegiance to Adolf Hitler. I pledge unconditional obedience to him and the Führers appointed by him."

Moreover, they forced everybody else in their power to take it. This oath was illegal under German law, which made it criminal to become a member of an organization in which obedience to "unknown superiors or unconditional obedience to known superiors is pledged". These men de-

stroyed free government in Germany and now plead to be excused from responsibility because they became slaves. They are in the position of the fictional boy who murdered his father and mother and then pleaded for leniency because he was an orphan.

What these men have overlooked is that Adolf Hitler's acts are their acts. It was these men among millions of others, and it was these men leading millions of others, who built up Adolf Hitler and vested in his psychopathic personality not only innumerable lesser decisions but the supreme issue of war or peace. They intoxicated him with power and adulation. They fed his hates and aroused his fears. They put a loaded gun in his eager hands. It was left to Hitler to pull the trigger, and when he did they all at that time approved. His guilt stands admitted, by some defendants reluctantly, by some vindictively. But his guilt is the guilt of the whole dock, and of every man in it.

But it is urged that these defendants could not be in agreement on a common plan or in a conspiracy because they were fighting among themselves or belonged to different factions or cliques. Of course, it is not necessary that men should agree on everything in order to agree on enough things to make them liable for a criminal conspiracy. Unquestionably there were conspiracies within the conspiracy, and intrigues and rivalries and battles for power. Schacht and Göring disagreed, but over which of them should control the economy, not over whether the economy should be regimented for war. Göring claims to have departed from the plan because through Dahlerus he conducted some negotiations with men of influence in England just before the Polish war. But it is perfectly clear that this was not an effort to prevent aggression against Poland but to make that aggression successful and safe by obtaining English neutrality. Rosenberg and Göring may have had some differences as to how stolen art should be distributed but they had none about how it should be stolen. Jodl and Göbbels may have disagreed about whether to denounce the Geneva convention, but they never disagreed about violating it. And so it goes through the whole long and sordid story. Nowhere do we find an instance where any one of the defendants stood up against the rest and said, "This thing is wrong and I will not go along with

it". Wherever they differed, their differences were as to method or disputes over jurisdiction, but always within the framework of the common plan.

Some of the defendants also contend that in any event there was no conspiracy to commit war crimes or crimes against humanity because cabinet members never met with the military to plan these acts. But these crimes were only the inevitable and incidental results of the plan to commit the aggression for *Lebensraum* purposes. Hitler stated, at a conference with his commanders, that—

"The main objective in Poland is the destruction of the enemy and not the reaching of a certain geographical line."

Frank picked up the tune and suggested that when their usefulness was exhausted,

" . . . then, for all I care mincemeat can be made of the Poles and Ukrainians and all the others who run around here—it does not matter what happens."

Reichscommissar Koch in the Ukraine echoed the refrain:

"I will draw the very last out of this country. I did not come to spread bliss."

This was *Lebensraum* on its seamy side. Could men of their practical intelligence expect to get neighboring lands free from the claims of their tenants without committing crimes against humanity?

The last stand of each defendant is that even if there was a conspiracy he was not in it. It is therefore important in examining their attempts at avoidance of responsibility to know, first of all, just what it is that a conspiracy charge comprehends and punishes.

In conspiracy we do not punish one man for another man's crime. We seek to punish each for his own crime of joining a common criminal plan in which others also participated. The measure of the criminality of the plan and therefore of the guilt of each participant is, of course, the sum total of crimes committed by all in executing the plan. But the gist of the offense is participation in the formulation or execution of the plan. These are rules which every society has found necessary in order to reach men, like these defendants, who

never get blood on their own hands but who lay plans that result in the shedding of blood. All over Germany today, in every zone of occupation, little men who carried out these criminal policies under orders are being convicted and punished. It would present a vast and unforgivable caricature of justice if the men who planned these policies and directed those little men should escape all penalty.

These men in this dock, on the face of the record, were not strangers to this program of crime, nor was their connection with it remote or obscure. We find them in the very heart of it. The positions they held show that we have chosen defendants of self-evident responsibility. They are the very top surviving authorities in their respective fields and in the Nazi state. No one lives who, at least until the very last moments of the war, outranked Göring in position, power, and influence. No soldier stood above Keitel and Jodl, and no sailor above Räder and Dönitz. Who can be responsible for the duplicitous diplomacy if not the Foreign Ministers, Von Neurath and Ribbentrop, and the diplomatic handy man, Von Papen? Who should be answerable for the oppressive administration of occupied countries if Gauleiters, Protectors, Governors, and Commissars such as Frank, Seyss-Inquart, Frick, Von Schirach, Von Neurath, and Rosenberg are not? Where shall we look for those who mobilized the economy for total war if we overlook Schacht, and Speer, and Funk? Who was the master of the great slaving enterprise if it was not Sauckel? Where shall we find the hand that ran the concentration camps if it is not the hand of Kaltenbrunner? And who whipped up the hates and fears of the public, and manipulated the party organizations to incite these crimes, if not Hess, Von Schirach, Fritzsche, Bormann, and the unspeakable Julius Streicher? The list of defendants is made up of men who played indispensable and reciprocal parts in this tragedy. The photographs and films show them again and again together on important occasions. The documents show them agreed on policies and on methods, and all working aggressively for the expansion of Germany by force of arms.

Each of these men made a real contribution to the Nazi plan. Every man had a key part. Deprive the Nazi regime of the functions performed by a Schacht, a Sauckel, a Von Papen, or a

Göring, and you have a different regime. Look down the rows of fallen men and picture them as the photographic and documentary evidence shows them to have been in their days of power. Is there one whose work did not substantially advance the conspiracy along its bloody path towards its bloody goal? Can we assume that the great effort of these men's lives was directed towards ends they never suspected?

To escape the implications of their positions and the inference of guilt from their activities, the defendants are almost unanimous in one defense. The refrain is heard time and again: these men were without authority, without knowledge, without influence, indeed without importance. Funk summed up the general self-abasement of the dock in his plaintive lament that—

"I always, so to speak, came up to the door. But I was not permitted to enter."

In the testimony of each defendant, at some point there was reached the familiar blank wall; nobody knew anything about what was going on. Time after time we have heard the chorus from the dock:

"I only heard about these things here for the first time."

These men saw no evil, spoke none, and none was uttered in their presence. This claim might sound very plausible if made by one defendant. But when we put all their stories together, the impression which emerges of the Third Reich, which was to last a thousand years, is ludicrous. If we combine only the stories from the front bench, this is the ridiculous composite picture of Hitler's government that emerges. It was composed of:

A no. 2 man who knew nothing of the excesses of the Gestapo which he created, and never suspected the Jewish extermination program although he was the signer of over a score of decrees which instituted the persecutions of that race;

A no. 3 man who was merely an innocent middle-man transmitting Hitler's orders without even reading them, like a postman or delivery boy;

A Foreign Minister who knew little of foreign affairs and nothing of foreign policy;

A Field Marshal who issued orders to the armed forces but had no idea of the results they would have in practice;

A security chief who was of the impression that

the policing functions of his Gestapo and SD were somewhat on the order of directing traffic;

A party philosopher who was interested in historical research and had no idea of the violence which his philosophy was inciting in the twentieth century;

A Governor General of Poland who reigned but did not rule;

A Gauleiter of Franconia whose occupation was to pour forth filthy writings about the Jews, but had no idea that anybody would read them;

A Minister of the Interior who knew not even what went on in the interior of his own office, much less the interior of his own department, and nothing at all about the interior of Germany;

A Reichsbank President who was totally ignorant of what went in and out of the vaults of his bank;

And a Plenipotentiary for the War Economy who secretly marshaled the entire economy for armament, but had no idea it had anything to do with war.

This may seem like a fantastic exaggeration, but this is what you would actually be obliged to conclude if you were to acquit these defendants.

They do protest too much. They deny knowing what was common knowledge. They deny knowing plans and programs that were as public as *Mein Kampf* and the party program. They deny even knowing the contents of documents they received and acted upon.

Nearly all the defendants take two or more conflicting positions. Let us illustrate the inconsistencies of their positions by the record of one defendant—one who, if pressed, would himself concede that he is the most intelligent, honorable, and innocent man in the dock. That is Schacht. And this is the effect of his own testimony—but let us not forget that I recite it not against him alone, but because most of its self-contradictions are found in the testimony of several defendants:

Schacht did not openly join the Nazi movement until it had won, nor openly desert it until it had lost. He admits that he never gave it public opposition, but asserts that he never gave it private loyalty. When we demand of him why he did not stop the criminal course of the regime in which he was a Minister, he says he had not a bit of influence. When we ask why he remained a member of the criminal regime, he tells us that by sticking on he

expected to moderate its program. Like a Brahmin among Untouchables, he could not bear to mingle with the Nazis socially, but never could he afford to separate from them politically. Of all the Nazi aggressions by which he now claims to have been shocked, there is not one that he did not support before the world with the weight of his name and prestige. Having armed Hitler to blackmail a continent, his answer now is to blame England and France for yielding.

Schacht always fought for his position in a regime he now affects to despise. He sometimes disagreed with his Nazi confederates about what was expedient in reaching their goal, but he never dissented from the goal itself. When he did break with them in the twilight of the regime, it was over tactics, not principles. From then on he never ceased to urge others to risk their positions and their necks to forward his plots, but never on any occasion did he hazard either of his own. He now boasts that he personally would have shot Hitler if he had had the opportunity, but the German newsreel shows that even after the fall of France, when he faced the living Hitler, he stepped out of line to grasp the hand he now claims to loath and hung upon the words of the man he now says he thought unworthy of belief. Schacht says he steadily "sabotaged" the Hitler government. Yet the most relentless secret service in the world never detected him doing the regime any harm until long after he knew the war to be lost and the Nazis doomed. Schacht, who dealt in hedges all his life, always kept himself in a position to claim that he was in either camp. The plea for him is as specious on analysis as it is persuasive on first sight. Schacht represents the most dangerous and reprehensible type of opportunism—that of the man of influential position who is ready to join a movement that he knows to be wrong because he thinks it is winning.

These defendants, unable to deny that they were the men in the very top ranks of power, and unable to deny that the crimes I have outlined actually happened, know that their own denials are incredible unless they can suggest someone who is guilty.

The defendants have been unanimous, when pressed, in shifting the blame on other men, sometimes on one and sometimes on another. But the names they have repeatedly picked are Hitler, Himmler, Heydrich, Göbbels, and Bormann. All of these are dead or missing. No matter how hard

we have pressed the defendants on the stand, they have never pointed the finger at a living man as guilty. It is a temptation to ponder the wondrous workings of a fate which has left only the guilty dead and only the innocent alive. It is almost too remarkable.

The chief villain on whom blame is placed—some of the defendants vie with each other in producing appropriate epithets—is Hitler. He is the man at whom nearly every defendant has pointed an accusing finger.

I shall not dissent from this consensus, nor do I deny that all these dead or missing men shared the guilt. In crimes so reprehensible that degrees of guilt have lost their significance they may have played the most evil parts. But their guilt cannot exculpate the defendants. Hitler did not carry all responsibility to the grave with him. All the guilt is not wrapped in Himmler's shroud. It was these dead whom these living chose to be their partners in this great conspiratorial brotherhood, and the crimes that they did together they must pay for one by one.

It may well be said that Hitler's final crime was against the land that he had ruled. He was a mad messiah who started the war without cause and prolonged it without reason. If he could not rule he cared not what happened to Germany. As Fritzsche has told us from the stand, Hitler tried to use the defeat of Germany for the self-destruction of the German people. He continued the fight when he knew it could not be won, and continuance meant only ruin. Speer, in this courtroom, has described it as follows:

" . . . The sacrifices which were made on both sides after January 1945 were without sense. The dead of this period will be the accusers of the man responsible for the continuation of that fight, Adolf Hitler, just as much as the destroyed cities, destroyed in that last phase, who had lost tremendous cultural values and tremendous numbers of dwellings. . . . The German people remained faithful to Adolf Hitler until the end. He has betrayed them knowingly. He has tried to throw it into the abyss."

Hitler ordered every one else to fight to the last and then retreated into death by his own hand. But he left life as he lived it, a deceiver; he left the official report that he had died in battle. This was the man whom these defendants exalted to a

Führer: It was they who conspired to get him absolute authority over all of Germany. And in the end he and the system they created for him brought the ruin of them all. As stated by Speer on cross-examination:

" . . . the tremendous danger, however, contained in this totalitarian system only became abundantly clear at the moment when we were approaching the end. It was then that one could see what the meaning of the principle was, namely, that every order should be carried out without any criticism. Everything . . . you have seen in the way of orders which were carried out without any consideration, did after all turn out to be mistakes. . . . This system—let me put it like this—to the end of the system it has become clear what tremendous dangers are contained in any such system, as such, quite apart from Hitler's principle. The combination of Hitler and this system, then brought about this tremendous catastrophe to this world."

But let me for a moment turn devil's advocate. I admit that Hitler was the chief villain. But for the defendants to put all blame on him is neither manly nor true. We know that even the head of a state has the same limits to his senses and to the hours of his day as do lesser men. He must rely on others to be his eyes and ears as to most that goes on in a great empire. Other legs must run his errands; other hands must execute his plans. On whom did Hitler rely for such things more than upon these men in the dock? Who led him to believe he had an invincible air armada if not Göring? Who kept disagreeable facts from him? Did not Göring forbid Fieldmarshal Milch to warn Hitler that in his opinion Germany was not equal to the war upon Russia? Did not Göring, according to Speer, relieve General Gallant of his air-force command for speaking of the weaknesses and bungling of the air force? Who led Hitler, utterly untraveled himself, to believe in the indecision and timidity of democratic peoples if not Ribbentrop, Von Neurath, and Von Papen? Who fed his illusion of German invincibility if not Keitel, Jodl, Räder, and Dönitz? Who kept his hatred of the Jews inflamed more than Streicher and Rosenberg? Who would Hitler say deceived him about conditions in concentration camps if not Kaltenbrunner, even as he would deceive us? These men had access to Hitler, and often con-

trolled the information that reached him and on which he must base his policy and his orders. They were the Praetorian Guard, and, while they were under Caesar's orders, Caesar was always in their hands.

If these dead men could take the witness stand and answer what has been said against them, we might have a less distorted picture of the parts played by these defendants. Imagine the stir that would occur in the dock if it should behold Adolf Hitler advancing to the witness box, or Himmler with an armful of dossiers, or Göbbels, or Bormann with the reports of his party spies, or the murdered Röhm or Canaris. The ghoulish defense that the world is entitled to retribution only from the cadavers is an argument worthy of the crimes at which it is directed.

We have presented to this Tribunal an affirmative case based on incriminating documents which are sufficient, if unexplained, to require a finding of guilt on Count One against each defendant. In the final analysis, the only question is whether the defendants' own testimony is to be credited as against the documents and other evidence of their guilt. What, then, is their testimony worth?

The fact is that the Nazi habit of economizing in the use of truth pulls the foundations out from under their own defenses. Lying has always been a highly approved Nazi technique. Hitler, in *Mein Kampf*, advocated mendacity as a policy. Von Ribbentrop admits the use of the "diplomatic lie". Keitel advised that the facts of rearmament be kept secret so that they could be denied at Geneva. Räder deceived about rebuilding the German Navy in violation of Versailles. Göring urged Ribbentrop to tell a "legal lie" to the British Foreign Office about the *Anschluss*, and in so doing only marshaled him the way he was going. Göring gave his word of honor to the Czechs and proceeded to break it. Even Speer proposed to deceive the French into revealing the specially trained among their prisoners.

Nor is the lie direct the only means of falsehood. They all speak with a Nazi doubletalk with which to deceive the unwary. In the Nazi dictionary of sardonic euphemisms *Final solution* of the Jewish problem was a phrase which meant extermination; *Special treatment* of prisoners of war meant killing; *Protective custody* meant concentration camp; *Duty labor* meant slave labor; and an order to "take a firm attitude" or "take positive meas-

ures" meant to act with unrestrained savagery. Before we accept their word at what seems to be its face, we must always look for hidden meanings. Göring assured us, on his oath, that the Reich Defense Council never met "as such". When we produced the stenographic minutes of a meeting at which he presided and did most of the talking, he reminded us of the "as such" and explained this was not a meeting of the Council "as such" because other persons were present. Göring denies "threatening" Czechoslovakia—he only told President Hacha that he would "hate to bomb the beautiful city of Prague".

Besides outright false statements and double-talk, there are also other circumventions of truth in the nature of fantastic explanations and absurd professions. Streicher has solemnly maintained that his only thought with respect to the Jews was to resettle them on the Island of Madagascar. His reason for destroying synagogues, he blandly said, was only because they were architecturally offensive. Rosenberg was stated by his counsel to have always had in mind a "chivalrous solution" to the Jewish problem. When it was necessary to remove Schuschnigg after the *Anschluss*, Ribbentrop would have had us believe that the Austrian Chancellor was resting at a "villa". It was left to cross-examination to reveal that the "villa" was Buchenwald Concentration Camp. The record is full of other examples of dissimulations and evasions. Even Schacht showed that he, too, had

adopted the Nazi attitude that truth is any story which succeeds. Confronted on cross-examination with a long record of broken vows and false words, he declared in justification:

"I think you can score many more successes when you want to lead someone if you don't tell them the truth than if you tell them the truth."

This was the philosophy of the National Socialists. When for years they have deceived the world, and masked falsehood with plausibilities, can anyone be surprised that they continue the habits of a lifetime in this dock? Credibility is one of the main issues of this trial. Only those who have failed to learn the bitter lessons of the last decade can doubt that men who have always played on the unsuspecting credulity of generous opponents would not hesitate to do the same now.

It is against such a background that these defendants now ask this Tribunal to say that they are not guilty of planning, executing, or conspiring to commit this long list of crimes and wrongs. They stand before the record of this trial as blood-stained Gloucester stood by the body of his slain King. He begged of the widow, as they beg of you: "Say I slew them not." And the Queen replied, "Then say they were not slain. But dead they are. . . ." If you were to say of these men that they are not guilty, it would be as true to say there has been no war, there are no slain, there has been no crime.

Mobilizing the Forces of International Law for Peace and Against Aggression

ADDRESS BY ROBERT H. JACKSON¹

IN 25 years the attitude of leaders of the German state deteriorated morally as well as in disrespect for law. Bethmann-Hollweg² at least recognized the existence of international law, knew that there was a difference between right and wrong, and chose the wrong with knowledge that a reckoning would be due. Hitler, on the contrary, acknowledged no moral values. To him

there was no right and no wrong. There was only strength and weakness.

But the real test of progress is not whether the lawless had come to respect the law. The problem was whether in the interval between two wars the people who really believed in law, who

¹ Delivered in Brussels, Belgium, on May 31, 1946 before the Court of Cassation.

² Chancellor of Germany in 1914.

wanted an orderly and peaceful world, had made any progress in adapting the law of nations to dealing with international lawlessness. We all know that in 1918 the legal world was intellectually unprepared to bring the forces of the law to right the wrongs of that time. Nevertheless, even then some far-sighted jurists urged that admitted illegalities be punished. Lord Birkenhead, Attorney General of England, spoke these prophetic words:

"It is necessary for all time to teach the lesson that failure is not the only risk which a man possessing at the moment in any country despotic powers and taking the awful decision between Peace and War, has to fear. If ever again that decision should be suspended in nicely balanced equipoise, at the disposition of an individual, let the ruler who decides upon war know that he is gambling, amongst other hazards, with his own personal safety."

But as we all know, while war crimes were much denounced talk of punishment ended with ineffective gestures. That period, which was distinguished for valor in war, was not less memorable for timidity in peace. A part of this timidity by statesmen was, no doubt, due to the fact that the principles which now outlaw aggressive warfare were then immature and vague, and had not acquired that definiteness and firmness which we like law to possess.

International law as taught in the nineteenth century refused to condemn any war as illegal no matter how morally bad it was. International law refused to draw any distinction between the just and unjust war as earlier scholars had done. Also, it was thought to operate only on states, never on statesmen. Of course, law usually can be enforced against states only by war, for unfortunately war is about the only effective sanction we have developed for coercing a state. Thus, the law's only redress for an illegal war was more war.

In the presence of this company I do not need to recite the steps taken between the two wars by which the concept of the illegal war of aggression came to supplant the imperialistic teaching that all wars were legal. Your country steadily supported efforts to outlaw wars of aggression. You

watched those international conferences more closely than did the people of America because they were closer to you. You valued the assurances of those various treaties highly because they meant so much to your security. You relied more heavily on international law than did we, who relied on what seemed remoteness from the scene of probable conflict. But, in spite of our fancied remoteness, I am proud to say that some of the effective leadership in the movement has come from American statesmen, such as Wilson, Kellogg, Hughes, Stimson, Hull, and, of course, President Roosevelt.

The question at the close of this war was whether we would have the fortitude and courage to apply the concept that it is a crime to institute wars of aggression. It was here that President Truman's vision and determination proved such an asset to the world. He set in motion the process which finds its culmination at Nürnberg.

The London agreement of August 8, 1945 between the United Kingdom, France, the Soviet Union, and the United States for the trial of persons accused of crimes against peace, war crimes, and crimes against humanity represents one of this generation's desperate efforts to stem the bloody tide of our century and bring mankind to its senses.¹ I shall not stop to answer the fears of the timid and reactionary nor to controvert the protests of those affected by it. I speak of its results. War can no longer be a game in which statesmen stake the lives of their people but never their own. A man who incites or starts a war of aggression now does so with a noose about his own neck. Maybe it will never be drawn, even if it deserves to be. But the noose—and the risk—is there. The London agreement may make officials think twice before attacking neighbor states.

If I am right in believing that security of the peace lies in our cultural more than in our physical equipment, then this change evidenced and consummated by the London agreement is not without important consequences. It will help to straighten out men's thinking about war.

Teaching our young statesmen an international-law doctrine that all wars must be regarded as legal, and that no legal distinction can be made between the just and the unjust war, could not help but exert powerful influence towards acceptance of war as an honorable way of achieving ends. To instruct them that there is no individual legal

¹ BULLETIN of Aug. 12, 1945, p. 222.

responsibility on statesmen for war-making could not fail to weaken their sense of moral responsibility as well. And such instruction may be known by its fruits—two world wars.

We are approaching the ideal of Woodrow Wilson that you, Mr. President, have quoted. We are trying to "give to International Law the kind of vitality which it can only have if it is a real expression of our moral judgment". Laymen and untrained minds have long instinctively regarded aggressive war as morally wrong and inconsistent with civilization. Today the common sense of mankind is also the law of nations. At last we have mobilized the forces of the law on the side of peace and against aggression. The strength of the law may not always be equal to preventing wars, but at least it will no longer sanctify them. But most of all, we men of the law will no longer be perpetuating an immoral doctrine that all wars are legal. Wars of aggression are now, beyond denial, illegal, and those who induce, incite, or

wage them are criminal. The world has taken a long time to reach the point of making it as much a crime to incite a war as it is to incite a riot, as dangerous to attack the world's peace as it has long been to act against the king's peace.

I have the deepest appreciation of the generous credit you give me for these things—credit beyond my due. But more significant than the honor to me is the significance of your adherence to the philosophy, as your Government has adhered to the text, of the agreement of London. This ceremony, like the Honorary Doctorate conferred by the ancient and respected University of Brussels, is the outward and visible sign that we share a common faith in the law as a redeemer of our century from its bloody beginnings. Representing our respective peoples, may we renew our historic friendship and dedicate ourselves in peace as in war to continue the struggle for law against lawlessness, whether among individuals or nations.

Nazi Conspiracy and Aggression, Volume III

Nazi Conspiracy and Aggression is a series of eight volumes which will contain English translations of all of the documentary evidence collected by the American and British prosecuting staffs for the trial of the major Nazi war criminals at Nürnberg, together with explanatory material in essay form which gives background for and explains the documents. Volumes I and II will contain this explanatory material. The remaining six volumes, of which the present volume III is the first published, contain the documentary material.

This series makes available for the first time to the Allied world the documented story of Nazi Germany. Primarily, of course, the documents are concerned with the guilt of the leaders of the German Reich, but they contain a wealth of general information illuminating many dark corners of recent history. Available for the first time will be the documentary materials on: how the Nazi conspirators gained control of Germany; how they purged their political opponents; how they destroyed their trade unions and persecuted churches; how they plotted and launched aggress-

sive war against Austria, Poland, Norway, the Low Countries, and other nations; how they persecuted the Jews; how they collaborated with Italy and Japan; how they set up a slave-labor program with its concentration camps; and many other topics.

The documents are arranged in the volumes according to a series of numbers that were given to them as they were discovered and classified, and consequently are not arranged in topical or chronological order within each volume. The present volume III, however, contains many documents of outstanding interest. At the beginning of this volume is the basic affidavit explaining how the documentary materials were collected and identified. In addition are several documents originating with Adolf Hitler: his basic intention to overthrow the Weimar republic; his plan for the invasion of England; directive for the invasion of Russia; his order of October 1942 for the killing of commandos; and his speech to his commanders in August 1939 dealing with the beginning of the war against Poland. There are notes of a confer-

ence of top Nazi leaders in November 1937 concerning the plan of the war and the 1938 German master-plans for the war with particular reference to Czechoslovakia. There are also some early documents such as the minutes of the first meeting of the Hitler cabinet in 1933 and the May 1935 memorandum from Schacht to Hitler concerning the financing of the armament program. There are also a number of documents relating to the Nazi treatment of the Jews, such as: Göring's order of 1940 on the seizure of Jewish art treasures; a series of teletype orders from Gestapo headquarters initiating the "spontaneous uprising against the Jews" in 1933; a letter from Göring to Heydrich concerning the solution of the Jewish question; and the official SS report on the elimination of the Warsaw Ghetto. There is included a top-secret memorandum of a General Staff officer, dealing among other things with occupation of the Atlantic islands with a view to prosecution of war against America at a later date. In addition, there are miscellaneous documents of considerable interest, such as: the Rosenberg report on political preparation for the invasion of Norway; the Sauckel program for mobilization of labor; a circular by Martin Bormann of November 1943 demanding harsher treatment of prisoners of war; a collection of documents on execution in gas vans; and a secret German report on the Austrian *Anschluss*.

The materials in *Nazi Conspiracy and Aggression* were edited by Capt. Roger W. Barrett, JAGD, and William E. Jackson, Lt. (j.g.), USNR, and have been approved by Justice Robert H. Jackson, U.S. Chief of Counsel at Nürnberg.

Acknowledgment must also be made of the very effective labors of the British Delegation in preparing those materials in chapter IX on Aggressive War Relating to Aggression as a Basic Nazi Idea, the Violation of Treaties, and the Aggressions against Poland, Danzig, England, France, Norway and Denmark, the Low Countries, and the Balkans, as well as the materials in the sections on Individual Defendants relating to Streicher, Räder, Dönitz, Von Neurath, and Von Ribbentrop. This share of the common task was borne by Sir David Maxwell-Fyfe, K.C., M.P., Mr. Geoffrey D. Roberts, K.C., Lt. Col. J. M. G. Griffith-Jones, M.C., Col. Harry J. Phillimore,

O.B.E., and Maj. Elwyn Jones, M.P. The British opening address was delivered by the Attorney General and chief of the British Delegation, Sir Hartley Shawcross, K.C., M.P.

Recognition is also due to Miss Alma Soller and Miss Mary Burns, for their loyal and capable assistance in all the harassing details of compiling, editing, and indexing these numerous papers.

One final word should be said in recognition of the financial burden assumed by the State and War Departments, which have generously joined in allocating from their budgets the very considerable funds required to make this publication possible.

Comment on Admission of Displaced Jews to Palestine

[Released to the press by the White House August 16]

Although the President has been exchanging views with Mr. Attlee on the subject, this Government has not presented any plan of its own for the solution of the problem of Palestine. It is the sincere hope of the President, however, that as a result of the proposed conversations between the British Government and Jewish and Arab representatives a fair solution of the problem of Palestine can be found and immediate steps can be taken to alleviate the situation of the displaced Jews in Europe. It is clear that no settlement of the Palestine problem can be achieved which will be fully satisfactory to all of the parties concerned and that, if this problem is to be solved in a manner which will bring peace and prosperity to Palestine, it must be approached in a spirit of conciliation.

It is also evident that the solution of the Palestine question will not in itself solve the broader problem of the hundreds of thousands of displaced persons in Europe. The President has been giving this problem his special attention and hopes that arrangements can be entered into which will make it possible for various countries, including the United States, to admit many of these persons as permanent residents. The President on his part is contemplating seeking the approval of Congress for special legislation authorizing the entry into the United States of a fixed number of these persons, including Jews.

Report of Arrival in U.S. of Displaced Persons

[Released to the press by the White House August 15]

The President has received the following letter from the Acting Commissioner of Immigration and Naturalization:

August 7, 1946.

MY DEAR MR. PRESIDENT:

In response to your request, the following is reported concerning the arrival in the United States of displaced persons whose immigration was facilitated by your directive of December 22, 1945.¹

The Immigration and Naturalization Service has received and approved corporate affidavits from the following named organizations guaranteeing financial support to designated numbers of aliens to be sponsored by the organizations:

The American Christian Committee for Refugees, Inc.
147 West 42nd Street
New York 18, New York

The Catholic Committee for Refugees
265 West 14th Street
New York 11, New York

Hebrew Sheltering and Immigrant Aid Society
425 Lafayette Street,
New York 3, New York

International Rescue and Relief Committee, Inc.
103 Park Avenue,
New York 17, New York

National Refugee Service, Incorporated,
105 Nassau Street,
New York 7, New York

United States Committee for the Care of European Children, Inc.,
215 Fourth Avenue,
New York 3, New York

Vaad Hatzala Emergency Committee,
132 Nassau Street,
New York, New York

The American Christian Committee for Refugees signed a corporate affidavit for 500 people and indicated that it will increase the number as needed. This agency which will provide for persons who are non-Roman Catholic and non-Jewish has instructed its overseas workers as follows:

(a) Priority should be given to families, particularly where there are small children involved.

(b) In making up the monthly quotas, it shall be the policy to have as many as possible of the

Protestant and Eastern Orthodox groups in Europe represented.

(c) In so far as possible, the overseas staff shall make known the strong preference of the Joint Christian Committee to reserve places on the corporate affidavit of the ACRH for persons for whom adequate individual affidavits are not available, leaving persons with strong affidavits of support to come in *outside* their corporate affidavit on so called "individual affidavits."

The Catholic Committee for Refugees has provided a corporate affidavit for 200 Roman Catholic persons, and has indicated it will increase the number where it becomes necessary. The International Rescue and Relief Committee has provided a corporate affidavit for 500 people. This group is non-sectarian and is interested in specified individuals.

The National Refugee Service has signed a corporate affidavit for 3500 people and will increase this number whenever it becomes necessary.

The Hebrew Sheltering and Immigrant Aid Society has signed a corporate affidavit for 4500 Jewish persons.

The Vaad Hatzala Emergency Committee is interested in Orthodox Jews. It is especially interested in Orthodox Rabbis, scholars, and their children and has signed a corporate affidavit for 1000 persons.

The United States Committee for the Care of European Children has signed a corporate affidavit for 2000 children and is the only organization authorized to sponsor unaccompanied children. They are willing to place on their corporate affidavit and make plans for the care of all unaccompanied children under eighteen years of age among the displaced persons group who are orphans, or presumed to be orphans. When there are groups of children who are brothers and sisters and some of the group are over eighteen years, the U. S. Committee will take care of the entire group.

As of August 7, 1946, approximately 3452 aliens have arrived in the United States under this project. (It is necessary to approximate the number because, although it was intended that all of the

¹ BULLETIN of Dec. 23, 1945, p. 983.

immigrants should travel to the United States on board the SS, *Marine Flasher* and SS, *Marine Perch*, some aliens to whom visas were issued entered the United States by other means of transportation and at ports other than New York). The SS, *Marine Flasher* has made three trips arriving at the port of New York on May 20, 1946 with 794 displaced persons, on June 18, 1946 with 587 such persons, and on July 15, 1946 with 360 displaced persons. The SS, *Marine Perch* has made three trips, arriving at New York on May 24, 1946 with 564 displaced persons, on June 24, 1946 with 606 displaced persons, and on July 27, 1946 with 541 displaced persons.

The seven social agencies which are giving corporate affidavits have sent representatives to Europe to work in the displaced persons camps and assist in this program. These same agencies meet the *Marine Perch* and *Marine Flasher* on each arrival in New York and arrange for these immi-

grants to meet interested relatives or to establish for themselves maintenance and resettlement in the United States. Arrivals destined to the agencies have been scattered all over the country. The American Christian Committee for Refugees reports a group of Yugoslavs already enthusiastically settled on farms in the midwest. The U. S. Committee for the Care of European Children has been able to place children in many of the principal cities of the United States.

It is very interesting to note that some persons who arrived in the earlier boats are meeting relatives and friends arriving on later boats and are proudly welcoming and "explaining America to them", and that reports have come from various parts of the United States that these people have already officially filed declarations of intention to become American citizens.

Respectfully,

T. B. SHOEMAKER
Acting Commissioner

Procedural Organization of Allied Council for Japan

REMARKS BY AMERICAN REPRESENTATIVE AND CHAIRMAN OF THE COUNCIL¹

This is a special meeting called for the purpose of reviewing the procedural organization of the Council with a view to determination of what procedures, to be observed by all members, may be expected to facilitate and regularize the Council's work, to place the Council on a business-like basis and in general to improve the work of the Council.

Before we enter into discussion of details, I wish to offer comment in regard to what in my mind is the fundamental question before us. It is a question which long has given me concern both as United States member and as chairman having responsibility for the conduct of the meetings. It is the broad question of the Council's possible contribution to the furtherance of the occupation in cooperation with the Supreme Commander.

I am sure that the other members would wish me to offer some concrete solution of the fundamental question which I have mentioned. I propose to offer what I feel to be such a solution along broad and far-reaching lines.

There are perhaps a number of reasons for the state of affairs which has arisen in the Council. I have neither intention nor desire to engage in a survey of the Council's past activities or to undertake a general probing in the various aspects of this situation. On one important aspect, however, I think I may freely touch.

Observers of our proceedings have had the impression, rightly or wrongly, that there is resentment in the Council that the United States, by dictate of circumstance, has taken a predominant role in the occupation. There should be a way to overcome this obstacle to a smoother and more effective working of the Council and the proposal which I shall submit to you in due course has that end specifically in view.

¹George Atcheson, Jr. These remarks were made before a special meeting of the Allied Council for Japan in Tokyo on Tuesday morning, Aug. 13, and released to the press on Aug. 14.

But I must say at this juncture that I do not know why any such feeling should exist.

Militarily it fell to the United States, through no desire of its own, to take leadership in the great sacrifice of lives and material and in the heart-breaking effort necessary to encompass the defeat of Japan through the long years and over the vast spaces between Pearl Harbor and Atsugi. It fell to United States forces under General MacArthur to venture the historic landing into the armed camp that was Japan in late August and early September 1945. It fell to the United States to maintain the occupation for many months alone.

In the field of political matters it fell to the United States to formulate and put into effect the initial post-surrender policies for the occupation. Some time before the surrender, the United States invited the other Allies to join in establishing a Far Eastern Advisory Commission, but the response was such that the Commission was not set up until several months after the surrender. Meanwhile, the United States had no recourse but to carry forward the task and lay down necessary policies to achieve Allied objectives as set forth in the Potsdam Declaration. The Allies subsequently gave approval to United States policies and the actions thus taken. The Far Eastern Commission has been functioning since February and is formulating Allied policy decisions. What General MacArthur is engaged upon, therefore, is the momentous enterprise of moulding into history the concrete results of agreed-upon Allied policies.

The occupation authorities already have Jap cooperation. More and more as time goes on, the Japs have come to realize with increasing force and clarity that our ultimate aims are in the best interests of the Japs as well as in the interests of the world at large.

If we accept that the agreed-upon policies of the Allied governments continue to be in fact the policies of those governments, it is incontrovertible that all the Allies seek in fact the goals which they have announced as common, and, if this is the case, it follows that the Allied representatives on this Council must wish to see the occupation continue a success. It follows that the occupational authorities may rightly expect the whole-hearted collaboration of all Allied representatives. It

follows that the Allied representatives sitting here will give the Supreme Commander for the Allied powers ungrudging cooperation in the great task to which he is committed on behalf of their governments as well as on behalf of his Government and mine. I hope that this will come to be considered a fundamental principle, and that in placing subjects on the agenda, and in presenting and discussing agenda subjects, the members will make that principle the basis of future proceedings in the Council.

There is a long step which we can take toward facilitating and enhancing Allied cooperation at this table by broadening the forum of discussion so that all available Allied resources in knowledge and experience can be utilized to practical advantage and all directly concerned Allies contribute on the spot to the furtherance of Allied objectives. General MacArthur and I propose that the Council invite representatives of those 11 Allied powers which waged the Pacific war and which now have missions in Tokyo to sit here with us, informally and unofficially, and contribute their views. We would be glad to see our friend the British Ambassador sitting at this table. We would be glad to see our friend General Pechkoff, the French Ambassador, at the Council table. We would be glad to have our friend General Schilling, head of the Netherlands Military Mission, here with us. We would be glad if a representative of the Philippine Government were to join in our discussions. We would be happy to have all Allied representatives concerned make a valued contribution to our work and to the furtherance of occupation objectives.

There are, as you know, 11 nations represented on the Far Eastern Commission, which is now the Allied agency for the formulation of policies, principles, and standards in regard to occupational matters within the Commission's jurisdiction. It would be helpful to the Supreme Commander to have the advice and counsel of individual representatives of all those 11 nations. General MacArthur desires and seeks constructive advice and counsel from any and every source to assist him in his discharge of the tremendous responsibilities which rest upon his shoulders. That he seeks and welcomes the advice and counsel of all is, in my opinion, a reflection of the great

wisdom, profound insight, and far-seeing statesmanship with which he has handled the occupation.

Revision of the terms of reference of the Council is not proposed and is not in our hands. But we can, nevertheless, invite the chief Allied representatives in Tokyo to join with us at the Council table, informally and unofficially, in the discussion of substantive matters, other than procedural, which may properly be brought before the Council. By so doing, I submit, we will unquestionably increase the effectiveness of the Council in assisting the Supreme Commander, and will bring the Council to the forefront of the field, so vital today to all the world, of international goodwill and cooperation.

Anniversary of Korean Liberation

STATEMENT BY ACTING SECRETARY ACHESON

[Released to the press August 13]

Celebrations by Korean people on August 15 marking the anniversary of their liberation from Japanese domination will strike a responsive chord in the hearts of Americans.

The United States maintains a continuing interest in Korea and desires to see it attain a position of equality with other independent nations of the world. In December 1945 the United States joined the Union of Soviet Socialist Republics, China, and the United Kingdom in an agreement providing for the achievement of this objective.

The people of the United States share the Korean people's disappointment that negotiations for the implementation of the Moscow agreement have been temporarily suspended. Representatives of the United States stand ready to resume these negotiations at any time on a basis safeguarding the essentials of the new-found Korean liberty.

Meanwhile the United States military government is doing all in its power to enable the Korean

people to participate in democracy at work by encouraging them to take an active and responsible part in the administration of southern Korea. In contributing in this way to the solution of practical problems of administration, Koreans will acquire experience which should prove useful when their country is again united in independence and self-government.

Present Conditions in China

JOINT STATEMENT BY GENERAL MARSHALL AND AMBASSADOR STUART

Gen. George C. Marshall¹ and Dr. J. Leighton Stuart have been exploring together every possibility for terminating the present growing conflict in China and for the initiation of the preliminary steps in the development of a truly democratic form of government. The desire for a peaceful solution to the political problems appears practically unanimous on the part of the people. The economic situation demands a prompt solution if a disastrous collapse is to be avoided. The fighting is daily growing more wide-spread and threatens to engulf the country and pass beyond the control of those responsible. Both the Government and the Communist leaders are anxious to put an end to the fighting, but there are certain issues concerned in the immediate settlement involved regarding which an agreement has not been found. It appears impossible for the two parties to reach a settlement of these issues which would permit a general order to be issued for the complete cessation of hostilities in all of China. Certain of the unsettled issues relate to the military redistribution of troops. However, these apparently present less difficulty of settlement than a more fundamental issue concerning the character of local or county governments to be maintained in the regions which will be evacuated as a result of the military redistribution, pending a basic decision in such matters by the Constitutional Assembly.

¹ The President's Special Envoy to China.

Recognition of New Bolivian Government

[Released to the press August 12]

Acting Secretary Dean Acheson announced on August 12 that the Government of the United States has extended full recognition to the Government of Bolivia, which is now organized under Acting President Néstor Guillén.

At noon on August 12 the American Ambassador in La Paz¹ informed the new Minister of Foreign Affairs of Bolivia of this action by the Government of the United States. Several American governments had previously granted recognition, and it is understood that others are taking similar action.

Provision of Albanian Currency Law

[Released to the press August 13]

A new Albanian currency law went into effect July 15, 1946. The law provides that a person in Albania receiving remittances in the form of checks, bills of exchange, and money orders will receive 2.77 Albanian francs to the dollar, less the bank's commission. This compares with the former rate of 25 Albanian francs to the dollar.

It is understood that Albanian authorities open and inspect all parcels entering Albania from abroad. Wherever currency is encountered it is confiscated by the authorities. In such cases where the packages are forwarded to the addressees the latter have no means of knowing that friends and relatives have made an effort to forward currency to them.

Summation of Activities in Japan

Summation no. 9 for the Month of June 1946 of Non-Military Activities in Japan, consisting of information on political, economic, and social activities, was released to the press by General Headquarters, Supreme Commander for the Allied Powers, in Tokyo and simultaneously by the War Department in Washington on August 10.

Conservation of Cultural Property

[Released to the press August 14]

With the expiration of the three-year appointment of the American Commission for the Protection and Salvage of Artistic and Historic Monuments in War Areas, its continuing functions have been assumed by the Department of State to be administered by the Office of International Information and Cultural Affairs.

The appointment of the American Commission in August 1943 by President Roosevelt, upon the recommendation of the Secretary of State, Cordell Hull, was regarded as a proclamation to the world, friends and enemies, of our practical concern in protecting these symbols of civilization from injury and spoliation. The members of the American Commission, which included distinguished representatives of American universities, museums, libraries, and the church, and the Chairman, Owen J. Roberts, former Justice of the Supreme Court of the United States, have served throughout the term of their appointment without pay and have generously given their time in bringing about the fullest cooperation between American scholars and the American Government for the realization of their purposes.

The research on endangered cities in Europe and the Far East by the Committee of the American Council of Learned Societies for the Protection of Cultural Treasures in War Areas and the American Defense-Harvard Group was coordinated into a vigorous program under the Civil Affairs Division of the War Department. The pioneering and brilliant achievements of the monuments, fine arts, and archives officers in Europe and the Far East have been widely publicized. With the close cooperation of the War, Navy, Treasury, and State Departments, the wartime activities of the American Commission have been brought to a successful conclusion.

The settlement of cultural property following hostilities necessitated the continuation by the Department of State of this coordination of Government activities. Plunder, no less than destruction,

¹ Joseph Flack.

is one of the chief hazards to art in time of war. The looting of art treasures by the Nazis has been prosecuted as a crime in the Nürnberg trials, and their ignominious glory in their cultural spoils has been condemned.

The immediate post-war problem consists of the reconstitution of the artistic and historic heritage of enemy-occupied countries. Since the surrender of Germany and Japan, the military government in the American zones of occupation has been giving the fullest aid to claimant countries in the location, the recovery, and the restitution of works of art which were widely dislocated by the enemy. The Treasury and State Departments are also tak-

ing every means to prevent the illegal entry or sale of stolen art in this country.

The protection of art in time of war is based upon the universally accepted principle that cultural property is inviolable. The United States Government, like the other Allied nations, seeks only the restoration of cultural objects to the rightful owners. The artistic and historic treasures of a nation are regarded as that nation's patrimony, and the great public collections of the world as an international heritage. It is the preservation of this irreplaceable cultural heritage of all nations which is recognized, today, as an international responsibility.

The Foreign Service Act of 1946

STATEMENT BY THE PRESIDENT

[Released to the press by the White House August 13]

It is significant that this bill (H.R. 6967, "to improve, strengthen, and expand the Foreign Service of the United States and to consolidate and revise the laws relating to its administration") comes to me for signature at just the time that the efforts of Secretary Byrnes at the Peace Conference are demonstrating how great a stake the United States has in world affairs. While we strive to reach international agreement on the large and confused issues, we can make progress by trying to perfect those instruments of international relations which it lies in our power to improve. This administration is doing everything possible to back up our participation in the United Nations and its ancillary organizations, and in the International Bank and the International Monetary Fund. This Foreign Service legislation is consistent with all our efforts in this field. It seeks to make the Service as efficient an instrument of our foreign policy as possible and to make our efforts to win the peace that much more effective.

The traditional responsibilities of the Foreign Service have increased in complexity and importance and many new duties have been added as a result of the inclusion in the Department of State of some of the functions of wartime agencies. The

efficient performance of this service is now more vital to the Government and individual American citizens than before the war. It must keep our Government informed with the greatest foresight and accuracy; it must make effective our policies in great countries and small; it must protect our citizens abroad in a troubled world and must promote our commerce under conditions of trade still influenced by the war and subject to controls not always familiar to the private trader.

The Foreign Service is now functioning as best it can on an outmoded plan laid down in 1924. In this bill we create a "new model" service. One of the basic reforms is a revision of the salary structure so that a man without independent means can serve his country as an Ambassador or Minister or in any Foreign Service position as effectively as a wealthy man. At the same time that the bill improves compensation it subjects the Service to more rigid requirements in regard to promotion and training; it seeks to keep our diplomats and consuls from losing touch with American life and thought by providing more frequent and varied assignments in this country; and it tries to make the Service truly representative of the whole Government and people by making it possible for the best qualified men and women in the country, in or

out of the Government, to have tours of duty with the Foreign Service in any of its ranks.

We hope to speed the success of our foreign policy by improving its instruments. For a country situated as we are, only the best possible Foreign Service will suffice; this new act will, I hope, provide the foundations on which we can build such a service.

Provision for Reorganization of the Foreign Service

[Released to the press August 13]

The Foreign Service Act of 1946 which the President signed on August 13 provides the machinery by which the Department will carry out its new responsibilities throughout the world. It represents the first major reorganization in the Foreign Service since 1924 and by its flexible provisions will enable the Department to send abroad the highest type of personnel available in this country. By a more intensive training program and by more rigid standards of performance, the bill insures a Foreign Service which will treat with vigor and understanding the complex problems of the post-war world. The Department is gratified that it has this opportunity to make an effective and continuous contribution to peace.

Visit of Colombian Archivist

Dr. Enrique Ortega Ricaurte, distinguished Colombian archivist and historian, and director of the National Archives of Colombia, is visiting the United States at the invitation of the Department of State. His principal interest is to visit archives in the United States and especially to study the material which pertains to the history of Colombia contained in the National Archives in Washington.

Erratum

In the BULLETIN of August 11, 1946, pp. 272 and 273, the release lines of both reports should read "Released to the press by the White House August 27".

The Department

Establishment of Office of Under Secretary of State for Economic Affairs¹

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established in the Department of State for a period of two years following the enactment and approval of this legislation by the President, the Office of Under Secretary of State for Economic Affairs, which shall be filled by appointment by the President, by and with the advice and consent of the Senate. The Under Secretary of State for Economic Affairs shall receive compensation at the rate of \$10,000 a year and shall perform such duties as may be prescribed by the Secretary of State. The Under Secretary of State for Economic Affairs shall serve subject to the direction of the Secretary of State and the Under Secretary of State.

Approved August 1, 1946.

¹An Act to establish the Office of Under Secretary of State for Economic Affairs, Public Law 590, 79th Cong. For H. Rept. 2249, see BULLETIN of June 23, 1946, p. 1063. William L. Clayton took the oath of office as Under Secretary of State for Economic Affairs on Aug. 17, 1946.

Foreign Commerce Weekly

The following articles of interest to readers of the BULLETIN appeared in the August 10 issue of the *Foreign Commerce Weekly*, a publication of the Department of Commerce, copies of which may be obtained from the Superintendent of Documents, Government Printing Office, for 10 cents each:

"War-Racked French Ports Progress Toward Normalcy". By Ruth C. Leslie, Department of Commerce, based on reports from the American Embassy, Paris.

Training Announcements

Departmental Orientation Program

The ten-o'clock series of Departmental Orientation Conferences will be resumed in September in room 474, main State building. Topics for the first week are:

Tuesday, September 3: POLITICAL PROBLEMS OF THE AMERICAN REPUBLICS, by Ellis O. Briggs, Director, Office of American Republic Affairs

Thursday, September 5: POLITICAL PROBLEMS OF THE FAR EAST, by John Carter Vincent, Director, Office of Far Eastern Affairs

Foreign Service Orientation Series

Two new classes of Vice Consuls, entering during September, will attend the nine-o'clock Foreign Service Orientation Conferences in room 474. This series covers the work of the Department and the Foreign Service and provides a survey of the major geographic areas of the world.

Other personnel of the Department and of the Foreign Service are invited to attend any or all of these talks.

Lectures for the first week in September are:

Wednesday, September 4: J. Klahr Huddle, Foreign Service officer, THE HISTORY AND ORGANIZATION OF THE FOREIGN SERVICE OF THE UNITED STATES

Friday, September 6: James Fattiss, Special Assistant to the Director, Office of the Foreign Service, RELATIONS OF THE DEPARTMENT OF STATE AND FOREIGN SERVICE TO OTHER DEPARTMENTS AND AGENCIES OF THE GOVERNMENT

Detailed announcements of the series may be obtained by calling extension 3179.

Franklin Roudybush, formerly of the Foreign Liquidation Commission, Department of State, is now Registrar of the Division of Training Services. During the war, Mr. Roudybush was responsible for translation—especially of uncommon languages—in the Office of Censorship, and for special liaison with the Department. Before the war he was dean of a Foreign Service school.

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The BULLETIN Supplement, containing the draft texts of peace treaties with Italy, Bulgaria, Rumania, Hungary, and Finland, as announced in the BULLETIN of August 11, will not be published.

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Agreements and Treaties Concluded by the U.S.S.R. in 1945

Article by RAYMOND H. FISHER¹

I

THE Union of Soviet Socialist Republics, like various other governments, has conducted negotiations in the last year or two to restore treaty obligations that were interrupted by the war and to revise or expand the pattern of existing international commitments. The texts of certain Soviet political agreements of general international interest have appeared in the BULLETIN from time to time, such as the treaties signed with France, December 10, 1944,² with Yugoslavia, April 11, 1945,³ with Poland, April 21 and August 16, 1945,⁴ with China, August 14, 1945,⁵ and with the Mongolian People's Republic, February 27, 1946.⁶

In the course of the year 1945 the Soviet Union concluded a number of agreements, most of which

are economic in character. The following account contains summaries of these agreements, as they have been announced in press reports in this and in the contracting countries. No attempt, however, is made to appraise the degree to which the terms appearing on paper have or have not been carried out.

II

Albania

An exchange of notes restoring formal diplomatic relations appears to be the only engagement in the nature of an agreement which the U.S.S.R. concluded with Albania during 1945. The decision of the Soviet Government to reestablish diplomatic relations with Albania and to invite the exchange of ministers was communicated on November 9 by Colonel Sokolov, Chief of the Soviet

¹ Dr. Fisher, formerly County Specialist in the Division of Eastern European Affairs, Office of European Affairs, Department of State, will be a member of the history department of the University of California at Los Angeles.

² Treaty of Alliance and Mutual Assistance between the U.S.S.R. and the French Republic. BULLETIN of Jan. 7, 1945, p. 39.

³ Treaty of Friendship, Mutual Aid and Post-War Cooperation between the U.S.S.R. and Yugoslavia. BULLETIN of Apr. 11, 1945, p. 774.

⁴ Agreement regarding Friendship, Mutual Assistance and Post-War Cooperation between the U.S.S.R. and the Polish Republic (Apr. 21, 1945); Treaty between the U.S.S.R. and the Polish Republic on the Soviet-Polish State Frontier (Aug. 16, 1945); Agreement and Protocol between the Government of the U.S.S.R. and the Provisional Government of National Unity of the Polish Republic on Compensation for Damages Caused by German Occupation (Aug. 16, 1945). BULLETIN of Mar. 3, 1946, p. 340.

⁵ Treaty of Friendship and Alliance between the Republic of China and the U.S.S.R.; Exchange of Notes relating to the Treaty of Friendship and Alliance; Exchange of Notes on Outer Mongolia; Agreement concerning Dairen; Protocol to the Agreement on Dairen; Agreement on Port Arthur; Appendix to "Agreement on Port Arthur"; Agreement regarding Relations between Chinese Administration and the Commander-in-Chief of the Soviet Forces after the Entry of Soviet Troops into the "Three Eastern Provinces" of China during the Present Joint Military Operations against Japan; Agreement between the Republic of China and the U.S.S.R. concerning the Chinese Changchun Railway—all signed August 14, 1945. BULLETIN of Feb. 10, 1946, p. 201.

⁶ Treaty of Friendship and Mutual Assistance between the U.S.S.R. and the Mongolian People's Republic; Agreement on Economic and Cultural Collaboration between the Government of the U.S.S.R. and the Government of the Mongolian People's Republic. BULLETIN of June 2, 1946, p. 968.

Military Mission in Albania, to General Euver Hoxha, President of the Council of Ministers of Albania. General Hoxha expressed satisfaction at the announcement and readiness to exchange envoys.

Bulgaria

Two trade agreements and the restoration of diplomatic relations constitute the formal engagements entered into between Bulgaria and the U.S.S.R. during 1945. On March 14-15 representatives of the Soviet and Bulgarian Governments signed at Moscow a trade agreement and five accompanying annexes. The agreement contained a schedule of goods to be exported by each country to the other. Soviet exports to Bulgaria were to include metals, petroleum products, cotton, rubber, industrial and agricultural machinery, chemicals, paper, cellulose, hay, oats, medicines. Bulgarian exports to the Soviet Union were to be tobacco particularly, agricultural products, vegetable oils, ores, cotton goods.

A supplementary trade agreement between the two countries was signed on December 15 at Sofia. By this agreement the U.S.S.R. undertook to supply Bulgaria with 30,000 metric tons of wheat, deliveries to begin immediately and to be finished by April 1, 1946. The Bulgarian Government agreed to repay these amounts by April 1, 1947.

In April of this year a protocol supplementary to the March 1945 agreement was signed which provided for the completion of Soviet deliveries to Bulgaria under the 1945 agreement. Included for delivery were 13,250 tons of petroleum products, 22,650 tons of ferrous metals, 250 tons of light metals, 9,903 tons of chemicals, 22,000 tons of fertilizer, 12,100 tons of cellulose paper, and an electric-power station of 12,000 watts.

During the summer of 1945 diplomatic relations between the U.S.S.R. and Bulgaria were resumed. On August 14 Colonel-General Biryuzov, Vice Chairman of the Allied Control Commission in Bulgaria, on behalf of the Soviet Government informed Mr. Kimon Georgiev, the Prime Minister of Bulgaria, of the decision of the Soviet Government to reestablish diplomatic relations with Bulgaria and proposed the exchange of min-

isters. The Bulgarian expressed agreement and satisfaction.

Czechoslovakia

Treaty relations between the U.S.S.R. and Czechoslovakia in 1945 were unique in that they involved the cession of territory. On June 29 at Moscow representatives of the two governments signed the treaty and protocol on Transcarpathian Ukraine. Ratification by the Presidium of the Supreme Soviet of the U.S.S.R. occurred on November 27, 1945; exchange of ratifications took place on January 30, 1946. This treaty ceded the province called by the Czechs "Subcarpathian Ruthenia"—and thereafter to be known as "Transcarpathian Ukraine"—to the Ukrainian S.S.R. The new boundary between Czechoslovakia and the Soviet Union was, with minor modifications, the frontier existing on September 29, 1938 between Slovakia and Subcarpathian Ruthenia. The protocol provided for a demarcation commission, consisting of three representatives from each side, to mark the boundary on the spot. It also provided that persons of Russian or Ukrainian nationality residing in the Slovak districts of Czechoslovakia could, until January 1, 1946, with permission of the Soviet authorities opt for Soviet citizenship, and persons of Slovak or Czech nationality having permanent residence in Transcarpathian Ukraine could, until January 1, 1946, with permission of the Czechoslovak authorities, opt for Czechoslovak citizenship. Those utilizing the right of option were to move, within 12 months after receiving consent of the respective government, to the state whose citizenship they were to acquire. They were to be permitted to take their movable property with them. For their immovable property they were to be compensated, as also were persons of Czech or Slovak nationality who were compelled to leave Transcarpathian Ukraine in consequence of enemy occupation; to these persons belong juridical persons regarded as Czechs or Slovaks by virtue of their legal organs prior to the occupation. A liquidation commission, composed of representatives from each high contracting party, was to be established to handle the questions of law, property, and finance involved in the transfer of territory, as well as compensations for immovable property. Liquidation of all compensations was to be completed 18 months from date of ratification of the treaty.

¹ According to a press report from Sofia, dated June 8, 1946, the Soviet Union has released Bulgaria from the obligation to return the 30,000 [sic] tons of wheat loaned last year.

Late in August 1945 a Czechoslovak trade mission negotiated a trade agreement in Moscow with the Soviet Government. Signed, reportedly, on September 8, this agreement was preliminary in character, since it applied only to the period remaining in 1945, although it appears to have been continued tacitly until a new agreement, valid for one year from date of signing, was concluded on April 12, 1946. In general the September agreement called for an exchange of raw materials from the Soviet Union in exchange for machinery and industrial goods from Czechoslovakia. Among the products to be supplied by the Soviet Union were iron ore, manganese, chromium ore, cotton, rice, fats and other foods, flax, wool, coal from the Waldenburg basin in former German territory, gasoline and other oil products, pyrites, and rock salt. Czechoslovakia was to deliver to the Soviet Union machine tools, electrotechnical products, rolling mills, harvesting and other light machinery, locomotives, and electric motors.

Of minor significance was an agreement signed on October 21 between the People's Commissariat for Communications of the U.S.S.R. and the Czechoslovak Ministry for Post Offices on the resumption of normal postal, telegraph, and telephone communications between the two countries.

Finland

Finland was the first country to conclude an agreement with the Soviet Union in 1945 when on January 31 representatives of the two countries signed a commodities-exchange agreement in Moscow. Under its terms the U.S.S.R. was to deliver to Finland, by June 1, 1945, 5,000 tons of wheat, 25,000 tons of rye, 1,000 tons of sugar, 50 tons of chocolate, 250 tons of other sweets. The total value of the stipulated Soviet deliveries to Finland was around \$2,260,000 (American). Finland was to deliver to the U.S.S.R. chiefly nickel, cobalt, and sulfur ore. Finland was also to repair at its Helsinki and Aabo shipyards Soviet naval vessels, with the value of such repair work estimated at \$1,100,000. The exchange of goods was to take place directly between the two governments, the Supply Ministry to be the Government agency responsible in Finland. A. I. Mikoyan, as Commissar for Foreign Trade, signed the agreement for the Soviet Government.

A second economic agreement between the two

countries, a trade agreement, was signed in Moscow on May 8, 1945. By this agreement the Soviet Union was in the course of the year to supply Finland with another 5,000 tons of wheat and 25,000 tons of rye, as well as fuel and lubricating oils, kerosene, salt, apatite, leather products, and 500 metric tons of tobacco. Finland's obligations called for sending paper, cellulose, and pre-fabricated wooden houses to the Soviet Union. A total turn-over of \$17,000,000 (American) was anticipated.

The commercial negotiations between the Soviet Union and Finland were of a continuing nature, with the result that a third and supplementary agreement was signed in Moscow on August 11, 1945. According to this agreement the U.S.S.R. was to send to Finland, during the period ending in June 1946, cereals, salt, coal, coke, fuel and lubricating oils, apatite, sugar, tobacco, fodder cakes, and certain other products not named. As before, Finland was to pay for them by exporting to the Soviet Union cellulose, paper, cardboard, and paper products.

During that month diplomatic relations between Finland and the U.S.S.R. were resumed. On August 6 Colonel General Zhdanov, Chairman of the Control Commission in Finland, announced that the Soviet Government had decided to establish diplomatic relations with Finland and requested the exchange of ministers. The Finnish Government replied on the same day, expressing agreement and satisfaction.

The next agreements between the two countries concerned the boundary readjustment at Petsamo. On October 26 the Soviet and Finnish Delegations on the Joint Soviet-Finnish Commission for demarcation of the frontier between the U.S.S.R. and Finland in the district of Pechenga (Petsamo) signed the documents demarcating the frontier.⁸ At the same time a protocol defining the place of meeting of the frontiers of the U.S.S.R., Finland, and Norway was signed by representatives of the Soviet and Finnish Delegations in joint committee and by a Norwegian representative.

Finland was also the last country to sign an agreement with the Soviet Union in 1945. On December 31 the two countries concluded an agree-

⁸The boundary itself is defined in the armistice agreement of Sept. 19, 1944, which appeared in the *BULLETIN* of Feb. 18, 1945, p. 261.

ment prolonging the period of reparations payments by two years, from six to eight years, and permitting a reduction in the annual reparations instalments. The reduction in 1946 will amount to about \$15,000,000 (American).

France

A trade agreement between France and U.S.S.R. was signed at Moscow on December 29, 1945.²⁰ Instruments of ratification were exchanged at Paris on May 2, 1946. The agreement, which was to run for five years, contains mutual most-favored-nation clauses with regard to the exchange of goods, navigation, and the status of juridical and physical persons engaging in trade transactions under the agreement. The legal status of the trade representatives of the Soviet Union is defined and the establishment of commercial missions in the capitals of both countries provided for.

According to the Moscow press "this agreement permits the renewal and development, in accordance with the desire of both Governments over a prolonged period of time, of trade relations between the U.S.S.R. and France, in the degree to which both countries shall possess goods and raw materials for export." Omitting any mention of specific commodities to be exchanged, this treaty, unlike the trade agreements with Bulgaria, Rumania, and other countries, is apparently intended to provide only the framework within which the commercial relations between France and the Soviet Union are to be conducted whenever active trade between the two countries actually develops. The legal status accorded the Soviet trade delegation in France appears to be the most substantial part of this agreement.

Hungary

Economic matters were the subject of three agreements between the U.S.S.R. and the Provisional National Government of Hungary. The

first agreement related to the fulfilment by Hungary of article 12 of the armistice agreement of January 20, 1945.²¹ It was an agreement on the delivery of goods by Hungary in reparation for damages inflicted by Hungary upon the Soviet Union through military operations and occupation of Soviet territory and was signed in Budapest on June 15, 1945. The delivery of 200 million American dollars' worth of goods provided for by article 12 of the armistice is to be made in equal proportions annually during the period from January 20, 1945 through January 20, 1951. The reparations agreement provides for deliveries of machine equipment, vessels, grain, live-stock, and other articles. A detailed list of articles to be delivered and of the schedule of their delivery was drawn up. The cost of the articles to be delivered was determined according to 1938 prices in American dollars, with 15 percent added for industrial goods and 10 percent for other goods.

The second and third agreements between the Soviet Union and Hungary involved economic collaboration and reciprocal delivery of goods. These agreements were signed on August 27 in Moscow. By their terms the same kind of economic relations were established between these two countries as between the Soviet Union and Rumania.

The trade agreement provides for a bilateral exchange of goods for the period from September 1945 to December 31, 1946 to the value of about \$30,000,000. It also provides for the spinning of thread from Soviet raw cotton by Hungarian factories and their production of fabrics for the U.S.S.R.

The agreement on economic collaboration has as its announced purpose the facilitating of Soviet-Hungarian economic relations and the development of Hungary's economy through the means of joint Soviet-Hungarian organizations, after the pattern of the joint Soviet-Rumanian companies.²² Joint companies were to be set up in Hungary to (1) prospect for bauxite and undertake its manufacture into aluminum; (2) prospect for petroleum and purchase refineries for its production; (3) further coal production; (4) acquire and develop power plants; (5) develop the chemical industry, especially for the manufacture of commercial fertilizers; (6) develop the manufacturing of electrical and agricultural machinery; (7) de-

²⁰Text printed in *Journal Official*, June 20, 1946.

²¹The text of this armistice agreement appeared in the BULLETIN of Jan. 21, 1945, p. 83.

²²The joint Soviet-Rumanian companies may be taken as a model since they were the first to be provided for and more is known about them.

²³The agreements establishing a joint Soviet-Hungarian oil company and a joint Soviet-Hungarian company to exploit Hungary's bauxite resources were signed in Budapest on Apr. 8, 1946.

velop river,¹² motor, and air transport,¹³ to this end acquiring ships, fostering air traffic, establishing automobile factories, and setting up a bank to finance these enterprises; and (8) establish an agricultural research center and a mechanization center, and arrange for the exchange of breeding stock between Hungary and the Soviet Union. The agreement, which is to run for five years, was signed on August 27, 1945 in Moscow. Ratification of the agreement by the Supreme National Council of Hungary occurred on December 20 and by the Presidium of the Supreme Soviet of the U.S.S.R. on December 26, 1945.

The month of September saw the resumption of formal diplomatic relations between Hungary and the U.S.S.R. On September 25 K. E. Voroshilov, Chairman of the Allied Control Commission in Hungary, informed Mr. Miklos, Prime Minister in the Provisional National Hungarian Government, of the Soviet Government's decision to reestablish diplomatic relations with Hungary and proposed the exchange of ministers. The Hungarian Government replied, expressing agreement with the decision and proposal.

Poland

The U.S.S.R. appears to have concluded more agreements during 1945 with Poland than with any other country. Three treaties, the Treaty of Friendship and Alliance of April 21, the Treaty on the Soviet-Polish State Frontier of August 16, and the Agreement and Protocol on Compensation for Damages Caused by German Occupation, also of August 16, have appeared in the BULLETIN.¹⁴

A fourth agreement concerned the mutual exchange of Polish and Soviet citizens. This agreement, with attached protocol, was signed in Moscow on July 6 by representatives of the U.S.S.R. and the Provisional Government of National Unity of the Polish Republic. It provided that persons of Polish and Jewish nationality who held Polish citizenship prior to September 17, 1939 and were currently residing on Soviet territory, as well as members of their families, might move to Poland, withdrawing from Soviet citizenship. The right of resettlement was extended also to persons of Polish nationality described in the decrees of June 22 and July 14, 1944 of the Presidium of the Supreme Soviet of the U.S.S.R.¹⁵ Persons of Russian, Ukrainian, Byelorussian, Ruthenian, and

Lithuanian nationality living on the territory of Poland, and members of their families, might surrender their Polish citizenship and resettle on Soviet territory. Surrender of citizenship and resettlement were to be voluntary. Those persons relinquishing Polish citizenship were to apply before November 20, 1945 to the Presidium of the Supreme Soviet or, if outside of the Soviet Union, to the appropriate embassy or legation. Persons relinquishing Polish citizenship were to apply before November 1, 1945 to the responsible local authorities. A mixed Soviet-Polish Commission, consisting of three appointees from each country and sitting in Moscow, was to coordinate this agreement, register persons subject to the agreement, and appoint plenipotentiaries at the departure centers. The transfer of persons was to be completed by December 31, 1945. The technical details were embodied in the protocol attached to the agreement. The emigrants were to have the right to take with them property up to two tons for each family for rural persons and up to one ton for urban persons; persons of special professions could take with them the articles used in their professional activity. Emigrants could take with them a maximum of 1,000 rubles or zloty. The agreement did not alter the provisions of the agreements of September 9 and 22, 1944 between the Polish Committee of National Liberation and the Ukrainian, Byelorussian, and Lithuanian Soviet Socialist Republics concerning the mutual exchange of population.

Four other agreements between the Soviet Union and Poland are economic in character. On July 7, 1945 two documents were signed in Moscow. One is the Commercial Treaty between the U.S.S.R. and the Polish Republic. It provides for the development and strengthening by both countries of economic relations between them in the spirit of friendship and collaboration and sets forth the principle of most-favored-nation treatment, to be accorded to both sides. The other is an agreement for the mutual delivery of goods be-

¹² The agreements establishing a joint Soviet-Hungarian civil-aviation company and a joint Soviet-Hungarian navigation company were signed in Budapest on Mar. 29, 1946.

¹³ See above, n. 4.

¹⁴ These decrees allowed persons of Polish nationality serving in the Polish Army in the U.S.S.R. or aiding it, and their families, to acquire Polish citizenship.

tween the U.S.S.R. and the Polish Republic. Under its terms Soviet goods were to be delivered to Poland and Polish goods to the Soviet Union during the second half of 1945 to a total value of about \$128,000,000 (American). Poland was to deliver to the Soviet Union 5,000,000 tons of coal and coke, 67,000 tons of steel and iron, 5,000 tons of zinc, 70,000 tons of cement, and 25,000 tons of calcined soda, as well as cotton and wool fabrics manufactured from raw materials supplied by the Soviet Union. The Soviet Union was to deliver 250,000 tons of iron ore, 30,000 tons of manganese ores, 25,000 tons of cotton, 3,000 tons of tobacco, 2,400 tons of flax, 40,000 of apatites, cellulose, paper, and a number of other commodities.

A third and fourth agreement related to railroads. One, signed on July 11, 1945 in Moscow, concerned the alteration of the system of administration of the railroads in Poland and provided for the transfer of the Polish railroads, by stages, from the Soviet authorities who administered them during the wartime period to the Polish Ministry of Communications, beginning August 1, 1945. The other was an agreement signed in Moscow on November 23, 1945 between the People's Commissariat (now Ministry) of Communications in the U.S.S.R. and the Ministry of Communications in the Polish Republic on Soviet-Polish direct railway communication. In the agreement provisions are made for conditions of transport, tariffs, conditions for the use of rolling stock, accounts, responsibility for the custody of goods in transit, and conditions of transport between the Soviet occupation zone in Germany and the Soviet Union by Polish railways.

Rumania

Rumania and the U.S.S.R. concluded a number of agreements during 1945, all but two of them relating to economic matters. The first of these was the agreement signed in Moscow on January 16 concerning the fulfilment of article 11 of the armistice agreement of September 12, 1944.¹⁵ The agreement of January 16 provided that the sum of \$300,000,000 (American) stipulated in article

11 of the armistice agreement was to be paid during the period from September 12, 1944 to September 12, 1950, i.e. in six equal instalments over the period of six years. Provided for in the deliveries under these instalments were \$150,000,000 worth of petroleum products and \$54,000,000 worth of ocean-going and river vessels and diverse machine and railway equipment, as well as \$13,000,000 in cash. The cost of the goods delivered was to be determined on the basis of 1938 prices in American dollars, with an increase in these prices of 15 percent for machine and railway equipment and for ships, and 10 percent for all other goods. A detailed list of goods to be delivered, as well as the periods of their delivery, was set forth in the agreement.

The next agreements known to have been concluded by the Soviet Union and Rumania were those signed in Moscow on May 8. They consist of a trade agreement and an agreement on economic collaboration. The latter runs for five years from the date of the exchange of ratifications, which occurred on July 16 in Bucharest, with tacit prolongation unless denounced by one of the parties on one year's notice.

The agreement on economic collaboration is extensive in its application, calling for "the participation of Soviet capital and technical assistance in the intensification of Rumanian economic activity". This was to be done by establishing joint Soviet-Rumanian companies whose boards were to consist half of Rumanian and half of Soviet personnel; the president of the board and the assistant general manager were to be Rumanian, the deputy president and general manager Soviet. The capital of the joint companies was to be held equally between the Soviets and the Rumanian investors (both private and state). A joint bank was to be set up in Bucharest, with the right to extensive activities.¹⁶ The Rumanian oil companies were to be made to enter a joint Soviet-Rumanian oil concern for the "exploration, exploitation, processing, and commercialization of petroleum and petroleum products". The Rumanian Government was to cede to this company a half share in the crude-petroleum royalties accruing to the Rumanian Government under previous conditions, as well as what appear to be exclusive boring rights on Rumanian territory not previously conceded to foreign oil interests. The

¹⁵ The text of the armistice agreement appeared in the BULLETIN of Sept. 17, 1944, p. 289.

¹⁶ The agreement establishing this bank was signed on Aug. 15, 1945.

Soviet Government was to contribute the necessary oilfield equipment.¹⁷

The agreement provides also for the development of river and maritime navigation by a Soviet-Rumanian company. The Rumanian Government was to cede to the joint company the exclusive rights, on a rental basis, for the use of the harbor, ship repair, and shipbuilding installations in the ports of Constanta, Braila, Galatz, and Giurgiu. Certain Soviet administrative organs, the Maritime Register of the U.S.S.R., the administration of the State Insurance of the U.S.S.R. (*Gostrahk*), and transport and delivery organizations of the U.S.S.R. were to have the right to carry out operations on Rumanian territory in line with the general agreement.¹⁸

Certain provisions of the agreement look toward the economic development of Rumania. The Soviet Government is to cooperate fully with the Rumanian Government in the construction of new hydroelectric power plants and the general electrification of Rumania. A Soviet-Rumanian agricultural research institute is to be set up, exchanges of experts and technicians are to take place, and agricultural machinery and implements are to be supplied by the U.S.S.R.

Another joint company on the half-and-half basis was to be created for the development of air transport and civil aviation generally. The Rumanian Government was to provide the necessary airfields and installations and land for the construction of new airfields; the Soviet Government was to provide the airplanes. Each Government accorded the other the right to fly over its territory.¹⁹

The agreement also stipulates that other companies were to be set up, after two months' investigation, for joint development of the Rumanian timber, glass, mining, and metallurgical industries. In compensation for the iron ore taken from Krivoi Rog by the steel and engineering works of Resita, the Rumanian Government was to facilitate the acquisition by the respective Soviet organization of shares in these works "at least equal in value" to the quantities of iron ore taken. (This would amount to about 42 percent of the shares.)

Wherever the Soviets were not in a position to supply the plant necessary for the development of these joint enterprises, they were to make avail-

able to the Rumanians the means of payment for purchases elsewhere. Under article 4 the Rumanian Government was to assist in the processing of raw materials supplied by the U.S.S.R. In that connection, the agreement provided, 20,000 tons of raw cotton were to be sent to Rumania during the first year of the agreement for manufacture into goods to be returned to the Soviet Union. The U.S.S.R. was also to make available 2,000 tractors, which, under article 12 of the armistice agreement, were to be returned to the Soviet Union.

The trade agreement between the U.S.S.R. and Rumania was of the usual order, calling for a mutual exchange of goods on the basis of barter, i.e. the value of the imports was to equal the value of the exports. The operations were to be liquidated for imports through the Moscow State Bank and for exports through the National Bank of Rumania. Payments were to be regulated on the dollar rate of the day of the signature of the agreement, the then current (May 1945) world prices being taken as a basis. Balances were to be examined every three months in order to stimulate imports or exports, should they not be in equilibrium.

According to the terms of this agreement (1) the Soviets undertook to facilitate the importation into Rumania of ball bearings from Sweden and cigaret paper from Finland; (2) the Soviets were to ship 40,000 tons of cotton to Constanta in Soviet transport vessels, which were to take Rumanian exports to Soviet ports; (3) of the 40,000 tons of cotton, 20,000 tons were to go into Rumanian internal consumption and the other 20,000 tons to be returned to the U.S.S.R. as manufactured goods; (4) the Soviets undertook to supply later 1,000 tons of wool, 25,000 tons of semi-manufactured steel, and 1,000 tons of bar copper.

¹⁷ The agreement establishing the Soviet-Rumanian company for the exploration, extraction, refining, and sale of oil and oil products was signed in Bucharest on July 17, 1945. The agreement was ratified by the Supreme Soviet of the U.S.S.R. on Aug. 17, 1945.

¹⁸ The Soviet-Rumanian Navigation Company (*Sovromtransport*) was established by an agreement signed in Bucharest on July 19, 1945. It was ratified by the Supreme Soviet of the U.S.S.R. on Aug. 19, 1945.

¹⁹ The Soviet-Rumanian Civil Aviation Company was established by an agreement signed in Bucharest on Aug. 8, 1945. The agreement was ratified by the Supreme Soviet of the U.S.S.R. on Sept. 7, 1945.

Because of certain difficulties experienced by Rumania in carrying out the terms of the armistice agreement of September 12, 1944, negotiations were held in Moscow between September 4 and 11 as a result of which a series of agreements, six altogether, relating to the subsequent fulfilment of the armistice terms was signed.

According to one of the agreements the Rumanian Government was to receive in kind from the Soviet Union a loan of 150,000 tons of wheat and 150,000 tons of maize, to be returned in kind during 1946-47, with 5 percent in kind added to it.

By a second agreement, part of the reparations deliveries of grain to the U.S.S.R. under article 11 of the armistice agreement was to be replaced by the delivery of other goods and the remaining part was to be postponed until the next harvest year. Specifically, instead of 24,000 tons of barley, 20,000 tons of wheat, and 40,000 tons of maize, which were the arrears of the first annuity (1944) and part of the second annuity (1945), oil deliveries of equivalent value were to be made; the delivery of 20,000 tons of wheat and 40,000 tons of maize, representing the balance of the second annuity, was postponed until the next harvest.

A third agreement provided for a reduction in the amounts of food grain and fodder to be supplied by Rumania for the requirements of Soviet troops in Rumania and of certain materials and Rumanian currency stipulated in article 10 of the armistice agreement.

Rumania's obligations under article 12 of the armistice agreement were the subject of a fourth agreement. By its terms the Rumanian Government admitted the removal of goods from the Soviet Union to the value of 948 billion lei—an appraisal accepted by the Soviet Government to obviate the search for removed goods (this cessation of search applies to article 7 of the armistice agreement also). It was agreed that goods to the value of 348 billion lei had already been restored to the Soviet Union by Rumania, and, in view of Rumania's participation in the war against Germany and the taking of goods by Soviet troops in occupation of Rumania, the amount of reparations owed was reduced by 300 billion lei. The remaining 300 billion lei were to be paid by instalments within three years.

Rumanian transportation was the subject of a fifth agreement. Soviet military control over the Rumanian railways was to be abolished and the railways returned to the control of the Rumanian Government by December 1945. A total of 15,000 cars and 115 locomotives taken as trophies was to be returned by the Soviet Union, which agreed to pay the cost of changing the trucks from Soviet broad gage to European standard gage. Captured German railway cars, 6,398 in number, were to be leased to the Rumanian Government for two years. Such tracks as had been converted to the Soviet broad gage were to be restored to the European standard gage. Further, the Soviet Government promised to lease 2,000 motor trucks to Rumania. Finally, it was agreed to return to the Rumanian Government ships taken as trophies by the Soviet forces. These numbered 18 naval vessels and 23 harbor vessels, as well as a portion of the merchant marine.

The sixth agreement provided for the repatriation of the Rumanian prisoners held by Soviet forces, 83,000 of these prisoners already being on their way home, and for the repatriation on a voluntary basis of Bessarabian and Bukovinian Soviet citizens residing in Rumania.

The two agreements political in nature relate to the restoration of diplomatic relations between the U.S.S.R. and Rumania. On August 6, 1945 Colonel General Susaikov, Deputy Chairman of the Allied Control Commission in Rumania, announced the decision of the Soviet Government to reestablish diplomatic relations and to invite the exchange of ministers. The reply of the Rumanian Government agreed to the resumption of diplomatic relations. Later in the month an agreement was concluded between the two Governments transforming the respective legations in each country into embassies and elevating the ministers of both countries to the rank of ambassador.

Yugoslavia

In addition to the Treaty of Friendship, Mutual Aid and Post-War Cooperation of April 11, 1945²⁰ only one other agreement is known to have been concluded between the U.S.S.R. and Yugoslavia in 1945. This was an agreement on the mutual delivery of goods, which was signed in Moscow on April 13. The agreement provided for the

²⁰ See above, p. 3.

German Documents: Conferences With Japanese Representatives

MEMORANDUM OF THE CONVERSATION BETWEEN THE REICH FOREIGN
MINISTER AND AMBASSADOR OSHIMA AT FUSCHL, APRIL 13, 1913

AMBASSADOR OSHIMA thanked the Reich Foreign Minister for his efforts and for his support in carrying through the plans with respect to the U-boats, and he declared that the first U-boat would set sail with Admiral Nomura on board about May 10. The latter, upon his return to Tokyo, would be the person with chief responsibility for the U-boat-building program. It had been planned that four or five German engineers would travel on the first ship, which would carry a German crew. With respect to the second ship it was planned that a Japanese crew should be sent to Germany, where they would spend several weeks in making themselves familiar with all the details of navigation and other technical questions and then would themselves sail the U-boat to Japan.

The Reich Foreign Minister in his reply expressed his conviction that the U-boat arm was to be regarded as of especial importance for attaining victory. Our experience in all theaters of war had shown that success in this war depended in the first place on the proper solution of the transport question.

The maintenance of our troops in Africa, which had been a purely Italian matter, had now been taken in hand by the German Navy, and since then the situation had improved. Our Navy was also solving the supply problem in the North Sea for the maintenance of our troops in Norway as far north as Narvik, for which several million tons of shipping had been required, of which our losses, however, had amounted to only 0.3 percent, which was practically nothing. On the side of the enemy there was the same problem, only much more difficult, since all material had first to be transported across the ocean. We were hoping to torpedo this year the same amount as last, if not more. If, in addition to this total of sinkings, Japan on her

part in the Pacific and Indian Oceans could sink only 200,000 to 300,000 tons more, our enemies for this reason alone would be forced to sue for peace. The previous attitude of the Navy, that the enemy could be effectively defeated and brought to bay only by the use of large warships, was in our view obsolete. The warship was too vulnerable a unit, and at every emergency had to be accompanied by a number of other war vessels for its own defense. In the employment of the U-boat arm Japan was in even a more favorable position than Germany since she had available in the many islands a large number of bases, while our U-boat arm required the employment of the so-called "Milk Cows", or supply ships. Successful U-boat warfare was for Japan the most convenient and sure way to defend her island empire from all enemy attacks.

Ambassador Oshima stated that the Japanese Navy had now also come to this conclusion. Details about the plans which were in view could be explained by Admiral Nomura.

Passing to the general war situation the Reich Foreign Minister described how poor the Russian infantry forces were at the moment. The number of deserters was constantly increasing, and on several sectors the morale of the Russians was so bad that they planted mines in front of their positions by night, then withdrew their troops and only by day returned to their positions.

The bridgehead in Tunis we would attempt to hold at all costs, since it was of great importance

These are translations of documents on Japan, secured from German Government files, and are among the German official papers which the BULLETIN is currently publishing.

These documents have been selected and translated by J. S. Beddie, an officer in the Division of Research and Publication, Office of Public Affairs, Department of State.

for us to prevent the enemy from securing an undisturbed passage through the Mediterranean. For the landings which we expected we were prepared in every way and we were now concerned (he would speak very frankly to the Ambassador on this subject) with the question of what our allies, the Japanese armed forces, were doing and intending to do.

The Ambassador replied that, so far as he was informed, the situation in the Indian Ocean and in the Solomon Islands had improved lately. On the front in the Solomon Islands they would apparently remain rather on the defensive so as to be able to resume the offensive in the west, in the Indian Ocean, again. In Burma the Army had achieved success, and there further vigorous attacks would ensue.

The Reich Foreign Minister declared that our Three Power Pact would be truly strong and successful against the enemy only if the three allies would all together exert the greatest efforts for victory. The principal offensive force of the Americans and the English was at the moment, as he had already told the Ambassador on several occasions, being directed exclusively against Germany, who, in addition, was still having to conduct the struggle against Russia alone. If, at the time of such a vigorous assault on one of the allies, the army of the other did not take action and held back hesitantly, that was not good for the common cause. Action on the part of the Japanese could produce victory very quickly. We, of course, did not know the intentions of the Japanese Government, and we certainly had firm confidence that that Government also regarded common offensive action in the conduct of the war as the only way to victory. It had been the good fortune of the Führer that in the first years of the war he had overthrown his opponents singly and had never permitted them to conduct an attack in common. It was our duty to continue the struggle in the same manner, with all of the allies on our side moving to the attack *simultaneously* and preventing our enemies from doing the same, so that the allies of the Three Power Pact might attack them individually and dispose of them individually one after the other. Oshima agreed strongly with this point of view.

The Reich Foreign Minister then declared that he must again call the Ambassador's attention to reports about Japanese assurances to the Russians

of their continued neutrality. The fact was, however, that considerable transport trains of Siberian divisions were steadily being moved from the east to the west front, as the Chief of the General Staff, General Zeitzler, had told him again just a few days ago. He had, of course, considerable sympathy for this procedure, if by such assurances the Japanese Government was pursuing a well-defined plan. If, however, Ambassador Sato at Kuibyshev with his reassuring statements was representing the actual intentions of Tokyo, this would produce the greatest peril for our common conduct of the war. It was certain that the Russians themselves would not attack Japan, and for this reason any assurances given to Russia on the part of Japan were entirely pointless and completely contrary to our interests.

Ambassador Oshima declared that his Government had certainly never sent that sort of instructions to Kuibyshev and he could not think that Ambassador Sato would have acted on his own accord without such instructions.

The Reich Foreign Minister again declared that the present year was doubtless the most favorable opportunity for Japan, if she felt herself strong enough and possessed of sufficient anti-tank weapons, to attack Russia, who would certainly never again be as weak as she was at present.

We had reliable information according to which the Russians in the east were laying out many new airfields from which they themselves and the Americans would certainly some day attack the Japanese island empire with their bomber squadrons. The Japanese estimates of the strength of the Russians as amounting to 800,000 men in Siberia were, according to our point of view, set much too high. Our information was to the effect that there were only some 250,000 men, who, besides, were second-class troops, for all of the Siberian divisions had been defeated once already by the German armies in the past winter. If, however, Japan was not in a position to attack the Russians quickly and decisively it would be better to abstain from an attack. She should in any case, however, undertake in some other area a new attack against the English or the Americans. Ambassador Oshima declared that he did not know what the intentions of his Government were. He could, however, state that for the past 20 years all plans of the General Staff had been prepared with a view to an attack on Russia and had always been directed to such a possi-

bility. If there appeared to be any chance of success in that direction an attack would certainly be made. If Japan did not do so at the moment, however, she would certainly undertake an attack against the Anglo-Americans in the near future. The danger from that side was constantly becoming greater, because their airforce was steadily growing and for that reason had to be beaten repeatedly. The Japanese airforce for some time had been in an inferior position on the fronts, but it now had recovered from this disadvantage and was superior to the enemy. Basically, however, he could say that Japan in her whole history had never remained on the defensive in war.

The Reich Foreign Minister then gave the Ambassador information about the steady increase in deliveries from the U.S.A. to Russia. Oshima declared that he was acquainted with these reports, which could be traced back to official Japanese accounts, according to which the traffic amounted to some 50,000 tons. Unfortunately this figure in the reports to Europe had been incorrectly transmitted as 500,000 tons, a matter which the Government had already put right. If the German Government had received reports indicating that ships proceeding to Russian ports were not effectively controlled by the Japanese authorities, he would again request that this matter be taken up through Admiral Wennecker in Tokyo.

The Reich Foreign Minister declared finally that reports were circulating in various legations in the Balkans according to which Germany had prepared a memorandum on the subject of a compromise peace with Russia. Such rumors were, of course, completely untrue. We would never deal with the Russians, if only for the reason that Stalin could never accept the terms which we would have to offer him. If we were to give the Russians only a brief moment in which to catch their breath, a new war would certainly have to be fought again within five years. Even the plans for the construction of an East Wall against Russia were completely Utopian. The sole possibility of eliminating the Bolshevik danger was to weaken the power of the Russian people to the point of complete exhaustion.

Oshima said in that connection that it was known to him that the Japanese Legation in Sofia had made reports to Tokyo on the subject of rumors concerning a separate peace between Ger-

many and Russia, and he had received word of all of the telegrams on this question from Sofia and had immediately taken a stand against them.

The Reich Foreign Minister requested the Ambassador to set Tokyo right about all such untruthful rumors. Many of these rumors could unfortunately be traced back to conversations which had been carried on by the Rumanian Minister President, Mihai Antonescu. The Marshal [Ion Antonescu] on the occasion of his visit had promised to stop at once all conversations of such a sort.

The Reich Foreign Minister told the Ambassador that we were now in possession also of reliable reports about Eden's conversations in the U.S.A., according to which it was the definite intention of the English and Americans first to destroy Germany and Italy and only then to attack Japan with their united force, although the Dutch and the Australians had pressed strongly for an alteration of the Allies' war program, that is, for an immediate attack on Japan.

The Reich Foreign Minister then informed Ambassador Oshima about the reception by the Führer of the statesmen of the countries allied with Germany, which had taken place during the last few days, and he told him that there had been a conference of several days with the Duce, in which the military situation had been discussed thoroughly. All reports referring to a weakening or a hesitant attitude on the part of Italy were absolutely false. The Duce had his people firmly in hand, and he was determined to march uncompromisingly by our side to victory. In all areas where it was necessary we were furnishing the Italians support with our troops, of whom a large number were stationed on Italian home soil. In any case complete unanimity on all questions existed between the Führer and the Duce.

The same applied to Rumania, whose Chief of State, Antonescu, had also visited the Führer, by which visit we had only been confirmed in our opinion that he was a great soldier and an outstanding leader of his people. It was necessary to appraise Minister President Mihai Antonescu less favorably, as being a weaker and less determined character.

Also our old friend King Boris of Bulgaria had made a visit to the Führer. It was absolutely certain that Bulgaria would march at our side through thick and thin.

Admiral Horthy, too, had been here for an extended conference. All of the matters which affected Hungary had been cleared up definitely.

Regarding our brave allies, the Finns, the Americans some time ago had attempted to force them from our ranks and persuade them to make a separate peace. The Finnish Government had, however, given the U.S.A. an unmistakable answer, which left nothing to be desired in clarity and which amounted to a diplomatic box on the ears. Up to now this reply had not been made public, and out of regard for the Finns we had not pressed them to make it so.

The result of all of these conferences had been that every one of the allies was prepared to make the most extreme effort for the final victory and the common cause, to enter into no sort of compromise, and to fight on to the annihilation of the enemy.

The Reich Foreign Minister portrayed our own situation as follows:

Our production program was this year going off satisfactorily for the first time. Our losses in dead, wounded, and missing amounted altogether to 1,400,000, a comparatively small loss. In our production operations some 7,000,000 foreign workers had been assimilated. In addition there were occupied in industry some 5,000,000 German workers who had received military training but who had not yet fought in the war and who represented an important reserve. The Reich had made sure of its sources of raw materials. It was only necessary that Japan should supply us with rubber. The Ukraine assured our food supply. On the west massive fortifications had been constructed from the far north to the south. Our airplane-building program had for some time been in a process of reconversion. When this was completed a counter-offensive would be launched, which would wreak a fearful revenge for the air terror of our enemies on the territory of the Reich. Our defenses were being constantly improved and strengthened. The result was that of 100 enemy machines on an average only 20 would return undamaged. Of them, 80 would be damaged or shot down. On an attack on South Germany two days ago 50 machines out of 300 had been shot down, as had been admitted by the English themselves. The loss thereby in flying personnel, who represented the elite of the youth in the armed forces, was extremely heavy.

The U-boat arm on its part was steadily making further advances and achieving greater successes. For this reason alone a landing by the enemy on the European Continent was becoming ever more difficult for them. The enemy's reports of successes in this field were falsified to such an extent that no reliance could be placed on them any more and they were of significance only as demonstrating their desperate situation. Thus recently the English had reported 40 German machines shot down in Tunis, with a loss of only 2 of their own. Actually the battle had come out in our favor; with the figures almost reversed. These were typical Jewish propaganda tricks.

It was now of importance in the interest of the joint conduct of the war that Japan also should destroy a corresponding amount of the enemy's forces. For the moment was coming when in America ever greater internal unrest would break out because the people did not understand the purpose of the war. The simple American soldier did not know what he was fighting for and he did not understand the aims of his plutocratic and imperialistic leadership. The harder and the more quickly we attacked, the sooner such internal difficulties would occur in the U.S.A.

Ambassador Oshima declared that his government certainly intended to resume the offensive this year, for he was sure that it was understood in Tokyo that the establishment of the Greater East Asian Empire could only come about through the most earnest efforts on their own part.

The Ambassador then gave the Reich Foreign Minister an account of the trip of two members of the Japanese Embassy in Kuibyshev who had recently had the opportunity to make an extensive journey in Russia. He stated that, of course, only the things which were favorable had been shown to the two Japanese and that their account should be considered as of slight value because of its propaganda character. He wanted, however, to refer to the propaganda themes of the Russians, set forth in the final paragraph, which showed the necessity of a corresponding counter-propaganda on the German side. He was convinced that agitation aimed at disunity in Russia, which, as was well known, consisted of a number of widely differing peoples, would have great success and was absolutely necessary. The Ambassador referred in this connection to the successes which Japan had achieved in Burma through her

declaration of Burmese independence, which had had a very powerful effect on India and the other neighboring peoples.

The Reich Foreign Minister declared in conclusion that his motto for the conduct of the war by the allies was: A speedy victory lies in taking the offensive.

The sinews of the Berlin-Rome-Tokyo triangle must be kept taut and each of them must exert his utmost effort, whereby Japan on her part this year must pass over to the attack on a large scale.

In connection with this conversation the Reich Foreign Minister, with Ambassador Oshima present, received Admiral Nomura, who came to say farewell. Admiral Nomura thanked the Reich Foreign Minister for the friendly reception which he had received during the time of his visit in Germany, the trusting collaboration, the great understanding, and the constant assistance which the Reich Foreign Minister had given the Japanese in all questions affecting the Navy.

The Reich Foreign Minister also spoke to Admiral Nomura about the transport problem in this war, about our experience in this connection in Africa, about the difficulties of the enemy in maintaining their supply lines, and about the possibilities which were open to us in that connection.

Admiral Nomura declared that he had discussed at length with Admiral Fricke and other officers of the Naval Staff, and also with General Jodl, the U-boat question and the war on shipping. In the Japanese Navy up to now the prevailing idea had been that of the strategic protection of East Asia waters. In this connection in October of last year there had been worked out completely a plan for a large-scale naval operation in the Indian Ocean. The American attack on the Solomon Islands had thwarted this plan. In that area and in particular at Guadalcanal very severe battles had taken place, since the Americans had been successful in establishing strong air bases. Fighting had been carried on there for five months, in which the Japanese Navy had achieved great successes and the Japanese had also on their part been able to construct air bases. At the beginning of this year the situation on that front could be regarded as assured. In connection with this fighting it had become apparent also to the Japanese Navy that the cutting of the enemy lines of communication was to be regarded as of the greatest importance,

and accordingly the view taken of the employment of the U-boat arm had been altered. Almost simultaneously there were being held these conversations between the Reich Foreign Minister and Ambassador Oshima concerning the necessity of a war on shipping being conducted also by Japan, after which had come the Führer's offer of a transfer of U-boats to serve as models for the Japanese Navy. This fortunate coincidence had resulted in the immediate commencement of a U-boat-building program in Japan.

The Reich Foreign Minister also explained to the Admiral the viewpoint of the Führer, who believed that the large battleship in its present form was a vulnerable object, which always had to be surrounded by a swarm of protecting ships for its own defense. Also the American Navy had not offered a large-scale sea battle. An extensive U-boat arm was the best defense for Japan and the surest means of quickly winning the war.

Nomura replied that this change in opinion had been needed in the Japanese Navy, which previously had been interested only in sinking as large as possible a number of enemy warships. Now the Japanese Navy would employ all of its forces, cruisers, torpedo planes, and the U-boat arm in destroying enemy shipping. They had already sunk over 100,000 tons in half a month. Only recently a group of submarines had again departed for operations off the Persian Gulf.

To a question from the Reich Foreign Minister regarding the length of time required for construction the Admiral replied that the Japanese Navy at the moment had some 50 submarines. The German model for the new mass production would probably arrive in Japan at the end of July. All of the plans and preparations for construction would have already been taken care of, so that building could be begun before the end of this year. The new U-boats, which would be produced in order, would then likely be ready for operations by the end of the year 1944.

The Reich Foreign Minister referred in this connection to the situation of our enemies in 1917, about which the English leader of that date, Lloyd George, had told him on the occasion of his visit to Germany in 1936. At that time the shipping position of the English had become so serious that he was confronted almost daily with the

The United Nations

Report on Work of Economic and Social Council

[Released to the press August 25]

Acting Secretary Acheson released on August 25 the text of the report by John G. Winant to the Secretary of State on the work of the Economic and Social Council of the United Nations, on which he is the United States representative.¹

In his covering letter,² Mr. Winant points out that the work already done should make it possible for the Council, its Commissions, and its related agencies to concert their efforts, before the end of this year, toward the attainment of the economic and social objectives of the United Nations Charter. He believes that the Council has gotten off to a good start by taking up first things first and by demonstrating the ability of its 18 members to reach forward-looking decisions through the process of negotiation, compromise, and working together in a spirit of patience and understanding.

The report covers, from the point of view of the United States, the work of the Council from its formation in London through its second session in New York ending June 21. It deals with the progress made in regard to such important matters as the World Health Organization, the problem of refugees and displaced persons, and the proposed International Refugee Organization, the relations with specialized agencies and non-governmental organizations, and the various commissions of the Council.

Mr. Winant calls attention in his covering letter and in the report to the urgent problem of the network of trade barriers which restricts world trade and employment; to the establishment by the Council of a Preparatory Committee for an International Conference on Trade and Employ-

ment; and to the announcement of the Secretary-General of the United Nations of the proposed plan to hold the first meeting of this Committee in London on October 15 of this year.

The report also mentions a number of items to be taken up at the third session of the Economic and Social Council starting September 11, including: further consideration of the draft constitution of the proposed International Refugee Organization; review of the report of the Temporary Subcommission on Economic Reconstruction of Devastated Areas; establishment with full memberships of the Commission on Human Rights, the Social Commission, the Economic and Employment Commission, the Transport and Communications Commission, the Statistical Commission, and the Commission on the Status of Women; consideration of the establishment of a Fiscal Commission, a Demographic Commission, and a commission or committee for the purpose of coordinating the work of the specialized agencies; and consideration of the report to be made by the Secretary-General of the United Nations on assistance rendered to the Director-General of the Food and Agriculture Organization in making the survey concerning longer-term international machinery with reference to food.

The main headings of the report, which is summarized in Mr. Winant's letter to Secretary Byrnes, are as follows:

1. First Session of the Economic and Social Council
2. World Health Problems
3. Refugees and Displaced Persons
4. The Specialized Agencies
5. The Non-Governmental Organizations
6. The Reports of the Commissions
7. Looking to the Future

¹ Report will be published by the Department of State in the near future.

² Printed in BULLETIN of Aug. 18, 1946, p. 322.

(Continued on next page)

Provisional Agenda for Third Session of Economic and Social Council

[Released to the press by UN August 12]

1. Adoption of agenda.¹
2. International Refugee Organization, including review of comments of members on draft constitution (doc. E/92); report of the Committee on Finances (doc. E/Ref.Fin. 23); and preliminary report of the Secretary-General on plans for interim measures.
3. Preliminary report of the Temporary Subcommission on Economic Reconstruction of Devastated Areas.
4. Report of Committee on Negotiations with Specialized Agencies.
5. Election of members of commissions.
6. Report of the Secretary-General called for by the Resolution on Assistance to the Food and Agriculture Organization.
7. Request to the General Assembly for authorization to the Council to request advisory opinions of the International Court of Justice.
8. Transfer to the United Nations of functions and powers previously exercised by the League of Nations under the International Narcotics Conventions of January 23, 1912, February 19, 1925, July 12, 1931, and June 26, 1936.
9. Report of the Secretary-General on the International Health Conference.
10. Transfer to the United Nations of non-political functions and activities of the League of Nations not covered under items 8 and 9.
11. Report of the Committee on Arrangements for Consultation with Nongovernmental Organizations.
12. Report of the Committee on the Organization of the Council on the Fiscal Commission (doc. E/20).

¹ For supplementary notes on the agenda, refer to *United Nations Weekly Bulletin* of Aug. 19, 1946, p. 6.

13. Report of the Committee on the Organization of the Council on the Demographic Commission (doc. E/20).

14. Report of the Committee on the Organization of the Council on the Coordination Commission (doc. E/20).

15. United Kingdom proposal concerning the question of the assumption by the United Nations of the functions and powers connected with public loans issued with the assistance of the League of Nations (doc. E/49).

16. Belgian proposal concerning the League of Red Cross Societies (doc. E/47).

17. Consideration of arrangements for conferring respectively with representatives of the Security Council and of the Trusteeship Council concerning the methods of cooperation with each of these bodies in dealing with matters of common concern.

18. Terms of reference of the subcommissions of the Economic and Employment Commission.

19. United Kingdom proposal concerning the composition of subcommissions of the Economic and Employment Commission (doc. E/JC/W.1.).

20. Payment of expenses of members of commissions.

ECONOMIC AND SOCIAL COUNCIL—*Con. from page 404.*

There are, in addition, four appendixes: the first gives a list of the Council's committees and commissions and their members; the second lists the delegates and advisers of the 18 members for the second session; the third gives the schedule of meetings at the second session; and the fourth lists documents relating to the work of the Council.

A limited number of copies of the report are available.

International Organizations and Conferences

Calendar of Meetings¹

Far Eastern Commission	Washington	February 26
Peace Conference	Paris	July 29
Fourth General Assembly of the Pan American Institute of Geography and History and Third Pan American Consultation on Cartography	Caracas	August 25 September 1
Eleventh International Exhibition of Cinematographic Art	Venice	August 31 September 15
Fifth Congress of the Postal Union of the Americas and Spain	Rio de Janeiro	September 1
First Inter-American Medical Congress	Rio de Janeiro	September 7-15
The United Nations:		
Security Council	New York	March 25
Military Staff Committee	New York	March 25
Commission on Atomic Energy	New York	June 14
Subcommission on the Reconstruction of Devastated Areas ²	London	July 29
UNESCO: Executive Committee	London	August 19-21
PICAO: Caribbean Regional Air Navigation Meeting	Washington	August 26
ILO: Permanent Migration Committee	Montreal	August 26
FAO: Annual Session	Copenhagen	September 2-14
Economic and Social Council (Third Session) with Commissions and Subcommissions	New York	September 11
Committee for Arrangements for Consultation with Non-Governmental Organizations	New York	September 6 or 7
General Assembly: Second Part of First Session	New York	September 23

¹The opening dates in the third column are current as of Aug. 25.

²Field teams in various parts of Europe.

Activities and Developments

PICAO: Caribbean Regional Air Navigation Meeting.¹ Virtually all the members of foreign delegations planning to attend the Caribbean Regional Air Navigation Meeting of PICAO (Provisional International Civil Aviation Organization), which opens in Washington on August 26 at the Pan American Union, had arrived here over the week-end.

In addition to the United States Delegation, which numbers members from various agencies of this Government and from private organiza-

tions, large delegations will represent the United Kingdom, Netherlands, Canada, and France. Of the remaining 21 nations which will be represented officially there are 16 American nations, Argentina, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Peru, and Venezuela. In addition, both Australia and Czechoslovakia will be represented by observers, while it is possible also that China will send an observer.

Thus, although the meeting has been designated as pertaining primarily to the Caribbean, the par-

¹Released to the press by the Caribbean Commission Aug. 26.

participation of various nations lying outside of the area gives to it a truly global character. In terms of hemispheric aviation the Caribbean area to be discussed extends broadly from New Orleans on the north to the Amazon River on the south, including the entire Gulf of Mexico, Caribbean Sea, and northern South America.

Walter Percy, of the Civil Aeronautics Administration, who will serve as Secretary General, will make introductory remarks on behalf of PICAQ. Mr. Percy will introduce Charles I. Stanton, Deputy Administrator of the CAA and internationally known aviation expert, who will serve as temporary president. The address of welcome on behalf of this Government will be delivered by William A. M. Burden, Assistant Secretary of Commerce. The response on behalf of PICAQ will be made by Edward Warner, former Vice Chairman of the Civil Aeronautics Board and now President of the Interim Council of PICAQ, which maintains its provisional headquarters in Montreal. Then will follow the election of the permanent president, the election of the chairman and two vice chairmen of the General Committee, and the organization of the seven committees to handle the major work of the gathering. These committees, all of which will hold their opening meetings on August 27, pertain to air-traffic control; telecommunications and radio aids to navigation; meteorology for protection of civil aviation; aerodromes, air routes, and ground aids; search and rescue; flight operations; and preparation of a regional manual for general distribution.

Aside from the opening and closing sessions to be held at the Pan American Union, all other open and committee meetings will be held in the Department of State conference building, 1778 Pennsylvania Avenue, NW. The Department's Division of International Conferences has been established in this building, and an assembly room with a seating capacity of several hundred persons has been constructed on the top floor in readiness for initial use on this occasion.

Between 200 and 250 persons are expected to be in attendance at this Conference, which is scheduled to run for about three weeks. In honor of the various distinguished civilian, military, and naval aviation figures in attendance, a number of social events have been planned. The first such event will be a reception to be given at the Mayflower Hotel late on the afternoon of August 26 by Wil-

liam L. Clayton, Under Secretary of State for Economic Affairs.

U. S. DELEGATION

Chairman:

Charles I. Stanton, Deputy Administrator, Civil Aeronautics Administration

Alternate Delegate and Vice Chairman:

Glen A. Gilbert, Consultant to the Administrator, Civil Aeronautics Administration

Chief Technical Adviser:

Robert D. Hoyt, Coordinator of International Regulations, Civil Aeronautics Board

Alternate Chief Technical Adviser:

Jesse K. Forno, Assistant Coordinator of International Regulations, Civil Aeronautics Board

Technical Secretary:

Col. Lawrence M. Thomas, Air Transport Command, Army Air Forces

Technical Advisers, Heads of Present U. S. Technical Teams:

Air Traffic Control: Clifford P. Burton, Assistant Chief, Air Traffic Control Division, Office of Federal Airways, Civil Aeronautics Administration

Aerodromes, Air Routes and Ground Aids: James F. Augier, Airways Engineer, Office of Federal Airways, Civil Aeronautics Board

Communications: L. Ross Hayes, Assistant Chief, Communications Division, Office of Federal Airways, Civil Aeronautics Administration

Meteorology: Delbert M. Little, Assistant Chief of Bureau, U. S. Weather Bureau

Search and Rescue: Commander W. B. Scheibel, Executive Assistant to the Head, Air-Sea Rescue Agency, U. S. Coast Guard

Operations: Ray F. Nicholson, Chief, Air Carrier Branch, Second Region, Civil Aeronautics Administration

Additional Technical Advisers:

Col. Carl Swyter, Office of Air Communications Officer, Headquarters, Army Air Forces

Capt. A. S. Heyward, Jr., Coordinator for PICAQ Matters, PICAQ Section of Civil Air Agencies Sec., Office of Deputy Chief Naval Operations (Air), Navy Department

Edwin L. White, Head Radio Engineer, Chief of Aviation Division, Federal Communications Division

Arthur L. Lebel, Chief, Aviation Communications Section, Aviation Division, Department of State

Alan Osbourne, Chief of Research, Technical Division, Maritime Commission

Donald W. Nyrop, Official PICAQ Representative for Air Transport Association

Reeder G. Nichols, Assistant to the President, Aeronautical Radio, Inc.

*The First Inter-American Medical Congress*¹ is scheduled to meet at Rio de Janeiro, Brazil, from September 7 to 15, 1946. It is being held by the National Academy of Medicine under the auspices of the Brazilian Government.

According to the announcement received from the Brazilian organizing committee, the work of the Congress is to be divided into sections as follows: "(1) hospital assistance and organization; (2) continental immigratory policies as to the medical and racial aspects; (3) war medicine and surgery; (4) cancer prevention and therapeutics; (5) the great epidemics; (6) nutrology and vitaminology; (7) endocrinology; (8) tuberculosis; (9) neuro-psychiatry; (10) hygiene, public health, and continental sanitary legislation; (11) surgical themes; (12) medical themes; and (13) themes of free choice."

A commission of Brazilian physicians visited the United States in the spring for the purpose of contacting various United States medical organizations and medical men and inviting them to be represented at the Congress. The Academy hopes to assemble a large and representative group of the medical men of this continent for the Congress.

Recommendations have been received by the Department of State favoring United States representation at the Congress, and delegates are expected to be present from the War and Navy Departments, Veterans Administration, and Public Health Service.

¹ Prepared by the Division of International Conferences, Department of State.

*Eleventh International Exhibition of Cinematographic Art.*¹ The United States Government was invited by the Italian Embassy at Washington to participate in the Eleventh International Exhibition of Cinematographic Art in Venice from August 31 to September 15, 1946.

The purpose of the Exhibition is to present motion pictures to the public that will show the progress made by the motion-picture industry as a means of expression in the artistic, cultural, scientific, and educational fields. Each participating nation is unrestricted in its choice of films, but all films exhibited shall be first showings in Italy. A commission of motion-picture critics will select seven feature films, including at least one Italian film, which it deems deserving of special mention under various headings to be established by the commission. A similar selection may also be made for documentary films.

The motion-picture industry of the United States has made plans to participate in the Exhibition, and arrangements are being made by the representatives of the leading United States companies. Several United States documentary films will be shown in conjunction with the films furnished by the industry.

Air-Transport Agreement With Lebanon

An air-transport agreement between the United States and Lebanon was signed at Beirut on August 11, 1946, with Minister George Wadsworth signing on behalf of this Government. For text of the agreement see Department of State press release 567 of August 13.

The Record of the Week

Protest Against Yugoslav Obstruction to Allied Military Government

[Released to the press August 1945]

Text of a note delivered by the American Chargé d'Affaires at Belgrade, Harold Shantz, to the Yugoslav Foreign Office on May 20, 1946, in reply to a Yugoslav note of March 27, 1946, protesting the Allied administration of Venezia Giulia

I have the honor to inform Your Excellency¹ that I have been instructed by my Government to transmit to you the following communication:

The Governments of the United States and the United Kingdom² have taken note of the Yugoslav Government's communication of March 27, 1946, which is but last in a series of unwarranted protests by the Yugoslav Government, which have at the same time been accompanied by an anti-Allied propaganda campaign recently culminating in a wholly unfounded charge by Marshal Tito in his speech of April 1, 1946, that twelve trains and seventy trucks full of armed fascists were brought into Zone A with the approval of the Allied authorities.

As the Yugoslav Government is well aware, the Governments of the United States and the United Kingdom are jointly responsible for the maintenance of the Allied Military Government in Zone A until the future disposal of the territory is decided.³ They have endeavored to govern the area in a spirit of trusteeship in such a way as to ensure equal treatment for all inhabitants without distinction of race or political adherence. To this end, they have established a democratic system of administration based upon the Italian prefectorial system purged of all measures inspired by fascist ideology. They have allowed the Yugoslav system of local government by committee, which was imposed by the Yugoslav army during its occupation of the area, to remain in existence despite refusal of such committees from the outset

to cooperate with the Allied Military Government, or to participate in the administration established under General Order no. 11. They have established a civil police, members of which have been carefully examined to prevent inclusion of individuals with pro-fascist sympathies or tendencies, and this police force has shown courage and patience in the face of provocation and slander. They have re-established Slovene schools suppressed by the Mussolini Government and have taken pains to ensure provision of liberal education free of ideological prejudice to both Italian and Slovene children.

As promised in their notes of September 17 and 19 last, the United States and the United Kingdom have proceeded with arrangements to hold local elections in Venezia Giulia, and electoral lists are at present in the course of preparation. Finally, they have allowed access to Zone A by representatives of all nations and have permitted the Yugoslav Government to maintain a force of 2,000 men in the area, whereas no facilities remotely comparable have been given for inspection by other interested parties of the administration which the Yugoslav Government has set up in Zone B.

In spite of sincere efforts to ensure impartiality

¹ Stanoje Simic, Minister of Foreign Affairs.

² The note presented by the British Chargé d'Affaires, George Clifton, at the same time was identical except for the opening and closing sentences and for minor changes in wording and spelling occasioned by language differences.

³ For text of agreement between the U. S., British, and Yugoslav Governments, see BULLETIN of June 10, 1945, p. 1050. For letter from the Yugoslav Foreign Minister to the American Ambassador on signing of Agreement on Military Occupation and Administration of Venezia Giulia, see BULLETIN of June 17, 1945, p. 1006.

and in spite of the known fact that the Allied Military Government will remain only until the decision about the future sovereignty of the territory has been ratified, the Governments of the United States and the United Kingdom regret to say that they have not received from the Yugoslav Government that cooperation in their tasks which they had a right to expect from an Ally. On the contrary, the Yugoslav Government has, by every means in its power, and in particular by a provocative campaign in the press and over the radio, encouraged the pro-Yugoslav population in Trieste and throughout Zone A, both Slovene and Italian, to obstruct the Allied Military Government in the performance of its duties, to promote industrial discontent, to hinder the educational program, and to intimidate those inhabitants of the area who are not in favor of its incorporation into Yugoslavia.

In support of the foregoing, I am instructed to mention the following provocative Yugoslav actions and to emphasize that this list is by no means complete:

1. *Subornation of press:* Pro-Slav propagandists in Zone A have on more than one occasion openly acknowledged their subservience to Ljubljana and Belgrade in such matters as allocation of newsprint and release of articles on local events.

2. *Attempts to discredit public order forces:* Investigation of accusation by P.N.O.O. (National Liberation Committee of the Slovene Littoral) and the pro-Slav press that 38 armed members of police were fascists disclosed only six doubtful cases, of which three may lead to dismissal. Thirteen cases did not exist.

3. *Propaganda attacks against the Allied Military Government:* False and inflammatory statements by the pro-Slav newspaper "Lavoratore" in one instance led to the fining and conviction of the Director by the Allied Military Government court on March 29, 1946.

4. *Incitement to unrest:* Yugoslav authorities have brought into Zone A armed pro-Slav groups from Zone B for pro-Slav demonstrations, such as those at Gorizia on March 2 and 27, 1946, and at Trieste on March 26, 1946. A resident of Zone B who was arrested in Trieste on March 26 for carrying firearms made a voluntary signed statement that he and two others had been given arms

by Zone B authorities and sent across the Morgan Line to demonstrate. Other residents of Zone B arrested in Trieste have stated that they were warned to participate in demonstrations and were furnished motor transport as far as the Morgan Line. Six shiploads of demonstrators from Zone B were brought to Trieste on April 2, 1946, despite specific assurance that no persons from Zone B would participate.

5. *Intimidation of the local population:* On March 10, 1946, a known extremist action squad leader, with ten men, left P.N.O.O. headquarters in Trieste and went to Servola where he directed a demonstration. During the general strike in Trieste on March 11, 1946, action squads wearing a red star compelled shopkeepers to close their shops. On numerous occasions action squads from communist cultural clubs have beaten up pro-Italians; one such club was raided on March 30, 1946, and arms were found, leading to the arrest of 25 persons.

6. *Intimidation of local officials:* Nine specific cases have been reported in which members of civil police have received threats to themselves or their families in Zone B in an attempt to induce them to leave the force or act as pro-Slav agents. On March 14, 1946, a delegation representing 42 Slovene teachers requested Allied Military Government protection as they were constantly being threatened by pro-Yugoslav elements and feared abduction, and felt that they must resign from their schools unless assured of Allied Military Government protection.

7. *Fomenting industrial unrest and impeding production:* Political strikes and work stoppages fomented by a pro-Slav organization have occurred in Zone A this year on January 25, 26, 29, 30, February 16, March 11, 12, 26, and April 1. Sindicati Unici constantly hold political meetings in industrial plants during working hours. On January 8, Radich, Sindicati Unici leader, called a meeting in Fabrica Lacheipe in violation of express Allied Military Government orders, and was arrested therefor. Pro-Slav elements in shipyards have misappropriated large quantities of paints and other materials for propaganda use.

8. *Usurping functions of the government:* The Allied Military Government on April 23, 1946, was finally compelled to give public warning that persons and organizations attempting to usurp

the powers of government, and persons obeying orders issued in such attempts, would be prosecuted. At Sesana, P.N.O.O. had on March 20, 1946, issued orders to teachers in three Slovene communes to send pupils to work on reforestation during school hours. Other instances of P.N.O.O. attempts to usurp government authority include collections of taxes and excise, appointment of school inspectors and of courts to settle land disputes, and interference with educational, agricultural, public works and reconstruction policies, including reconstruction of damaged Slovene villages. The action committee which superseded the strike committee directing the strike on March 11 and 12 was dissolved by the Allied Military Government for also attempting to usurp government functions.

9. *Criminal and terrorist activities:* Members of the Yugoslav army and para-military organizations such as KNOJ and OZNA have been arrested while abducting civilians and engaged in other criminal acts. Four of these have volunteered signed statements that they were sent on their missions by their superiors in Yugoslavia and Zone B.

As will be evident from the above instances, the Governments of the United States and the United Kingdom have been forced to conclude that the provocative activities of the P.N.O.O. and other pro-Yugoslav organizations have been encouraged and directed by Yugoslav officials from within Yugoslavia. The Governments of the United States and the United Kingdom request to be informed at the earliest opportunity whether such officials acted with the knowledge and authority of the Yugoslav Government and precisely what relations the Yugoslav Government considers to exist between itself and the P.N.O.O. and similar organizations in Zone A.

The Governments of the United States and the United Kingdom have shown themselves fully prepared to examine all justified complaints of the Yugoslav Government as, for example, complaints of unauthorized flights over Yugoslav territory which, although greatly exaggerated, have been shown to possess some foundation. They have shown themselves equally ready to take all necessary steps to remove the grounds for such complaints as is shown by the fact that strict instructions have been given to avoid any further unauthorized flights over Yugoslavia and Zone B, and

that in accordance with the Yugoslav Government's request, measures have been taken to round up any members of the Ustasha movement and other Yugoslav quislings who might be at large in Zone A. They are forced, however, to conclude from the manner in which such complaints have been made public that they are part of a concerted campaign in which the most trivial incident is used in an attempt to discredit the Allied Military Government in Zone A. The Governments of the United States and the United Kingdom have, for example, noted with regret that His Excellency Marshal Tito is reported in a speech on April 1, 1946, to have described the unauthorized flights over Zone B as a danger to peace and that the Yugoslav Minister of Information is similarly reported to have referred at a press conference to the possibility of raising the matter before the Security Council of the United Nations Organization. Reference to such a possibility appears unnecessary and indeed frivolous in view of the fact that the matter is under discussion through ordinary diplomatic channels.

The Governments of the United States and the United Kingdom earnestly trust that they will in the future receive from the Yugoslav Government the cooperation they are entitled to expect in their task of administering Zone A in a fair and impartial manner until its disposal is finally decided. They wish, however, to make it clear that despite all difficulties placed in their way by the Slovene population with official Yugoslav encouragement, they propose to continue such fair and impartial administration upon the lines laid down by the Allied Military Government until the task which they have undertaken is completed.

Agriculture in the Americas

The following article of interest to readers of the BULLETIN appeared in the September issue of *Agriculture in the Americas*, a publication of the Department of Agriculture, copies of which may be obtained from the Superintendent of Documents, Government Printing Office, for 10 cents each:

"Acaia Negra Industry in Rio Grande do Sul", by Joseph L. Dougherty, agricultural analyst, American Consulate, Porto Alegre, Rio Grande do Sul, Brazil.

General Order on Government of Venezia Giulia¹

WHEREAS it is desirable to establish a uniform system of local government in those parts of the Territory of VENEZIA GIULIA occupied by Allied Troops (hereinafter referred to as the Occupied Territory).

NOW, THEREFORE, I ALFRED C. BOWMAN, Colonel J. A. G. D., Senior Civil Affairs Officer, hereby order as follows:

SECTION 1

ORGAN OF LOCAL GOVERNMENT

1.—The occupied Territory, for purposes of local Government, is divided into the Areas of TRIESTE and GORIZIA and into the Communes of POLA, each of which shall be composed of the Communes and fractions thereof as presently constituted.

2.—Each Area shall have an Area President and Area Council with the powers, functions and duties hereinafter specified.

3.—Each Commune shall have a Communal President and Communal Council with the powers, functions and duties hereinafter specified.

4.—Each Area and Commune shall have such administrative and executive departments and agencies as the Allied Military Government may determine and deem necessary for the proper carrying out of the functions of local government.

SECTION 2

AREA PRESIDENT

1.—The Area President shall be appointed and be removable by the Allied Military Government.

2.—He shall be directly responsible to the ALLIED MILITARY GOVERNMENT for the local government of the Area and shall submit all orders and decrees for its prior approval.

3.—He shall be the executive and administrative head of the Area local government and shall be subject to the provisions of this General Order and all further orders which may hereafter be made by the Allied Military Government and shall

¹ General Order No. 11, printed from *The Allied Military Government Gazette*, No. 1, September 15, 1945 [Allied Military Government, 13 Corps, Venezia Giulia], published by the Allied Military Government under the authority of the Supreme Allied Commander, Mediterranean Theater of Operations, and Military Governor.

possess, in the aggregate, such powers and duties of a Prefect of a Province and of such Provincial and Prefectural legislative, administrative and executive bodies as are conferred by the Occupied Territory in effect on 8 Sept. 1943 and by any Proclamation or other order of the Allied Military Government of the Occupied Territory which may change or supersede such laws.

SECTION 3

AREA ADMINISTRATIVE DEPARTMENTS

1.—The Allied Military Government shall establish such departments, divisions or agencies in the Area President's Office as may be necessary for the proper local government of the Area.

2.—The Staff of such departments, divisions, or agencies shall be appointed and be removable by the Allied Military Government. The President shall be assisted by a Vice President who shall be appointed and be removable by the Allied Military Government.

3.—The President may, subject to the approval of the Military Government, delegate to the Vice President and other officials of his office special duties in connection with the local government of his Area and of the Communes therein situated.

SECTION 4

AREA COUNCIL

1.—An Area Council shall be composed of a Chairman plus the following number of members for each of the Areas specified:

Area of Trieste—17 Members

Area of Gorizia—14 Members

all of whom shall be appointed and be removable by the Allied Military Government.

2.—Consideration shall be given to the selection of the Chairman and Members from the leading citizens of the Area of the highest moral and political probity who shall be, as far as possible, representative of all racial, political and economic groups and classes in the Area according to their respective local strength.

3.—Substitute or alternate members may be appointed and be removable by the Allied Military

Government but shall not take part in any proceedings except in the absence of regular members.

4.—An Area Council shall meet at least once every week and at such other time as it may be convened by the Area President with the approval of the Allied Military Government.

5.—It may adopt rules of procedure which shall be submitted to the Allied Military Government for its approval or otherwise.

6.—An Area Council shall act as an advisory and consultative body to the Area President in all matters concerning the local government of the Area referred to it by the Area President.

7.—The decision of an Area Council on all matters laid before it for advice and opinion shall be taken by a majority vote and shall be made part of the minutes of the meeting.

8.—An exact transcript of such minutes shall be transmitted by the Chairman of the Council to the Area President and by the latter to the Area Commissioner of the Allied Military Government within two days after the meeting to which it relates.

SECTION 5

HEADS OF THE COMMUNAL GOVERNMENT

1.—The Head of a Commune shall be styled Communal President.

2.—He shall be appointed and be removable by the Allied Military Government.

3.—He shall possess in his Commune, in the aggregate, such powers and duties of a Mayor of a Commune and of such Communal administrative, legislative and executive bodies as are conferred by the laws referred to in Section 2, sub-section (3) hereof, and shall be subject to such supervision and control by the Area President as may be provided by the said laws. The Communal President of the Commune of Pola shall, in addition to his other powers, possess all of the powers and duties of an Area President as specified in sub-section (3) of Section 2 of this General Order.

SECTION 6

COMMUNAL ADMINISTRATIVE DEPARTMENTS

1.—The Allied Military Government shall establish such departments, divisions or agencies in the Office of the Communal President as may be necessary for the proper local government of the Commune.

2.—The Staff of such departments, divisions or

agencies shall be appointed and be removable by the Allied Military Government.

3.—The Communal President may, subject to the approval of Allied Military Government, delegate to officials in his office special duties in connection with the local government of his Commune.

4.—A Communal Secretary may be appointed by the laws referred by the Allied Military Government where it is deemed necessary so to do and he shall possess such special powers as are conferred by the laws referred to in Section 2, Sub-section (3) hereof.

SECTION 7

COMMUNAL COUNCIL

1.—Each Commune, including the Commune of Pola, shall have a Communal Council composed of a Chairman plus membership which shall be numerically fixed in accordance with the provisions following:

POPULATION	MEMBERS
250,000 or over	12
over 30,000	8
Other Communes	4

all of whom shall be appointed and be removable by the Allied Military Government.

2.—Consideration shall be given to the selection of the Chairman and Members from the leading citizens of the Commune of the highest moral and political probity who shall be, as far as possible, representative of all racial, political and economic groups and classes in the Commune according to their respective local strength.

3.—Substitute or alternate members may be appointed and be removable by the Allied Military Government but shall not take part in any proceedings except in the absence of the regular members.

4.—The Communal Council shall meet at least once every week and at such other times as it may be convened by the Communal President with the approval of the Allied Military Government.

5.—It may adopt rules of procedure which shall be submitted to the Allied Military Government for its approval or otherwise.

6.—A Communal Council shall act as an advisory and consultative body to the Communal President in all matters concerning the local government of the Commune referred to it by the Communal President.

7.—The decisions of a Communal Council on all matters laid before it for advice and opinion shall be taken by a majority vote and shall be made part of the minutes of the meeting.

8.—An exact transcript of the minutes shall be transmitted to the Communal President and by the latter to the Area President who shall in turn transmit it to the Area Commissioner of the Allied Military Government within seven days after the meeting to which it relates.

SECTION 8

COMBINATION OF COMMUNES FOR LOCAL GOVERNMENT PURPOSES

Whenever and wherever and to the extent to which it is deemed necessary or desirable to do so the Allied Military Government may provide for the local government of two or more Communes by one official or administrative organ established for and in any named Commune.

SECTION 9

POWERS TO FORM A DISTRICT COMMITTEE

1.—Whenever and wherever and to the extent it is deemed desirable or necessary to do so an Area Commissioner is hereby empowered to form, by order in writing under his hand, an advisory body from two or more Communes which for this purpose only shall be styled a District. Such body may be known as a District Committee.

2.—The Chairman and members of each District Committee shall be chosen from among leading citizens of the Communes forming each District.

3.—The District Committee shall have no executive or legislative control over the Communal President or Communal Council of their respective Communes.

SECTION 10

OTHER COMMITTEES

No committee, council or group other than those herein created and provided for, except those previously constituted by a Proclamation or Order of the Allied Military Government, shall possess any of the administrative, legislative, executive or other powers of government.

SECTION 11

CONTROL OF ALLIED MILITARY GOVERNMENT

1.—Allied Military Government is the only government in those parts of Venezia Giulia occupied

by the Allied Forces and is the only authority empowered to issue orders and decrees and to make appointment to public or other office.

All of the local government bodies created by and referred to in this order shall at all times be under the direct control and supervision of the Allied Military Government.

2.—The Chairman and Members of the Area and Communal Councils and District Committees shall be unpaid. Salaries of all other officials shall be determined by the Allied Military Government.

SECTION 12

EFFECTIVE DATE

This General Order shall become operative in each Area or part thereof within the occupied territory on the date of its first publication therein.

Dated in TRIESTE this 11th day of August 1945.

ALFRED C. BOWMAN

Colonel J. A. G. D.

Senior Civil Affairs Officer

Protest Against Entry of Yugoslav Forces Into Zone A

[Released to the press August 19]

Text of note delivered by the Chargé d'Affaires of the American Embassy at Belgrade, Harold Shantz, to the Yugoslav Foreign Office, on August 15

This Government emphatically rejects the Yugoslav protest of July 16, which is apparently based upon distortion of evidence available to Yugoslav as well as United States military authorities regarding the incident of July 12.

The facts of the incident are as follows: At 6:00 p.m. on July 12 in the area of Ursina, 5.2 kilometers east southeast of Caporetto, three Yugoslav soldiers were seen in Zone A and a United States patrol was sent to investigate. This United States patrol was fired upon by Yugoslavs and the fire was returned. One Yugoslav soldier was killed. A second United States patrol of platoon strength was sent out and a Yugoslav patrol of 10 to 15 men was encountered. Once again the Yugoslavs opened fire, which was again re-

turned by the United States patrol. It was not known at this time that there was any casualty among the Yugoslav forces, who withdrew.

The point at which the first Yugoslav patrol was encountered is some 900 yards northeast of Ursina and is about 300 yards within Zone A. Neither of the United States patrols therefore crossed the Morgan Line.

On the morning of July 13 a Yugoslav machine gun post was discovered to have been set up near the point where the second Yugoslav patrol had been seen the previous day, but this post was later withdrawn. Subsequently, the incidents were settled between the United States and Yugoslav local commanders, at which time the Yugoslav Commander stated that a second soldier had also been killed.

This Government naturally regrets Yugoslav losses in the above-mentioned encounters, but must at the same time make it clear that United States forces began firing in self defense only after Yugoslav forces had first opened fire. The Yugoslav

Government must also be aware that in addition to the unwarranted entry of Yugoslav forces into the Zone cited above, 12 Yugoslav soldiers crossed the Morgan Line on June 19 and entered the village of Prebenico, and that on June 30 a British patrol in the same village was surrounded by 25 armed Yugoslavs under the command of a sergeant major who stated that his instructions were to set up a post in Prebenico, and who confirmed by telephone, presumably with a higher Yugoslav command, that such were his orders. This Yugoslav patrol was only recently withdrawn from Prebenico, although there could have been no doubt that it was well to the west of the Morgan Line.

This Government must, therefore, protest in strongest terms the unwarranted entry of Yugoslav forces into Zone A, the hostile attitude shown by Yugoslav troops at Prebenico towards British troops of Allied forces in Venezia Giulia, and the opening of fire without provocation by Yugoslav forces against United States troops.

Protest Against Yugoslav Attack on American Plane and Detention of American Personnel

NOTE TO YUGOSLAV GOVERNMENT

[Released to the press August 20]

The American Ambassador in Belgrade, Richard C. Patterson, has been instructed to deliver to the Yugoslav Ministry of Foreign Affairs a note along the following lines:

Reference is made to previous representations with regard to alleged violations of Yugoslav territory by United States aircraft and the forcing to the ground by Yugoslav aircraft of an American C-47 air transport on August 9. United States authorities in Austria and Italy have now reported the results of their investigation in this connection, from which it appears that on August 9 airplane no. 43-15376 of the C-47 type, while on a regular flight from Vienna to Udine encountered bad weather over Klagenfurt and was engaged in an effort to find its bearings when at

approximately 1300 it was attacked by Yugoslav fighters. The attackers fired repeated bursts at the aircraft as a result of which one passenger was seriously wounded and the plane forced to crash land, wheels retracted, in a field near Kranj twelve kilometers from Ljubljana. As for other "violations" of Yugoslav territory referred to in the Foreign Office's note of August 10, alleged to total 172 between July 16 and August 8, United States authorities in Austria and Italy report that only 74 flights have taken place between those dates and that operations officers at Hoersching and Tulln airfields have thoroughly briefed all crews to use approved routes avoiding Yugoslavia.

It would be assumed that the authorities of Yugoslavia would wish to render a maximum of assistance and succor to aircraft of a friendly nation when the latter are forced by the hazards of navigation in bad weather over dangerous mountain barriers to deviate from their course

and seek hearings over Yugoslav territory. On the contrary, Yugoslav fighter aircraft have seen fit without previous warning to take aggressive action against such a United States transport plane, the identification of which was clearly apparent from its markings, and have forced it to crash land after wounding one of its passengers. Subsequently, Yugoslav authorities have detained the plane, its crew and passengers and refused to permit American consular officers access to the plane or personnel until specific representations were made by the United States Embassy to the latter effect. Finally, no reply has been forthcoming to the Embassy's requests that the crew, passengers and plane be released from detention and the personnel permitted to depart from Yugoslavia without delay. Meanwhile, it is reported from Trieste that a second United States plane en route to Italy from Austria is missing after having last reported itself under machine gun attack.

The Embassy is instructed to protest most emphatically against this action and attitude of the Yugoslav authorities, to renew the United States demand for immediate release of the passengers and crew now able to travel, and in conclusion to request an urgent Yugoslav statement whether in the future the United States Government can expect that the Yugoslav Government will accord the usual courtesies, including the right of innocent passage over Yugoslav territory, to United States aircraft when stress of weather necessitates such deviation from regular routes. The Yugoslav authorities have already received United States assurance that United States planes will not cross Yugoslavia without prior clearance except when forced to do so by circumstances over which they have no control. The United States Government, pending receipt of detailed information regarding injury to persons on these two planes and the cost of repairing planes, fully reserves its position in matter of claims for compensation.

¹At the request of correspondents Acting Secretary Acheson on Aug. 20 authorized the release of these reports of American Consul Theodore J. Hohenthal in Zagreb and of the pilot of the C-47 forced down in Yugoslavia Aug. 9, Capt. William Crombie. Both reports are dated Aug. 19 and were released to the press on Aug. 20, 1946.

REPORT OF AMERICAN CONSUL IN ZAGREB¹

United States personnel said they were getting best treatment and only objected being under close guard. The co-pilot told Consul that aircraft which appeared in front of plane bore marking resembling British so he thought they were over Udine and did not understand signal of other plane, but United States plane rocked wings in reply. The co-pilot thought only two planes attacked.

Assistant Military Attaché's report on interview states aircraft fired on by Yugoslav fighter planes, fire continued during descent, last burst just prior to crash landing. None hurt except Turk who had bullet through wrist and body near heart. Aircraft had no mail or official cargo. All personal papers, baggage and ship's log taken by Yugoslavs.

Consul and Assistant Military Attaché were refused permission to see plane and told that this and question of release of men would be decided in Belgrade, so they returned to Zagreb and Belgrade respectively. Our notes to Foreign Office August 13 and 16 requested release but these and our oral protests from August 12 up to today have not yet brought any reply. United States civil passenger was Richard M. Blackburn, father of Charles Blackburn, Clayton, Ohio, R.F.D. 1.

On August 12 Hohenthal and British Military Attaché saw plane lying in small field near hills but were stopped fifty yards away. British Military Attaché said pilot deserves high praise for excellent landing in difficult spot.

REPORT OF CAPTAIN WILLIAM CROMBIE¹

Left Vienna at 11:40 for Udine. The weather was pretty bad but we were able to fly contact half way to Graz. As the weather got bad, we climbed up to 15,000 feet and flew on instruments. We saw Klagenfurt through a hole in the overcast so we then took a heading of 280 degrees (at Klagenfurt, we asked Udine for a QDM but were refused). We continued on this heading for about 15 minutes and then headed south. (We thought we would be north of Udine.) We finally broke out of the clouds and realized we were not over Udine. About that time, a plane (pursuit type) passed us and we all thought it was British. Then two other aircraft passed us and we saw they were Yugoslav.

They flew around us a couple of times and one time they wagged their wings. I was trying to orient myself and at the same time trying to find a field to set down on, an airport. About that time, I saw tracer fire go by right underneath the cockpit. A minute or so later, one of the crewmen came up and said one man was hit. I was about 6,000 feet and I started to find a field to set down in. I then received another burst of fire (I could feel it hit the aircraft). I told everybody to prepare for crash landing and I set the plane down in a small cornfield (wheels up). The landing was rather smooth but both props were thrown off. We pulled the wounded man out and rendered him first aid. The time was about 1400 (our time).

People started collecting and Army officials soon came up. We had to leave our baggage in the plane and were taken into town.

NOTE TO YUGOSLAV CHARGÉ D'AFFAIRES

[Released to the press August 21]

Acting Secretary Acheson handed the following note to the Yugoslav Chargé d'Affaires ad interim, Srgije Mukic, on August 21

SIR:

The American Embassy in Belgrade has informed me of the contents of the message received from the Yugoslav Foreign Office on August 20. The replies of the Yugoslav Government to our inquiries are wholly unsatisfactory to the government and shocking to the people of the United States.

Your government expresses regret because of what you call an unhappy "accident." Your government is aware that this was no accident; that a fighter plane of your government deliberately fired upon a passenger plane of the United States Government. Your government states that one reason for the "accident" was that since August 10th there have been forty-four instances where American planes flew over Yugoslav territory. The records show that since August 10 the total number of flights scheduled for that route was only thirty-two. These flights were made under instructions to avoid flying over Yugoslav territory and if in any instance a plane was over Yugoslav territory it was only because the pilot was forced by bad weather outside of the corridor.

But this attack of August 19th was not the first. On August 9 a United States passenger plane while in the vicinity of Klagenfurt was fired upon by a fighter plane of the Yugoslav Government. It was forced to make a crash landing. When it landed, the crew and passengers were taken into custody by Yugoslav authorities and are still held as prisoners of the Yugoslav Government.

For some days the representative of the United States Government was unable to communicate with these American citizens. Finally he was permitted to do so but only in the presence of the military authorities of Yugoslavia. Twelve days have passed and these American citizens are still held by Yugoslavia.

The message now received from our representative indicates that on the 19th of August when this second passenger plane was fired upon, some if not all of the occupants were killed. They met their death not by "accident" but by the deliberate acts of Yugoslav authorities. The excuse given for taking the lives of these American citizens is that the plane in which they were travelling was a few kilometers inside of Yugoslav territory. Your government asserts that for twelve minutes prior to the attack the pilot of the plane was "invited" to land. At the time you claim the pilot was "invited" to land the records at Klagenfurt show the pilot advised the Klagenfurt station that he was over Klagenfurt, which is well outside of Yugoslav territory, and was all right.

These outrageous acts have been perpetrated by a government that professes to be a friendly nation. Until we have had opportunity to confer with the survivors of these two attacks and we receive such other evidence as is available, we make no statement as to the exact location of the two planes when they were attacked.

Regardless of whether the planes were a short distance within or without the corridor, they were unarmed passenger planes en route to Udine, in Italy. Their flight in no way constituted a threat to the sovereignty of Yugoslavia. The use of force by Yugoslavia under the circumstances was without the slightest justification in international law, was clearly inconsistent with relations between friendly states, and was a plain violation of the obligations resting upon Yugoslavia under the Charter of the United Nations not to use force except in self-defense. At no time did the Yugo-

slav Government advise the United States Government that if one of its planes should, because of weather conditions, be forced a mile or two outside of the corridor or, because of mechanical troubles, should find itself outside of that corridor, the Yugoslav Government would shoot to death the occupants of the plane. The deliberate firing without warning on the unarmed passenger planes of a friendly nation is in the judgment of the United States an offense against the law of nations and the principles of humanity.

Therefore the Government of the United States demands that you immediately release the occupants of these planes now in your custody and that you insure their safe passage beyond the borders of Yugoslavia.

The Government of the United States also demands that its representatives be permitted to communicate with any of the occupants of the two planes who are still alive.

If within forty-eight hours from the receipt of this note by the Yugoslav Government these demands are complied with, the United States Government will determine its course in the light of the evidence then secured and the efforts of the Yugoslav Government to right the wrong done.

If, however, within that time these demands are not complied with, the United States Government will call upon the Security Council of the United Nations to meet promptly and to take appropriate action.

MESSAGES FROM AMERICAN AMBASSADOR

[Released to the press August 24]

August 22, 9:00 p. m.

Tito received me today in friendly manner accompanied by Colonels Partridge and Stratton and Fralough. Two hour conference covered both protest on planes and other points at issue. Regarding planes, I read the Department's August twenty-first note. Tito replied occupants of the first plane were released today and already on way to Trieste; said occupants of second plane have not yet been found. Plane burned in air and very doubtful now that two men parachuted out. Search parties are still out and our request to send representatives with them was granted. Tito also promised to give us remains of planes and allow communication with any survivors. He gave

personal account of forcing down of first plane; promised written account from Fourth Army regarding the second plane. Tito said incidents were not result of any special order and emphatically not retaliation for Yugoslavs shot by American border patrol. Crossing of border by air was infringement of Yugoslav sovereignty and Yugoslav fighters were acting in normal defense of frontier. He had warned repeatedly against continuation of unauthorized flights over Yugoslav territory. He refuted Department's figures of authorized flights as not including frequent unscheduled excursions of military aircraft from Allied fields near Morgan Line.

He said such flights numbered in thousands and were deliberate flaunting of Yugoslav sovereignty and attempt to impress Yugoslavs with Allied strength. Nevertheless, he deplored loss of lives and has now given orders that no foreign planes are to be shot at under any circumstances. Incidents will not be repeated, Marshal said. Yugoslavia will always accept planes forced off course by weather trouble, loss of direction or mechanical difficulties in reasonable numbers and suggested means for signalling distress by such planes be worked out. In reply our statement that at the time allegedly invited to land the second plane reported itself over Klagenfurt, Marshal said thousand people witnessed incident well inside Yugoslav territory. First plane was not "a few kilometers inside Yugoslavia but fifty kilometers". Tito emphasized he is extremely sorry for what happened; promised written confirmation; promised answer other issues raised. In later conferences he agreed to meet demands in our note.

PATTERSON

Undated.

With two Yugoslav officers detailed to assist us we spent today searching for August 19th wreck and bodies in mountains northwest of Bled. By making two hour drive and four hour hike we found wreck smashed and burned on wooded hillside. Peasants there guided us to remains of bodies buried in church yard at Koprivnik village, one hour hike from wreck. Remains were gathered August 20, buried same day by Yugoslav militia patrol. We found patrol leader who told us two bodies were burned in parachutes inside plane. These and fragments of other bodies pointed to

"five or six killed". This contradiction of Tito's statement to us yesterday and tonight (see following telegram) that occupants not yet found is perhaps due to bad staff work.

We are informing Tito of our discoveries and requesting Yugoslav Air Force guard of honor and if Department approved, burial in American Military Cemetery, Belgrade, with full military honors on part of Yugoslavia. We conclude there are no survivors. Plane total loss. Graves registration examining wreck and disinterring remains.

Tomorrow we will see August 9th crash and Turkish passenger in hospital.

Frakeigh and Assistant Military Attache Stratton will return Bled to complete our investigation and I will return to transport bodies to Belgrade by Embassy plane Monday.

PATTERSON

Twenty-third, midnight.

Following is text of letter to me from Tito delivered at 2000 hours Greenwich time tonight, replying Department's note 21st. Letter merely confirms oral statement at our conference yesterday.

"EXCELLENCY:

"With reference to our yesterday conversation have the honor to advise you as follows:

"Regarding the factual state I have nothing to add to the note of the Yugoslav Ministry of Foreign Affaires No. 9860 of August 20, but solely that subsequent reports do not confirm the first ones according to which two members of the crew would have bailed out in parachutes. It appears now that the parachuting object eye-witnesses mistook for occupants of the plane might have been two gasoline barrels wrapped in two sheets. Investigation still being carried out.

"It is not possible for the moment to produce a definite detailed report of what had happened apart from that I can on this occasion emphasize only once again the statements of the Ministry's note quoted above which correctly described the circumstances which were causing this regrettable occurrence. In connection with the statements put forth during our conversation yesterday, I have first to point out that it is not correct that the plane had only been a mile or two within Yugoslav territory in the moment when forced down. The plane was 50 kilometers from the nearest point on the frontier. Further I have to underline

once more that the Yugoslav fighters were, during almost a quarter of an hour time, inciting the plane to land. They also wanted to show the route to the airport only three miles far away but the aircraft definitely refused compliance with the landing order. Accordingly it does not correspond with the facts the Yugoslav fighters had not warned the plane nor is it correct that the plane had been forced because of weather conditions to deviate from its course. It is notorious in the country where the accident took place that the day was absolutely clear and of perfect visibility.

"As for the occupants of the plane forced down August 9, once the investigation got terminated the Yugoslav Government suspended on August 21 any movement limitation imposed upon the persons concerned. During, and for the purpose of the investigation itself, Mr. Hohenthal, the American Consul, was informed thereof and at 730 hours on August 22 he took over. It is evident that they are allowed to leave Yugoslavia whenever they want to. Your Government may also, of course, dispose at any time over the aircraft question.

"As for the occupants of the plane which crashed on August 19, as already mentioned, none has been found so far. The Yugoslav Government will be only glad to permit the representative of your Government to communicate with any of them who might have survived.

"Respectfully yours,

"August 23

"J. B. Tito"

PATTERSON

The messages received from Ambassador Patterson indicate that the demands presented to the Yugoslav Government by the United States Government have been complied with.

As stated in the note of August 24, in this situation the United States Government will determine its course in the light of the evidence secured and the efforts of the Yugoslav Government to right the wrong done. Full reports as to the foregoing, including the reports of the survivors of the attack of August 9th, which will be made directly to the Secretary of State and Senator Connally in Paris, have not yet been received in Washington.

No further announcement will be made as to the attitude of the United States Government until such reports have been received and examined.

Position on Question of the Turkish Straits

EXCHANGE OF NOTES BETWEEN THE SOVIET CHARGE D'AFFAIRES AND ACTING SECRETARY ACHESON¹

EMBASSY OF THE UNION OF
SOVIET SOCIALIST REPUBLICS,
Washington, D. C., August 7, 1946.

SIR:

By direction of the Soviet Government I have the honor to communicate to you the following:

As is known, the Berlin Conference of the Three Powers on the question of the Montreux Convention adopted a resolution, whereby the three governments declared that the said convention should be revised, since it does not correspond to present conditions. At the same time the three governments agreed that this question was to be the subject of direct negotiations between each of the Three Powers and the Turkish Government. In accordance with this, the Soviet Government on August 7 of this year addressed to the Turkish Government a note which is transcribed below:

"The Ministry of Foreign Affairs of the USSR has the honor to inform the Turkish Government of the following:

"Events which occurred during the past war clearly indicated that the regime of the Black Sea Straits, established by the Straits Convention, signed in 1936 at Montreux, does not meet the interests of the safety of the Black Sea Powers and does not insure conditions under which the use of these Straits for purposes inimical to the Black Sea Powers would be prevented.

"It will suffice to mention a series of incidents during this war, when the Axis Powers directed their warships and auxiliary craft through the Straits into the Black Sea and out of the Black Sea, which in turn gave rise to the corresponding steps and protests registered by the Soviet Government with the Turkish Government.

"On July 9, 1941 the German command sent the German patrol boat 'Seefalke' through the Straits into the Black Sea, which was a gross violation of the Straits Convention and called forth a protest to the Turkish Government on the part of the Soviet Government.

"In August 1941, Turkish authorities gave the Italian auxiliary war vessel 'Tarvizio' permission to pass through the Straits into the Black Sea, which likewise called forth a representation on the part of the Soviet Government, calling to the attention of the Turkish Government the fact that the passage of the Italian auxiliary vessel into the Black Sea would appear to be a violation of the Straits Convention.

"On November 4, 1942, the Soviet Government again called to the attention of the Turkish Government the fact that Germany planned to send to the Black Sea through the Straits auxiliary warships under the guise of merchant vessels with a total displacement of 140,000 tons. These vessels were intended for the transfer of military forces and war materials of the Axis countries into the Black Sea. In its representation, the Soviet Government emphasized the fact that 'the admission of the aforementioned vessels through the Straits into the Black Sea would be an obvious violation of the Convention regarding the regime of the Straits concluded in Montreux, inasmuch as these vessels are left at the disposal of the German Government and are in reality auxiliary warships.'

"In June 1944, the Soviet Government registered a protest against the fact that toward the end of May and early in June of 1944 there took place a series of passages through the Straits from the Black Sea into the Aegean Sea of German warships and auxiliary warships of varying tonnage of the 'Ems' (8 vessels) and 'Kriegtransport' (5 vessels) types, which had taken part in the naval operations in the Black Sea.

¹Copies of Acting Secretary Acheson's note have also been transmitted to the Governments of the United Kingdom, France, Turkey, Greece, Yugoslavia, and Rumania, which were among the signatories of the Montreux Convention of July 20, 1936.

"It is obvious from the aforementioned facts that at the time of the past war with Germany and her allies, the Straits Convention did not prevent the enemy powers from using the Straits for military purposes against the U.S.S.R. and other allied powers, with the Turkish Government not being able to escape the responsibility for this situation.

"In view of this, the Soviet Government suggested to the Berlin Conference of the Three Powers—Great Britain, the United States of America and the Soviet Union, which took place in July and August 1945, to discuss the question that the regime of the Straits, established by the Montreux Convention, does not conform to present conditions and that it is necessary to establish a new regime of the Straits. As is known, the Berlin Conference of the Three Powers adopted a resolution consisting of the following:

"a) The three governments declared that the Convention regarding the Straits, concluded in Montreux, should be revised, as it does not meet the conditions of the present time;

"b) The three governments agreed that as the proper course the said question would be the subject of direct negotiations between each of the three powers and the Turkish Government.

"The Soviet Government is also acquainted with the contents of the note of November 2, 1945 of the Government of the United States of America and with the note of the British Government of November 21, 1945 addressed to the Government of Turkey on this question.

"For its own part, the Soviet Government proposes to establish for the Straits a new regime, proceeding from the following principles:

"1) The Straits should be always open to the passage of merchant ships of all countries.

"2) The Straits should be always open to the passage of warships of the Black Sea Powers.

"3) Passage through the Straits for warships not belonging to the Black Sea Powers shall not be permitted except in cases specially provided for.

"4) The establishment of a regime of the Straits, as the sole sea passage, leading from the Black Sea and to the Black Sea, should come under the competence of Turkey and other Black Sea Powers.

"5) Turkey and the Soviet Union, as the powers most interested and capable of guaranteeing free-

dom to commercial navigation and security in the Straits, shall organize joint means of defense of the Straits for the prevention of the utilization of the Straits by other countries for aims hostile to the Black Sea Powers.

"The Soviet Government is informing the governments of the United States of America and Great Britain regarding the present declaration."

The Soviet Union has directed me to bring this to the knowledge of the Government of the United States of America.

Accept [etc.]

FEDOR OREKHOV

Acting Secretary of State DEAN ACHESON,
Department of State, Washington.

August 19, 1946.

SIR:

I acknowledge receipt of your note of August 7, 1946, which sets forth the text of the note addressed on the same day by the Government of the Union of Soviet Socialist Republics to the Government of the Republic of Turkey and express the appreciation of this Government for the courtesy of the Soviet Government in making this information available.

It will be recalled that the American Embassy in Moscow made available to the Soviet Government in November 1945 a copy of the note which the American Embassy in Ankara delivered to the Turkish Government on November 2, 1945.¹

This Government has given careful study to the views expressed by the Soviet Government in its note to the Turkish Government. It would appear from a comparison of this Government's note of November 2, 1945, with the Soviet note to the Turkish Government of August 7, 1946, that the views of the Governments of the United States and of the Soviet Union, while not in entire accord, are in general agreement with regard to the three following proposals set forth in the Soviet note:

"1. The Straits should be always open to the passage of merchant ships of all countries.

"2. The Straits should be always open to the passage of warships of the Black Sea powers.

"3. Passage through the Straits for warships

¹ Substance of note printed in BULLETIN of Nov. 11, 1945, p. 766.

not belonging to the Black Sea powers shall not be permitted except in cases specially provided for."

The fourth proposal set forth in the Soviet note does not appear to envisage a revision of the Montreux Convention, as suggested in our note to the Turkish Government of November 2, 1945, but rather the establishment of a new régime which would be confined to Turkey and the other Black Sea powers. It is the view of this Government that the régime of the Straits is a matter of concern not only to the Black Sea powers but also to other powers, including the United States. This Government cannot, therefore, agree with the Soviet view that the establishment of the régime of the Straits should come under the competence of the Black Sea powers to the exclusion of other powers.

The fifth proposal set forth in the note of the Soviet Government was that Turkey and the Soviet Union should organize joint means of defense of the Straits. It is the firm opinion of this Gov-

ernment that Turkey should continue to be primarily responsible for the defense of the Straits. Should the Straits become the object of attack or threat of attack by an aggressor, the resulting situation would constitute a threat to international security and would clearly be a matter for action on the part of the Security Council of the United Nations.

It is observed that the note of the Soviet Government contains no reference to the United Nations. The position of the Government of the United States is that the régime of the Straits should be brought into appropriate relationship with the United Nations and should function in a manner entirely consistent with the principles and aims of the United Nations.

The Government of the United States reaffirms its willingness to participate in a conference called to revise the Montreux Convention.

Accept [etc.]

DEAN ACHESON
Acting Secretary of State

Views on Arrangements for Polish Elections

NOTE TO THE POLISH PROVISIONAL GOVERNMENT

[Released to the press August 20]

Text of a note delivered by the American Ambassador to Poland, Arthur Bliss Lane, to the Polish Foreign Office on August 19

I have been instructed by my Government to inform you that it has been glad to learn of the announcement that the Polish Provisional Government intends to promulgate electoral laws during the month of August and to hold elections early in the month of November. My Government is deeply conscious of the grave responsibility which it assumed, together with the British and Soviet Governments, by the decisions taken at the Crimea and Potsdam conferences with respect to the holding of free and unfettered elections in Poland. During the conversations which were held in Moscow in June 1945 the Polish leaders agreed to the acceptance of the principles formulated at Yalta. Accordingly, the Polish Government which was then functioning in Poland was reorganized and there was created the Polish Provisional Govern-

ment of National Unity, with which the Governments of the Soviet Union, Great Britain and the United States established diplomatic relations.

In departing from its traditional policy by assuming responsibilities in connection with the internal affairs of another State, my Government was motivated by the feeling that as one of the principal powers engaged in liberating the peoples of Europe from the yoke of Nazi aggression, it had a special responsibility to assist in giving the Polish people who had suffered so greatly from Nazi occupation an opportunity freely to choose the government under which they would live. My Government feels, therefore, that it has both the right and the duty to bring the following to the attention of the Polish Provisional Government of National Unity.

The United States Government considers that it had no responsibilities in connection with the referendum held in Poland on June 30. Nevertheless, as the Polish Ambassador in Washington

informed my Government on April 24, 1946, this referendum was a measure preparatory to the election and the methods by which it was held bear a relation to the preparations for holding the election itself.¹ The official representatives of the United States Government in Poland have reported that the voting in the referendum appeared to have been generally carried out in a correct and fair manner but that the methods used in tabulating the ballots and reporting the vote have given rise to charges of serious irregularities, including removal of ballot boxes from polling places in contravention of the referendum law.

It has also been brought to the attention of my Government that the Polish Labor Party charges that it was not allowed to hold its party congress and that as a result of this and administrative persecution of the party by arrests, censorship restrictions, administrative interference and other oppressive acts which have prevented normal democratic political activity, the Central Committee of the Labor Party has requested the membership of that party to suspend all political activity until such time as the attitude of the Polish Provisional Government toward the Labor Party has changed. The Polish Provisional Government is, of course, aware that one of the essential elements in the agreement for the holding of free elections in Poland is that all democratic, anti-Nazi parties shall have the right to take part and to put forward candidates. To this end it is necessary that all democratic parties be free to engage in political activity in the period preceding the elections.

Furthermore, my Government has learned with great regret that steps have been taken depriving the Polish Peasant Party of its right to assemble and to perform normal party functions at numerous points within Poland. According to reliable information the facilities which other parties enjoy in publishing electoral or party material, in using the radio for propaganda purposes and the ability to make known the views of the party through public posters and other forms of advertisement are, through censorship or other means, either denied to the Polish Peasant Party or restricted to a degree less than that accorded the parties adhering to the so-called government bloc.

In view of the foregoing, my Government

wishes to emphasize its belief that *inter alia* it is essential for the carrying out of free elections that (1) all democratic and anti-Nazi parties shall be allowed to conduct election campaigns freely without arrest or threat of arrest. The parties recognized as "democratic and anti-Nazi parties" include the following: The Polish Workers Party (PPR), the Democratic Party (SD), the Polish Socialist Party (PPS), the Polish Peasant Party (PSL), the Peasant Party (SL), and the Labor Party (SP); (2) all such parties shall be represented on all electoral commissions and ballots be counted in presence of representatives of all such parties; (3) results shall be published immediately by local districts; and (4) there shall be an adequate system of appealing election disputes.

My Government is confident that the Polish Provisional Government of National Unity will take into account the views presented above in making arrangements for the elections.

FISHER *Continued from page 398.*

delivery of Soviet goods needed by Yugoslavia for the conduct of the war and for its civilian population in exchange for Yugoslav goods needed by the Soviet Union for its war requirements and national economy.

III

Since the purpose of this article is only to describe the treaties and agreements entered into by the U.S.S.R. with other countries in the year 1945, no attempt has been made to analyze or interpret their terms. It is apparent, however, that most of these treaties and agreements are contained within five categories: (1) implementation and adjustment of reparations growing out of armistice agreements to which the Soviet Union is a party; (2) bilateral trade agreements on a barter basis; (3) economic-collaboration agreements and the agreements subsumed thereunder; (4) pacts of friendship, mutual assistance, and post-war collaboration; and (5) exchange of nationals. The year 1945 also saw diplomatic relations reestablished with four minor enemy powers and one liberated state.

¹ BULLETIN of May 5, 1946, p. 762.

Revision of Greek Electoral Lists

SUMMARY OF REPORT OF ALLIED MISSION

[Released to the press August 19]

On June 18, 1946 it was announced that Leland B. Morris, former U. S. Ambassador to Iran, had been appointed by the President, with the personal rank of Ambassador, to head the United States Section of the Allied Mission to Observe the Revision of Greek Electoral Lists.¹

Since the first of July Ambassador Morris and the members of his staff have been in Greece, where they have been working in closest cooperation with British and South African members of the Mission in the task of observing the revision of electoral lists being carried out by the Greek Government. The report of the Mission has now been completed and signed in Athens. The following summary of its conclusions is being released to the press simultaneously in Athens, London, and Washington:

"The Mission is satisfied that the revision and recom compilations of the electoral lists as observed by it attain a degree of fairness and accuracy which justifies their use in seeking the opinion of the Greek people in matters of national import.

"The Allied Mission to Observe the Greek Elections, in its report of April 10, 1946,² recommended that, before the opinion of the Greek people was again sought on matters of national import, there should be a complete revision of the registration lists in order to remove all possible justification for any criticism based on the inaccuracy of the lists.

"On April 14, 1946, the Greek Government acting on this recommendation invited the observer nations to permit their observers to remain in Greece in order to observe the revision and recom compilation of the electoral lists, but this course was not possible owing to the fact that the resources of the Mission had been dispersed, although the nations agreed in principle that the request was worthy of consideration.

"On May 13 it was announced by the Regent

that the plebiscite was to be held in Greece on September 1, 1946, and on June 26 the Greek Assembly adopted the plebiscite decree.

"On May 10, 1946, the Greek Government formally invited the British and United States Governments to send observers to Greece. This invitation was accepted by the two Governments. The purpose of the Mission was to observe the revision and recompilation of the Greek electoral lists, to draw to the attention of the Greek Government matters requiring adjustment or alteration in the conduct of the revision and recompilation, to investigate the revised and recompiled lists, and to report its findings.

"In order to emphasize the continuity of the former Mission with the Mission to Observe the Revision of the Electoral Lists, it was decided that the latter should be referred to as AMFOGE 2, the earlier Mission having been known as AMFOGE 1.

"The Mission consisted of two Chiefs of Mission, Ambassador Leland Morris, Chief of the American contingent, and Mr. R. T. Windle, Chief of the British contingent. Mr. Raymond Jessen of the Statistical Laboratory of Iowa State College, Ames, Iowa, was appointed chief of the statistical section. Upon his departure for the U.S. he was succeeded by W. Edwards Denning of the U.S. Bureau of the Budget, Washington, D.C., on July 29, 1946. There were 66 United States, British and South African observer teams deployed in position according to a plan laid down for phase two of the observation. Each team consisted of an observer, a Greek interpreter and a driver. The British and South African observers were all drawn from members of Armed Forces. The American observers were all civilians, being advanced students or instructors from American universities who had been recently demobilized from the Armed Forces. In addition there were headquarters and district staffs for administrative purposes amounting to approximately 50 persons. The work of the Mission was

¹ BULLETIN of June 20, 1946, p. 1128.

² BULLETIN of Apr. 21, 1946, p. 671.

designed to occupy two phases: Phase one, to be the period of registration in which the observers were required to collect information with regard to the operation of the registration machinery; Phase two, to analyze the electoral lists on the completion of the revision and recompilation of the lists. The Chiefs of Mission agreed on a plan which would permit the sampling plan devised to be put into operation in order to extract the maximum of information from the whole of Greece.

"Operations were directed by a central board appointed by the Chiefs of Mission. To this end all of Greece was divided into seven districts centered upon Athens, Tripolis, Patras, Ioannina, Salonika, Larissa and Crete, and regional headquarters were set up at these places under a district director and a statistician.

"During the operation of phase one, which was timed to coincide with the registration period, approximately 600 places were visited in which the Greek registration officials and the local representatives of political parties were interviewed to ascertain in what manner the registration machinery was functioning and whether political leaders were satisfied therewith. Phase two of the

observation was devoted to interviewing households selected on a scientific basis and to examining the electoral lists, seeking information on a carefully prepared plan from which statistical conclusions could be reached. In this survey an adequate number of basic lists were examined and households visited to secure the necessary statistical information. Selection of households was not haphazard but in accordance with a plan devised by the statisticians which gave every household and every elector an equal probability of being drawn into the sample.

"This investigation produced the following information: The Mission assesses the population of Greece at 7.49 million; of this figure 2.06 million represent male citizens 21 years or over and of that number 1.7 million were on the electoral lists as voters, i. e., 81.6 percent; 18.4 percent remain to be accounted for. This figure is made up in part of persons who have not qualified to register or who have not applied to be registered on the electoral lists. Modern methods of sampling were used in which the Mission had the utmost confidence. The data were obtained by the arduous work of observers aided by the cooperation of all the Greek people with whom they came into contact."

Allied Mission To Remain in Greece for Informal Observation

[Released to the press August 24]

In connection with the plebiscite scheduled to be held in Greece on September 1, 1946, the Greek Government recently requested that the Allied mission which has been in Greece for nearly two months observing the revision of electoral lists, and whose report was signed in Athens on August 19, remain in Greece to observe the voting on the day of the plebiscite. The United States Government felt unable to accede to this request, as the present staff of observers in Greece is inadequate to undertake the much larger task of observing and reporting on the plebiscite, and considered it impracticable, within the space of time available, to dispatch to Greece the additional personnel and equipment required to observe the plebiscite on a

scale comparable to the observation of the Greek elections last March.

However, after further discussions with the Greek Government it has been agreed that the mission will remain through the plebiscite for informal observation on a limited scale and that if possible a small number of additional American observers will be sent to Greece for this purpose. No formal report will be issued to the Greek Government by the observers, but their reports on conditions under which the plebiscite is carried out will be made directly to their respective governments. It is considered that this limited observation will furnish to the United States Government much useful information regarding the conduct of the plebiscite.

Discussions With Greek Economic Mission Concluded

[Released to the press August 23]

On August 1, 1946 a special Greek Economic Mission consisting of four members arrived in Washington. Former Prime Minister Sophocles Venizelos, head of the Mission, was accompanied by Michael Ailianos, Deputy Minister of Coordination, and Anastasios Bakalbassis and Konstantine Karamanlis, members of Parliament.

The purpose of this parliamentary mission, representing both the majority party in the present Greek Government and the opposition, was to discuss with United States officials the present conditions in Greece and the general economic, financial, and reconstruction problems of Greece. The mission wished also to examine and to consult with appropriate United States authorities on procurement and supply questions raised by the imminent cessation of UNRRA activities and on methods of facilitating the revival of trade through normal commercial channels.

During a three weeks' stay, members of the mission discussed these matters with the President, the Acting Secretary of State, the Under Secretary for Economic Affairs, the Secretaries of Treasury and Commerce, officers of the Export-Import Bank, and many other Government officials. They also met with officers of the International Bank for Reconstruction and Development.

The exchange of views has given United States officials an opportunity to acquaint themselves in more detail with measures which the Greek Government is taking and intends to take in the direction of economic rehabilitation, financial stability, and the revival of trade.

Among the subjects on which progress was made during the visit of the mission were: Improved arrangements for coal allocations; additional allocation of cotton textiles and plans for improving the Greek textile industry; arrangements for the purchase by Greek ship-owners of vessels to build up the shattered Greek merchant marine; and promotion of Greek exports to provide exchange for required imports.

Progress was also made in the discussion of methods to facilitate the early and effective utilization of the \$25,000,000 credit granted to Greece

in January 1946 by the Export-Import Bank, as well as the purchase of materials urgently needed for Greek reconstruction and rehabilitation under the \$10,000,000 surplus-property credit made available to Greece last May.

Conversations were held which it is hoped will lead in the near future to a mutually satisfactory settlement of lend-lease to Greece. Discussions were also held with Treasury officials with a view to the early unblocking of Greek assets in the United States which are frozen under Executive Order 8389.

Meetings of mutual benefit were arranged between members of the mission and representatives of American tobacco firms with the aim of exploring possibilities of increased exports of Greek tobacco to the United States, which constitutes one of the chief items in Greek economy.

On August 22 Mr. Venizelos and Mr. Ailianos left the United States for Paris, to be followed shortly by the other members of the mission. This Government is happy to take this occasion to express its feeling that recent discussions with the mission have been most profitable and that the exchange of views has clarified many of the problems which affect both this Government and the Greek Government in financial, economic, and commercial fields. It is recognized that many of the difficulties encountered by the Greek people since liberation resulted directly from a deliberate policy of the enemy occupying forces to disrupt Greek economic and financial stability and to destroy Government administrative machinery. This Government reaffirmed to the mission its earnest desire to see Greece restored once more to economic health and to render effective assistance in the efforts of the Greek Government to solve its urgent problems.

Inter-American Automotive Traffic

On August 8, 1946 the President ratified the convention on the regulation of inter-American automotive traffic, which was signed on behalf of the United States on December 31, 1943. The instrument of ratification will be deposited with the Pan American Union.

Claims of American Nationals Against Enemy Countries on Mistreatment of Prisoners of War

JOINT STATEMENT BY THE STATE, WAR, AND NAVY DEPARTMENTS

[Released to the press by the State, War, and Navy Departments August 19]

Governmental agencies, veteran organizations, and the American Red Cross are receiving inquiries from American military or naval prisoners of war and civilians detained by enemy countries, their families, or their representatives, concerning claims against such countries for death or personal injury received or for money due for labor performed as a prisoner of war during the period of detention. Such inquiries relate to the possibility of recovering compensation from enemy countries on account of such deaths or mistreatment and the necessity of employing attorneys to prepare and prosecute such claims; the advisability of placing such claims in the hands of committees or associations purporting to render services of that nature; and the standing and reliability of such committees or associations.

Pending the conclusion of peace treaties with enemy countries, or the enactment of legislation by the Congress, it will not be possible to indicate the precise procedure which will be adopted to deal with claims of American nationals against enemy countries or what types of claims may be entitled to share in such funds as may become available for the settlement of claims. Bills have already been introduced in the Congress looking toward the allocation of a portion of the assets of enemy countries held by the United States to the payment of proper claims by American nationals. However, none of the bills so far introduced has passed the preliminary stages. It is expected that further attention will be given this problem by the Congress.

There is no present provision for claims relating to death or personal injury of American military or civilian prisoners, or for claims on account of labor performed by them. Provision for the settlement of claims of these latter types is for future legislative consideration.

With a view to rendering as much governmental assistance as possible to former prisoners or their next of kin, and in order to obviate the necessity

of their employing representatives or committees or associations to prepare their claims, representatives of the State, War, Justice, and Navy Departments are currently engaged in devising procedures and in preparation of official forms for the use of claimants who may desire to submit, for possible future consideration, claims against enemy countries. When such procedures are completed and the forms available, full publicity will be given as to the manner and place for filing such claims. It is expected that claims will be routed through the War and Navy Departments (in the case of members of the armed services) or directly to the State Department (in the case of civilians) and that such data as is now available to the War and Navy Departments will be added to the files. None of the committees or organizations now soliciting claims is sponsored by the War, Navy, or State Departments, either officially or unofficially.

GERMAN DOCUMENTS: *Continued from page 302.*

necessity of making peace with Germany. If one were to read the speeches of Lloyd George and the other English leaders of the time, he would find no mention at all of such a situation, but they were just as boastful and brazen as the present speeches of Churchill.

Admiral Nomura again declared that he believed that the shipping war was of greatest importance, and he said that the Americans would first have to transport their troops over all the oceans of the world before they could employ them in battle anywhere. This was the great advantage of Germany and Japan, and the interruption of lines of communication was our great opportunity.

The Reich Foreign Minister bade Admiral Nomura farewell with his best and heartiest wishes for a good return journey to Tokyo and with the hope of further effective collaboration in the interest of the common cause.

GOTTFRIEDSEN

FYSCHE, April 19, 1943

Long-Range Policy Statement for German Re-education¹

[Released to the press August 21]

1. The re-education of the German people can be effective only as it is an integral part of a comprehensive program for their rehabilitation. The cultural and moral re-education of the nation must, therefore, be related to policies calculated to restore the stability of a peaceful German economy and to hold out hope for the ultimate recovery of national unity and self-respect.²

2. In the initial phases of control, Military Government has been concerned with the elimination of Nazi and militaristic doctrines and practices and the permanent exclusion of objectionable persons from posts of influence. These objectives will continue to be its concern. At the same time, a program for the reconstitution of German cultural life has been initiated.

3. The political and moral re-education of the German people will foster the re-establishment of universally valid principles of justice.

4. The German people must come to understand that the Nazi repudiation of these principles destroyed all individual rights in the Nazi state, made the effort at world tyranny inevitable and brought Germany to its present disaster. They must come to understand that the present control measures over Germany are not prompted solely by the German violation of the rights of other peoples. They were also made necessary by the political chaos in Germany, which was the direct

consequence of the Nazi denial of all political rights and destruction of all alternative organized forces within the nation.

5. The primary principles of justice, basic to the program of re-education are:

(a) That men and nations owe obligations to each other; and that these responsibilities are not, as Nazism maintained, limited to a single race, nation or group.

(b) That the dignity and integrity of the individual must be respected by society and other individuals; and that the individual is not, as Nazism maintained, merely a tool of the state.

(c) That citizens bear their share of responsibility for public policy and that they have the right and duty to participate in government resting on the consent of the governed.

(d) That the untrammelled pursuit of truth is a prerequisite for the maintenance of justice; and that free communication between individuals, groups and nations is a necessary condition for national and international understanding. Experience with Nazism proves what evil consequences flow from the suppression and corruption of the truth.

(e) That toleration between diverse cultural and racial groups is the basis of national and international tranquillity; and that coerced unity of culture, after the manner of Nazism, is the source of tyranny and anarchy.

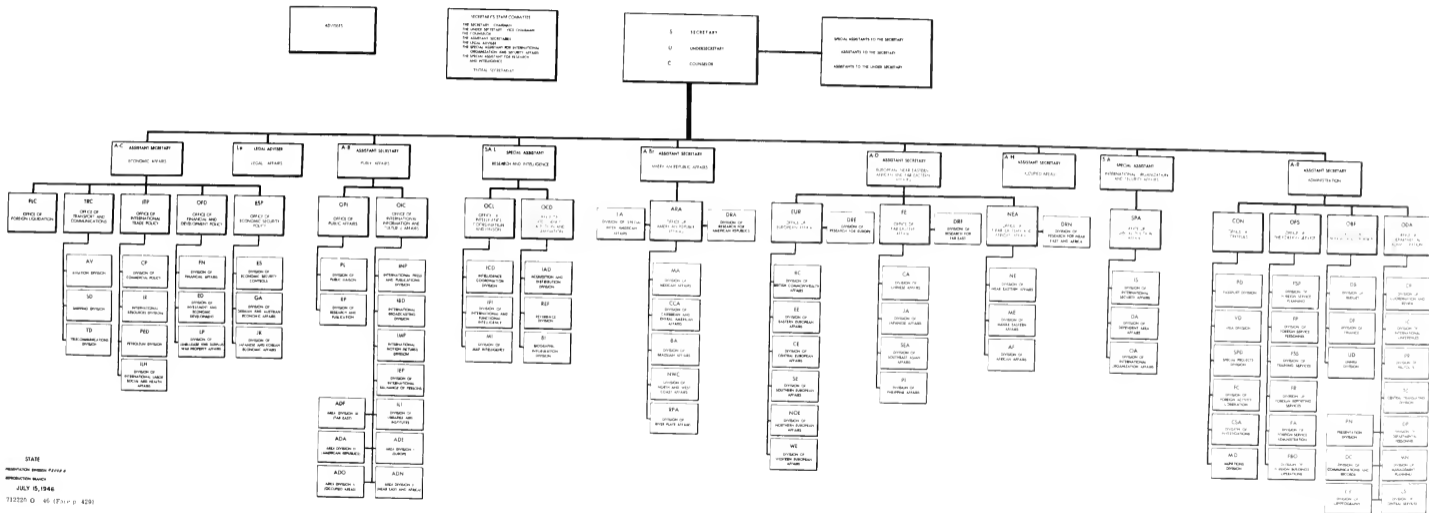
6. The program of German re-education will make maximum use of those German resources which offer promise of developing ideals and institutions in harmony with the above stated universally valid principles of justice. The reconstruction of the cultural life of Germany must be in large measure the work of the Germans themselves and must be fostered not only on a regional but also on a national scale.

7. The Nazi heritage of Germany's spiritual isolation must be overcome by restoring as rapidly as possible those cultural contacts which will foster the assimilation of the German people into the society of peaceful nations.

¹ Assistant Secretary Benton, coincident with the announcement of the appointment of the Education Mission to Germany, released the "Long-Range Policy Statement for German Re-education," prepared at the behest of the State Department by a committee of American educators consisting of: Edmund E. Day, president, Cornell University; Edward C. Lindeman, New York School of Social Work; Martin McGuire, dean, graduate school, Catholic University; Reinhold Niebuhr, professor of theology, Union Theological Seminary; John Milton Potter, president, Hobart College; Frank P. Graham, president, University of North Carolina; George N. Shuster, president, Hunter College. This statement was released on August 13, 1946 in Germany by Lt. Gen. Lucius Clay, Deputy Director, Military Government in Germany.

² For an article on the Present Status of German Youth see BULLETIN of July 14, 21, and 28, 1946.

ORGANIZATION OF THE DEPARTMENT OF STATE



Education Mission to Germany

[Released to the press August 20]

Assistant Secretary Benton, in response to a request by the War Department, has issued a joint invitation on behalf of the Department of State and the War Department to a number of distinguished American educators to serve as members of an education mission to Germany. A similar mission recently returned from Japan, and a report of its findings has been published.¹

The proposal to send the mission to Germany, which originated with the War Department, received the full approval of Lt. Gen. Lucius D. Clay, Deputy Military Governor, Office of Military Government in Germany in Berlin. The members were selected by the two departments in consultation with the Office of United States Military Government in Germany and with the advice of the United States Office of Education. The Mission will observe and evaluate the education program of United States Military Government in that country and will submit a report setting forth the results of its work. "The sending of the Mission is in keeping with the long-range constructive policy on German reeducation released August 13, 1946 by the Office of Military Government in Berlin," said Assistant Secretary Benton.

It is expected that the group will depart on August 22 from Washington and will spend approximately one month in Germany.

The group will be composed of the following educators:

- GEORGE F. ZOOK, President, American Council on Education, *Chairman*
- BESS GOODKROONTZ, Director, Division of Elementary Education, United States Office of Education
- HENRY H. HILL, President, George Peabody College for Teachers, Nashville, Tenn.
- PAUL M. LIMBERT, President, YMCA College, Springfield, Mass.
- EARL J. McGRATH, Dean, University of Iowa, Iowa City, Iowa
- REINHOLD NIEBUHR, Professor, Union Theological Seminary, New York, N. Y.

REV. FELIX NEWTON PITT, Secretary, Catholic School Board, Louisville, Ky.

LAWRENCE ROGIN, Director of Education, Textile Workers Union of America, CIO, New York, N. Y.

T. V. SMITH, Professor, University of Chicago, Chicago, Ill.

HELLEN C. WHITE, Professor, University of Wisconsin, Madison, Wis.

EUGENE N. ANDERSON, Department of State

Arrival of Students From Near East and Far East To Attend Universities

[Released to the press August 19]

There were 339 foreign students aboard the *Marine Lynx* when it docked at San Francisco on August 25, the State Department announced. They plan to attend American universities and colleges. Of these students, 312 are from India, 5 from Iran, 8 from Iraq, and 14 from China.

Fellowship grants from the Indian Government will support 177 Indian students; 132 will be financed through private sources; two Burmese nurses—wearers of the Bronze Star for heroism—will study on Mayo Clinic fellowships, with only their transportation expenses being paid by the Department; and one Indian student will come to the United States on a State Department fellowship.

The Indian Government expects to maintain approximately 2,000 Government-supported students in American educational institutions within the next few years. This is in contrast to the small number of Indian students now in the United States.

Representatives of the Department conferred with officials of more than 100 American colleges and universities at Chicago from April 29 to May 2. The common problem was: "Shall we bring in foreign students?" It was overwhelmingly decided that as many foreign students as possible should be welcomed since these foreign students were taking graduate courses and would not come

¹ Summary of report was published in BULLETIN of May 5, 1946, p. 767.

in such numbers as to interfere with the largely undergraduate educational provisions for war veterans. In some instances colleges asked for more foreign students than the Department considered advisable, and their quota was limited rather than extended.

A delegation from the Department will be on hand when the SS *Marine Lynx* docks at San Francisco to welcome the Indian students.

Course for American Students at the University of Stockholm

[Released to the press August 22]

The Department of State has been informed by the American Legation at Stockholm, Sweden, that the University of Stockholm has announced the inauguration of a special course for United States students, to begin in the spring of 1947. Although this course is designed primarily to meet the needs of veterans studying abroad under the "GI Bill of Rights", other qualified candidates will be eligible also.

A knowledge of Swedish will not be required for the first semester's work, which will be conducted in English and will provide intensive training in the Swedish language and Scandinavian institutions. In the following semesters, courses will be available in the Swedish language; Swedish social, economic, and political conditions; Scandinavian history and culture; and scientific and technical developments in Sweden. The University of Stockholm is one of the outstanding institutions of Europe and has been approved by the Veterans Administration for study under the GI bill. American students desiring credit in an American university for their studies in Stockholm should secure the approval of the American institution concerned before going to Sweden.

Tuition costs and fees will amount to \$250 a semester. Special assistance to the students in obtaining board and room at reasonable costs will be provided by the University. It is estimated by the Swedish Legation that United States students can live in Stockholm comfortably on from \$65 to \$100 a month. However, students should be prepared for possible higher expenses should present conditions change.

United States students who have successfully completed one year of study in an accredited college or university, or its equivalent, are eligible for the course. Further information on this course may be obtained from the Legation of Sweden, 1900 Twenty-fourth Street, N.W., Washington, D.C., or the Institute of International Education, 2 West Forty-fifth Street, New York 19, N.Y. Applications are being received by the Institute of International Education and must be submitted before October 15, 1946. Successful candidates will be notified by December 20, 1946 and will have ample time to reach Stockholm for the beginning of the spring semester, February 15, 1947.

Veterans desiring to study under the GI bill at the University of Stockholm should fill out and submit form 1950 to the Veterans Administration, Washington, D.C. If the veteran is living abroad, he should submit his form 1950 to the nearest United States diplomatic or consular officer. These forms must be submitted in addition to the standard application form which will be accepted by the Institute of International Education.

Maintenance and Travel Grants to Philippine Graduate Students

[Released to the press August 15]

The Department of State announced the awarding of 12 maintenance and travel grants to graduate students from the Philippines for one year of study in the United States. The following men and women have been selected for the grants:

Lydia Arguilla will undertake work in journalism and public relations at the University of Colorado with special emphasis on civic education and city planning.

Romeo Y. Atienza expects to do advanced work in safety education and industrial hygiene at the Harvard University school of public health.

Mario Clutario expects to study public law at the University of California, which has awarded him a tuition fellowship.

Aurora Dino will do work in sociology and social work under a tuition fellowship provided by the University of Denver.

Lolita Corpus Garcia plans to study nutrition and food chemistry at the University of Colorado.

Angel Rizal Hidalgo will study English and educational psychology at Ohio State University, which has awarded him a tuition fellowship.

Felicisimo Kianco of Oriental Negros will specialize in organic chemistry and the industrialization of agricultural products at the University of California under a tuition fellowship.

Francisco Lopez plans to undertake special studies in rayon manufacturing and plastics technology.

Augusto Resurreccion plans to study public law at the University of Minnesota.

Celso Santos of Laguna Province will study agricultural chemistry and food preservation at Oregon State College under a tuition fellowship awarded by the college.

José Velasco of Laguna Province will specialize in plant physiology and systematic botany at the University of California which has granted remission of tuition.

Domiciano K. Villaluz will specialize in oceanography and fish culture at the University of Washington.

Treaty Obligations and Philippine Independence

REPLY OF EGYPTIAN GOVERNMENT TO U. S. NOTE¹

ROYAL EGYPTIAN LEGATION

Washington, D.C., August 15, 1946.

I have the honour to refer to your letter dated May 4, 1946 informing me that your Government made a provision for a transitional period for dealing with the special tariff position which Philippine products have occupied before independence. Accordingly, under the Philippine Trade Act approved April 30, 1946, goods the growth, produce or manufacture of the Philippines will enter the United States free of duty until 1954, after which they will be subject to gradually and regularly increasing rates of duty or decreasing duty-free quotas until 1974 when general rates will become applicable and all preferences will be completely eliminated.

I have the pleasure to inform you that after referring the contents of your communication to my Government, I have been authorized to state that until the expiration date of the exceptional treatment of Philippine imports, my Government does not intend to invoke the most-favored-nation clause under the Provisional Commercial Agree-

ment between the United States of America and Egypt effected by an exchange of notes signed May 24, 1930.

Accept [etc.]

M. HASSAN

DEAN ACHESON

*Acting Secretary of State
Washington, D.C.*

Oil and International Relations

A discussion of oil and international relations by John A. Loftus and Charles B. Rayner of the Department of State and Col. G. H. Vogel, Executive Officer of the Army-Navy Petroleum Board, was broadcast on August 17 and released to the press on the same date. It was one in a group of State Department programs of the NBC University of the Air series entitled "Our Foreign Policy". Selden Menefee of the NBC University of the Air served as chairman.

Corrigenda

American Policy in Occupied Areas

In an article on American policy in occupied areas that appeared in the BULLETIN of August 18, 1946, on page 203, left-hand column, last two lines, change "Allied Control Council for Japan" to read "Allied Council for Japan".

The Foreign Service Act of 1946

In the BULLETIN of August 18, 1946, page 333, left-hand column, lines 8 and 9, change "November 2" to read "November 13".

The Foreign Service

Consular Offices

The American Consulate at Horta, Fayal, Azores, was closed to the public on June 30.

The Consulate General at Bratislava, Czechoslovakia, was established on August 14.

¹ U.S. note is similar to note sent to Bolivian Government as printed in BULLETIN of June 16, 1946, p. 1049.

Training Announcements

CLERICAL TRAINING OPPORTUNITIES, DIVISION OF TRAINING SERVICES

State Department Correspondence—Particularly important for stenographers who are new in the Department. It covers the format of the various kinds of correspondence used in the Department, with practice on those most frequently used; use of the Correspondence Handbook and other materials; and routing of correspondence. The instructor, Miss Eoline Howze, has had 25 years' experience in the Department.

Typewriting 1—For employees with previous training in touch typewriting whose speed or accuracy is low. It serves as a basic review, with emphasis on keyboard mastery and machine controls. Instructor, Miss Fairah Cruzan.

Typewriting 2—For employees with skill of 50 w.p.m. and high accuracy. The course includes speed and accuracy drills, correcting of errors, centering and arrangement, tabulations, rough drafts, duplicating, care of equipment and supplies. Instructor, Miss Marian Harlin.

Shorthand 1—For employees with previous training in Gregg shorthand. It serves as a

review of basic shorthand, with emphasis on high-frequency words and phrases. Instructor, Miss Marian Harlin.

Shorthand 2—For employees whose present skill is between 80 and 100 w.p.m. The course aims to increase skill in taking dictation and transcribing, with special attention to the kinds of dictation material used in the Department. Instructor, Miss Marian Harlin.

Shorthand 3—For stenographers with dictation skill of 100 or more w.p.m. Emphasis is placed on special shorthand outlines for Departmental and Foreign Service phraseology, including special shortcuts for technical words and phrases. Instructor, Miss Fairah Cruzan.

A course in conference reporting will be starting soon, for stenographers with dictation skill of 130 or more w.p.m.

For further information, call Miss Katherine Wilkey or Mr. Ralph S. Rowland, extension 2122 or 2742.

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THE DEPARTMENT OF STATE BULLETIN

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Publications of the Department, cumulative lists of which are published at the end of each quarter, as well as legislative material in the field of international relations, are listed currently.

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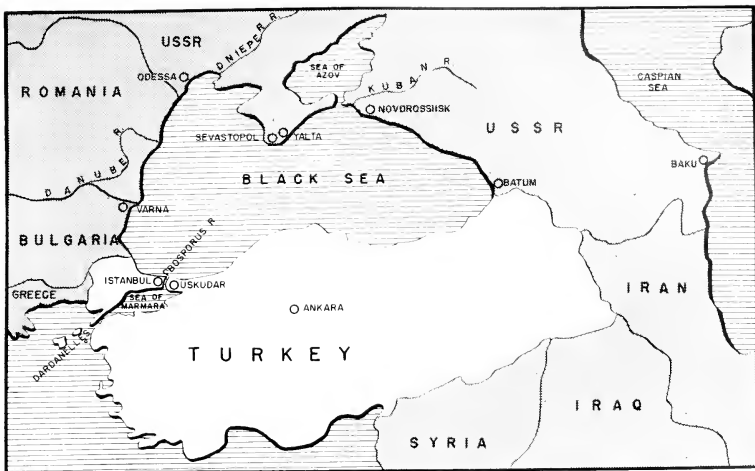
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The Montreux Convention of the Straits, 1936

Article by HARRY N. HOWARD¹

I

THE Montreux Convention regulating the use of the Turkish Straits was signed at Montreux, Switzerland, on July 20, 1936. It abrogated the Lausanne convention of July 24, 1923.² The Lausanne convention, in general, provided rules for the passage of commercial vessels and warships through the region of the Straits, established an international Commission of the Straits under the League of Nations, and demilitarized the zone. A system of security, under the League of Nations, was provided whereby Great Britain,

France, Italy, and Japan were to assume special responsibilities to maintain freedom of the Straits and to defend the demilitarized region of the Straits in case of attack. By 1933, when hopes of

¹ Mr. Howard is a member of the Division of International Organization Affairs, Office of Special Political Affairs, and has been designated as Chief of the Near Eastern Research Branch in the Office of Near Eastern and African Affairs, Department of State.

² For the Lausanne convention see *Treaty of Peace with Turkey, and other instruments signed at Lausanne on July 24, 1923, together with Agreements between Greece and Turkey signed on January 30, 1923 and Subsidiary Documents forming part of the Turkish Peace Settlement* (with map). Great Britain, Foreign Office Treaty Series No. 16 (1923), Command Paper 1923.

disarmament and of collective security began to fade, the Turkish Government began to discuss the problem of the revision of the Lausanne convention, but it was not before April 10, 1936 that an actual demand to that effect was presented to the signatories.¹ The Turkish demand, coming as it did at the time of German rearmament and denunciation of treaties, was well received, although the Italian Government refused to be represented at the Conference of Montreux, which met from June 22 to July 20, 1936.² The convention entered into force on November 9, 1936 with the deposit of the necessary ratifications.

II

The Preamble and General Principles

In the preamble of the Montreux Convention,³ the signatories, Bulgaria, France, Great Britain, Greece, Japan, Rumania, Turkey, the Union of Soviet Socialist Republics, and Yugoslavia, declaring their resolve to replace the Straits Convention of Lausanne, express their desire—

"to regulate transit and navigation in the Straits of the Dardanelles, the Sea of Marmora and the Bosphorus comprised under the general term 'Straits' in such manner as to safeguard, within the framework of Turkish security and of the security, in the Black Sea, of the riparian States, the principle enshrined in article 23 of the Treaty of Peace signed at Lausanne on the 24th July, 1923."⁴

Article 23 of the Lausanne treaty recognized and declared "the principle of freedom of transit and of navigation, by sea and by air, in time of peace

as in time of war, in the Strait of the Dardanelles, the Sea of Marmora and the Bosphorus, as prescribed in the separate Convention—regarding the regime of the Straits."

Article 1 of the convention states that the high contracting parties recognize and affirm "the principle of freedom of transit and navigation by sea in the Straits."⁵ Exercise of this freedom, however, is to be in accordance with the regulations of the convention. Although the Montreux Convention is scheduled to remain in force for a period of 20 years, according to article 28, "the principle of freedom of transit and navigation" is to "continue without limit of time".

Principles Governing the Transit and Navigation of Merchant Vessels in the Straits

Articles 2 to 7, section I, of the Montreux Convention deal with the transit and navigation of merchant vessels in the Straits. Merchant vessels are defined simply as "all vessels which are not covered by Section II" of the convention, which deals with warships. The provisions regulate passage of the Straits in four distinct periods:

TIME OF PEACE. In time of peace, merchant vessels are to enjoy complete freedom of transit and on navigation in the Straits, by day or night, under any flag and with any cargo. Other than those authorized by annex 1 to the convention,⁶ no taxes or charges are to be levied on merchant vessels "when passing in transit without calling at a port in the Straits". To facilitate collection of taxes and charges, merchant vessels passing through the Straits are to communicate to control stations at the entrance of the Straits—from either the Aegean or the Black Sea—the name, nationality,

¹ Stephen Heald and J. W. Wheeler-Bennett, *Documents on International Affairs* (London, Oxford, 1937), pp. 645-48.

² For the minutes of the Montreux Conference see *Actes de la Conférence de Montreux concernant le régime des Détroits, 22 juin-20 juillet 1936, Compte-rendu des séances plénières et de press-club des débats du comité technique* (Liège, Belgium, 1936), 310 pp.

³ For text of convention, see Turkey no. 1 (1936), *Convention regarding the Regime of the Straits with Correspondence relating thereto* (Montreux, July 20, 1936), Cmd. 5249.

⁴ Italics are the author's. Cf. articles 1 and 2 of the Lausanne convention, which covered both sea and air.

⁵ There was considerable discussion of the various charges which could be levied (*Actes de la Conférence de Montreux*, pp. 59-68, 189-95, 220-27.). The British Delegation, together with the various Balkan delegations, took a leading part in this discussion, but the Soviet Delegation took no part whatsoever in it.

⁶ Annex 1 laid down a schedule of charges and taxes which could be collected in French gold francs per ton of net registered tonnage as follows: (1) Sanitary Control Stations, 0.075; (2) Lighthouses, Buoys, 0.42 (up to 800 tons), 0.21 (above 800 tons); (3) Life Saving Services, 0.10. No reductions in these charges could be made which discriminated as to flag of vessel. These taxes and charges were to apply "in respect of a return voyage

tonnage, destination, and last port of call. Pilotage and towage remain optional.

The problem of sanitary inspection was the subject of considerable discussion at the Montreux Conference.¹ In the end, as provided in article 3, all ships entering the Straits, whether from the Aegean or the Black Sea, were to stop at a sanitary station for sanitary inspection as "prescribed by Turkish law within the framework of international sanitary regulations". For vessels which possessed a clean bill of health, or which presented a declaration of health indicating that they had no cases of plague, cholera, yellow fever, exanthematic typhus, or smallpox on board, or which had not had such cases during the previous seven days, or had not left an infected port "within less than five times twenty-four hours", inspection was to be carried out by day and by night, "with all possible speed", and the vessels were not to be required to make any other stop during their transit. On the other hand, vessels which had on board cases of plague, cholera, yellow fever, exanthematic typhus, or smallpox, or which had had such cases within seven days, and vessels which had left an infected port within "less than five times twenty-four hours", were required to stop at sanitary control stations at the entrance of the Straits, Aegean or Black Sea, to embark "such sanitary guards as the Turkish authorities may direct". But no tax or charge was to be levied for this purpose and the guards were to be disem-

through the Straits", i.e. from the Aegean Sea to the Black Sea or *vice versa*. Nevertheless, if a merchant vessel re-entered the Straits on a return trip, after more than six months, it would have to pay the charges again, "provided no distinction is made based on the flag of the vessel". If on its outward trip the merchant vessel indicates it is not returning to the Straits, it is to pay half the charge indicated. The taxes and charges provided in the annex were not to be greater than necessary to cover the cost of maintenance of the services rendered, together with a reasonable reserve, and were not to be increased except in accordance with the provisions for the revision of the convention as stipulated in article 24. They were payable "in gold francs or in Turkish currency at the rate of exchange prevailing on the date of payment". Merchant ships might be required to pay taxes or charges for optional services like pilotage or towage, when rendered by Turkish authorities at the request of the master or agent of the vessel. The Turkish Government was to publish the rate of such charges. The schedule of such charges was not to be increased in the event of these services' becoming obligatory.

barked at the sanitary control station on the departure of the ship from the Straits.

IN TIME OF WAR, TURKEY NON-BELLIGERENT. In time of war, when Turkey is not a belligerent, article 4 stipulates that merchant vessels, under any flag or with any cargo, are to "enjoy freedom of transit and navigation" subject to the provisions of articles 2 and 3 as in time of peace. Pilotage and towage remain optional as in time of peace.²

IN TIME OF WAR, TURKEY BELLIGERENT. In time of war, when Turkey is a belligerent, merchant vessels which do not belong to a country at war with Turkey are to "enjoy freedom of transit and navigation in the Straits on condition that they do not in any way assist the enemy." Such ships, however, must enter the Straits by day, and their transit through the Straits is to be effected by a route indicated by the Turkish authorities, according to article 5.

TURKEY UNDER THREAT OF WAR. Unlike the Convention of Lausanne, the Montreux Convention made provision for Turkish action, under article 6, for a situation in which Turkey considered itself "threatened with imminent danger of war." There was considerable discussion of this situation at the Conference, with respect both to commercial vessels and to warships. In the end it was decided that, if and when Turkey considered itself threatened with imminence of war, the ordinary provisions of article 2 with respect to passage in time of peace would continue to be applied, except that merchant ships must enter the Straits by day and that their transit of the Straits must be by a route indicated by the Turkish authorities. Although pilotage could be made obligatory, no charge could be levied for such services.

¹ *Loc. cit.*

² There was considerable discussion of this problem during the war, the most notable case having to do with the passage of certain German vessels through the Straits in the spring of 1944. There were two types: (1) K.T. vessels of about 800 tons, with normal armament of 3.7-inch guns and machine guns; (2) E.M.S. vessels, about 40 to 50 tons, with normal armament of one three-pounder, machine guns, and depth charges. The former could transport troops and supplies; the latter could be used for various purposes. See Mr. Eden's statement, *Parliamentary Debates*, Official Report, vol. 400, no. 30 Wednesday, 14th June, 1944, cols. 1986-88.

Principles Governing the Transit and Navigation of Warships in the Straits

Passage of warships into and through the Straits, involving as it did the security of both Turkey and the riparian states of the Black Sea, was discussed at great length at the Montreux Conference. In general, there were two fundamentally opposed theses presented to the Conference which had a direct bearing on the solutions finally attained: Great Britain wanted the Straits and the Black Sea to be treated as open waters, while the Soviet Union desired the right to send naval units through the Straits without granting the reciprocal right of non-Black Sea powers to send their fleets into the Black Sea.

Articles 8 to 22, section II, outline the provisions with respect to the transit and navigation of warships through the Straits.

Categories of Warships. Article 8 provides that the definitions of warships and of their specifications are to be as set forth in annex II of the convention, the wording of which is taken from the London Naval Treaty of March 25, 1936.²⁰ Warships are classified as follows for the purposes of the convention:

Capital vessels are surface vessels of war belonging to one of the two following sub-categories: (a) surface warships, other than aircraft carriers, auxiliary vessels, or capital ships of sub-category (b) the standard displacement of which exceeds 10,000 tons (10,160 metric tons) or which carry a gun with a caliber exceeding 8 inches

(203 mm.); (c) surface warships, other than aircraft carriers, standard displacement of which does not exceed 8,000 tons (8,128 metric tons) and which carry a gun with a caliber exceeding 8 inches (203 mm.).

Aircraft carriers are surface vessels of war, whatever their displacement, designed or adapted primarily for the purpose of carrying and operating aircraft at sea. Fitting of landing-on or flying-off deck of war vessel, not designed or adapted primarily for such purpose, is no cause of classifying ship as aircraft carrier. Category of aircraft carriers is divided into sub-categories: (a) vessels fitted with flight deck, from which aircraft can take off and land; (b) vessels not fitted with flight deck.

Light surface vessels are surface vessels of war other than aircraft carriers, minor war vessels, or auxiliary vessels, the standard displacement of which exceeds 100 tons (102 metric tons) and does not exceed 10,000 tons (10,160 metric tons), and which do not carry a gun with a caliber exceeding 8 inches (203 mm.). Category includes: (a) vessels with gun exceeding caliber 6.1 inches (155 mm.); (b) vessels not carrying gun exceeding 6.1 inches and standard displacement of which exceeds 3,000 tons (3,048 metric tons); (c) vessels not carrying gun exceeding 6.1 inches and standard displacement of which does not exceed 3,000 tons (3,048 metric tons).

Submarines are all vessels designed to operate below the surface of the sea.

Minor war vessels are surface warships the standard displacement of which exceeds 100 tons (102 metric tons) and does not exceed 2,000 tons (2,032 metric tons), provided they do not have the following characteristics: (a) mount a gun with a caliber exceeding 6.1 inches; (b) are designed or fitted to launch torpedoes; (c) are designed for a speed greater than 20 knots.

Auxiliary vessels are naval surface vessels the standard displacement of which exceeds 100 tons (102 metric tons), which are normally employed on fleet duties or as transports, but not as fighting ships, not specifically built as fighting ships, provided they do not have the following characteristics: (a) mount a gun with a caliber exceeding 6.1 inches; (b) mount more than eight guns with a caliber exceeding 3 inches (76 mm.); (c) are designed or fitted to launch torpedoes; (d) are de-

²⁰For the Naval Treaty of London see *Treaty Between His Majesty in respect of the United Kingdom, Canada, Commonwealth of Australia, New Zealand and India, the President of the United States of America, and the President of the French Republic for the Limitation of Naval Armaments (Miscellaneous no. 1, London, March 25, 1936)*. Cmd. 5426. Reprinted in Stephen Heath and John W. Wheeler-Bennett, *Documents on International Affairs* (1936), pp. 616-33. As to displacement, annex II (A) declared that the standard displacement of a surface vessel is its displacement "complete, fully manned, engine, and equipped ready for sea, including all armament and ammunition, equipment, outfit, provisions and fresh water for crew, miscellaneous stores and implements of every description that are intended to be carried in war, but without fuel or reserve fuel and water on board." Standard displacement for submarines is similarly defined as "the surface displacement of the vessel complete."

signed for protection by armorplate; (e) are designed for a speed greater than 28 knots; (f) are designed or adapted primarily for operating aircraft at sea; (g) mount more than two aircraft-launching apparatus.

Over-age warships are so classified when the following number of years have passed since completion: (a) capital ships, 26 years; (b) aircraft carriers, 20 years; (c) light surface vessels, 16 years; (d) submarines, 13 years.

Article 9, which was included specifically at the request of the French Delegation¹¹ to cover the case of French oil vessels carrying oil for the French fleet from the region of Batum, provided that naval auxiliary vessels "specifically designed for the carriage of fuel, liquid or non-liquid" were not to be subject to the provisions of article 13 regarding notification of passage of the Straits. Neither were such vessels to be included for the purpose of calculating the tonnage of warships, which was subject to the limitations of articles 14 and 18, on condition that they make transit singly. They were, however, subject to the same regulations as other warships for the remaining provisions regulating transit of the Straits. Auxiliary vessels, as defined in annex II of the convention, however, were to be entitled to benefit by their exceptional status provided their armament did not include more than two guns of a maximum caliber of 105 millimeters for use against floating mines, and more than two guns of a maximum caliber of 75 millimeters for use against aerial targets.

IN TIME OF PEACE. Light surface vessels, minor war vessels, and auxiliary vessels, whatever their flag, whether belonging to Black Sea or non-Black Sea powers, enjoy freedom of transit, without charge or tax, subject to the provisions of articles 13 to 18, which regulate the transit and navigation of warships in the Straits. Vessels of war other than light surface vessels, minor war vessels, and auxiliaries (art. 10) enjoy "a right of transit under the special conditions provided by articles 11 and 12". These two articles, which entailed considerable discussion at the Conference, provided (art. 11) that Black Sea powers could send through the Straits capital ships of a greater tonnage than 15,000 tons, as stipulated in the first paragraph of article 14, provided these warships "pass through the Straits singly, escorted

by not more than two destroyers". Moreover, according to article 12, Black Sea powers would have the right to send through the Straits, to rejoin their bases, submarines constructed or purchased outside the Black Sea, provided adequate notice of laying down or purchase of such submarines had been given to Turkey. Likewise, submarines belonging to Black Sea powers were entitled to pass through the Straits for repairs outside Black Sea ports, provided detailed information regarding the matter were given to Turkey. In any case, the submarines must travel by day, on the surface, and pass through the Straits singly.

General Rules for Transit and Navigation in the Straits. (a) *Notification.* According to article 13, transit of warships through the Straits is to be preceded by notification to the Turkish Government through diplomatic channels, the normal period being 8 days, although it was desirable that it be 15 days in the case of non-Black Sea powers.¹² The notification is to specify destination, name, type, and number of ships, and date of entry for onward passage and if necessary for the return journey through the Straits. Any change of date is subject to three days' notice. Entry into the Straits for the onward passage is to take place within a period of five days from the date given in the original notification. After the expiry of the period, the new notification is to be given under the same conditions as provided for the original notification. When effecting transit of the Straits, the commander of the force, without stopping, is to communicate the exact composition of the force under his command to the signal station at the entrance to the Dardanelles or the Bosphorus, as the case might be.

(b) *Maximum tonnage.* The maximum tonnage of all foreign naval forces in transit through the Straits, according to the prevailing rule, is not

¹¹ Actes de la Conférence de Montreux, pp. 269-71.

¹² The original Turkish project provided for a notification of one month (article 6, paragraph (a)). The British objected to such a long period and suggested a period of 15 days. The Soviet Delegation offered an amendment to the British project providing a 15 day notification for non-riverain powers of the Black Sea, but only a three day notification for Black Sea powers. Hence the compromise. (*Ibid.*, pp. 68-77, 285-87, 287-95.)

to exceed 15,000 tons (art. 14).¹³ There are two exceptions to this rule: In the first place, as provided in article 11, Black Sea powers have the right to send through the Straits capital ships of a tonnage greater than 15,000 tons, provided they pass through singly escorted by not more than two destroyers; in the second place, at the request of the Japanese Delegation, it was stipulated in annex III of the convention that three over-age Japanese training vessels, the *Asama* (1896, 9,240 tons), the *Yakumo* (1898, 9,010 tons), and the *Urate* (1898, 9,180 tons), two units at a time, should be allowed to visit in the Straits. The two units would be arbitrarily classified as the equivalent of 15,000 tons. In any case, however, and as a general rule, forces in transit are not to comprise more than nine vessels. Nevertheless, warships which according to article 17 are paying a courtesy visit to a port in the Straits are not to be included in the tonnage limitation. Neither are warships which have been damaged in passing through the Straits, but such vessels, while being repaired, are subject to any special provisions relating to their security laid down by the Turkish Government.

(c) *Use of aircraft.* Under no circumstances are warships to be allowed to make use of any aircraft which they may be carrying, while in transit through the Straits (art. 15).

¹³ The original Turkish project suggested a limitation of 14,000 tons, as one-half the tonnage of the Turkish fleet. The British desired a limitation of 16,000 tons to permit passage of two light cruisers with six-inch guns. (*Ibid.*, pp. 200-05.) Mr. Litvinov, head of the Soviet Delegation, declared on July 7, 1936: "The object of this amendment is the following: if we limit passage of the Straits to 15,000 tons, it will be impossible for us to send greater units through the Straits from one port to another, and I shall be obliged to make an exception in this regard. One cannot divide units; one must even send them at a single time and even, in case of need, with an escort. . . ." (*Ibid.*, p. 76.) When on July 7 the Turkish Delegation brought forth an amendment covering the Soviet desire for greater tonnage for Black Sea powers, Lord Stanbury, the British Delegate, declared: "If this clause is to give reciprocity and if the nonriverain Powers of the Black Sea are to have the same advantage, we are prepared to accept the amendment immediately because it represents a step toward complete freedom of the seas; but if this advantage is only to be accorded to the riverain Powers of the Black Sea, that would go entirely against the principle of reciprocity which we have had always in view, and in this case we should be obliged to reserve our judgment on this subject. . . ." (*Ibid.*, p. 78).

(d) *Period of transit.* According to article 16, except in the event of damage or peril of the sea warships are not to remain longer than necessary for transit through the Straits.

(e) *Courtesy visits.* Provision for courtesy visits is made in article 17, which stipulates that nothing in the convention is to prevent a naval force of any tonnage or composition from paying a courtesy visit of limited duration to a port in the Straits at the invitation of the Turkish Government. This force must, however, leave the Straits by its route of entrance, unless: (1) the force is composed of light surface vessels, minor war vessels, and auxiliary vessels, whether belonging to a Black Sea or a non-Black Sea power, in time of peace; (2) the force is composed of not more than nine vessels or of over-age Japanese vessels as specified in annex III, or has suffered damage in passage through the Straits; or (3) the force falls within the limitations of tonnage which non-Black Sea powers may have in the Black Sea, as provided in article 18, which stipulates a general limitation of 30,000 tons global tonnage, or, under certain conditions, a maximum of 45,000 tons, single powers being limited to two thirds of the aggregate.

(f) *Sanitary regulations.* According to article 22, warships with plague, cholera, yellow fever, exanthematic typhus, or smallpox, or which have had cases within seven days, or have left an infected port "within less than five times twenty-four hours" must pass through the Straits in quarantine and apply prophylactic measures in order to prevent infection of the Straits. Warships, in other words, are not required to pass a Turkish sanitary inspection, but are to take their own necessary measures.

IN TIME OF WAR, TURKEY NON-BELLIGERENT.
In time of war, Turkey being non-belligerent,¹⁴

¹⁴ This was the original article 7 of the Turkish project and article 16 of the amended British draft. The Soviet Delegation suggested the use of the term *non-belligerent* instead of *neutral*. The Soviet Delegation, on June 29, offered an amendment to this article (art. 7 of the Turkish project is equivalent to art. 19 of the convention for this purpose), as follows:

"In time of war, none of the riverain States of the Black Sea being belligerent, warships and naval auxiliaries will enjoy free passage in the Straits under the condi-

warships are to enjoy freedom of transit and navigation in the Straits under the conditions provided in articles 10 to 18, as in peace (art. 19).

Nevertheless, belligerent warships are not to pass the Straits, except under two conditions. Since in the first place nothing in the Montreux Convention was to prejudice the rights and obligations of Turkey or of the other signatories who were members of the League of Nations arising from the Covenant of the League of Nations, it was presumed that warships might pass through the Straits, acting in accordance with collective-security provisions of the Covenant. In the second place, warships might pass through the Straits "in cases of assistance rendered to a State victim of aggression in virtue of a treaty of mutual assistance binding Turkey, concluded within the framework of the Covenant of the League of Nations, and registered and published in accordance with the provisions of Article 18 of the Covenant."¹⁵

In either of these two cases, however, the limitations on passage of warships as stipulated in articles 10 to 18 are not to be applicable. Nevertheless,

tions provided in the preceding articles of the present section.

"When a riverain State of the Black Sea other than Turkey is a belligerent, passage through the Straits toward the Black Sea will be forbidden to all warships of non-riverain Powers.

"The disposition of the present article may not nevertheless bear any prejudice to the passage of warships in execution of obligations of assistance arising from the Covenant of the League of Nations and of agreements concluded within the framework of this Covenant, or to the passage across the Straits of warships of the State to which this assistance is due."

¹⁵Discussion of this provision was vehement. It was discussed especially on July 9 in the plenary session of the Conference, then appearing as article 23 of the British draft. The British draft merely provided for recognition of rights and obligations arising from the Covenant of the League of Nations, but the British did not want to go to the extent of recognizing regional pacts or agreements under the Covenant, such as the Balkan pact. Titulescu, of Rumania, accused the British of pursuing one policy at Geneva and quite another at Montreux and demanded an explanation.

A Soviet amendment to article 23 of the British draft covers the principles in article 19 of the convention:

"The dispositions of the present convention do not infringe the rights and obligations arising from the Covenant of the League of Nations, for the High Contracting

regardless of the prohibitions limiting passage of warships to situations in which they were to operate under the League of Nations or under mutual-assistance pacts under the Covenant of the League of Nations, whether of Black Sea or non-Black Sea powers, separated from their bases, warships were to be allowed to return thereto."¹⁶ Belligerent warships are not to exercise the right of visit and search, or any other act of war, while in the Straits.

IN TIME OF WAR, TURKEY BELLIGERENT. According to article 20, in time of war, when Turkey is a belligerent, the provisions for the passage of warships through the Straits (arts. 10 to 18) do not apply, the passage of warships being "left entirely to the discretion of the Turkish Government".

TURKEY UNDER THREAT OF WAR. Under threat of imminent danger of war, Turkey is to have the right "to apply the provisions of Article 20" of the convention. In other words, Turkey has the same rights under imminent danger of war as Turkey would have as a belligerent in war, passage of warships being "left entirely to the discretion of the Turkish Government".¹⁷ Nevertheless, warships

Parties, members of the League, or restrict in any manner its [the League's] mission of safeguarding effectively the security of nations, it being understood that the effect of the said dispositions and notably of those of articles 5 and 9 to 16 will not be to limit in any way the eventual operation of the measures provided by the Covenant in regard to an aggressor State nor bar passage of the Straits to warships in execution of obligations of assistance assumed or capable of being assumed in the future by such signatory states of the present convention within the terms of supplementary accords to the Covenant, as well as the passage of ships of a state to which this assistance is due." (*Ibid.*, p. 109.)

Mr. Litvinov, who introduced this amendment on July 9, said that he meant to make a distinction between an aggressor and a victim of aggression, and declared:

"There already exist different pacts, regional or bilateral, resting on the Covenant of the League of Nations or concluded within the framework of this institution and we desire to safeguard the rights of the parties to these pacts." (*Ibid.*, p. 110.)

¹⁶The Soviet Delegation was much concerned, naturally, with the right of warships to return to their bases.

¹⁷The Soviet Delegation was much interested in this article, the final article 21 of the Montreux Convention and article 18 of the British draft. It offered an amendment to the first paragraph as follows:

"Nevertheless warships and naval auxiliaries which,

which have passed through the Straits before the Turkish Government has made use of its discretionary powers may return to their bases. According to article 21, however, Turkey may "deny this right to vessels of war belonging to the State whose attitude has given rise to the application of the present article". If the Turkish Government makes use of these powers, however, it is provided in the article that it should notify both the high contracting parties of the Convention and the Secretary General of the League of Nations. If the Council of the League of Nations, by a two-thirds majority, decided that the measures taken by Turkey were not justified, and if this opinion was shared by a majority of the high contracting parties, the Turkish Government agreed "to discontinue the measures in question" as to the passage of warships, and also to discontinue any measures which may have been undertaken, in accordance with the provisions of article 6, which apply to the passage of merchant vessels.

after having passed through the Straits prior to the use by Turkey of the right conferred on it by the preceding paragraph, find themselves separated from their home ports, will be authorized to return to the said ports. It is however understood that Turkey cannot make benefit from this right the ships of the State whose attitude has motivated the application of the present article."

The Rumanian Delegation offered an amendment which was less restrictive:

"In case Turkey should consider itself menaced by a danger of imminent war it would have the right to apply the dispositions of Article 17 in regard to warships and naval auxiliaries belonging to the State whose attitude constituted for it such a menace."

The Turkish Delegation could not accept the Rumanian draft, since it would be difficult for Turkey to assure navigation of warships in all security if the Straits were put in a state of defense (*Actes de la Conférence de Montreux*, pp. 242-49). Mr. Litvinov declared (p. 101):

"I plead not only in favor of the Black Sea States when I demand that ships be authorized to return to their base, I speak for the generality of States, for all navies in the Black Sea at a given moment, and I propose that they be permitted to return to their base outside the Black Sea."

"When this provision was discussed at the session of July 9, Mr. Paul Boncour, of France, suggested that some provisions for flights should be made between the Black and Mediterranean seas, but Dr. Aras indicated that "the subject of our discussion is the zone of the Straits", not the rest of Turkey (*ibid.*, pp. 98-107).

¹ *Ibid.*, pp. 33-31.

² Italics are the author's.

Principles Governing the Passage of Aircraft

Article 23, section III, covers the passage of aircraft in the region of the Straits, a matter which brought forth considerable discussion at the Conference of Montreux, not only as to flights over the Straits but also as to the sovereign rights of Turkey to regulate such flights.¹ In order to assure passage of civil aircraft through the region of the Straits, it was provided that the Turkish Government should indicate available air routes outside "the forbidden zones which may be established in the Straits". Civil aircraft could use these routes provided that they gave the Turkish Government a notification of three days for occasional flights, and for flights on regular services a general notification as to the days of passage. Despite the regularization of the region of the Straits, the Turkish Government was to furnish the necessary facilities for safe passage of civil aircraft "authorized under the air regulations in force in Turkey to fly across Turkish territory between Europe and Asia". The route to be followed by aircraft over the zone of the Straits was to be indicated from time to time.

Rights of Warships in the Black Sea

The problem of the right of warships to pass through the Straits into the Black Sea was one of the most significant of all the issues discussed at the Conference of Montreux. The British Delegation, as a general principle, took the position that the Black Sea should be considered as any other, to which access was relatively free. The Soviet Delegation contested this thesis from the very beginning. Mr. Litvinov pointed out on June 23, the second day of the Conference:²

"We all know that these Straits—in particular the Straits of the Dardanelles and the Bosphorus—have a special character and that they are not comparable with certain international canals and other Straits, in this, that they do not lead anywhere else than into the Black Sea, which is a *closed sea*;³ they cannot be utilized for transit to a destination of other countries. It is in taking into consideration these circumstances that numerous European statesmen, including, for example, Lord Palmerston, the Duke of Wellington, pronounced themselves on numerous occasions in favor of the closure of the Straits.

"Closure of these Straits is of very great importance for the security, not only of Turkey, but of all the States of the Black Sea. Doubtless the best way to guarantee the security would be to close completely the Straits to warships of non-riverain States. Nevertheless, my Government does not insist on this closure and is ready to support the Turkish proposition tending to keep the Straits open for certain ends and under certain limitations to the ships of all nations, with full freedom of passage by the Straits for commercial vessels."

The next day, on June 24,²¹ Mr. Litvinov further defined the Soviet attitude:

"I wish to emphasize that we cannot neglect the fact that there exists no other sea which is in the same geographical situation as the Black Sea. If the Mediterranean Sea or the Baltic Sea were in the same geographical situation as the Black Sea, I should not oppose equality of rights between the Black Sea States and those of the rest of the world; but such is not the case. The Mediterranean is not a closed sea, you can penetrate it through its two extremities and that is also the case for the other seas. If, to the contrary, you wish to penetrate the Black Sea, it is for a definite end. This may be either to pay a visit or to offer your assistance to a State in difficulty, in application of a decision of the League of Nations. For my part, I cannot imagine another legitimate aim for which foreign vessels would enter into the Black Sea. The situation is entirely different when it is a question of seas which have to be crossed to reach farther regions. . . ."

The essential discussion of the rights of warships to pass into the Black Sea, however, came in the discussion of article 6 of the original Turkish draft project for a regime of the Straits, and of article 15 of the British draft. The Turkish draft provided that the global tonnage of non-riverain powers in the Black Sea could not exceed 28,000 tons, and that warships of non-riverain powers must leave after a maximum period of 15 days. The amended British draft of July 6, article 15, provided that the global tonnage of non-riverain Black Sea powers in the Black Sea should be limited to 30,000 tons. Nevertheless, it was stipulated that if, "at a given moment", the tonnage in the Black Sea "of the strongest fleet of

a Riverain Power exceeds by more than ten percent the tonnage of the fleet of the Union of the Soviet Socialist Republics in the Black Sea . . . the global tonnage of 30,000 tons . . . will be increased by a quantity equal to this excess to a maximum of 45,000 tons." The tonnage which any one of the non-riverain powers could send into the Black Sea would be limited to three fourths of the global tonnage, i.e. 22,500 or 33,750 tons. However, if one of the non-riverain powers desired to send a naval force into the Black Sea for "humanitarian purposes", the global tonnage might be increased by 15,000 tons. Except for humanitarian visits, the visit of a naval force of a non-riverain power was not to exceed one month.²²

The British draft was discussed at great length on July 7, and the final article 18 was not completed before the very close of the Conference. Mr. Litvinov proposed—²³

"that the increase [in tonnage from 30,000 tons for non-riverain Powers] begin only after the Black Sea fleet shall have been increased by 30% in place of 10%. The tonnage of each state must be limited to one half the global tonnage, that is to say to 15,000 tons. I shall not oppose that any other aim be provided for the entrance of warships into the Black Sea on condition that this does not increase the tonnage . . . I shall not insist on the designation of particular categories, but I shall propose to stipulate that these ships must be light surface ships. Finally, the duration of the visit of these ships in the Black Sea must be fixed at fifteen days in place of a month."

Lord Stanley did not see how he could accept the Soviet proposition, for "an increase of 10% would be equivalent to a cruiser, and it seems to us that if a cruiser is added to the fleet of the Black Sea,

²¹ *Ibid.*, p. 44.

²² *Ibid.*, annex II, pp. 287-95.

²³ *Ibid.*, pp. 77-89, for entire discussion of the day. When the British Delegation persisted in assimilating the Black Sea to all other seas, Mr. Litvinov declared:

"If we admit that there is no difference between the riverain countries of the Black Sea and the others, we shall not arrive at any agreement on this point or any other, for it is a question of a difference which must be recognized by all."

it is only just to admit that the ships of non-riverain Powers of the Black Sea should have an equivalent increase." Neither did he approve of the principle of one-half the global tonnage for an individual power, but would accept a proportion of two thirds, which Mr. Litvinov accepted on the proposal of Dr. Aras, the Turkish Foreign Minister. Twenty-one days was accepted as the period of sojourn for non-riverain fleets in the Black Sea. Litvinov doubted the utility and the purpose of humanitarian visits in the Black Sea, since there had been no necessity of it since 1923, and if the British figure of 15,000 tons for this purpose were accepted "we might find ourselves in the Black Sea in the presence of naval forces superior to our own." Mr. Litvinov, who doubted the use of the Danube *stationnaires*, also felt that these ships should be included in the global figure of 30,000 tons.

The problem was discussed in the Technical Committee on July 11,²⁴ with Mr. Miller, the Soviet representative, offering an amendment to paragraph (d) of article 15 of the British draft, which dealt with humanitarian visits, as follows:

"Nevertheless, if in exceptional cases such as an earthquake or other calamity caused by elements of nature, one of the non-riverain Powers of the Black Sea desires to send into this sea, for humanitarian purposes, one of its light surface warships and if, at the same time, the global tonnage provided by paragraph (a) of the present article is entirely utilized by other non-riverain Powers, the entrance of the said ship may take place with the consent of all the riverain States of the Black Sea, on the condition that any later entrance of naval force of non-riverain Powers will be effected only within the limit of the global tonnage provided in paragraph (a) of the present article."

This amendment was supported by Mr. Menemencioğlu, of the Turkish Delegation. The discussion then went on to the problem of notification, and it was Mr. Neicoff, of Bulgaria, who provided the compromise which went into the final draft. In the afternoon, the Technical Committee again discussed drafts of article 15, which became the basis for article 18 of the convention.²⁵

Article 18, which governs the rights of non-riverain powers to send their warships into the Black Sea, provides that the aggregate tonnage of non-Black Sea powers in the Black Sea may not exceed 30,000 tons in time of peace. Nevertheless, if at any time the tonnage of the strongest fleet in the Black Sea—the Soviet fleet—exceeds by at least 10,000 tons the tonnage of that fleet (the Soviet fleet) at the date of the signature of the Montreux Convention (July 20, 1936), the aggregate tonnage of non-Black Sea powers in the Black Sea may be increased to a maximum of 45,000 tons. For this purpose, Black Sea powers, according to annex IV, were to report their Black Sea naval tonnage to the Turkish Government on January 1 and July 1 of each year, which in turn was to transmit this information to the signatories of the convention and to the Secretary General of the League of Nations.

The tonnage which any *one* non-Black Sea power may have in the Black Sea in time of peace may not exceed two thirds of the aggregate tonnage, or 20,000 tons. Nevertheless, if at any time the strongest fleet in the Black Sea—the Soviet fleet—exceeds by at least 10,000 tons its tonnage at the date of the signature of the Montreux Convention, the tonnage of the individual non-Black Sea power may be increased to 30,000 tons.

According to paragraph (d) of article 18, for humanitarian purposes, one or more non-Black Sea powers may send into the Black Sea naval forces not to exceed 8,000 tons *altogether* without the 15-day notice stipulated in article 13, provided an authorization is obtained from the Turkish Government in the following circumstances: (1) the tonnage limitations of the aggregate total of non-Black Sea forces do not exceed either 30,000 or 45,000 tons, as stipulated in the premises, and will not be exceeded by the dispatch of new naval forces; (2) if the tonnage has already been reached and would be exceeded, the Turkish Government is to notify the Black Sea powers of the request, and if no objection is forthcoming within 24 hours of the notification the Turkish Government, within 24 hours at the latest, will inform the interested powers of the reply it has decided to make to their request.

Any further entry into the Black Sea of the naval forces of non-Black Sea powers is to be effected only within the limits of the aggregate

²⁴ *Actes de la Conférence de Montreux*, p. 242.

²⁵ *Ibid.*, pp. 141-53, 249-56.

tonnage as provided in article 18, i.e. 30,000 to 45,000 tons.

Whatever the purpose of their visit, the warships of non-Black Sea powers are not to remain in the Black Sea longer than 21 days.

General Provisions

Articles 24 and 25 stipulate certain general provisions not contained in other parts of the convention. Under article 24, for example, the functions of the International Commission of the Straits, established by the Lausanne Convention of 1923, are transferred to the Turkish Government.²⁶

The Turkish Government was to collect statistics and information concerning the following:

1. Passage through the Straits of the capital ships of Black Sea powers (Art. 11).²⁷
2. Passage through the Straits of the submarines belonging to Black Sea powers (Art. 12).
3. Passage of all foreign warships through the Straits (Art. 14).
4. Tonnage of warships in the Black Sea of Black Sea and non-Black Sea powers (Art. 18).

The Turkish Government was also to supervise the execution of all the provisions of the convention relating to the passage of warships through the Straits. As soon as it was notified of the intended passage through the Straits of foreign warships, the Turkish Government was to inform the representatives of the high contracting parties of their composition, tonnage, date of entry, and the date of their return, if necessary. The Turkish Government was also to make an annual report to the Secretary General of the League of Nations and to the high contracting parties of the Montreux Convention giving the details of the movement of foreign warships through the Straits, and all information useful to commerce and navigation, by sea and air, for which the convention makes provision.

Article 25, which referred to the League of Nations, is of especial importance, for it provides:

"Nothing in the present Convention shall prejudice the rights and obligations of Turkey, or of any of the other High Contracting Parties, members of the League of Nations, arising out of the Covenant of the League of Nations."

This article, as has already been indicated, was discussed at length in the Conference and should be read as an essential part of article 19, which has to do with the passage of warships through the Straits under the provisions of the Covenant of the League of Nations and under the terms of a mutual-assistance pact, registered with the League of Nations, to which Turkey was a party.

Final Provisions

RATIFICATION. Article 26 provided for ratification of the Montreux Convention "as soon as possible", the ratifications to be deposited in the archives of the French Republic. The Japanese Government was allowed to inform the French Government through diplomatic channel that the ratification had been given.

ACCESSION. According to article 27 the Montreux Convention was open to accession by any power signatory to the Treaty of Lausanne of 1923.²⁸ Accessions entered into force from the date of notification to the French Government.

DURATION AND REVISION. The Montreux Convention, according to article 28, is to remain in force for a period of 20 years from the date of its entry into force.²⁹ Nevertheless, "the principle of freedom of transit and navigation affirmed in Article 1" is to "continue without limit of time". If, two years prior to the expiry of the convention, no signatory gives notice of denunciation to the French Government, the convention is to remain in force until two years after such notice shall have

²⁶ The British Delegation, in particular, desired to keep an international commission, if only for the collection of statistical and other information. The Turkish Government, however, rejected the British suggestion. Dr. Aras declared on July 9: "Our proposition of suppression of the international commission is absolutely firm." *Ibid.*, p. 106.

²⁷ On July 16, Mr. Litvinov objected to this principle, declaring: "We are not informed of the passage of ships through the Suez Canal, the Kiel Canal and other navigable ways. Why must an exception be made for the Straits? Why these statistics which appear useless? I wish to suppress the fourth paragraph [from art. 21 of the revised British draft]." *Ibid.*, p. 155.

²⁸ Italy finally adhered to the convention, after refusing to be represented at the Conference, on May 2, 1938.

²⁹ The British draft called for a period of 15 years, as also the Turkish draft. The problem of revision was closely linked with that of duration.

been given. All such notices are to be communicated by the French Government to the signatories. In the event of denunciation, the signatories agreed to be represented at a conference for the purpose of concluding a new Convention of the Straits.

At the expiry of each five-year period from the date of the entry into force (Nov. 9, 1936) of the convention, according to article 29, each of the signatories is entitled to initiate proposals for amendment of the convention. To be valid, however, any request for revision formulated by any

²⁰There was serious discussion of the problem of revision. The original Turkish draft, like the British draft, had proposed a simple method of amendment. Mr. Rendel, of the British Delegation, declared on July 16:

"I should like to note a point which is really important. When the present convention was the object of our first discussions, there were two questions of tonnage on which we expected to limit ourselves in the greatest difficulties. One was the ceiling of 45,000 tons for the non-riverain Powers of the Black Sea whose global tonnage in the said sea must not exceed 45,000 tons. We have had the greatest difficulty in accepting this rigid limitation which takes no account of the increase which another fleet might have and we have given our consent only on condition that the five year revision be in reality not subordinated to the veto of a Power which, for one reason or another, would be opposed to revision. (Italics are the author's.)"

"The other figure of tonnage on the subject of which we have equally experienced the greatest difficulties was the rigid limit of 15,000 tons for naval forces passing through the Straits and our original project was conceived in such a way that if the Turkish fleet were increased, our figure of 15,000 tons was to be increased equally up to one-half of the Turkish fleet. We have ceded on this point also and we have accepted the rigid limitation of 15,000 tons, for we thought that the five year revision would be a reality." (Italics are the author's.) (*Actes de la Conférence de Montreux*, pp. 153-67.)

²¹*Ibid.*, pp. 181-82.

²²Italics are the author's.

one of the signatories must be supported, in the case of articles 14 to 18, dealing with the passage of warships through the Straits, by one other signatory. In the case of modification of any other article, two signatories must support the request for revision.²⁰ Any request must be notified to all the signatories of the convention three months prior to the expiry of the current five-year period and must contain the details of the proposed amendments, together with the supporting reasons. If it proves impossible to agree through the regular diplomatic channels, the signatories agree to hold a conference for revision of the convention. Such a conference may reach decisions only by *unanimous* vote, however, except as regards articles 14 to 18, which deal with the passage of warships through the Straits, for which a three-fourths majority, including Black Sea powers and Turkey, must be obtained.

III

The Montreux Convention was finally signed on July 20, 1936. The Conference ended in a spirit of good feeling and with a recognition that a sound compromise between conflicting views had been reached. The Soviet attitude toward the Montreux Convention was expressed at the closing session by Mr. Litvinov, who acknowledged the accomplishments of the Conference:²¹

"The Conference has recognized, *although in an insufficient way, the special rights of the riverain states of the Black Sea in the Black Sea*²² in connection with the passage of the Straits, as well as the special geographical situation of the Black Sea in which the general conceptions of the absolute freedom of the seas could not be entirely applied."

Two ILO Industrial Committees Meet in U. S.

Article by MURRAY ROSS¹

INITIAL MEETINGS of two of the newly formed world industrial committees of the International Labor Organization were held in the industrial heart of the United States during this spring. The ILO Iron and Steel Committee met in Cleveland, Ohio, from April 23 to 29, 1946, and the Metal Trades Committee convened in Toledo, Ohio, from May 2 to 11, 1946. The iron and steel sessions were attended by representatives of governments, as well as of employers' and workers' organizations from 11 of the 14 leading steel-producing countries of the world which comprise the committee, including Australia, Belgium, Canada, China, France, India, Luxembourg, Sweden, Union of South Africa, United Kingdom, and United States. At the metal-trades conference, tri-partite delegations were present from 13 of the 14 countries constituting the committee, including Australia, Belgium, Canada, Denmark, France, India, Mexico, Netherlands, Norway, Sweden, Switzerland, United Kingdom, and United States. In the course of their prolonged deliberations, each of the industrial committees examined thoroughly various social and economic aspects in their respective fields and adopted a number of resolutions seeking the improvement of international labor standards in the world iron and steel and metal-trades industries. The major decisions of both committees sought the achievement of high and sustained levels of employment, the formulation of sound industrial-relations principles, and the adherence to an international minimum code of safety practices.

Iron and Steel Committee

The sessions of the Iron and Steel Committee were held under the chairmanship of Nathan Feinsinger of the University of Wisconsin law school, U. S. Government representative on the Governing Body of the ILO and former member of the War Labor Board. The employers' and

workers' groups of the Governing Body were represented by H. W. MacDonnell of the Canadian Manufacturers' Association and Gunnar Andersson, President of the Swedish Confederation of Trade Unions, respectively. The U.S. Government was represented by Harry M. Douty, Director of Labor Economics, U.S. Department of Labor, and Arthur Wulnig, economist in the Office of World Trade Policy, U.S. Department of Commerce. Murray Ross, Assistant Chief of the International Labor Organization Branch, Division of International Labor, Social, and Health Affairs, Department of State, acted as adviser to the Government delegates. John A. Stephens, vice president of the U.S. Steel Corporation, and Charles H. Murray, assistant to the president of American Rolling Mills, represented United States employers. J. S. Voss, director of public relations of the Republic Steel Corporation, acted as substitute employer member, and Grover C. Brown, secretary of the Industrial Relations Committee of the American Iron and Steel Institute, served as an adviser to the employer members of the committee. Clinton S. Golden, assistant to the president of the United Steelworkers of America, CIO, and David J. McDonald, secretary-treasurer of the same union, represented United States workers.

In accordance with the procedures earlier established by the Governing Body of the ILO and followed at the meetings of the Inland Transport Committee and Coal Mining Committee meetings in London, England, in December 1945, the Conference used the two detailed reports of the International Labor Office as a frame of reference for its preliminary discussions. Delegates from the various countries stressed the chief social and economic problems facing their respective iron and steel industries and emphasized what they

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regarded as the essential reforms for the pursuit of sound social and economic policies. On the basis of this exchange of views, the Conference voted to establish three subcommittees to deal with the subjects of full employment, industrial relations, and safety.

The diverse aspects of the problem of achieving full employment in the several countries or group of countries represented became quite apparent in the early stages of the work of the full-employment subcommittee. Representatives from the liberated western European countries, especially from Belgium, France, and Luxembourg, were exclusively preoccupied with the immediate task of restoring production to capacity in their iron and steel industries. The attainment of this goal they predicated almost entirely upon their success in securing an increased share of the output of the rich Ruhr coal mines. Delegates from industrially underdeveloped areas, especially from China and India, regarded the problem of achieving full employment primarily in terms of appropriate measures aimed at their increased industrialization. On the other hand, representatives from the United Kingdom, the United States, and other countries which achieved a high degree of industrial activity and capacity utilization during the war viewed the problem as one of forestalling, so far as practicable, fluctuations in iron and steel employment owing to characteristics inherent within the industry, and of maintaining high levels of employment in the economy as a whole during the process of reconversion from war to peacetime production.

In an effort to accommodate the expressed needs of the various countries present, the Full Employment Subcommittee recommended and the Conference adopted several relevant proposals. One resolution, introduced by the workers' group, emphasized the necessity of achieving a high and sustained level of employment in all industries. Because of the interdependence and interrelationship of modern economic society, the Committee recognized that the achievement of this objective by the world iron and steel industries was dependent upon a high and sustained level of employment in industry generally. The resolution also expressed the willingness of the Iron and Steel Committee to cooperate with the ILO and with the governments of the various countries in obtaining full factual information as a basis for the formula-

tion of constructive plans and programs designed to bring about full and regular employment in the iron and steel industry, as far as is possible within the limitations under which the industry must operate. Only the Australian workers' delegates voted against this resolution as being grossly inadequate.

Three resolutions, also originating with the workers' group and seeking to regularize employment within the iron and steel industries, were adopted by the Conference, after a spirited debate and considerable modification to meet objections from the employers' group. The first related to guaranteed wage and employment plans and invited the International Labor Office to make available the results of studies now in progress in the United States under the auspices of the Office of War Mobilization and Reconversion and to conduct similar inquiries into the methods and results of such annual and other wage schemes as may have been introduced in other countries. Another resolution suggested that the ILO invite steel producers and large consumers of steel to cooperate in an inquiry into their purchasing policies and practices, with the aim of ascertaining to what extent, if any, their behavior tends to influence fluctuations in operations and employment, and what revisions in such policies would contribute toward the regularization of employment in the iron and steel industry. The third resolution related to technological innovations and invited the ILO to study the practices pursued in regard to the introduction of technological improvements in the iron and steel industry and their immediate as well as long-range impact upon employment, with special reference to the training and absorption of displaced workers into other work, having regard to the rate of labor turn-over and wastage.

Careful consideration was given by the Conference to the resolution on full employment in industrially underdeveloped countries, which was introduced by the Indian Government member. As finally adopted, it pointed out that "economic and industrial unbalance in one part of the world is a menace to peace;" that in order to "provide lasting conditions of full employment it is necessary to raise the standards of living in industrially underdeveloped countries;" and that "the presence of a large body of cheap, abundant and under-

employed labor in some parts of the world is a danger that can be converted to prospective benefit by raising the economic and industrial potential of such areas".

On the basis of these observations, the resolution suggests that the Economic and Social Council of the United Nations be invited to make known to the competent international specialized agencies the advisability of their considering favorably financial, technical, and other appropriate measures for facilitating a healthy growth and expansion of industry in the underdeveloped countries, particularly the iron and steel industry, as a means of achieving high and stable employment for the attainment of satisfactory levels of living. Furthermore, the resolution recommends to the various member states of the ILO that they consider favorably the implementation of programs for the international exchange of vocational trainees and industrial technicians for the purpose of facilitating the industrial development, particularly in the iron and steel industry, of underdeveloped countries.

With the aim of facilitating the restoration of the steel industries in the liberated countries of western Europe, a resolution dealing with an equitable allocation of the currently scarce coal supplies was unanimously adopted by the Conference. It recommended that the respective governments, the Governing Body of the ILO, and the Economic and Social Council of the United Nations consider all the means by which the coal shortage may be relieved as rapidly as possible and thus help restore steel production and full employment throughout the economies. In spite of the extremely moderate nature of this resolution, its chief proponents, the delegates from Belgium, France, and Luxembourg, regarded it as of sufficient importance to cable it immediately to their respective Governments.

Only one major resolution proposed by the workers' group in the Subcommittee on Full Employment was completely rejected by the Conference. This resolution requested the Governing Body of the ILO to draw the attention of the various governments to the desirability of establishing a tripartite international commission responsible for planning the distribution of the raw materials of the iron and steel industry in relation to the needs and capacity of the producing countries. Objec-

tion to the resolution was first raised on the grounds that the ILO was not the competent authority to deal with problems of resource allocation. Subsequently, Mr. Wubnig of the U.S. Department of Commerce stated that although the United States Government was in favor of appropriate international measures to improve the distribution of raw materials it was not convinced of the desirability of establishing a new international organization for that purpose. Moreover, he pointed out that alternative means of dealing with international commodity control were now in process of evolution, e.g. the forthcoming Conference on World Trade and Employment, the proposed International Trade Organization, the United States Government commodity-agreements program, and so on. It was not, however, until Mr. Wubnig offered an amendment, the substance of which urged the extension of the principle of multilateral trade as the best means of assuring an adequate world distribution of metallurgical raw materials, that the original workers' group resolution was withdrawn. In this manner was resolved the fundamental difference of economic philosophy, i.e. the theory of economic planning versus that of free enterprise.

The Subcommittee on Industrial Relations devoted much of its time to a recital of existing provisions and practices in regard to industrial relations in each of the countries represented. On the basis of this thorough-going exchange of views, it adopted three resolutions dealing with the subjects of freedom of association, collective bargaining, and the observance of collective agreements. It also recommended that the ILO conduct a series of studies on a variety of topics vital to union-management relations.

The first resolution provides that (1) all workers and employers in the industry should be entitled to form or join organizations of their own choosing without previous authorization; that (2) such organizations should not be subject to arbitrary dissolution by administrative order; that (3) federations may be constituted; and that (4) legislation now in existence designed to abridge these rights should be repealed and the principles of this resolution should be promoted by governments through either appropriate legislation or policy. The second resolution endorses the right of collective bargaining and urges the states members of the ILO to give full support both in law

and in policy to its continuance and development in the iron and steel industry. The last resolution affirms the necessity of strict observance of the terms and conditions of collective agreements once entered into and recommends the inclusion of a clause in each agreement providing for the handling of differences over its terms by negotiation, mediation, conciliation, or arbitration.

The Subcommittee on Safety began its deliberations with a review of the work of the ILO in the field of industrial safety and took special note of the Model Code of Safety Provisions for Factories, then in preparation by the International Labor Office. Subsequent to a discussion of accident prevention in the iron and steel industry, the Subcommittee presented two proposals to the Conference. The first invited the ILO to undertake a factual survey of the various measures taken in the different countries for the prevention of accidents and the protection of health in the iron and steel industries. The second recommended that in all iron- and steel-producing countries special safety services and joint plant committees composed of employers' and workers' representatives be set up to promote the prevention of accidents and the protection of health. The sole vote against the second proposal was cast by a United States employers' delegate on the grounds that safety was a management responsibility rather than a responsibility of joint committees.

The spirit of compromise and good-will dominated all the sessions of the Iron and Steel Committee's initial meeting. In spite of the significant differences in viewpoints among the several groups and the various countries present, a substantial area of agreement was established leading to a unanimous expression of the conviction that the Committee's tasks can be effectively pursued only if it meets at regular annual intervals.

Metal Trades Committee

The sessions of the Metal Trades Committee were held under the chairmanship of V. Cyril Phelan, Canadian Government representative on the Governing Body of the International Labor Organization and Director of Information in the Ministry of Labor at Ottawa. The employers' and workers' groups of the Governing Body were represented by Jules Lecocq, Secretary General of the International Organization of Industrial Em-

ployers, and Gunnar Andersson, President of the Swedish Confederation of Trade Unions. The United States Government was represented by Edward L. Cushman, Michigan State Director of the U. S. Employment Service, and Oscar W. Meier, of the Office of World Trade Policy, U. S. Department of Commerce. Victor S. Baril of the Bureau of Labor Statistics, U. S. Department of Labor, acted as adviser to the Government members. George W. Romney, manager of the Automobile Manufacturers' Association in Detroit, and A. M. Rochlen, director of Industrial and Public Relations of the Douglas Aircraft Company of Santa Monica, Calif., represented the United States employers. James A. Brownlow, secretary-treasurer of the Metal Trades Department of the American Federation of Labor, and Richard T. Leonard, vice president of the United Automobile, Aircraft, and Agricultural Implement Workers of America (CIO), served as representatives of the United States workers.

The Metal Trades Committee, meeting in Toledo, Ohio, almost immediately after the Cleveland sessions of the Iron and Steel Committee, appears to have been considerably influenced by the latter's procedures and deliberations. Following some preliminary discussions on the basis of a report prepared by the International Labor Office for the Conference, three subcommittees were created to consider some of the problems of the industry in greater detail and to prepare proposals for adoption by the Committee as a whole. The three subcommittees were on (1) employment and production; (2) industrial relations; and (3) safety and health.

The Subcommittee on Production and Employment proposed the adoption of six resolutions. The first resolution covers a variety of points. It stresses the world-wide necessity of achieving maximum production and employment in the metal trades and declares that the achievement of this goal depends upon a greatly increased production, in order to permit a high level of consumption, the payment of high wages, and the stabilization of employment at a high level. Furthermore, it declares that continuity of demand and national and international cooperation in assuring a continuous flow of raw materials, supplies, equipment, and services are among the essential requirements of maximum production and

employment. In line with these observations, the resolution urges that the governments concerned study their existing policies relating particularly to taxation, industrial relations, government expenditure, and foreign trade, with the object of encouraging efficient production and expanding employment. The resolution also recommends that the International Labor Office continue to assemble, classify, and distribute all relevant information relating to the problems of maximum production and employment so that comparative and coordinated studies in the light of continually changing conditions may be available to all concerned. Finally, it suggests that the International Labor Office conduct an inquiry into the schemes in existence in the different countries for guaranteeing wages to the workers in the metal trades.

Closely related to the omnibus resolution described in the preceding paragraph was another one concerning technological improvements and hours of work. This one contained a proposal that, with the object of counteracting the effects of possible depression, the International Labor Office prepare studies of (1) the effects of technological improvements in the metal trades on the levels of production and employment; and (2) the effects of various forms of reduction of weekly hours of work in the metal trades upon maximum employment and upon the level and costs of production.

Among its remaining proposals, the Subcommittee included a recommendation to governments to study the planning of their expenditures on capital goods, consumer goods, and services, in order to concentrate these in times of declining employment and thus to help hold unemployment in the metal trades to a minimum during such periods. Another resolution suggests that governments introduce and, where necessary, extend schemes of unemployment compensation and plans for insuring the social security of workers and their families. The two resolutions dealing with the shortage of steel in liberated western European countries, as well as in the industrially undeveloped ones, parallel in all important respects the resolutions adopted on these subjects by the Iron and Steel Committee.

The Subcommittee on Industrial Relations declined to follow the model established by the Iron and Steel Committee on the grounds that the metal trades had their own special problems and that the committee should retain the freedom to

deal with them in its own appropriate manner. It then proceeded to formulate resolutions reflecting its views on what constitutes freedom of association, collective bargaining, and observance of collective agreements. The substance of all these resolutions was largely the same as of those adopted by the Iron and Steel Committee on the same subject.

The resolution on industrial relations in the metal trades which favors freedom of expression and right of association also stresses the dependence of the prosperity of the metal trades and the welfare of the persons employed therein on the establishment or maintenance of harmonious relations between employers and workers, as well as the closest cooperation of the workers' and employers' organizations. The resolution also distinguishes between social and economic aspects of collective bargaining, recommending the establishment of bargaining units under the former and joint committees to maintain maximum industrial efficiency under the latter. The resolution on the observance of collective agreements reiterated the one adopted by the Iron and Steel Committee. The subcommittee's report is concluded with a recommendation to the International Labor Office that it continue its studies of various aspects of industrial relations in the metal trades, including the question of securing adequate standards of living and full and steady employment, as well as freedom of association and rights of collective bargaining for metal-trades workers in industrially underdeveloped regions.

The Subcommittee on Safety and Health experienced far less difficulty in its work than the Subcommittee on Industrial Relations. It unanimously accepted the report of the Iron and Steel Committee, with the modifications necessitated by the fact that the metal trades are of a more complex nature and that it was instructed to deal with problems of industrial health in addition to safety. The Subcommittee unanimously requested the International Labor Office to prepare a factual survey of the measures taken in the different countries, for the prevention of accidents and the protection of health in the metal trades. It also adopted four resolutions, covering international standardization of statistics of accidents and occupational diseases, international standardization of

(Continued on page 365)

The United Nations

Recognition of Compulsory Jurisdiction of International Court of Justice¹

NOTE FROM ACTING U. S. REPRESENTATIVE TO SECRETARY-GENERAL

EXCELLENCY:

I have the honor to transmit herewith, under cover, a note dated August 16, 1946, from the Acting Secretary of State of the United States, a Declaration by the President of the United States of America recognizing, on behalf of the United States of America, the compulsory jurisdiction of the International Court of Justice under Article 36 of the Statute of the Court.

My action today in depositing this Declaration, accepting on behalf of the United States the compulsory jurisdiction of the International Court of Justice, is further testimony to the determination of my Government to do all in its power to assure that the United Nations will fulfill the role assigned to it, which is nothing less than the preservation of world peace.

One of the most elemental functions of the United Nations in the preservation of world peace

is the development of procedures of pacific settlement. In these procedures, the role and functions of law is clear. We feel that international law is already sufficiently developed to serve as a guide and basis in international relations. We feel further that the best way of assuring its further development, and the only way of enabling it to fulfill its function, is by referring to a responsible international tribunal all disputes properly justiciable by such a tribunal.

We accordingly look forward to a great development of the rule of law in international relations through a broad acceptance of the function of the Court in the spirit of the Charter.

Accept [etc.]

HERSCHEL V. JOHNSON
*Acting U. S. Representative
to the United Nations*

Enclosure:

As stated:

DECLARATION ON THE PART OF THE UNITED STATES OF AMERICA

Letter of Transmittal From Acting Secretary Acheson

DEPARTMENT OF STATE,
WASHINGTON, August 16, 1946.

EXCELLENCY:

I have the honor to transmit for deposit with you a Declaration by the President of the United States of America recognizing, on behalf of the United States of America, the compulsory jurisdiction of the International Court of Justice under Article 36 of the Statute of the Court.

Accept [etc.]

DEAN ACHESON
Acting Secretary of State

Text of Declaration

I, Harry S. Truman, President of the United States of America, declare on behalf of the United States of America, under Article 36, paragraph 2, of the Statute of the International Court of Justice, and in accordance with the Resolution of August 2, 1946, of the Senate of the United States of America (two-thirds of the Senators present concurring therein), that the United States of America recognizes as compulsory *ipso facto* and without special agreement, in relation to any other state accepting the same obligation, the jurisdiction of the International Court of Justice in

Enclosure:

As stated.

¹ Doc. U.S./ICJ/5, Aug. 26, 1946.

all legal disputes hereafter arising concerning

a. the interpretation of a treaty;

b. any question of international law;

c. the existence of any fact which, if established, would constitute a breach of an international obligation;

d. the nature or extent of the reparation to be made for the breach of an international obligation;

Provided, that this declaration shall not apply to

a. disputes the solution of which the parties shall entrust to other tribunals by virtue of agreements already in existence or which may be concluded in the future; or

b. disputes with regard to matters which are essentially within the domestic jurisdiction of the United States of America as determined by the United States of America; or

c. disputes arising under a multilateral treaty, unless (1) all parties to the treaty affected by the decision are also parties to the case before the Court, or (2) the United States of America specially agrees to jurisdiction; and

Provided further, that this declaration shall remain in force for a period of five years and thereafter until the expiration of six months after notice may be given to terminate this declaration.

Done at Washington this fourteenth day of August 1946.

HARRY S. TRUMAN

The International Health Conference

Article by H. VAN ZILE HYDE¹

THE INTERNATIONAL HEALTH CONFERENCE convened by the Economic and Social Council in New York on June 19, 1946, was the first conference called by the United Nations and the largest international conference ever held to consider health matters.

At its conclusion on July 22, 61 states signed 3 international instruments and 60 signed a fourth instrument.² The effect of these will be the creation of a single new international health organization, the World Health Organization, as a specialized agency to be brought into relationship with the United Nations.

The constitution of the World Health Organization will come into force when accepted by 26 of the United Nations. China and the United Kingdom signed without reservation, and Canada has since ratified.

An Interim Commission consisting of representatives of 18 states³ was established and held meetings during and following the Conference. Dr. Fedor G. Krotkov (U.S.S.R.), was elected Temporary Chairman and Dr. Andrija Stampar (Yugoslavia), Permanent Chairman. Dr. G. Brock Chisholm, Deputy Minister of Health of

Canada and formerly Surgeon General of the Canadian Army, was chosen as Executive Secretary and has established offices at the New York Academy of Medicine. The Commission, which will meet quarterly, is scheduled to hold its next

¹ Dr. Hyde, who was adviser to the U.S. Delegation, is Assistant Chief, Health Branch, Division of International Labor, Social, and Health Affairs and Alternate U.S. Representative, Interim Commission, World Health Organization.

² 1. Final act of the International Health Conference—signed on behalf of 61 states, 59 without reservation.

2. Constitution of the World Health Organization—signed on behalf of 61 states, 2 without reservation. Printed in BULLETIN of Aug. 4, 1946, p. 211.

3. Arrangement concluded by the governments represented at the International Health Conference (establishing an Interim Commission)—signed on behalf of 61 states, 47 without reservation.

4. Protocol concerning the Office International d'Hygiène Publique—signed on behalf of 60 states, 18 without reservation.

⁵ Australia, Brazil, Canada, China, Egypt, France, India, Liberia, Mexico, Netherlands, Norway, Peru, Ukrainian Soviet Socialist Republic, United Kingdom, United States of America, Union of Soviet Socialist Republics, Venezuela, and Yugoslavia.

session in Geneva during the first week in November. It has established three committees, namely, Administration and Finance, Negotiating, and Epidemiology and Quarantine, which will meet concurrently with the Commission in Geneva. The United States is a member of all three committees. Dr. Stampar has appointed a subcommittee of the Negotiating Committee, composed of Brazil, Mexico, Venezuela, and the United States, to conduct negotiations with the Pan American Sanitary Bureau.

Dr. Thomas Parran, Surgeon General of the United States Public Health Service and chairman of the United States Delegation, was elected President of the International Health Conference and has been designated by President Truman as the United States representative on the Interim Commission.

The World Health Organization will consist of a policy body—the World Health Assembly—constituted of all members and meeting annually, an Executive Board of 18 members, and a Secretariat headed by a Director General appointed by the Health Assembly on the basis of technical and administrative competence.

The Organization is based on a broad concept. In its constitution, "health" is defined as "a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity". The objective of the Organization is "the attainment by all peoples of the highest possible level of health".

The principal means of attaining the objective of the Organization is conceived in its constitution as the strengthening of national health services in all states, by giving technical advice upon request. The Conference recognized this as the means whereby the general health levels of states might be raised and further recognized it as the only satisfactory means of controlling the international spread of pestilential diseases in the air age. It was agreed that older methods of quarantine were rapidly becoming obsolescent with the increasing rapidity of travel and that eradication of disease by attacking it at its source must be the long-range objective in the control of the international spread of disease.

The constitution puts emphasis upon the importance of the exchange of technical information, education of the public in health matters, elevation of standards of professional education, and

intensification of research. It gives the Organization authority to establish institutions for these and for other purposes.

The Organization is authorized to adopt conventions regarding health matters, submitting them to states for acceptance. Since the World Health Assembly will meet annually, this authority should result in more frequent revisions of sanitary conventions, keeping them more nearly in step with scientific progress. Previously, it has been necessary for a state with a particular interest in health to call a special conference for this purpose. Such conferences have been held at long and irregular intervals and their attention has been directed to limited problems of particular urgency.

The constitution authorizes the Organization to adopt regulations in the fields of quarantine and sanitation and in the establishment of international standards for drugs moving in international commerce. It was the view of the Conference that this authority would permit the rapid general application of scientific discoveries to the international control of the spread of disease and would give a common basic standard for international trade in pharmaceuticals with adequate protection of consumers and of ethical producers. Regulations adopted by the Organization will come into force for members within a stated period, except for such members as may inform the Director General of their rejection of, or reservation in regard to, specific regulations.

Members undertake, in accepting the constitution, to report to the Organization regularly on action taken and progress achieved in improving the health of their peoples and on action taken with respect to recommendations made to them by the Organization and with respect to conventions, agreements, and regulations.

The Conference took action to effect the eventual absorption by the World Health Organization of the Health Organization of the League of Nations and the *Office International d'Hygiène Publique* of Paris. It provided also for the transfer to the Interim Commission of the epidemiological information functions of the Health Division of UNRRA. Existing regional health organizations, of which the Pan American Sanitary Bureau is the chief example, will be inte-

International Organizations and Conferences

Calendar of Meetings

Far Eastern Commission	Washington	February 26
Peace Conference	Paris	July 29
Fourth General Assembly of the Pan American Institute of Geography and History and Third Pan American Consultation on Cartography	Caracas	August 25-September 1
PICAO: Caribbean Regional Air Navigation Meeting	Washington	August 26
Eleventh International Exhibition of Cinematographic Art	Venice	August 31-September 15
Fifth Congress of the Postal Union of the Americas and Spain	Rio de Janeiro	September 1
First Inter-American Medical Congress	Rio de Janeiro	September 7-15
Demonstrations of Radio Navigational Aids to Aviation	London	September 9
Preliminary Five-Power Telecommunication Conference	Moscow	September 28
The United Nations:		
Security Council	New York	March 25
Military Staff Committee	New York	March 25
Commission on Atomic Energy	New York	June 14
Subcommission on the Reconstruction of Devastated Areas (field teams in Europe)	London	July 29
FAO: Annual Session		
ILO:		
Permanent Migration Committee	Copenhagen	September 2-14
Ninety-ninth Session of the Governing Body, International Labor Office	Montreal	August 26
Twenty-ninth Session of the International Labor Conference	Montreal	September 16
Economic and Social Council (Third Session) with Commissions and Sub-commissions	Montreal	September 19
General Assembly: Second Part of First Session	New York	September 11
	New York	September 23

The opening dates in the third column are current as of Sept. 1.

Activities and Developments

Far Eastern Commission: Exercise of Civil and Criminal Jurisdiction Over Nationals of Members of the United Nations. The Far Eastern Commission on August 15, 1946, adopted a policy statement on the Exercise of Civil and Criminal Jurisdiction over Nationals of Members of the United Nations. On that date the Commission made public the fact that it had adopted this policy but withheld publication of the text, which is now being released to the press as follows:

1. The Supreme Commander for the Allied Powers should provide that no criminal jurisdiction of any sort will be exercised by the Japanese courts with respect to nationals of members of the United Nations, but that such criminal jurisdiction will be exercised by military courts of members of the United Nations as follows:

a. In the case of military, naval or air force personnel and persons attached to or accompanying the armed forces, by courts of the nation of

the forces of which they are a part. A national of a Member of the United Nations who is present in Japan on official business and for the purpose of performing functions in the interest of the occupation is to be regarded as "attached to or accompanying the Armed Forces".

b. In the case of a national of one of the occupying powers, by a military court of his nationality; and

c. In the case of other nationals of Members of the United Nations, by the Allied military court having jurisdiction in the particular territory. Such courts should be composed of three members appointed by the Supreme Commander for the Allied Powers, one of whom should be a representative of that nation whose national is held for trial, provided that if, in the judgment of the Supreme Commander, selection of such a representative would obstruct or unnecessarily delay the proceedings because of the non-availability of qualified personnel, then a representative of some other nation may be designated.

2. The authority of the Japanese to take into custody any national of a Member of the United Nations should be strictly limited:

a. To those areas of Japan not actually in Allied military occupation, and

b. In such areas, only to those cases in which there is reasonable evidence that a serious offense has been committed. The Japanese authorities should be placed under specific orders to hand over such a person forthwith to the nearest Allied military authorities.

3. Provision should be made that no civil jurisdiction of any sort will be exercised by the Japanese courts with respect to nationals of Members of the United Nations attached to or accompanying the armed forces. Civil jurisdiction in these cases should be exercised in a manner determined by the Supreme Commander.

4. Decisions in all civil cases affecting other nationals of Members of the United Nations or in which such nationals are or may become parties, should be reviewed by the Supreme Commander or his representative, who may revise the decision or take such other action as may be considered necessary for the protection of their rights.

5. The Supreme Commander should take such steps as he deems necessary, including suspension of proceedings, to ensure that in the conduct of such civil cases the rights of nationals of Members of the United Nations parties thereto are adequately protected.

6. It is recognized that the available United States legal officers will be barely sufficient to deal with such cases as involve United States nationals. The Supreme Commander may therefore advise the responsible commanders of other Allied forces that assistance in such cases as involve their nationals must be supplied by them.

7. The term, "nationals of Members of the United Nations," as used in this document includes, wherever applicable, organizations and corporations of Members of the United Nations as well as persons.

Caribbean Regional Air Navigation Meeting of PICAQ.¹ Representatives of nations directly interested in civil air transport in the Caribbean area met at the Pan American Union on Monday, August 26, 1946, for a three-weeks' session of the Caribbean Regional Air Navigation Meeting of the Provisional International Civil Aviation Organization. Later sessions are being held in the Department of State's International Conference suite at 1778 Pennsylvania Avenue, NW. The meeting was called by PICAQ to work out cooperative measures on air-navigation aids throughout the Caribbean area.

At the opening session the Chairman of the United States delegation, Charles I. Stanton, Deputy Administrator of the United States Civil Aeronautics Administration, who served as temporary president of the meeting, was elected president. Delegates representing Mexico and Venezuela were elected first and second vice presidents, respectively.

United States Assistant Secretary of Commerce William A. M. Burden in a welcome speech to the delegates said:

"We all have hopes that air transportation will provide that necessary link between peoples of different countries throughout the world which will permit ready exchange of ideas and which will tend to break down barriers which in the past have stood in the way of world peace. The part which meetings such as this play in working out technical arrangements required for worldwide air transportation is indeed most vital."

¹ Prepared by the Division of International Conferences, Department of State.

The importance of the meeting was stressed by Dr. Edward Warner, president of the Interim Council of PICAQ. In an address, he said that the rapid increase in regular and unscheduled air services in the Caribbean region had made it imperative that existing services be re-surveyed and new arrangements developed. Dr. Warner listed these primary questions:

"How and from what points shall traffic be controlled in the Caribbean region? Where shall meteorological observations be taken, and where shall forecasts be made?"

"What radio aids to navigation will be needed? What radio stations will be used for communication, and upon what frequencies will they operate?"

He advised that decisions made at the meeting, after approval by the Interim Council of PICAQ, must be acted upon by each government represented at the meeting, and he urged that the necessary follow-up by individual governments be made so that "your conclusions may be swiftly translated into improved and better-coordinated services for all users of the air."

Governments and international organizations invited to the meeting were: Argentina, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, El Salvador, France, Guatemala, Haiti, Honduras, Mexico, Netherlands, Nicaragua, Panama, Peru, United Kingdom, United States of America, and Venezuela; and the Inter-American Radio Office, International Air Transport Association, International Meteorological Organization, International Telecommunications Union, and the Provisional International Civil Aviation Organization. Observers are scheduled from Australia, Czechoslovakia, China, Iraq, and New Zealand. More than 200 delegates and observers attended the initial session.

After the first session, delegates and observers were guests at a reception given by William L. Clayton, Undersecretary of State for Economic Affairs, on behalf of the United States Government.

Demonstrations of Radio Navigational Aids to Aviation, United Kingdom, September 9-30, 1946. The Government of the United Kingdom has invited the United States to designate representatives to attend demonstrations of Radio Navigational Aids to Aviation, to be held in the United Kingdom from September 9 to 30, 1946. These demonstrations are part of a program sponsored by the Provisional International Civil Aviation Organization (PICAQ).

The United Kingdom's demonstrations will open with a plenary session at the Royal Empire Society Hall, London, on September 9. The registration and briefing of the delegates will follow at the Conference Hall, Ministry of Civil Aviation. The research laboratories are located in different places; therefore, in order that the delegates may witness the demonstrations with more ease, three separate parties are being set up, which will visit for approximately three days each the Royal Air Force Transport Command, at Bassingbourn; the Telecommunications Research Establishment, Malvern; and the Royal Aircraft Establishment, Farnborough. The delegates will reassemble in London for an informal discussion of the demonstrations witnessed.

The war-tested pulse system called "GEE" will be demonstrated by the Transport Command as a possible solution for short- and medium-range navigation. A flight demonstration of the long-range system *Cansol*, based upon the German system *Sonne*, is included. Other systems to be shown by the Transport Command are VHF communications and homing, and various forms of instrument approach. Perhaps the most interesting demonstrations to American visitors will be two different air-traffic-handling schemes, since an adequate solution to this problem is of great importance to countries where high traffic densities prevail.

At the Telecommunications Research Establishment, Malvern, flight demonstrations will be given of the omni-directional radio range (giving the same information as the U. S. Civil Aeronautics Administration's VHF omni-directional range but using pulse technique), combined with distance-measuring equipment, and a computer for "offset" flying. Ground radars for approach control and for the detection of aircraft moving on the airport runways will be exhibited. Automatic orbiting

¹ Prepared by the Division of International Conferences, Department of State.

and landing will be shown while important new developments to the GEE system, such as a miniature airborne receiver with dial readings, will be on view.

At the Royal Aircraft Establishment, perhaps the most interesting exhibit will be two forms of the VHF omni-directional radio range. *Consol* ground equipment will be shown, and demonstrations of a competing long-range system POPI will be given. Other important items which will be exhibited are radio compasses, impulse signalling, radio links, and control-tower equipment.

In addition to the above demonstrations, equipment development by the radio industry will be shown, including the well-known *Decca* system of navigation, VHF communication equipment, and various airborne receivers.

The United States has designated an official delegation to attend the United Kingdom demonstrations. This Government has also notified the United Kingdom that 18 observers from certain of the United States' aircraft and communications industries will accompany the delegation.

Similar demonstrations of radio aids will be held in the United States from October 7 to 26, 1946. On October 30, 1946 a meeting will be convened at Montreal to consider the formulation of recommendations on the standardization of radio aids to air navigation.

Ninety-ninth Session of the Governing Body of the International Labor Office will convene in Montreal, Canada, on September 16, 1946,¹ under the chairmanship of G. Myrddin Evans, Deputy Secretary of the Ministry of Labor and National Service of the United Kingdom. The United States Government will be represented by David A. Morse, Assistant Secretary of Labor. Sixteen governments are represented on the Governing Body together with sixteen non-governmental representatives—eight representatives of employers and eight representatives of workers, chosen by their respective groups. James David Zellerbach, of the Crown-Zellerbach Corporation, San Francisco, and Robert J. Watt, International Representative of the American Federation of

Labor, are members who will be attending from the United States.

The Governing Body session will follow committee meetings, which commence on September 11 when the Allocations Committee, composed of five governments including the United States, will consider contribution quotas for member governments. On September 12 and 13 the Staff Questions Committee will meet to review the problems of bringing ILO practices into line with those of the United Nations and other specialized agencies. The United States is represented on this Committee by Messrs. Morse, Zellerbach, and Watt.

Reports from these committees and from the Committee of Experts on the Application of Conventions, Committee on Accident Prevention, and Permanent Migration Committee will be presented to the Governing Body along with constitutional and other questions arising from the successful negotiations with the Economic and Social Council with respect to bringing the ILO into relationship with the United Nations as a specialized agency in accordance with article 63 of the United Nations Charter.

The previous meeting (98th Session) of the Governing Body was concluded at Montreal on May 27, 1946.

Twenty-ninth Session of the International Labor Conference will convene in Montreal, Canada, on September 19, 1946.¹ In accordance with the ILO constitution, more than 50 government members of the ILO have been invited to send tri-partite delegations. These delegations represent the governments, the employers, and the workers of their respective countries.

The agenda of the Conference includes the following items:

1. Director's report
2. Constitutional questions
3. Protection of children and young workers
 - (a) Medical examination for fitness and employment (young workers) (second discussion)
 - (b) Restriction of night work of children and young persons (non-industrial occupations) (second discussion)

1. Minimum standards of social policy in dependent territories (provisions suitable for a convention) (first discussion)

5. Reports on the application of conventions (art. 22 of the ILO constitution)

¹ Prepared in collaboration with the Division of International Labor, Social, and Health Affairs and the Division of International Conferences, Department of State.

Although Canada has served as the wartime headquarters of the ILO, this will be the first time that the Conference has been held in Canada. The composition of the United States Delegation has not yet been determined.

Preliminary Five-Power Telecommunication Conference Agenda.¹ This Government has been advised by the Government of the U.S.S.R. that September 28 has been set as the opening date for the Preliminary Five-Power Telecommunication Conference. The invitation to attend this Conference had previously been received from the Soviet Government. The governments of China, France, and the United Kingdom have also been invited to attend this Conference, the purpose of which is to hold informal preliminary discussions prior to the proposed World Telecommunication Conference. The United States Delegation has not yet been designated by the President. It is anticipated that the Conference will be in session for approximately three or four weeks.

The agenda for the Conference proposed by the Soviet Government and accepted by this Government is as follows:

I. Time, place of the calling of the World Telecommunications Conference.

II. Questions of the provisional registration of frequencies, until the entry into effect of a new convention and regulations. The question of a provisional bureau for the distribution of radio frequencies for civilian purposes.

III. Consideration of the fundamental problems of the revision of the telecommunications convention and regulations (chiefly the general radio communication regulations).

1. The strengthening of the organization of the International Telecommunication Union—the creation of an administrative council of the administrative body for the registration of frequencies and of other administrative bodies and committees:

a. The seat of the Administrative Council, administrative bodies, committees, and the secretariat.

b. Procedure for the registration of frequencies.

c. Relations between international agreements on communications, aviation, and commercial navigation.

d. The establishment of relations with the United Nations organization.

2. The distribution of frequencies.

3. The strengthening of the control regulations touching upon the distribution of frequencies by means of an improvement in the tolerances on frequency stability, etc.

4. The possibility of speedy entry into operation of an administration for the registration of frequencies, tables of the distribution of frequencies, and such other regulations which may be desired.

IV. Preparation for special meetings in addition to the World Telecommunications Conference.

1. A special committee for the preparation of a new official international list of frequencies.

2. A special conference on short-wave radio broadcasting.

VAN ZILE HYDE *Continued from page 157.*

grated with the World Health Organization through mutual agreement. Negotiations leading to the integration of the Bureau will be started in the near future with the hope of completing them at the first session of the World Health Assembly. It is expected that the Interim Commission and the Bureau will present a draft agreement to the Twelfth Pan American Sanitary Conference in Caracas next January, with the agreement as approved by that Conference being submitted to the first session of the World Health Assembly.

The International Health Conference gave proof that in a technical field states can work together in a spirit of good fellowship. The professional atmosphere and willingness of all participants to compromise in order to attain a common goal, which was evident throughout the New York meeting, can serve to encourage all who are working toward the success of international cooperative effort.

¹ Released to the press Aug. 30.

The Record of the Week

First Year of Allied Occupation of Japan

REPORT OF THE SUPREME COMMANDER FOR THE ALLIED POWERS

[Released to the press by the War Department August 29]

Summarizing the accomplishment of General Headquarters of the Supreme Commander for the Allied Powers since General Douglas MacArthur landed on Japanese soil one year ago August 29, a SCAP spokesman made the following statement:

First and above all else, the gigantic military machine of the Japanese Empire has been completely destroyed. Its fighting power had been temporarily nullified in the war, but a tremendous military organization, manned by millions, still remained at the time of the surrender. Its liquidation required the disarming, demobilization and disposition of approximately 4,000,000 organized and armed men in the home islands and 2,500,000 abroad. In addition, it was necessary to retrieve from overseas approximately 2,000,000 civilians and to repatriate to their homelands from Japan 1,000,000 Allied nationals.

Within the early weeks of the occupation, Japanese soldiers in the home islands were disbanded and returned to peaceful pursuits. Today, after a single year, the remnants of the overseas forces, scattered over thousands of miles, are streaming home and the work of repatriation is drawing to a close. Nine million have been processed in this time. For magnitude, thoroughness, speed and precision, this has constituted a demobilization and repatriation which has no precedent in history.

To insure further the destruction of Japan's war making power, thousands of military and civil aircraft and millions of weapons of various calibers, with vast quantities of ammunition, have been seized and disposed of; remnants of the Japanese navy have been taken over and are being destroyed or held for Allied division; and every element of Japanese industry utilized for or capable of adjustment to the making of implements of war has been either destroyed or brought under our com-

plete control. Thus from a material standpoint also, Japan's war making power and potential is ended.

Rapid and effective strides have been made in reshaping the Japanese Government to conform to the principles inherent in a democratic state so that the people might readjust their lives to compose a truly democratic society. A new constitution has been evolved after many months of widespread public interest and unrestricted debate which, submitted to the people by the Emperor and Government of Japan, is now in the process of democratic legislative action toward adoption of amendment. Designed effectively to curb abuse of power by individual, class or government, it places sovereignty squarely in the hands of the people upon whom it bestows the full measure of human freedom. The masses of Japan are no longer regimented—no longer enslaved. The Japanese citizen no longer cringes in the presence of police or other public authority; his home has become his castle, free from unwarranted intrusion, observation or violence; he registers his opinion on public issues, uncontrolled except by his own conscience; he enjoys the right of assembly and petition; he worships as he chooses, in accordance with his individual religious faith; he enjoys the untrammelled right, individually or collectively with his fellow workers, to demand correction of unjust labor practices and conditions; and Japanese children, 18,000,000 of whom are presently enrolled, enjoy the right to liberal and free education in 40,000 public schools, now open and dedicated to the study of the arts and sciences and the historical truth and the development of enlightened thought.

Electoral discrimination has been removed, and the electoral base expanded by reducing the age limit from 25 years to 19 and enfranchising the

women of Japan. The general election held on April 10, 1946 was a vivid demonstration of democracy on the march. A far greater number of those eligible to vote participated in this election than in any other election in Japanese history. The women of Japan took their newly gained franchise as a serious obligation, sharply broke from their traditional retirement within the family circle, and elected 39 women members of the house of representatives, an accomplishment without precedent in political history.

Reform has been instituted in every element of the governmental structure and in every phase of government administrative procedure, to root out existing evils of entrenched bureaucracy which inevitably lead to totalitarian controls. Those who in past preached the doctrine of militarism, expansionism and intense nationalism, and shaped the policies responsible for Japan's collapse, have been purged and barred from governmental service to afford the people a new leadership.

To dislodge the economic hold which certain vested interests have long had over Japanese economy, the corporate and personal resources of the

14 major families, including the four big Zaibatsu groups, with approximately 1,200 firms linked in this system, are being liquidated. All principal officers and influential members of this industrial empire are being ousted. Thus the economic stranglehold upon the people in restriction of free enterprise, made possible by close alliance between Government and concentrated wealth, is being inexorably broken.

Striking at the roots of feudalism, an agrarian reform program, now under way, will enable about 2,000,000 tenant farmers of Japan to purchase the lands they now work. Shaped to break down the large land holdings into 2½- to 10-acre parcels, with their disposal provided for under conditions which will permit their ready acquisition, this program will correct one of the notorious evils which has long plagued individual economy and held in serfdom the underprivileged agricultural workers of Japan.

The task is by no means complete, but a decisive advance toward the achievement of our major objectives has been made.

Delivery of Relief Supplies to China

STATEMENT BY ASSISTANT SECRETARY CLAYTON¹

[Released to the press August 28]

The Director General of UNRRA recently announced that, due to unfavorable conditions of distribution within China, shipment of certain categories of relief goods would be temporarily suspended. Numerous inquiries since then have noted that deliveries to China have continued despite this order. It should be remembered, however, that neither food shipments nor some shipments of urgently needed emergency supplies have been suspended. These will continue. According to UNRRA, the reason for the continued delivery of other supplies is that about 50 vessels already afloat or loading at the time of the suspension order were permitted to proceed as scheduled.

The full effect of the suspension order, I am informed, will not be felt for several more weeks. In the meantime, efforts are being made to alleviate the unsatisfactory conditions of distribution

which existed. It is hoped that through these efforts and the opening up of additional Chinese ports the resumption of shipments will not be too long delayed. An attack on a major distribution bottleneck has already been made by the Central Bank of China's advancing 80 billion Chinese dollars (one United States dollar equals CH\$3,350) to the Chinese National Relief and Rehabilitation Administration to meet local expenses connected with the movement of supplies.

In view of the needs of the Chinese people it is hoped that future conditions will permit UNRRA to make its most effective contribution to meet these needs.

UNRRA shipments to China to June 30, 1946 totalled 194 million dollars in value and included 65 million dollars' worth of food.

¹Made on Aug. 28, 1946.

U. S. Objectives in Policy Toward Korea

[Released to the press August 20]

The United States wishes to see a united, independent, and democratic Korean government established as early as possible and has made solemn commitments to aid the Korean people to achieve their independence. This is the sole reason why Americans are in Korea. To attain this end, the United States is ready to carry out the Moscow Decision, including the continuation at any time of the work of the Joint Commission, and has instructed its commander in Korea, General Hodge, to assure the Korean people that the United States will uphold its commitments and will stand by them until these commitments are fully achieved.

We believe in the right of the Korean people to determine for themselves the kind of economy and democratic political organization they require and are opposed to establishing any minority group in power. We stand for freedom of speech, of assembly, and of the press. Honest criticism is not considered a crime, but is welcomed, and in many cases programs are modified as good suggestions are received. All political parties have functioned freely in South Korea.

The United States has no imperialistic aims in Korea. Military government was established to take over when Japanese rule collapsed; it is temporary in nature. The United States gains no economic advantages in Korea from our occupation.

The major objectives of military government may be summarized as follows:

The stimulation of production in order to relieve the accumulated shortage of consumers' goods.

The assurance of a fair collection and distribution of food and other essentials so that all people may have enough to eat and share equally in other goods.

The restoration of trade between Korea and other nations so that the country will develop a healthy economy independent of Japan.

The development of democratic labor organizations and improvement of labor conditions.

Land reforms which will reflect the wishes of the Koreans and their desire to replace wide-spread tenancy with full ownership of the land by the individual farmer.

A stable currency and price level that will achieve a fair balance between the farmer, the laborer, and other segments of society.

The removal of all monopolistic controls in the hands of individuals and the prevention of an unhealthy concentration of wealth, particularly in the hands of those who attained their wealth through collaboration with the Japanese.

The expansion of educational opportunities and cooperation in the development of national culture.

The establishment of an impartial judiciary and a Korean police force free from domination by any group or faction.

The delay in uniting the country has made it essential that we proceed in South Korea with the solution of urgent social and economic problems along lines which embody the will of the Korean people. Therefore we desire to establish cooperation between all political parties and a Korean legislative body, to express Korean views and aspirations, and to provide Korean leadership.

Elizabeth Gray Vining Selected as Tutor for Japanese Crown Prince

At the request of George D. Stoddard, chairman of the United States Education Mission which visited Japan in March, Assistant Secretary William Benton disclosed on August 26 that Mrs. Elizabeth Gray Vining of Philadelphia, Pa., has been selected by Dr. Stoddard as tutor for the Crown Prince of Japan.

Dr. Stoddard, who is now president of the University of Illinois, was asked by the Emperor of Japan to find a suitable tutor for the Crown Prince. The request was made during the Commission's audience with the Emperor. The Commission had been named by Mr. Benton, at the request of the War Department and of General MacArthur, to assist in the revision of the Japanese educational system.

In addition to the private instruction of the Crown Prince, Dr. Stoddard states that Mrs. Vining's duties will include instruction at the Peers' School, which the Crown Prince attends as an ordinary student in the Middle School Department.

Investigation of Irregularities in Sale of Surplus Property in Shanghai

[Released to the press August 26]

Statement issued to the press in Shanghai on the morning of August 26, 1946 by Thomas B. McCabe, Special Assistant to the Secretary of State and Foreign Liquidation Commissioner

An investigation is being made into charges of irregularities in the sale of American surplus property by the Shanghai office of the Foreign Liquidation Commissioner, Thomas B. McCabe, Special Assistant to the Secretary of State and Foreign Liquidation Commissioner, announced here this morning.

Mr. McCabe revealed that allegations of irregularities came to the attention of his Washington office July 24 and that he immediately sent field investigators to Shanghai for a complete investigation.

Shortly after Mr. McCabe's arrival in Shanghai from Washington, B. A. Johnson, local Foreign Liquidation Commissioner, after consultation with Monnett B. Davis, American Consul General, requested an investigation by the Inspector General's section of the United States Army's China Service Command.

"Both investigations are under way", Mr. McCabe said, "and an appropriate statement will be made in due course. It has always been the Foreign Liquidation Commission's policy to have any charges of irregularities investigated promptly."

Representative Executive Council Formed in India

STATEMENT BY

ACTING SECRETARY ACHESON¹

The Department has, of course, followed with great interest the negotiations which have been going on for a political settlement in India and

welcomes the announcement that a representative Executive Council, composed entirely of Indians, will take office on September 2. The Viceroy and the parties to be represented in the Government deserve the highest commendation for the patience and statesmanship which have made this important development possible. The composition of the new Council makes it clear that its members are entitled to speak on behalf of a great majority of the Indian people. They have the best wishes of the United States in their efforts to effect a peaceful transition to complete freedom.

It is regrettable that the Muslim League has not decided to participate, but it is to be hoped that it may later find it possible to do so.

Treaty Obligations and Philippine Independence

REPLY OF PORTUGUESE
GOVERNMENT TO U. S. NOTE²

EMBAIXADA DE PORTUGAL,
Washington, August 26, 1946.

SIR:

With reference to Your Excellency's note of 18 May, 1946, I have the honour to inform your Excellency, under instructions, that the Portuguese Government agrees to the proposal set out in Your Excellency's note quoted above, according to which the provisions of the Commercial Arrangement between Portugal and the United States of America effected by an exchange of notes signed June 28, 1940, shall not be understood to require extension to Portugal of advantages accorded by the United States to the Philippines, during the transitional period covered by the Philippine Trade Act approved April 30, 1946.

I avail [etc.]

BLANCHI

The Honourable DEAN ACHESON
Acting Secretary of State

¹ Made on Aug. 27, 1946 and released to the press on the same date.

² U. S. note is similar to note sent to Bolivian Government as printed in BULLETIN of June 16, 1946, p. 1949.

Swedish-Soviet Trade Negotiations

U.S. STATEMENT ON EXCHANGE OF NOTES BETWEEN SWEDEN AND THE U.S.S.R.

[Released to the press August 30]

1. The United States Government has communicated to Sweden and the Union of Soviet Socialist Republics its desire to promote multilateral trade on a non-discriminatory basis in accordance with its *Proposals for Expansion of World Trade and Employment*.

2. It has not protested the conclusion of a Swedish-U.S.S.R. trade agreement, but it has stated its concern regarding the effect of long-term, bilateral agreements of an exclusive nature for the exchange of goods on our objectives for the multilateral expansion of trade.

3. It has indicated its hope that Sweden will have inserted in any bilateral agreement an appropriate clause permitting modification to conform to any general agreements providing for trade expansion on a multilateral basis.

4. In the note to the U.S.S.R. the same general comments regarding expansion of trade were made. In addition, the hope was expressed that the U.S.S.R. would not undertake commitments which would be contrary to the principles contained in article VII of the Mutual Aid Agreement concluded between the U.S. and the U.S.S.R. on June 11, 1942, or which would prejudice the objectives of the forthcoming Conference on Trade and Employment.

5. The U.S.S.R. has replied to the effect that the character of the trade negotiations being carried on with Sweden bears no relationship to the principles set forth in article VII.

6. No reply has been received from the Swedish Government.

Arrangement With Brazil on Coffee Prices

[Released to the press August 21]

The Department of State announced on August 21 that a memorandum of understanding had been signed by Brazilian Ambassador Carlos Martins and Assistant Secretary Spruille Braden on the subject of coffee prices and supplies, containing the following provisions:

1. The Government of the United States will take immediate steps to increase green coffee price ceilings by 8.32 cents a pound ex-dock New York above the ceilings announced by the United States Government December 27, 1941, in price schedule RPS 50.

2. The Government of Brazil will not increase its minimum export prices or its export taxes on coffee above present levels.

3. The Government of Brazil will not alter its exchange rates in such a way as to increase the cost of coffee to the buyer or otherwise restrict the flow of coffee.

4. Should such action be necessary to assure an adequate flow of coffee under this arrangement,

the Government of Brazil, upon the request of the Government of the United States, will place coffee on the market at the prices provided for in this arrangement up to a total of 3,000,000 bags. The Government of Brazil may be called upon to supply up to 500,000 bags of such coffee a month. The grades of this coffee will range from Santos 2s to Santos 5s, inclusive, the percentage of each grade to approximate the proportion of such grades exported to the United States during 1941 and the cup quality of the coffee to be soft or better.

5. The Government of Brazil will, in general, refrain from taking any action likely to encourage withholding of coffee from the market.

6. This arrangement will endure until March 31, 1947, or so long as coffee is subject to price control in the United States, whichever is the shorter period.

This understanding replaces an understanding of similar tenor signed June 26 and reflects the new increase in coffee ceilings announced by the Office of Price Administration on August 14.

Freedom of the Airways

On August 31 a discussion of the freedom of the airways was broadcast over the NBC network. The participants in the broadcast were Edward P. Warner, President of the Interim Council of the Provisional International Civil Aviation Organization, and Garrison Norton, Director of the Office of Transport and Communications Policy, Department of State. For complete text of the radio discussion, see Department of State press release 603 of August 30.

ROSS—Continued from page 151.

warning signs, special safety services, and safety committees, as well as education in matters of industrial safety and health.

The sessions of the Metal Trades Committee were held in a somewhat acrimonious atmosphere. This condition arose in large measure from the vagueness of the industrial area included in metal trades and the difficulties encountered in establishing a common ground. Despite the numerous disagreements, the reports of its subcommittees were unanimously adopted by the Metal Trades Conference.

The essentially practical nature of the decisions taken by the initial sessions of the two world industrial committees seems to indicate that they may look forward to a period of useful activity. At least such appeared to be the view of the Governing Body of the ILO when, at its ninety-eighth session in Montreal in May 1946, it endorsed the past achievements of the committees and expressed its confidence in the importance of the industrial committee program by voting funds for the extension of personnel and the convening of meetings during 1947. Not the least among the accomplishments of the two committee meetings were the visits to outstanding industrial plants to give the delegates a first-hand opportunity to observe modern production organization and processes. These visits proved so valuable that employers and workers members requested the Governing Body of the ILO to include such visits on the agenda of future meetings.

The Department

Departmental Regulations

133.1 Special Assistant to the Secretary for Research and Intelligence: (Effective 7-1-46)

I POSITION. The Special Assistant to the Secretary for Research and Intelligence shall rank with the Assistant Secretaries.

II FUNCTIONS. The Special Assistant to the Secretary for Research and Intelligence shall be responsible for:

A Advising and assisting the Secretary in the development and implementation of a coordinated program for the procurement and production of positive foreign intelligence needed by the Department of State;

B Advising and assisting the Secretary in the development and implementation of a comprehensive and coordinated foreign intelligence program for the United States;

C Directing the Office of Intelligence Coordination and Liaison (OCL) and the Office of Intelligence Collection and Dissemination (OCD);

D Serving as Chairman of the Advisory Committee on Intelligence (ACI);

E Representing the Secretary of State and the Department on the Intelligence Advisory Board (to advise the Director of Central Intelligence of the National Intelligence Authority), the Joint Intelligence Committee of the Joint Chiefs of Staff, and other high level interdepartmental committees, and in all other relations with the Central Intelligence Group of the National Intelligence Authority and other interdepartmental intelligence agencies, including supervision of the Department's participation in such groups.

III ORGANIZATION. The Office of the Special Assistant to the Secretary for Research and Intelligence shall include such advisers, assistants, and appurtenant staff as may be necessary, and as the Assistant Secretary for Administration may from time to time approve, as well as a Special Projects Staff (SPS) which shall serve the appropriate officials of the Department with information obtained from special sources and shall represent the Department on interdepartmental groups responsible for exploiting such sources.

133.20 Office of Intelligence Coordination and Liaison (OCL):¹ (Effective 7-1-46)

I FUNCTIONS. Under the general direction of the Special Assistant to the Secretary for Research and Intelligence, and pursuant to policies established by him, OCL is responsible for:

A Assisting the Advisory Committee on Intelligence

¹ Revisions and additions to regulation printed in BULLETIN of May 12, 1946, p. 827.

(ACI) as provided in Departmental Regulation 181.5, in the development and coordination of a Departmental program of intelligence research;

B Effecting Departmental adherence to research programs and priorities established by ACI.

C Establishing and maintaining standards of intelligence research and analysis;

D Organizing and supervising inter-regional research projects;

E Providing evaluated positive research intelligence in functional fields of study, and preparing or participating in the preparation of reports, studies, and estimates for authorized recipients in the Department, the Central Intelligence Group (CIG), and other Government agencies;

F Directing map intelligence, cartographic activities, and maintaining comprehensive map library facilities;

G Providing specified personnel and services for the National Intelligence Authority (NIA), the Joint Intelligence Studies Publishing Board (JISPB), and other joint intelligence agencies, and maintaining appropriate administrative control over such personnel;

H Maintaining liaison with other agencies of the Government and with private institutions for the purpose of utilizing pertinent research facilities.

I The authority of OCL with respect to functions in paragraphs I B, C, and D above shall be limited to OCL, the Office of Intelligence Collection and Dissemination (OCD), and the research Divisions of the geographic Offices. OCL shall in addition take the initiative in developing, with the cooperation and consent of other Offices and Divisions engaged in research of any character, a joint program for the exchange of information, the acceptance of common standards, the sharing of facilities, the issuance of joint progress reports, and the coordination of research work throughout the Department.

H ORGANIZATION. OCL shall consist of:

A Office of the Director.

B Intelligence Coordination Division (ICD).

C Division of International and Functional Intelligence (IFI).

D Division of Map Intelligence (MI).

III FUNCTIONS OF THE OFFICE OF THE DIRECTOR. The Office of the Director shall be responsible for planning, directing and coordinating the work of the component Divisions of the Office, and for directing Department of State participation in NIA, JISPB, and other joint intelligence agencies.

133.21 Intelligence Coordination Division (ICD): (Effective 7-1-46)

I FUNCTIONS. Under the general direction of the Director of the Office of Intelligence Coordination and Liaison (OCL) and in accordance with the over-all intelligence program established by the Advisory Committee on Intelligence (ACI) and the Special Assistant to the Secretary for Research and Intelligence, ICD is responsible for:

A Proposing plans and policies for Departmental intelligence research for consideration by ACI and its Subcommittee on Programs and Priorities (SPP), and

developing procedures to implement the policies and programs established and to coordinate them with the research policies and programs of the National Intelligence Authority (NIA) and other agencies.

B Planning, coordinating and controlling the implementation of research programs, administering priorities (and security classification) and organizing task groups for specific research projects.

C Furnishing an Executive Secretary (Chief of ICD) and secretariat for ACI and SPP.

D Formulating for approval of ACI standards of intelligence research for the Department and maintaining standards as approved by ACI.

E Providing review of all intelligence reports, compiling and circulating a Departmental report on the current status of Departmental intelligence projects, and controlling dissemination of finished reports.

F Participating in Departmental and interdepartmental committees concerned with plans and programs for research.

G In carrying out the above functions, ICD shall provide for the coordination of the activities of OCL, the Office of Intelligence Collection and Dissemination (OCD) and the research Divisions of the geographic Offices. In addition, ICD shall take the initiative in developing, with the cooperation and consent of other Offices and Divisions engaged in research of any character, a joint program for the exchange of information, the acceptance of common standards, the sharing of facilities, the issuance of joint progress reports, and the coordination of research work throughout the Department.

H ORGANIZATION. ICD shall consist of:

A Office of the Chief.

B Program and Priorities Section.

C Review Section.

133.22 Division of International and Functional Intelligence (IFI): (Effective 7-1-46)

I FUNCTIONS. Under the general direction of the Director of the Office of Intelligence Coordination and Liaison (OCL) and in accordance with the over-all intelligence program established by the Advisory Committee on Intelligence (ACI) and the Special Assistants to the Secretary for Research and Intelligence, IFI is responsible for:

A Planning and implementing a program of research and analysis on functional subjects which extend across regional lines or require personnel not available in other research organizations of the Department, to meet the Department's requirements in these fields of study for determination of the foreign policy of the United States Government.

B Integrating, for implementation of the Departmental intelligence program, the resources for functional research which are available throughout the Department, in other Governmental agencies, and in private organizations.

C Providing evaluated positive intelligence in functional fields of study, and preparing or participating in the preparation of reports, studies, and estimates for authorized recipients in the Department, the Central Intelligence Group (CIG), and other Government agencies.

D Formulating for the approval of ACI standards of intelligence research and analysis and maintaining such standards as approved.

E Collaborating with the Intelligence Coordination Division (ICD) in the formulation of a Departmental program of research.

F Collaborating with the Office of Intelligence Collection and Dissemination (OCD) in planning and implementing the Department's program for the procurement of intelligence materials from all sources, currently evaluating, as a part of the research process, incoming materials with a view to improving the relevance, accuracy, and timeliness of the reporting sources.

G Consulting and advising on functional subjects with other elements of the Department or with other agencies as required by Departmental policy.

II ORGANIZATION. IPI shall consist of:

A Office of the Chief, including an Associate Chief and such consultants and appurtenant staff as may be deemed necessary.

B Trade and Finance Section.

C Transport and Communications Section.

D Food and Agriculture Section.

E Social and Cultural Affairs Section.

F Population and Labor Section.

G Natural Resources Section.

H Economic Resources Section.

I Technological Developments Section.

III FUNCTIONS OF COMPONENT SECTIONS. Under the planning, direction, and administration of the Chief, IPI, the functions of the sections shall be to conduct and correlate research on the international and inter-regional aspects of functional intelligence, as follows:

A *Trade and Finance Section:* trade, commercial policies, balance of payments, flow of investment, and other financial, monetary, and fiscal questions, and the position and policies of all countries in these matters.

B *Transport and Communications Section:* telecommunications and transport by land, water, and air, and the position and policies of all countries in these matters.

C *Food and Agriculture Section:* agricultural resources, production, and distribution, and standards of living throughout the world.

D *Social and Cultural Affairs Section:* education, public opinion, modes and methods of cultural expression, health, and social welfare, treatment of minorities and displaced persons, native policies in dependent areas, and other aspects of social and cultural developments.

E *Population and Labor Section:* ethnic, demographic, and occupational situations, governmental policies in employment, organization of labor, immigration, emigration, and wages.

F *Natural Resources Section:* mineral and other natural resources and industries, consumption trends, processes and development, and governmental policies and control.

G *Economic Resources Section:* industrial and economic developments, with reference to trends in organization and corporate structure, government controls and nationalization, exploitation of resources and application of research.

H *Technological Developments Section:* foreign technological developments of a non-military nature together with such military technological research as is significant, economically or politically, to the formulation of foreign policy.

133.23 Division of Map Intelligence (MD): (Effective 7-1-46)

I FUNCTIONS. Under the general direction of the Director of the Office of Intelligence Coordination and Liaison (OCL) and in accordance with the over-all intelligence program established by the Advisory Committee on Intelligence (ACI) and the Special Assistant to the Secretary for Research and Intelligence, MI is responsible for:

A Serving the Department and other Government agencies with the procurement, evaluation, analysis, and interpretation of foreign map and other cartographic intelligence. This includes:

1 Carrying on continuous research and analysis leading to the preparation and publication of reports on interpretive map evaluation, coverage, and technical map intelligence on foreign areas.

2 Planning and initiating foreign map procurement by instruction, purchase or negotiation with foreign map agencies, and administering, professionally, such overseas outposts as may be established in the implementation of map procurement.

3 Participating in the development of coordinated inter-agency and inter-governmental mapping and map collection programs and procedures.

4 Processing and evaluating incoming intelligence materials involving map problems with respect to relevance, accuracy, and timeliness.

5 Planning adequate map intelligence facilities for use at international conferences.

6 Assisting other Offices of the Department in the selection and study of published maps required in the consideration of specific problems.

B Serving the Department and other Government agencies by developing and preparing new maps and other cartographic materials. This includes:

1 Initiating basic mapping programs and developing cartographic techniques and methods of map presentation for the Department and other Government agencies.

2 Planning, compiling, and preparing layout specifications for specialty maps.

3 Constructing final drawings and preparing specifications for map reproduction.

C Serving the Department and other Government and non Government agencies by maintaining a comprehensive collection of maps, atlases, gazetteers, and other cartographic reference materials necessary to the consideration of international questions and other matters. This includes:

1 Routine procurement of published maps and atlases from domestic and foreign map agencies and publishing houses.

2. Maintaining a comprehensive map collection and cataloging, indexing, filing, and lending these maps.

3. Furnishing reference facilities and advice in the selection of published maps, atlases, gazetteers, and other cartographic reference materials for specific use.

II ORGANIZATION. MI shall include the following:

- A. Office of the Chief.
- B. Map Intelligence Branch.
- C. Cartography Branch.
- D. Map Library Branch.

133.30 Office of Intelligence Collection and Dissemination (OCD):¹ (Effective 7-1-46)

I FUNCTIONS. OCD shall be responsible, under the general direction of the Special Assistant to the Secretary for Research and Intelligence, for:

- A. Acquiring and distributing intelligence source materials.
- B. Maintaining, cataloging, and indexing the central collection of intelligence materials and reports of the Department.

II ORGANIZATION. OCD shall be composed of the following organization units, with routing symbols as indicated:

- A. Office of the Director (OCD).
- B. Acquisition and Distribution Division (IAD).
- C. Reference Division (REF).
- D. Biographic Information Division (BI).

III FUNCTIONS OF THE OFFICE OF THE DIRECTOR. The Office of the Director of OCD shall be responsible for coordinating and directing the activities of the component Divisions of the Office.

133.31 Acquisition and Distribution Division (IAD): (Effective 7-1-46) IAD of the Office of Intelligence Collection and Dissemination (OCD) shall be responsible, under the general direction of the Director of OCD, for:

I. Procuring intelligence materials to meet existing and anticipated needs of the Department. This will include the issuance of requests and directives to reporting officers in the field.

II. Distributing incoming intelligence materials within the Office of Intelligence Coordination and Liaison (OCL), OCD, and the research Divisions of the geographic Offices, and, as to materials not handled by the Division of Communications and Records (DCR) or the Division of Foreign Reporting Services (FRS), to the Offices of the Department and to other authorized Government agencies.

III. Cooperating with the Division of Map Intelligence (MI) and with the Library of the Department to insure the efficient and integrated procurement of maps and publications without duplication of effort.

IV. Coordinating in detail the intelligence-acquisition program of the Department with those of other Government agencies.

V. Procuring for and distributing to various Government agencies foreign publications received through American Foreign Service officers.

133.32 Reference Division (REF): (Effective 7-1-46) REF of the Office of Intelligence Collection and Dissemination (OCD), shall be under the general direction of the Director of OCD, for:

I. Maintaining, cataloging, indexing, and classifying by subject the central collection of intelligence materials and reports of the Department.

II. Servicing requests for intelligence materials. This will include borrowing or arranging to borrow materials from other Government agencies and from non-Government organizations.

III. Informing users of the receipt of new intelligence, and informing the Acquisition and Distribution Division (IAD) of the needs for new intelligence materials.

IV. Preparing annotated bibliographies on current and long-range research and intelligence subjects.

V. Cooperating with the Library of the Department, the Biographic Information Division (BI), and the Division of Map Intelligence (MI) to insure that general, biographic, and map reference activities are carried on without duplication of effort and as parts of an integrated program as determined by the Director of OCD.

133.33 Biographic Information Division (BI): (Effective 7-1-46) BI of the Office of Intelligence Collection and Dissemination (OCD), shall be responsible, under the general direction of the Director of OCD, for:

I. Systematically organizing and evaluating factual information and opinions concerning persons in foreign countries, who are of intrinsic importance or whose activities or views may be considered significant for the United States in connection with the determination and implementation of foreign policy.

II. Preparing, in cooperation with other interested Divisions of the Department, reports covering the background, career, role, influence, connections, and policies of such persons.

III. Participating with other Divisions of the Department in the development of programs for the collection and distribution of biographic intelligence.

141.10 Office of Near Eastern and African Affairs (NEA): (Effective 7-1-46)

I DIVISION OF RESEARCH FOR NEAR EAST AND AFRICA (DRN).

A Functions. Under the general direction of the Director of NEA, and in accordance with the over-all intelligence program established by the Advisory Committee on Intelligence (ACI) and the Special Assistant to the Secretary for Research and Intelligence, DRN is responsible for:

- 1. Planning and implementing a program of research and analysis, pursuant to standards set by ACI and maintained by the Office of Intelligence Coordination and Liaison (OCL);
- 2. Providing evaluated positive intelligence on the countries of the Near East and Africa to meet the De-

¹ Revision of regulations printed in BULLETIN of May 12, 1946, p. 827.

partment's requirements for the formulation of the foreign policy of the United States Government toward those countries;

3 Collaborating with ACI and OCL in the formulation of a Departmental program for basic research;

4 Collaborating with the Office of Intelligence Collection and Dissemination (OCD) in planning and implementing the Department's program for the procurement of intelligence materials from all sources, and evaluating, as an integral part of the research process, incoming materials with a view to improving the relevance, accuracy and timeliness of the reporting services;

5 Preparing intelligence reports, studies and estimates for, and supplying spot information to, the geographic Divisions of and other authorized recipients in the Department, the Central Intelligence Group (CIG), and other Government agencies;

6 Cooperating with the Special Assistant for Research and Intelligence in providing assistance to Departmental and interdepartmental intelligence and research groups, including CIG.

B Area of Responsibility. The area of responsibility of DRN shall be as follows: all of Africa, except Algeria and the Union of South Africa; all the Near and Middle Eastern countries, including Greece, India, and Burma; and secondary interests, in collaboration with the appropriate research Divisions, in countries which are closely related to the areas of primary responsibility.

C Organization. DRN shall consist of the following:

- 1 Office of the Chief, including such staff aides as may be necessary.
- 2 African Branch.
- 3 Near Eastern Branch.
- 4 Middle Eastern Branch.

141.20 Office of Far Eastern Affairs (FE): (Effective 7-1-46)

I DIVISION OF RESEARCH FOR FAR EAST (DRF).

A Functions. Under the general direction of the Director of FE, and in accordance with the over-all intelligence program established by the Advisory Committee on Intelligence (ACI) and the Special Assistant to the Secretary for Research and Intelligence, DRF is responsible for:

1 Planning and implementing a program of research and analysis, pursuant to standards set by ACI and maintained by the Office of Intelligence Coordination and Liaison (OCL);

2 Providing evaluated positive intelligence on the countries of the Far East to meet the Department's requirements for the formulation of the foreign policy of the United States Government toward those countries;

3 Collaborating with ACI and OCL in the formulation of a Departmental program for basic research;

4 Collaborating with the Office of Intelligence Collection and Dissemination (OCD) in planning and implementing the Department's program for the procurement of intelligence materials from all sources, and evaluating, as an integral part of the research process,

incoming materials with a view to improving the relevance, accuracy and timeliness of the reporting services;

5 Preparing intelligence reports, studies and estimates for, and supplying spot information to, the geographic Divisions of FE, and other authorized recipients in the Department, the Central Intelligence Group (CIG), and other Government agencies;

6 Cooperating with the Special Assistant for Research and Intelligence in providing assistance to Departmental and interdepartmental intelligence and research groups, including CIG.

B Area of Responsibility. The area of responsibility of DRF shall be as follows: China, Korea, Japan, Philippine Islands, Siam, French Indo-China, Malayan Union and Singapore, Netherlands East Indies, and other islands and territories in this area; and secondary interests, in collaboration with the appropriate research Divisions, in countries which are closely related to the area of primary responsibility.

C Organization. DRF shall consist of the following:

- 1 Office of the Chief, including such staff aides as may be necessary.
- 2 China Branch.
- 3 Japan Branch.
- 4 Southern Areas Branch.

141.30 Office of European Affairs (EUR): (Effective 7-1-46)

I DIVISION OF RESEARCH FOR EUROPE (DRE).

A Functions. Under the general direction of the Director of EUR and in accordance with the over-all intelligence program established by the Advisory Committee on Intelligence (ACI) and the Special Assistant to the Secretary for Research and Intelligence, DRE is responsible for:

1 Planning and implementing a program of research and analysis, pursuant to standards established by ACI and maintained by the Office of Intelligence Coordination and Liaison (OCL);

2 Providing evaluated positive intelligence on the European countries to meet the Department's requirements for the formulation of the foreign policy of the United States Government toward those countries;

3 Collaborating with ACI and OCL in the formulation of a Departmental program for basic research;

4 Collaborating with the Office of Intelligence Collection and Dissemination (OCD) in planning and implementing the Department's program for the procurement of intelligence materials from all sources, and evaluating, as an integral part of the research process, incoming materials with a view to improving the relevance, accuracy and timeliness of the reporting services;

5 Preparing intelligence reports, studies and estimates for, and supplying spot information to the geographic Divisions of EUR, and other authorized recipients in the Department, the Central Intelligence Group (CIG) and other Government agencies;

6 Cooperating with the Special Assistant for Research and Intelligence in providing assistance to De-

partmental and interdepartmental intelligence and research groups, including CIG.

B. Area of Responsibility. The area of responsibility of DRE shall be as follows: all of continental Europe except European Turkey and Greece; the Soviet Union; Great Britain, Ireland, Australia, Canada, New Zealand, and the Union of South Africa; Algeria; European dependencies in South America and the Caribbean; and secondary interests, in collaboration with the appropriate research Divisions, in countries which are closely related to the areas of primary responsibility.

C. Organization. DRE shall consist of the following:

- 1 Office of the Chief, including such staff aides as may be necessary.
- 2 Central European Branch.
- 3 Northern and Western European Branch.
- 4 Southern European Branch.
- 5 British Commonwealth Branch.
- 6 Eastern European Branch.

142.10 Office of American Republic Affairs (ARA): (Effective 5-1-46)

1. DIVISION OF SPECIAL INTER-AMERICAN AFFAIRS (IA). (Effective 5-1-46) The Inter-American System embraces the multilateral relationship among the twenty-one republics of the western hemisphere. The International Conferences of American States are the major organ through which the governments of the American states establish policies governing their cooperation and multilateral relationship. The Pan American Union is the central permanent agency representing the American republics, consisting of a Governing Board on which all countries are represented, and a secretariat which carries out the directions of the conferences. There are in addition technical and specialized agencies, among which may be listed the Pan American Sanitary Bureau, the Inter-American Institute of Agricultural Sciences, the Inter-American Radio Office, etc. The cooperation of the American republics, which has been intensified since the adoption of the Good Neighbor Policy in 1933, concerns not only the economic, cultural and social welfare of the peoples of the Americas, but also the security of the western hemisphere. Meetings of Foreign Ministers, initiated in 1939, deal with mutual problems of common concern to the twenty-one republics. At the present time the United States is particularly concerned with the development of the inter-American system as a regional arrangement within the framework of the United Nations Charter.

A. Functions.

1. The Division of Special Inter-American Affairs, Office of the American Republic Affairs, has responsibility for the following functions:

- a.* Initiation and coordination of policy and action regarding the Inter-American System, its agencies, organs, and conferences.
- b.* Liaison and consultation on behalf of ARA with the Office of Special Political Affairs (SPA) in matters of policy and action concerning the organization and functions of the Inter-American System and its relations with the United Nations; and, concerning

relationships with other American republics arising from their membership and participation in the United Nations.

c. Initiation and coordination of general policy and action regarding relations with the other American republics in the field of military and naval affairs. The Division shall be responsible for the provision, by the Office, of the Department's secretariat for the State-War-Navy Coordinating Subcommittee for Latin America.

d. Formulation and recommendation of policy and action to be adopted by ARA on special problems having a general, inter-American application, as distinguished from those falling within the scope of the respective geographic divisions.

e. In general, the maintenance of liaison with other Offices of the Department of State and with other departments and agencies with reference to policy aspects of Inter-American affairs that are outside the scope of the geographic divisions.

2. In carrying out the responsibilities, the Chief of the Division shall act for the Director in assigned capacities.

II DIVISION OF RESEARCH FOR AMERICAN REPUBLICS (DRA). (Effective 7-1-46)

A. Functions. Under the general direction of the Director of ARA and in accordance with the over-all intelligence program established by the Advisory Committee on Intelligence (ACI) and the Special Assistant to the Secretary for Research and Intelligence, DRA, is responsible for:

1. Planning and implementing a program of research and analysis, pursuant to standards established by ACI and maintained by the Office of Intelligence Coordination and Liaison (OCL);
2. Providing evaluated positive intelligence on the Latin American countries (20) to meet the Department's requirements for the formulation of the foreign policy of the United States toward those countries;
3. Collaborating with ACI and OCL in the formulation of a Departmental program for basic research;
4. Collaborating with the Office of Intelligence Collection and Dissemination (OCD) in planning and implementing the Department's program for the procurement of intelligence materials from all sources, and evaluating, as an integral part of the research process, incoming materials with a view to improving the relevance, accuracy and timeliness of the reporting services;
5. Preparing intelligence reports, studies and estimates for, and supplying spot information to the geographic Divisions of ARA, and other authorized recipients in the Department, the Central Intelligence Group (CIG) and other Government agencies;
6. Cooperating with the Special Assistant for Research and Intelligence in providing assistance to Departmental and Interdepartmental intelligence and research groups, including CIG.

B. Area of Responsibility. The area of responsibility of DRA shall be as follows: Mexico and Central and South America, and the island republics of the Caribbean

Sea; and secondary interests, in collaboration with the appropriate research Divisions, in countries which are closely related to the areas of primary responsibility.

C. *Organization.* DRA shall consist of the following:

- 1 Office of the Chief including such staff aides as may be necessary.
- 2 Mexico and Caribbean Section.
- 3 North and West Coast Section.
- 4 River Plate and Brazil Section.
- 5 Functional Analysis Section.
- 6 Reference Section.

1824 Department of State Participation in Interdepartmental Intelligence Activities: (Effective 7-1-46)

I. CENTRAL INTELLIGENCE GROUP (CIG), NATIONAL INTELLIGENCE AUTHORITY (NIA). Personnel of the Department of State assigned to CIG, shall remain under the administrative control of the Director, Office of Intelligence Coordination and Liaison (OCL), and shall be operationally responsible to the Director of Central Intelligence in accordance with the letter from the President to the Secretary of State, Secretary of War, and Secretary of the Navy dated January 22, 1946, which established NIA and CIG, and directed that:

A. "Within the limits of available appropriations, you shall each from time to time assign persons and facilities from your respective Departments, which persons shall collectively form a Central Intelligence Group and shall, under the direction of a Director of Central Intelligence, assist the National Intelligence Authority.

B. "Subject to the existing law, and to the direction and control of the National Intelligence Authority, the Director of Central Intelligence shall:

1. "Accomplish the correlation and evaluation of intelligence relating to the national security, and the appropriate dissemination within the Government of the resulting strategic and national policy intelligence. In so doing, full use shall be made of the staff and facilities of the intelligence agencies of your Departments.

2. "Plan for the coordination of such of the activities of the intelligence agencies of your Departments as relate to the national security and recommend to the National Intelligence Authority the establishment of such over-all policies and objectives as will assure the most effective accomplishment of the national intelligence mission.

3. "Perform, for the benefit of said intelligence agencies, such services of common concern as the National Intelligence Authority determines can be more efficiently accomplished centrally.

4. "Perform such other functions and duties related to intelligence affecting the national security as the President and the National Intelligence Authority may from time to time direct."

II. JOINT INTELLIGENCE STUDIES PUBLISHING BOARD (JISP). Personnel of the Department of State assigned to JISP shall remain under the administrative control of the Director, OCL, and shall be operationally responsible to the Board for the participation in coordinating and editing contributions from all participating Government

agencies to the Joint Army-Navy Intelligence Studies (JANIS) including contributive maps, charts and diagrams, and in completing the final studies.

1835 Advisory Committee on Intelligence (ACI):¹ (Effective 7-1-46)

I. FUNCTIONS. ACI shall serve as a consultative body to the Special Assistant to the Secretary for Research and Intelligence with respect to the:

A. Establishment and coordination of Departmental intelligence objectives and policies.

B. Implementation of Departmental policy with respect to the National Intelligence Authority (NIA)

C. Participation by the Department in any centralized operations or projects which the Director of the National Intelligence Authority may propose.

II. MEMBERSHIP. ACI is composed of the Special Assistant to the Secretary for Research and Intelligence, as Chairman; the Assistant Secretary for European, Far Eastern, Near Eastern, and African Affairs; the Assistant Secretary for American Republic Affairs; and the Assistant Secretary for Administration.

III. MEETINGS. The Committee will determine the time and place of its meetings and its procedures.

IV. SUBCOMMITTEE ON PROGRAMS AND PRIORITIES (SPP). The principal working subcommittee of ACI shall be SPP.

A. SPP shall formulate the over-all Departmental intelligence program and shall facilitate the detailed and current implementation of the programs and objectives approved by ACI by considering problems of organization and operation, establishing basic priorities for research and intelligence projects carried on within the Office of Intelligence Coordination and Liaison (OCL), the Office of Intelligence Collection and Dissemination (OCD), or any of the research Divisions in the geographic offices, and deciding disputed issues relating to projects and priorities.

B. SPP shall refer policy questions of primary importance to ACI.

C. SPP shall be composed of permanent members representing the Assistant Secretary for Economic Affairs, the Assistant Secretary for Public Affairs, the Special Assistant to the Secretary for Research and Intelligence, OCL, the Office of European Affairs (EPA), the Office of Near Eastern and African Affairs (NEA), the Office of Far Eastern Affairs (FEA), the Office of American Republic Affairs (ARA), and the Office of Special Political Affairs (SPA), designated by the Assistant Secretary or Office Director concerned. The Special Assistant to the Secretary for Research and Intelligence shall designate the Chairman and Vice-Chairman from among the permanent members.

V. ADDITIONAL SUBCOMMITTEES. ACI shall establish any additional subcommittees which it finds necessary and may direct the manner in which they shall function.

VI. SECRETARIAT. The Intelligence Coordination Division (ICD) shall provide the secretariat for ACI and its subcommittees.

¹Revisions of and additions to regulations printed in BULLETIN of May 12, 1946, p. 826.

Training Announcements

ORIENTATION CONFERENCES, SEPTEMBER 16-20, 1946

Foreign Service Orientation Conferences, 9 a. m.

SEPTEMBER 16

Political Objectives of American Foreign Policy

Harley Notter, Adviser, Office of Special Political Affairs (SPA)

SEPTEMBER 17

Economic Objectives of American Foreign Policy

Fisher Howe, Special Assistant to the Assistant Secretary of State for Economic Affairs (A-C)

SEPTEMBER 18

Introduction to India and the Far East

John B. Appleton, Assistant Chief, Division of Research for Far East (DRE)

SEPTEMBER 19

Background of World Politics

William Maddox, Chief, Division of Training Services (FSS)

SEPTEMBER 20

Introduction to the British Commonwealth of Nations and the British Empire

Joseph Sweeney, Acting Chief, British Commonwealth Branch (BRE)

These conferences are open to all personnel of the Department and the Foreign Service, room 474, main State Department building.

Personnel of other departments in Washington may attend by calling the registrar in advance on extension 3179.

Further information concerning orientation conferences may be secured from LeRoy H. Mayes, Special Assistant for Orientation Conferences, extension 3056.

Departmental Orientation Conferences, 10 a. m.

SEPTEMBER 16

Work and Problems of the Office of Public Affairs

Francis H. Russell, Acting Director, Office of Public Affairs (OPI)

SEPTEMBER 17

Work and Problems of the Office of International Information and Cultural Affairs

William T. Stone, Director, Office of International Information and Cultural Affairs (OIC)

SEPTEMBER 18

Cultural Objectives of American Foreign Policy

Kenneth Holland, Assistant Director, Office of International Information and Cultural Affairs (OIC)

SEPTEMBER 19

Political Problems of the Office of Special Political Affairs

Alger Hiss, Director, Office of Special Political Affairs (SPA)

SEPTEMBER 20

Research and Intelligence

W. Park Armstrong, Consultant to Special Assistant for Research and Intelligence (SA-L)

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September 15, 1946

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The Department of State BULLETIN, a weekly publication compiled and edited in the Division of Research and Publication, Office of Public Affairs, provides the public and interested agencies of the Government with information on developments in the field of foreign relations and on the work of the Department of State and the Foreign Service. The BULLETIN includes press releases on foreign policy issued by the White House and the Department, and statements and addresses made by the President and by the Secretary of State and other officers of the Department, as well as special articles on various phases of international affairs and the functions of the Department. Information concerning treaties and international agreements to which the United States is or may become a party and treaties of general international interest is included.

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The New Republic of the Philippines

Article by EDWARD W. MILL¹

A NEW REPUBLIC, the Republic of the Philippines, was born in Manila on July 4, 1946. This new republic, the product of 48 years of close Philippine-American cooperation, entered nationhood not only at a critical time in world history but also at a time when grave and pressing problems of national concern were demanding a solution.

Transfer of Sovereignty

Philippine independence was proclaimed by this Government through the medium of a special presidential proclamation issued by President Truman on July 4.² In this proclamation the President declared that the United States "withdraws and surrenders all rights of possession, supervision, jurisdiction, control, or sovereignty now existing and exercised by the United States of America in and over the territory and people of the Philippines . . ." and further, that the United States does "hereby recognize the independence of the Philippines as a separate and self-governing nation. . . ." This proclamation was read in Manila by retiring High Commissioner (Ambassador-designate) Paul V. McNutt before thousands of assembled Filipinos and world leaders gathered together to celebrate the dawn of Philippine independence.

At the same time in Manila a provisional agreement to cover interim relations between the two countries was signed, as was a treaty of general relations³ between the two countries. The provisional agreement was intended to cover the temporary period prior to the ratification by the governments of the two countries of the formal treaty of general relations. In a special message of July 30, President Truman submitted the treaty to the United States Senate, requesting "the earliest possible consideration of the treaty and protocol by the Senate."⁴ On July 31 the Senate gave its consent to the ratification of the treaty. This treaty contains eight articles, most of them further formalizing the grant of Philippine inde-

pendence. Article I provides for the withdrawal of American sovereignty over the Philippines by the United States and the recognition by the United States of the independence of the Philippines; article II provides for the rights to be accorded by each country to the diplomatic and consular officers of the other country; article III provides for the temporary representation of Philippine interests abroad by the American Foreign Service; article IV pertains to the assumption by the Republic of the Philippines of all debts and liabilities of the Philippines, its provinces, cities, municipalities, and instrumentalities; article V provides for the continued review by the United States Supreme Court of certain cases pending at the time of Philippine independence; article VI relates to the adjustment of certain claims between the two countries; article VII provides for the assumption by the Republic of the Philippines of the treaty obligations assumed by the United States in the treaties with Spain of December 10, 1898 and November 7, 1900; and article VIII provides for the ratification of the present treaty by the two governments. An accompanying protocol sets forth understandings of the two governments with respect to the purpose and scope of the treaty. This treaty will be the official document formalizing the transfer of sovereignty over the islands from the United States to the Republic of the Philippines.

Congress and the Philippines

As Philippine independence approached, it became imperative that the Congress of the United

¹ Mr. Mill is Acting Assistant Chief of the Division of Philippine Affairs, Office of Far Eastern Affairs, Department of State. For other articles by Mr. Mill on the Republic of the Philippines, see BULLETIN of Feb. 3, 1946, p. 148 and BULLETIN of June 9, 1946, p. 980.

² BULLETIN of July 14, 1946, p. 66.

³ BULLETIN of Aug. 11, 1946, p. 282.

⁴ See S. Ex. Rept. 10, 79th Cong., July 31, 1946.

States make adequate provisions for the change in relationship between the two countries. In the three months preceding independence a number of important legislative measures affecting Philippine-American relations were passed by the Congress and were signed into law by the President. Among the more important of these measures were Public Law 483 on the subject of Filipino naturalization and Public Law 454, known as the "Republic of the Philippines Military Assistance Act". In addition, a number of lesser acts were passed.⁵

Filipino Naturalization

Perhaps of greatest symbolic importance to Filipinos was the passage of the bill providing for the naturalization of Filipinos as American citizens. For many months bills have been before the Congress to wipe out the discriminatory barriers to Filipino naturalization in the United States.

Under the terms of the present Filipino Naturalization Act passed by the Congress, section 303 of the Nationality Act of 1940 is amended to make Filipinos racially eligible for naturalization.⁶

⁵ Among these was Public Law 485, 79th Cong., approved July 3, 1946, known as the "Philippine Property Act of 1946". For a time this bill stirred considerable opposition in Manila, but amendments were made in the act and it was finally adopted by the United States Congress. The act continues in force the Trading with the Enemy Act of Oct. 6, 1917, as amended, and authorizes the President of the United States to transfer to the Republic of the Philippines certain enemy alien property in the islands. Section 6 of the act also reaffirms the right of the United States to retain certain diplomatic and consular property and military and other bases as previously provided for in legislation of the Congress.

A very important bill which failed to pass during the closing minutes of the recent session of Congress was the so-called Filipino Veterans' Bill. This bill (S. 2255) provided a system of relief for veterans, and dependents of veterans, who served during World War II in the organized military forces of the Government of the Commonwealth of the Philippines while such forces were in the service of the armed forces of the United States pursuant to the Military Order of July 6, 1941 of the President of the United States. See *Congressional Record*, Aug. 2, 1946, p. 10909, for a more extensive discussion of the contents of this bill.

Other recent legislative enactments concerning the Philippines included: Public Law 654, 79th Cong., approved Aug. 7, 1946, "To authorize the continuance of the acceptance by the Treasury of deposits of public moneys from the Philippine Islands"; and Public Law 652, 79th Cong., approved Aug. 7, 1946, "To provide for the return of certain

Filipinos who entered the United States prior to May 1, 1934 are permitted to apply for naturalization at once and without filing the usual certificates of arrival or declarations of intention; Filipinos who arrived in the United States after 1934 are eligible to naturalization but must be naturalized according to the standard procedure now in effect. In addition, persons of the Philippine nationality will be eligible to come to the United States under a quota of 100 a year.

This bill rectifies a long injustice to the Filipino people and is a step calculated to strengthen further the close ties between the two peoples. Throughout the Philippines and especially in the Filipino communities of California and Hawaii, the measure was hailed with much satisfaction.⁷

Military Assistance for the Philippines

Another step taken by the Congress to provide for the post-independence relations of the two countries was to pass the bill known as the "Republic of the Philippines Military Assistance Act".⁸ This bill, among other things, authorized the President, "upon application by the Republic of the Philippines, and whenever in his discre-

securities to the Philippine Commonwealth Government".

⁶ Public Law 483, 79th Cong. (H. R. 3517), approved July 2, 1946, "An Act to authorize the admission into the United States of persons of races indigenous to India, and persons of races indigenous to the Philippine Islands, to make them racially eligible for naturalization, and for other purposes."

⁷ See also on this subject, S. Rept. 1439, 79th Cong., dated June 10, 1946.

⁸ High Commissioner McNutt, commenting on the naturalization bill on June 19, emphasized the importance of the passage of this legislation, declaring: "It would have been a source of major annoyance after July 4 to find Filipinos barred from entrance into the mother country. . . . To bar them from citizenship would have likewise been a source of rancor and a completely unjustified discrimination. These barriers were set up during the growing pains of the United States. The majority of the American people have long abandoned these prejudices. Filipinos are among the most welcome of those to be admitted to the United States on an immigration basis. The approval by Congress represents a recognition of an existing state of mind in America. . . ." (*Exec Philippines*, Manila, June 19, 1946.)

⁸ Public Law 454, 79th Cong. (H. R. 6572), approved June 20, 1946, "An Act to provide military assistance to the Republic of the Philippines in establishing and maintaining national security and to form a basis for participation by that government in such defensive military operations as the future may require." See also S. Rept. 1383, 79th Cong., dated May 29, 1946.

tion the public interest renders such a course advisable, to provide: (a) for the instruction and training of military and naval personnel of the Republic of the Philippines; (b) for the maintenance, repair and rehabilitation of military or naval equipment in the possession of the said country; and (c) for the transfer to the said country of any arms, ammunition, and implements of war as defined in the President's proclamation 2549 of April 9, 1942, or any superseding proclamations; any other aircraft; naval vessels except those in the category of battleships, cruisers, aircraft carriers, destroyers, and submarines; any stores, supplies, services, technical information, material, and equipment . . ." subject to certain conditions provided in the act. In addition, the President was authorized, "upon application from the Republic of the Philippines, and whenever in his discretion the public interest renders such a course advisable, to detail officers and enlisted men of the Army of the United States, and the United States Navy and Marine Corps to assist that Government. . . ."

This bill is supplementary to, but independent of, Public Law 389 of June 29, 1944, which authorizes the President of the United States to "withhold or to acquire and to retain such bases, necessary appurtenances to such bases, and the rights incident thereto . . . as he may deem necessary for the mutual protection of the Philippine Islands and of the United States. . . ."⁸ Negotiations concerning the implementation of this base legislation have been held for some time, and it is expected that some agreement will be reached by the two countries regarding bases in the near future.

As another step in the recognition of the independence of the Philippines, the President of the United States, in a proclamation of July 1, 1946, released from the service of the armed forces of the United States all the organized military forces of the Government of the Commonwealth of the Philippines which were called into service of the armed forces of the United States under the terms of a previous Executive order of July 6, 1941.¹⁰

Financial Assistance to the Philippine Republic

At the very outset of its national existence the Philippine Republic faced the greatest budgetary difficulties. Cut off from its usual sources of revenue as a result of the war, and facing vast problems of reconstruction, the Philippines looked

increasingly to the United States for financial salvation. In a special message to the Philippine Congress on June 21, 1946 President Roxas declared that "we are today living through the most crucial period of our life as a nation".¹¹ The Philippine President, during his visit to Washington in May 1946 and in the months following, made urgent requests that the Philippines be granted a loan to meet pressing immediate budgetary difficulties.

As a result of these pleas, the Congress of the United States in the closing days of the recent session passed Senate Joint Resolution 156 to extend the succession, lending powers, and functions of the Reconstruction Finance Corporation.¹² This resolution authorized the Reconstruction Finance Corporation to "lend or extend credit to the Government of the Republic of the Philippines in an amount or amounts not exceeding in the aggregate \$75,000,000 at such time or times before July 1, 1947 and upon such terms and conditions as the Reconstruction Finance Corporation, after consultation with the National Advisory Council on International Monetary and Financial Problems, shall deem to be warranted by the financial position of the Republic of the Philippines. . . ." The rate of interest to be charged in connection with this loan was not to be less than two percent a year.

It was expected that this loan would help to meet the present budgetary crisis in the Philippines, but it was not considered at all unlikely that

⁸ Public Law 380, 78th Cong. (S. J. Res. 33), approved June 29, 1944, "Joint Resolution declaring the policy of the Congress, with respect to the independence of the Philippine Islands, and for other purposes."

⁹ The Congress of the Philippines, in Joint Resolution 4 of June 22, 1945, authorized the President of the Philippines to conduct negotiations with regard to the retention of bases by the United States in the Philippines.

¹⁰ Military Order by the President of the United States dated June 29, 1946, released July 1, 1946.

¹¹ In his address to the Philippine Congress, delivered in the Sessions Hall, House of Representatives, Manila, June 3, 1946, on the "state of the Nation" President Roxas declared that "we are faced . . . by the fact that our Government is without financial means to support even its basic functions, not to speak of the great projects in rehabilitation and economic development which we contemplate and which are, indeed, vital to our continued existence. . . ."

¹² Public Law 656, 79th Cong., approved Aug. 7, 1946. For a discussion of the steps leading to the passage of this resolution, see *Congressional Record*, July 27, 1946, p. 10431.

further requests for loans would be forthcoming from the Philippines. Meanwhile, it is expected that the Philippine Government will take drastic measures to increase its sources of revenue. Among the measures which have been suggested are steps to increase the excise, sales, and residence tax rates, to improve the machinery of tax collection, and possibly to levy a tax on income and profits earned during the Japanese occupation.¹³

Problems of Independence—Reconstruction and Rehabilitation

Independence for the islands has brought with it new and heavy responsibilities for the Philippine Government. Foremost among these problems continuing to confront the Philippines is the problem of reconstruction and rehabilitation. The Congress of the United States attempted in Public Laws 370 and 371 to provide part of this assistance. Public Law 371, known as the "Philippine Trade Act of 1946," provides for free trade between the Philippines and the United States for eight years, after which incoming Philippine products are to be taxed at the rate of five percent progressively over a span of 20 years until at the end of the period full duties are being assessed Philippine goods. Public Law 370, known as the "Philippine Rehabilitation Act," provides for the

¹³ In his address, above cited, to the Philippine Congress on June 3, 1946, President Roxas took cognizance also of the need for remedying the present system of Government finances. The President's statement on the subject was as follows: "The projected loan from the United States Government will be only of transient value to us unless we immediately lay a sound and sensible basis for government financing. I propose that our entire budget procedure be reviewed and that a more flexible technique both for determining budgetary needs and for allocating our expenditures be devised. I propose the establishment in the executive office of a strong Budget Bureau authorized by Congress to review the budget estimates of the various departments and then to pass upon authorized appropriations before expenditures are made, on the basis of need. I propose that this Budget Bureau have the power of recommendation on revenue measures so that revenue and expenditures may be intimately correlated. . . ."

¹⁴ For a more detailed discussion of the provisions of these bills, see the article entitled "The Philippines Prepares for Independence", BULLETIN of June 9, 1946, p. 980.

¹⁵ See H. Doc. 622, 79th Cong., 2d sess., Communication from the President, June 3, 1946.

¹⁶ Public Law 521, 79th Cong., approved July 23, 1946, pp. 24-25.

granting to Philippine war-damage claimants of \$400,000,000 in war damages, the disposal to the Republic of the Philippines without reimbursement of \$100,000,000 in surplus property, and for the spending of \$120,000,000 in various rehabilitation and training projects.¹⁴

The Executive agreement provided for in the Trade Act to bring that act into force was signed in Manila on July 4, but before becoming finally effective the Philippines must, in accordance with its provisions, amend its Constitution to incorporate the provisions of section 341 of the Trade Act concerning the rights of United States citizens and business enterprises in the natural resources of the Philippines. A bill to amend the Philippine Constitution in accordance with the Executive agreement of the Trade Act was recently introduced in the Philippine Senate.

So far as the Philippine Rehabilitation Act is concerned, important steps have also been taken to bring this act into effect.¹⁵ The Congress of the United States has appropriated \$57,918,000 to cover the estimates of appropriations for the fiscal year 1947 to carry out the terms of the Philippine Rehabilitation Act.¹⁶ A Philippine War Damage Commission, composed of Frank A. Waring, chairman, John S. Young, and Francisco Delgado, has also been appointed by President Truman, and this Commission has recently been making a survey of the war-damage situation in the Philippines.

The Trade and Rehabilitation Acts will assist greatly in the reconstruction and rehabilitation of the Philippines. But the burden of reconstruction and rehabilitation to a great extent will have to be carried by the Filipino people.

Law and Order

The wake of war has left in the Philippines serious problems of law and order. In the central Luzon provinces and in some of the provinces of Mindanao the situation at times has been particularly critical. At one time it was estimated that over 300,000 arms were illegally held in the Philippines.

To a considerable degree the unrest in the central Luzon provinces has been due to the long-standing, decades-old dissatisfaction of the peasants in these provinces with the conditions of their livelihood. President Roxas declared recently that "social and economic injustices, especially

acute in those areas, have been proper soil for the harvest of violence. . . ."¹⁷

During the war the various agrarian groups secured firearms, and since the end of the war they have shown little inclination to surrender them and to return to the *status quo*. What the solution of the agrarian situation in central Luzon may be is not yet known. In his inaugural address, however, President Roxas declared:

"We will move with maximum speed to cure the ills which beset the landless and the tenants, the hungry and the unemployed. Only unavoidable lack of means can delay the full execution of this policy. A new tenancy law, granting a greater share of the produce of the land to those who till the soil, will be recommended; usury will be stamped out; lands will be purchased by the Government and resold to tenants; new agricultural areas will be opened to settlement; modern methods of agriculture will be taught; and farm machinery will be made available for purchase. It is my aim to raise the status of the farm worker, to increase his earnings, to spread wide the benefits of modern technology. . . ."¹⁸

In addition, the President has announced a plan to establish an agrarian commission to study the economic problems of the areas where unrest now prevails. Since his inauguration President Roxas has been holding various conferences with leaders of the disaffected groups in an attempt to effect a compromise solution of the problems involved. Conflicting reports continue to be received regarding the state of law and order in these provinces now, but during August there was some reason to believe the President had succeeded in achieving a better basis for understanding between the tenant farmers of the central Luzon area on one hand and the landlords on the other.

Creating a Foreign Service

With independence the Philippines faced the necessity for creating an entirely new Foreign Service. During the temporary period while this Foreign Service is being recruited and organized¹⁹ the United States will, at the formal request of the Philippine Government, represent Philippine interests abroad. An American adviser, Richard P. Butrick, a Foreign Service officer of class I, has also been sent to Manila at the request of President Roxas to aid in the organization of the new Philippine Department of Foreign Affairs.

A Philippine Embassy was established in Washington on July 4, and plans are being made to establish Philippine consulates in San Francisco, New York, and other cities to be determined later. The Philippine Government at the present time is also considering establishing diplomatic and consular representation with China, Great Britain, and the Union of Soviet Socialist Republics.

Significance of Philippine Independence

Philippine independence was generally hailed throughout the world as a tribute to America's enlightened policies towards dependent peoples.

President Truman, in a broadcast to the Philippines on July 4,²⁰ declared that "this is a proud day for our two countries." The President went on to say that "the United States has faith in the ability and in the determination of the Philippine people to solve the problems confronting their country."

In Manila, President Roxas declared: "American flags have been lowered from flagstalls in this land—not in defeat, not in surrender, not by compulsion, but by voluntary act of the sovereign American Nation. The flag which was first raised in conquest here has been hauled down in even greater glory. The Stars and Stripes will no longer fly over this land but in the hearts of 18,000,000 Filipinos, and in the eyes of many millions more in this part of the world, the American flag flies more triumphantly today than ever before in history." The President concluded by declaring that the Philippines will be "a staging area for democracy in this part of the world."

Thus ended one phase of the great American experiment in the Philippines. In the next phase, the Philippines would be called upon to meet the challenge of independent nationhood. Problems of the most serious import faced the new Republic, but with the continued assistance of the United States, there was reason to believe that this challenge would be successfully met.

¹⁷ Message of the President of the Philippines to the Philippine Congress, June 3, 1946.

¹⁸ Inaugural address of Manuel Roxas, President of the Philippines, delivered May 28, 1946 at the grounds of the former Legislative Building in Manila.

¹⁹ For an article on the Philippine Foreign Affairs Training Program, see BULLETIN of Feb. 3, 1946, p. 148.

²⁰ For a compilation of the main documents relating to the independence of the Philippines, see BULLETIN of July 14, 1946, p. 66.

German Documents: Conferences With Japanese Representatives¹

MEMORANDUM OF THE CONVERSATION BETWEEN THE REICH FOREIGN MINISTER AND AMBASSADOR OSHIMA AND MAJOR GENERAL OKAMOTO AT FUSCHL, MAY 19, 1943

Foreign Minister's Memorandum 32-43

AMBASSADOR OSHIMA asked to say something first about the mission under the leadership of General Okamoto and then to go somewhat into detail about their report. Last August it had been planned to send an Imperial delegation to Germany, but, as was known, that had not taken place because of difficulties in communication. Since that time, however, the dispatch of such a delegation had always been intended, so that now finally this small group of four persons had been assembled and sent here in order to inform the Ambassador more fully about the situation in Japan than was possible by telegraphic means. He was instructed by his Government to transmit a communication on the subject to the Reich Foreign Minister. General Okamoto, after an assignment on the Japanese General Staff, had been Quartermaster General under General Terachi at Singapore and accordingly possessed especially thorough knowledge of the whole southern area of operations. The other gentlemen were also experts in their special fields in connection with the Japanese conduct of the war. It was the intention that, after the completion of their mission, they should return to Tokyo as soon as possible, and most likely they would make the return trip to Japan by U-boat.

Before going into the details of his communication it was his duty to convey the thanks of his

Government for the assistance of the German Government in the transfer of Bose to Tokyo. The arrival of Bose had taken place even earlier than they had expected. It had been intended to bring Bose to Tokyo for some time to make him acquainted with the Japanese preparatory measures for the campaign of agitation and with the situation in India as a whole. Tokyo, therefore, desired that the arrival of Bose be kept secret until August. The reason for keeping it secret was apparently based on the local situation on the Indian-Burmese frontier. Also some 500 agents were available, as well as an Indian legion of 25,000 men. Regarding further plans for the employment of Bose and his activities the Reich Foreign Minister would be kept informed currently.

In his reply the Reich Foreign Minister expressed the view that he regarded Subhas Chandra Bose as the best man available for the ends which Japan was trying to attain. Bose, who had formerly been mayor of Calcutta and president of the All-India Congress, was undoubtedly an outstanding personality, and if a well-conducted propaganda campaign on his part could go hand in hand with a military advance, that would certainly represent the most successful solution. To this the Ambassador agreed emphatically.

Oshima then declared that he had been directed to inform the German Government that the Japanese Government and the Japanese armed forces were prepared to conduct this war in close collaboration with the Axis powers and in an uncompromising fashion until the common victory should be attained. The Japanese Government was convinced that the victory or defeat of Japan was

¹These are translations of documents on Japan, secured from German Government files, and are among the German official papers which the BULLETIN is currently publishing.

These documents have been selected and translated by J. S. Boddie, an officer in the Division of Research and Publication, Office of Public Affairs, Department of State.

entirely dependent upon the victory or defeat of the Axis powers and that accordingly our destinies were indivisibly bound up with each other.

The Reich Foreign Minister on his part stated that Germany was, of course, similarly convinced of the connection between their destinies.

Passing to the situation in East Asia as it appeared on the basis of the reports of General Okamoto, Ambassador Oshima explained that the large-scale operations had gone off more favorably and actually more quickly than the Japanese leadership had expected. The control of that tremendous area which extended over some 10,000 kilometers from the Aleutians to the Solomons presented, however, some very difficult problems, of which the shipping shortage was the greatest. All of the transportation of war matériel as well as all transportation of troops for the occupied areas had to be carried out by ship. Additionally almost all of the raw materials had to be brought first to Japan for processing, as for example the oil to the refineries. Only at Parabang had any refineries fallen undamaged into their hands. At Parabang some 2,000,000 to 3,000,000 tons of oil could be refined annually, which, however, was not sufficient to meet the total needs. This immense requirement in the way of shipping had to be met with a total of 6,000,000 tons available.

For new ship construction there were principally available only the shipyards in the home country. In the newly occupied areas there were only small yards in existence at Hong Kong, Singapore, and in the former Dutch area at Soerabaja. At Singapore the drydocks for the large ships, which had been sunk, had been raised again, but they had not been repaired.

Shipbuilding was also dependent on the supply of iron. There were large iron-ore supplies in existence on the Malay Peninsula but they had not been sufficiently exploited (Oshima could not supply exact information about the quantities previously produced in this area). Iron ore was therefore at the moment being mainly imported from Manchukuo. The new ship construction amounted to some 1,500,000 tons a year.

The total capacity for steel production amounted to 10,000,000 tons a year. Because of the lack of shipping tonnage, however, only 60 to 70 percent of this could be employed.

This all meant that sufficient raw materials were on hand, but because of the shortage of ship-

ping could not be made use of to an adequate extent. Necessity had, however, made them inventive; and a beginning had been made with the construction of wooden ships, and many large wooden ships were already being used for long-distance transportation.

For the transportation of oil large balloon-tank ships had been constructed from rubber which was available in sufficient quantities. These balloon-tank ships were of about the size of barrage balloons and had the advantage, because of their very small draft, that they could not be hit by torpedoes. A steamer could tow several such balloon-tanks. After the refining of the oil in Japan it was then transported to its destination in these balloon-tanks. At the same time these rubber ships served as oil tanks which could easily be concealed and gotten out of the way in the endangered areas. The total capacity of the oil refineries amounted to 10,000,000 tons.

With regard to the military situation itself Oshima declared; since the operations in the southern area had gone off extremely rapidly the plan to attack Australia itself had been formed. Because of difficulties with the supply routes, however, this plan had been dropped and the operation had been confined to the Solomon Islands. The long and severe battles on the island of Guadalcanal, which had permitted the completion of the line which had been previously won, had been concluded with the evacuation of the island and we were now remaining on this line, on which the positions had been strengthened and adequate air bases had been established. From this point every opportunity was being used to attack and weaken the Anglo-American forces. In the last few days air attacks on Australia had been carried out.

The battles on the Burma front had brought notable successes in recent days and the English offensive had been beaten back with great loss to them. Burma itself was firmly in Japanese hands. The only difficulty consisted in the supplying of the troops, since from Bangkok to the north there was no road in existence. The construction of such a road had been begun some time ago and would in all likelihood be completed about the end of 1943.

There was no intention to remain on the defensive on the Burma front, but rather to undertake an offensive in the direction of India. In

the direction, though, an advance into the interior was impossible because of the complete absence of roads, and so next, after suitable preparation and construction of bases, an attack against the provinces of Assam and Bengal was being planned.

The Ambassador then declared with particular emphasis that the Chinese theater of war had now become for Japan an entirely subsidiary theater, since the principal effort was being directed against the U.S.A. and England. Thus there was little likelihood that Chiang Kai-shek would give in before the defeat of the other enemies. Even if he did not, however, as had just recently happened again, leading generals and highly placed personalities were going over to the Nanking Chinese regime.

With regard to the war in the Aleutians the Ambassador declared that of the two islands, Kiska and Attu, which had been occupied in the previous year, it had originally been intended to evacuate Attu after the destruction of the military installations, since it was not considered possible to maintain troops there during the winter. This had, however, been possible, and so they had remained on the island. It should be noted, though, that there were only weak forces involved, consisting of two battalions. The Americans had now landed a division, and the island would probably not be able to hold out. Its loss, however, would be of no great importance. The island of Kiska, on the contrary, had an airfield and for that reason it was of considerably more value. It would, therefore, be held in any case.

In an appraisal of Russia Oshima declared that the strength of the Russians in East Asia was estimated much differently on the Japanese side than by the German General Staff. The Japanese General Staff estimated the Russian Far Eastern Army at 750,000 men. In detail, there were stationed in Siberia according to their observations 20 defensive divisions, 3-4 independent brigades, 2 cavalry divisions, 8-9 tank brigades, 3 motorized brigades, 12-14 artillery regiments, 14-16 divisions of garrison troops for the fortifications, 14-17 airforce divisions, 1 paratroop brigade, as well as a number of GPU troops, and in addition about 1,000 tanks and 1,000 planes, exclusive of training and transport planes.

The transfer of Russian Far Eastern troops to the western front for the war against the Germans, as alleged on the German side, had been substan-

tiated by their own observations. The Russians had, however, always replaced them with substitute troops, in an effort at least to equal the strength of the Japanese Army. At the moment the Russians had 50 percent more troops on the Manchurian frontier than did Japan.

Naturally the Japanese Government did not leave the Russian danger out of account. Unfortunately, however, an attack on Russia simultaneously with the operations in the south was not now possible. If the Russians should attack, sufficient troops and airforce units could be moved up to the Manchurian boundary. In that case, however, because of the shipping shortage it would not be possible to hold the southern front in the same force as at present.

To that the Reich Foreign Minister replied that our estimates about Russian strength differed from those which had just been given. Basically, however, it should be said that in the last analysis things depended solely on the great strategic decisions. As he had said at their last meeting, it would, in his opinion, be harmful for the allies if the most extreme offensive efforts were not made by all combined. For it was the clear and even the declared intention of our enemies to fight Germany, Italy, and Japan and, if possible, defeat them one after another. The Reich Foreign Minister wished also to refer to another point on this occasion and that was the matter of diplomatic assurances given to Russia. The Reich Foreign Minister was convinced that the Japanese Government had not given any sort of assurance to Stalin. However, rumors did not die down to the effect that Ambassador Sato had carried on certain conversations looking in such a direction, which could be described by the Russians as assurances. Ambassador Sato was certainly a rather peace-loving man and in our estimation a pacifist. In any case, his conversations in Kuibyshev, of which there was apparently much discussion in diplomatic circles there, seemed to have had the result that Stalin felt quite secure with regard to his eastern frontier. There was certainly no necessity on the Japanese side for such conversations, since the Russians would never attack the Japanese on their own account. It would be well, therefore, if the Russians should feel the greatest possible uncertainty with regard to their eastern frontier.

Oshima replied that it was certainly also in the Japanese interest to tie down as much as possible of the Russian strength. His Government had

certainly never issued any such instructions to Ambassador Sato with respect to its neutrality, although it was doubtless true that Sato was a pacifist.

The Ambassador again stated that it was not the intention of his Government to remain on the defensive for a prolonged period. The old plan to attack Australia still held good. The increase of the forces on the southern front to three armies (of three to four divisions each) clearly showed their further intentions, since the massing of troops in such quantities was not required merely for defense against the U.S.A. The same held good with regard to the Burma front. When an offensive on a large scale would begin, however, he was, of course, not able to say at the moment.

The Reich Foreign Minister then declared that he had received from Ambassador Stahmer the information that Foreign Minister Shigemitsu had inquired why Germany could not desist from attacking the Russians with all possible force, and strive to employ her strength in the struggle against the Anglo-Americans. The Reich Foreign Minister declared that the idea of ceasing to attack Russia was not in the interest of the allies of the Three Power Pact, for it was only by continually renewed attacks that Russia could be finally disposed of. If today we weakened our front in Russia to make forces available for possible attacks on the Anglo-Americans this would only be an advantage to the enemy. We had sufficient forces to employ against Anglo-American landings and we intended to weaken the fighting strength of the Russians by ever-renewed assaults until one day they would be exhausted.

Oshima answered that Shigemitsu had, of course, no intention of interfering with the German conduct of the war, but was only expressing his views because of concern that Germany was using up too much of her strength.

The Reich Foreign Minister then gave Ambassador Oshima a picture of our entire military position at the time in which he declared that the English and Americans were apparently systematically building up two striking forces, the one in Egypt and the other in French North Africa, with which they would then try to force an entry into Europe. It was their tactics, as had already been demonstrated in Tunisia, to undertake an attack only when they had concentrated very strong forces.

Our preparations and counter-measures against any possible landing attempts were, however, thoroughly made, thanks to the time which had been afforded us for these purposes by the heroic resistance by our troops in Tunisia. The clearing up of resistance groups in the Balkans would soon be completed, and at every point where an attack was possible strong German forces would be stationed.

On the eastern front we would weaken the Russians further until they no longer possessed any first-class troops and they could not carry out an offensive which would be dangerous to us.

The Spanish and Portuguese wanted unreservedly to remain neutral, as did Turkey also. The same held good with regard to Sweden. Whether Turkey could maintain her neutrality if she were subjected to really strong pressure was not known. We were, however, prepared for any surprises, and we of course took it for granted that hard fighting still confronted us before victory would be attained. That victory would be attained most speedily and at the least cost if each of the partners of the Three Power Pact should attack the enemy with the utmost exertion of their power and if none of them should fall back on a defensive type of warfare. In this connection he wanted to say again that it was of especial importance to us if Japan could resume the offensive on a large scale in accordance with the possibilities which were now open to her.

Foreign Minister Shigemitsu, so the Reich Foreign Minister continued, had also spoken to Ambassador Stahmer regarding the necessity for a closer synchronization in the joint conduct of the war and a firmer alliance. Much as he shared this desire, the fact that the distance between their two countries was so very great stood in the way of its practical realization. At the time being also there were no large-scale joint operations to be undertaken, as had been the case, for example, when the German troops were near the Suez Canal or south of the Caucasus, so that at the moment there was not so immediately pressing a need for joint war planning in detail. If each of the two partners realized that the victory or defeat of the one meant also the victory or defeat of the other and each accordingly exerted his full force to the uttermost for the common goal, that would be the best joint strategy for the time being.

Oshima agreed with this and stated that the principal objective of the Japanese armed forces in the coming period would be toward the south in the direction of Australia and against India, combined with a simultaneous intensive waging of the shipping war by means of submarines and airplanes. He personally also believed that the Anglo-Americans in the immediate future intended to concentrate their principal forces against Europe. But it also should be realized that the supreme war leadership on the side of our enemies was not under such unified control as with us. Thus in America there were many voices which kept demanding an attack on Japan. If only for this reason the American leadership was compelled to employ strong forces against Japan.

The Reich Foreign Minister here interjected that according to certain reports there were elements in Tokyo, especially in the business world, who were pressing for an attitude of reserve in the Japanese conduct of the war, since they were interested in exploiting economically the newly won territories under peaceful conditions. Similar voices from the business world in Germany too had made themselves heard before the attack on Russia. Of course, Germany too could have been swayed by the economic benefits coming from Russia to leave the political realities out of account. These latter had, however, become very evident as a result of Molotov's demands for a free hand for Russia in Rumania, Finland, and Turkey. As Molotov besides had declared that Russia could not consider herself disinterested in the Kattgat and Skagerrak and as on top of that a powerful concentration against the German eastern frontier was well under way, the necessity of our coming to a settlement with the Bolsheviks by warlike means became absolutely clear. The Führer had then immediately drawn the necessary conclusions from the situation. He had moved first and attacked Russia. If the Führer had not done so and the Russians had been allowed to attack first, Germany, under the circumstances, would have been in a very difficult situation. As early as the visit of Foreign Minister Matsuoka to Berlin, the Reich Foreign Minister had told him that war with Russia might very well come about. Matsuoka had, however, not interpreted these statements correctly, and shortly thereafter he had concluded a non-aggression pact with Moscow. In this connection the

Reich Foreign Minister remarked, in retrospect, that it was perhaps regrettable that both Japan and ourselves had had to conclude such pacts with Moscow. The reason why he on his part had gone to Moscow had been, however, very clear. As Oshima himself might recall, he and the Reich Foreign Minister had sought for a period of at least six months to bring about an alliance with Japan. As was known, that had failed at the time through the opposition of Foreign Minister Arita. Then after the war clouds had gathered and war with Poland, and therefore with France and England, appeared unavoidable, Germany had had to protect herself from the rear and thus the non-aggression pact with Russia had come into being and Ambassador Oshima had returned to Japan. But at the same time as the conclusion of the pact with Russia the Reich Foreign Minister had declared in Moscow that this did not in the least affect German-Japanese friendship, and he had even requested Stalin to try to come to an agreement with the Japanese and had himself offered to act as an intermediary. If the alliance with Japan had been in existence at that time his journey to Moscow might well have been superfluous, for with a Three Power Pact in existence in 1939 Russia would have adopted a neutral attitude toward us also and would have scarcely dared to attack us. Later with the conclusion of the Three Power Pact with Japan, Russia had been expressly excluded and there had been intended for her the role of a sort of neutral silent partner in the war against the Anglo-Americans. Russia had abandoned this role when she made impossible demands and assumed an aggressive attitude against Germany. So Germany had had to take steps against Russia. It was, however, a good thing that the Führer had made this decision, for only by the great victories of the German Army over Russia had the necessary prerequisites for the winning of the war been achieved. It had been true in that case also that it was the attack which was the deciding factor. If the Führer, as assuredly many in Germany had wished, had confined himself to the defensive in the east in order to consolidate his conquests in Europe, this would have been the beginning of the end for Germany. In the future also Germany would not confine herself to the defensive, but she would attack in Russia wherever she could meet the enemy, the Anglo-Americans at every landing at-

tempt which they might be able to make, and with the airforces and the U-boats against enemy shipping on all the oceans of the world. The situation of Japan today with reference to the total conduct of the war seemed similar to the situation of Germany with respect to Russia in 1941. If Japan, just as we ourselves, took the offensive wherever it was possible, and did not confine herself to defensive warfare, there would be afforded the greatest relief to Germany, which, by the strategy adopted by Roosevelt and Churchill, was bearing the brunt of the war, and it would best serve the common aim of winning the war as quickly as possible.

The Reich Foreign Minister concluded his observations with the statement that universally in history it had been only offensive warfare which had led to victory, and he believed that also for the powers allied in the Three Power Pact the strongest guaranty of victory lay in the offensive spirit and that this spirit should be employed in attacking and damaging the enemy wherever he was to be found.

AFTER AN INTERVAL the conversation continued between the Reich Foreign Minister and Ambassador Oshima without General Okamoto. In the course of it Oshima directed several questions to the Reich Foreign Minister by which he sought to elicit additional details about our intentions regarding the further conduct of the war.

The Ambassador declared that it was, of course, the earnest desire of Japan that Russia should be thoroughly defeated in the course of this year. There was, however, now appearing in Tokyo some concern as to whether, after the fall of Tunisia, sufficient forces were still available for a large-scale offensive in Russia, or whether such forces had been destroyed in that operation.

The Reich Foreign Minister declared that he could give no detailed information about the coming operations. Germany would, however, in any case attack the Russians until they presented no more danger to us.

Oshima then spoke of what the Führer had told him in January of this year to the effect that it was his intention to cross the Caucasus and to establish a junction with his Japanese allies in the Near East, and he raised the question of whether such was still the intention of the German leadership.

The Reich Foreign Minister answered this in the affirmative and declared that the moment for the

realization of the plan depended only on further developments.

Oshima then wanted to know whether, according to the reports that we had on hand, the English and Americans intended to attempt a landing in Italy and Greece. The Reich Foreign Minister answered this by referring to the remarks which he had previously made and declared that we were convinced that such landing attempts were planned, but that in all likelihood they would take place only after thorough-going preparations on the part of our enemies. We were, however, in every case taking the necessary counter-measures against such landing attempts.

With regard to Spain Oshima declared that his Government had had some unsatisfactory experiences with the Spanish Government recently. In the hesitation to raise the Japanese Legation at Madrid to an Embassy Tokyo perceived a lack of confidence which indicated that Spain estimated the prospects of the powers of the Three Power Pact somewhat skeptically.

To a question from the Ambassador as to whether Germany thought there was a possibility of the restoration of the monarchy in Spain the Reich Foreign Minister declared that we did not believe that that would happen for the time being.

To a remark of Oshima that the seizure of Gibraltar by German troops would have changed the whole war situation in the Mediterranean the Reich Foreign Minister said that such a plan had existed some time ago. With the present neutrality and peace policy of Franco, however, it was more difficult to carry out.

Ambassador Oshima then spoke very forcefully of the possibilities open to Germany in a skilful attempt to influence the Russian population by means of propaganda. Of course, the military struggle was the primary one and the decisive one. Nevertheless, a skilful campaign of agitation with the goal of splitting apart the various peoples of Russia who were of different national elements in origin might, in his opinion, have good prospects of success. The Ambassador said that at the beginning of the conflict in Manchukuo there were two schools of opinion in Japan about the tactics to be used in dealing with the Manchurian population. One favored the subjugation and complete annexation of Manchukuo; the other was in favor of a certain amount of autonomy for this area. Looking back over the experience of a number

of years the Japanese Government would now have to admit that the policy based on the promise of a certain degree of autonomy for the occupied areas had been the correct one and it had been of much assistance in a military way. Japan had had the same experience in Burma as well as in the occupied areas in the south. From the moment when they had declared Burma to be an independent state a division had arisen among the population and the greater part of them had cooperated willingly in the tasks assigned them by Japan. The same applied to the Philippines, which in this connection represented the most difficult area for them. Since leading Japanese personalities and particularly Premier Tojo had been there in person and had spoken of approaching independence, the situation in that group of islands had become notably better.

Ambassador Oshima declared that this question was, of course, a purely German affair and by his proposal he had no intention at all of interfering in our business. He only wanted to refer to the experience of Japan in this connection.

The Reich Foreign Minister declared that the German leadership had, of course, considered the question thoroughly already. The problem in Russian territory was, however, somewhat different from that in the Far East, and there were important considerations which could be advanced against such a policy. First of all, it must be considered that the Russians were to an overwhelming extent Communists, who were acquainted with nothing except their Communist ideas. Also, if independence were granted, for example, to the Ukraine such a step would only lead the Great Russians to put up a still more stubborn resistance and arouse them to a struggle for the recovery of the detached area.

Ambassador Oshima then reported that a Japanese airplane would make a flight in July from Tokyo to Germany by way of Singapore. The

location of the first landing in a German-held area (Crete or the Crimea) had not as yet been determined. The details of the flight would be worked out by the Japanese military attaché in conjunction with the German Luftwaffe. Unfortunately it was probable that no leading Japanese personalities would come to Germany on this first plane because of the uncertainty surrounding the flight. A further attempt would be made, however, to establish a still closer connection between the German and Japanese brothers-in-arms.

Oshima then stated with regard to a question of a possible peace between Germany and Russia that he wished to declare expressly that the Japanese Government had not undertaken any sort of conversations at all with the Russians on this question, nor had they made any preliminary feelers in that direction. This was a matter that had been treated in Tokyo as entirely theoretical since these questions understandably affected the Japanese Government profoundly. Naturally, in the Japanese view as well this was a decision which would have to be made exclusively by Germany. Tokyo would like to have it understood, however, that should Germany at some time wish to make a sounding in that direction Japan would be prepared for it.

In conclusion the Ambassador declared that he had been instructed by his Government to convey to the Führer also the information about the situation in Japan which he had given today to the Reich Foreign Minister. He would be grateful to the Reich Foreign Minister if he would convey this desire to the Führer and if he could have an interview with the Führer at a time when it was convenient to the latter.

The Reich Foreign Minister promised the Ambassador that he would transmit this request. He told him, however, that at the moment the Führer was very busy with military matters. He would, however, certainly be able to receive the Ambassador at a somewhat later date.

GOTTFRIEDSEN

The United Nations

Meetings of the Security Council

REMARKS BY DEPUTY U.S. REPRESENTATIVE ON ADMISSION OF NEW MEMBERS

Fifty-fourth Meeting¹

Mr. President, I have no specific comments to make on the report of the Membership Committee, except to say that it seems to me to be drawn up with precision and clarity and to give an adequate review of the work and the debates in the Committee itself.

From the inception of plans for the creation of the United Nations, it has been clearly recognized that the organization should move toward universality of membership. In the world conflict which ended only a year ago, the several United Nations had a most vivid realization of the interdependence of all peoples and all parts of the world. That great coordinated effort in which the forces of the various United Nations met the enemy throughout the world was a lesson to all who took part in it.

Now, with the memories of the fighting and the sacrifices already growing dimmer, it is necessary not to forget the fundamental lesson that the interdependence of the world demands its unity in efforts to insure peace; that the talents and energies of all peoples must be united in an organized effort to this end. If they are not, those left out inevitably become a source of danger or, at best, an unused resource. If the United Nations is to be successful, no state can be left out of it any longer than is absolutely necessary.

The conference at San Francisco created the Charter. In the first part of the first session of the Assembly and the meetings of the other United Nations organs held in London at the time, the structure of the organization was substantially completed. We believe that one of the important constructive acts of the coming Assembly meetings should be the logical next step—the expansion of membership to include all presently eligible appli-

cants. The organization cannot afford to function any longer than is absolutely necessary without the cooperation of every qualified state.

It should, in its very first year, seek as great universality as may be possible. The General Assembly will not meet again this year after the coming session. Unless, therefore, favorable action is now taken by the Council on applications before it, the organization must carry on for some time with a less representative membership than we think necessary.

My Government proposes that the Council take broad and far-sighted action to extend the membership of the United Nations now as far as is consistent with the provisions of Article 4 of the Charter. It accordingly proposes that the Council now recommend to the General Assembly the admission of all the present applicants.

We do not disguise the fact that we have misgivings about some of the applicants, especially Albania and Outer Mongolia. Our doubts and questions with regard to these applicants were fully and clearly stated during the proceedings of the Membership Committee. If there were among the present applicants an entity that was not a state, in the international sense, or one that lacked the governmental powers or material means of carrying out the obligations of the Charter, we would not, Mr. President, make this proposal.

In order to accelerate the achievement of universality of membership, we are prepared, on the basis we have suggested, to resolve the questions we have had in our minds as to the complete readiness of some applicants to assume the obligations of the Charter.

¹ Morning session on Aug. 28 at Lake Success, Long Island, N.Y. The Deputy U.S. Representative on the Security Council is Herschel V. Johnson.

The essence of our proposal, Mr. President, which I have the honor to put before the Council, is that the Council now, in a spirit of fair-mindedness toward all present applicants and in the best interests of the organization, recommend that the Assembly admit them all to membership.

I have taken cognizance, Mr. President, of the letter which we have just heard from the representative of Siam. In placing before you, therefore, the resolution which I hope will have the favorable consideration of the Council, I have taken cognizance of the withdrawal of Siam, and that country is, therefore, not included in this proposed resolution.

With your permission, I should like to read the text of a short resolution which we hope will be adopted and will give effect, if the Council approves it, to the recommendations which I have just outlined.

The Security Council

Having received applications for membership submitted to the organization by Albania, the Mongolian People's Republic, Afghanistan, Trans-Jordan, Ireland, Portugal, Iceland and Sweden:

Having pursuant to its rules of procedure and to its resolution of May 17, 1946, as amended, referred the above-mentioned applications to its Membership Committee for examination and report, and

Having received and considered the Membership Committee's report, which indicates that individual consideration has been given to each application

Recommends

To the General Assembly that it admit to membership the following applicants:

Albania, Mongolian People's Republic, Afghanistan, Trans-Jordan, Ireland, Portugal, Iceland, Sweden.

Fifty-fifth Meeting ¹

Mr. JOHNSON (United States): Mr. President, it is apparent from the remarks which have been made by certain of my colleagues on the United States proposal that it does not find full acceptance in the Council. I regret, therefore, to be under the necessity of saying that if the United States proposal is not carried that I shall have to reserve the position I will take on individual

countries in the detailed consideration of those countries.

Mr. President, I am agreeable to accepting the suggestion of the Delegate of the Soviet Union to withdraw my motion. I am particularly ready and willing to accept that suggestion because it comes from him, and as it is quite evident that it would be the vote of the Soviet Union which would block the passage of this resolution. I therefore withdraw it, Mr. President.

PRESIDENT:² Any other participants in the discussion on the general problem of admission and of the report?

Mr. JOHNSON: Mr. President, I must express the deep regret and grave concern of my Government over the development in the Council which has resulted in what in our view is the loss or rejection of the fair and wise way to apply the Charter provisions as to membership. My Government is, however, determined to minimize the adverse results of this rejection to the fullest extent possible. It does not propose to agree to what is in its judgment an arbitrary use of power to bring about the rejection of clearly qualified applicants and the admission of doubtful applicants. That, in our opinion, would be contrary to the best interests of the United Nations. The Membership Committee of the Security Council is composed of a representative of each member of the Council. It is, therefore, a committee of the whole. This Committee is established pursuant to the rules of procedure to provide what was thought by the Council to be an effective machinery for the examination of applications and report thereon to the Council. It was clearly contemplated that problems seen by the members in connection with any application should be brought forward in this committee of the whole so that an opportunity would exist for clarifying the issues and if possible removing doubts in advance of the formal proceedings in the Council.

The record of the proceedings of the Membership Committee leaves no room for doubt that the problems connected with the applications of Albania and Outer Mongolia were raised by my Government and others at the proper time and place; that is, during consideration of the applications by the Committee. The difficulties raised pertained directly to the qualifications of the two applicants

¹ Afternoon session on Aug. 28, 1946.

² Oskar Lange of Poland.

as measured by the Charter. Since then little has been brought forward by either of the two applicants or by the permanent member who so strongly sponsored their applications to remove the grounds for our misgivings.

When the applications of Eire and Portugal were considered no substantial questions concerning their qualifications under the Charter were raised by any member. The Delegate of the Soviet Union merely stated that the Soviet Union could not support their admission. This attitude has been maintained, although it has not been attended by any explanation in terms of the Charter as to why the two states concerned are thought not to be qualified.

The United States firmly believes that in the admission of new members there should be no compromise with principle. The decision upon any application should be made according to the objective standards of article 4 of the Charter. These requirements are that the applicant be a state in the international sense, that it be peace-loving, and that it be, in the judgment of the organization, able and willing to carry out the obligations contained in the Charter. Whether or not a state qualifies for admission to membership depends upon its possession of these qualifications. It does not depend upon other considerations. It does not depend, for example, upon the existence of diplomatic relations with any particular member. It is true that one of the most reliable evidences of statehood is the acceptance of the entity as a state by other states generally, its reception into the international community of states. But this is far from saying that the Charter of the United Nations justifies a member in making its vote on an application depend on its own direct relations with the applicant's government. It would be a manifest injustice and contrary to the best interests of the United Nations if Portugal and Eire, whose qualifications for membership have not been seriously challenged, should be rejected, and two applicants concerning which such material doubts have been raised by a number of members should be recommended for admission. The result would be to make the membership of the United Nations unrepresentative of the qualified states of the world. The world will not understand why in its first consideration of new members the United Nations organization had chosen to admit the doubtful and re-

ject the qualified. Such a precedent would be most unfortunate. My Government must, therefore, propose that in the circumstances the Council not recommend at this time the admission of Albania and Outer Mongolia. We should dislike to cast an adverse vote. However, if other members insist on bringing these two applications to a vote we shall have to vote adversely now on both applications.

I therefore move that the Council not take action at this time on the applications of Albania and Outer Mongolia.

Mr. GROMYKO (Second interpretation; original in Russian): I had not intended to speak again, Mr. President, but I must speak now in view of the remarks just made by the United States Delegate. It seems that the United States Delegate does not wish to await the end of the general discussion. He has not the patience to await the end of this general discussion and wishes to proceed to a discussion of the applications of the several states. That, of course, is his affair. But I must object to any attempt to make the suggestion that any one government is able to express its opinion as an arbiter in this matter. There is no reason why the United States Delegate should not express the opinion of his Government, but on the other hand, there is no reason why the representatives of other states should share the position of this Government. The United States representative, of course, can take whatever decision he thinks fit. That is his right. But it is the right of other delegates to take their own decision.

Mr. JOHNSON said that we were in the disagreeable position of having some countries which deserve to be members of the United Nations being unable to be admitted. He wishes that all the applicant states should be received. Other members, however, of this Council are divided in this matter, some favoring some of these applicants and being opposed to others. Their opinions, perhaps, are as well founded as the opinions of the United States Delegate. Mr. JOHNSON went even further, and, perhaps in order to help me, he suggested that the motives of the Soviet Government could have been expressed in meetings of the Committee on Admission of New Members. We have not yet reached that point, Mr. President. When we do reach that point, I shall have

a statement to make upon the attitude of the Soviet Government in these several cases.

PRESIDENT: Unless anybody wants to speak on the general subject of the report I shall continue to consider the general discussion as finished.

MR. JOHNSON: Mr. President, I do not wish to prolong this discussion or to make over-important something which I do not consider of great consequence. But I feel that I must make some slight comment in regard to the accusation of inconsistency which the Honorable Delegate of the Soviet Union has leveled at me. I think the Delegate of the Soviet Union has perhaps misunderstood what I said.

This morning I suggested, under instructions from my Government, that the Security Council consider recommending all of the eight applicants for membership. I did not say that we were making that recommendation because we thought that they deserved or merited to be admitted to the United Nations, thereby giving them a sort of decoration of merit. I advocated their admission on the broad principle of the desirability of having all qualified states in the world, as soon as possible, within this organization. I referred to the fact this afternoon that we had had doubts in the Membership Committee on the qualifications of two of those states. In order to achieve a broader purpose, however, and a purpose which we think is in the real interest of all and in the real interest of this organization, my Government was willing to waive its doubts and concern about the qualifications of two members and to admit those two members in the hope that, once within the organization, their approximation to qualification would become more rapid than without.

Furthermore, Mr. President, I would like to refer to an earlier remark of the Delegate of the Soviet Union which again has no importance for me but is a matter of the record. In my declaration made after lunch, our second session, I did not wish to associate my declaration with the first part of this discussion or have any intention of doing so; that is the discussion of the general report. I was under the genuinely mistaken belief, Mr. President, that the discussion of the general report had closed and that my declaration was the first statement made under the second part.

Mr. President, as I stated in the exposition I made when we reopened this session after lunch, I am extremely reluctant to cast a negative vote for Albania. I, therefore, Mr. President, venture to invite your attention to the fact that at the end of that statement I moved that the Council not take action at this time on the application of Albania and Outer Mongolia because, if I must vote, it would have to be a negative vote at this time. Mr. President, before we proceed any further on the discussion of Albania, I leave in your hands whether you want to have the vote on my motion now or after all the discussion on Albania.

PRESIDENT: If I understand the Delegate of the United States, he is making a formal motion to postpone—I do not know how I should word it—the discussion or the vote on the Albanian problem until later, without specifying any date.

MR. JOHNSON: Mr. President, my proposal is that the Council defer its action on the applications of Albania and Outer Mongolia, which means that the decision whether it would recommend these two countries to the Assembly or not be deferred until some later date, presumably until the next time that applications for membership are under consideration.

PRESIDENT: The Delegate of the United States asked for postponement not of the discussion but of action, as I understand it.

MR. JOHNSON: Of action.

PRESIDENT: Now, I scarcely have had time, some two or three minutes only, to give some thought to the proposal. My impression is that it would be very difficult now to discuss the question of postponement of action without discussing the whole issue. My personal impression, therefore, is that it might be the best course just to go on with the discussion of Albania, which will give us the material on the basis of which we can decide whether we recommend Albania as a member, or whether we refuse to recommend, or postpone action. Now, if that is agreeable to the Delegate of the United States, I think I would just continue the general discussion.

MR. JOHNSON: Mr. President, my Government would hope for and would expect the eventual admission of Albania in the United Nations. The

International Organizations and Conferences

Calendar of Meetings

Far Eastern Commission	Washington	February 26
Peace Conference	Paris	July 29
ILO:		
Permanent Migration Committee	Montreal	August 26
Ninety-ninth Session of the Governing Body, International Labor Office	Montreal	September 16
Twenty-ninth Session of the International Labor Conference	Montreal	September 19-October 12
IPCAO:		
Caribbean Regional Air Navigation Meeting	Washington	August 25
Weather Station Vessels Conference	London	September 17
Eleventh International Exhibition of Cinematographic Art	Venice	August 31-September 15
Fifth Congress of the Postal Union of the Americas and Spain	Rio de Janeiro	September 1
FAO: Annual Session	Copenhagen	September 2-14
First Inter-American Congress of Medicine	Rio de Janeiro	September 7-15
Demonstrations of Radio Navigational Aids to Aviation	London	September 9
First International Film Festival	Cannes, France	September 20
Preliminary Five Power Telecommunication Conference	Moscow	September 28
Caribbean Tourist Conference	New York	September 30-October 9
The United Nations:		
Security Council	New York	March 25
Military Staff Committee	New York	March 25
Commission on Atomic Energy	New York	June 14
Subcommission on the Reconstruction of Devastated Areas (Field Teams in Europe)	London	July 29
Economic and Social Council (Third Session) with Commissions and Subcommissions	New York	September 11
General Assembly: Second Part of First Session	New York	September 23
UNESCO: National Commission	Washington	September 23-28

The opening dates in the third column are current as of Sept. 8

Activities and Developments

*The Second Session of the Conference of the Food and Agriculture Organization of the United Nations*¹ opened in Copenhagen, Denmark, on September 2, 1946. This meeting, representing the greatest assembly of nations ever held in Denmark, was formally opened by Christian X, who expressed the hope that the Conference might "contribute to mutual understanding among nations, to the prosperity of mankind and to the improvement of life for all who are suffering from hunger or want."

Henrik de Kautlmann, Danish Minister in Washington, who has been associated with world food planning since the Hot Springs conference in 1943, was elected chairman of the Session. The vice chairmen are René Lefevre of Belgium, Sir J. P. Sirvastrava of India, and E. J. Fawcett of New Zealand. The General Steering Committee is composed of the above officers, and representatives from Brazil, China, Czechoslovakia, France,

¹ Prepared by the Division of International Conferences, Department of State.

the Union of South Africa, the United Kingdom, and the United States. The admission of Italy, Switzerland, Ireland, and Portugal to membership in the FAO at this meeting brings the total membership to 46.

The Conference dealt with immediate planning to meet the emergency needs and long-range planning for stable food production and distribution. FAO's revised world food survey disclosed a slight improvement over the desperate situation which provoked an emergency meeting of FAO in Washington last May. Instead of a deficit of 10,000,000 tons of bread grain, as then announced, out of a total current world need of 28,000,000 tons, the deficit has diminished to 8,000,000 tons. The improvement, it was said, was due to unexpectedly good harvests in southern Europe and China.

To deal with the long-range aspects of FAO's mandate, its director, Sir John Boyd Orr, urged the establishment of a World Food Board and a price-stabilizing program for food supplies. The Board would seek to increase production and improve distribution of food by setting up a world food reserve and financing the disposal of surpluses. The price-stabilizing program would deal with the pricing of foods crossing national borders, particularly where foreign exchange is unavailable or inadequate.

*The First International Film Festival*¹ will open in Cannes, France, on September 20, 1946. This Festival, first scheduled for December 1945, had been postponed. The festival has for its purpose the encouragement of the development of the motion picture in all its forms and the creation of a spirit of collaboration among all countries producing films. The number of films that each participating nation may exhibit is based on its showings for the preceding 12 months. Those countries that have exhibited during the past year more than 100 films exceeding 2,000 meters each are entitled to show 10 such films at the Festival, and other countries are entitled to showings on a proportionate basis. The United States, of course, belongs in the first category.

Fifty percent of the films exhibited by a country

must be first showings. A jury which will award the prizes for outstanding films in the various categories is to be made up of members designated by each participating government. Each government shall designate a member of the jury who shall not be a representative of the movie industry. In each participating country the industry may designate a delegate charged with establishing liaison between it and the Festival, but this delegate may not be a member of the jury.

The Department has been informed that the motion-picture industry of the United States is planning to participate. Miss Iris Barry, representative of the Museum of Modern Art, New York, N. Y., will represent the United States Government and serve as a member of the jury; Mr. Harold Smith, the Motion Picture Association of America's representative in Paris, will serve as the delegate of the United States motion-picture industry.

Among the films to be shown by the United States will be the documentary film "Library of Congress".

*Caribbean Tourist Conference, New York, September 30, 1946.*² A conference to formulate plans for a cooperative, regional development of tourist trade in the West Indian area has been called by the Caribbean Commission. The conference, which is to be conducted under the auspices of the Commission, will open September 30 and will last approximately a week. It will be held at the St. George Hotel, Brooklyn, N. Y., and will be attended by delegates and advisers representing the Caribbean territories and colonies of the four nations (France, Great Britain, the Netherlands, and the United States of America) comprising the Caribbean Commission. Invitations to participate have also been extended to the three Caribbean island republics of Cuba, Haiti, and the Dominican Republic. Representatives of the various branches of the tourist and travel industry will attend the plenary sessions.

The concept of approaching tourist development on a regional basis is new in the Caribbean area as hitherto each island has handled its own publicity and development in a completely independent manner. The regional approach to tourism is in line with the basic principle of the Caribbean Commission. This body, established origi-

¹ Prepared by the Division of International Conferences, Department of State.

² Prepared by the United States Section of the Caribbean Commission.

nally on March 9, 1942 as the Anglo-American Caribbean Commission, was expanded in December 1945 to include the Governments of France and the Netherlands. Its fundamental concept has been to consider the problems of the dependent territories in the Caribbean as component parts of a larger whole and not as separate entities. The communiqué which originally established the Commission also laid down its general terms of reference as concerning primarily matters relating to labor, agriculture, housing, health, education, social welfare, finance, and economics.

When the Commission was considering ways and means of improving the economic conditions in the Caribbean islands, it became apparent to them that the development of tourism offered a tangible, practical means of making a distinct contribution to the economic welfare of the people of the area. Although wartime conditions made immediate tourist development impossible, preliminary surveys regarding tourist possibilities were made on behalf of the Commission in 1943 and 1944 by Coert duBois, at that time one of the United States Commissioners. Among the islands visited by him, while studying the tourist problem, were Jamaica, Puerto Rico, St. Thomas, St. John, Tortola, Antigua, Nevis, St. Kitts, Anguilla, Barbuda, Montserrat, Dominica, St. Lucia, St. Vincent, Grenada, Trinidad and Tobago, Barbados, Curaçao, Aruba, Bonaire, Haiti, the Dominican Republic, Martinique, Guadeloupe, and Cuba.

The reports by Mr. duBois covering these surveys were supplemented by other studies of the problem, which were incorporated in a Commission publication entitled *Caribbean Tourist Trade: A Regional Approach*. The study set forth the advantages, based on the experience of other countries, of a broad, carefully planned regional development and the benefits that might be derived from such a program in increased national income, fuller employment opportunities, improvements of public facilities, and the stimulation of various local industries. It was estimated by the experts who assisted in the preparation of the publication that there is a possible expansion of the travel load to some 600,000 visitors a year (as contrasted with the peak figure of approximately 200,000 in 1937), with an annual anticipated expenditure of some \$60,000,000. It was emphasized, however, that regional planning and promotional activities are not substitutes for local development and local initia-

tive and that cooperative, regional action to be successful required a greater stimulation of purely local development. Published in June 1945, this tourist booklet immediately attracted wide attention, within United States travel-trade circles as well as in the Caribbean area. Local interest was stimulated, and chambers of commerce as well as tourist-development associations endorsed the proposals set forth.

With the end of the war it became possible to consider concrete means of translating long-range plans into action. When the West Indian Conference, Second Session, met at St. Thomas, Virgin Islands of the United States, in February-March 1946, tourism was one of the items on its agenda.¹ The regional approach was endorsed by the delegates from the British, French, and Netherlands territories in the Caribbean, and they recommended the calling of a conference, as soon as possible, to discuss detailed plans for joint action.² The Conference specifically recommended the establishment of a joint Caribbean tourist organization, which would act on behalf of all territories in connection with common problems, such as the general increase in transportation facilities.

Following the St. Thomas conference, a special committee to advance the project, comprising officials of the four national sections of the Commission and several leading experts in the travel industry, was formed. Meetings have been held in Washington and New York at which general arrangements for the conference have been formulated and working papers for consideration of the conference have been prepared. Careful study has been given to detailed points which will have to be considered in connection with any regional tourist organization. Such an organization would supplement by joint action the activities of local tourist organizations in publicizing the area and would deal collectively with transportation companies and travel agencies. In preparation for the conference Oscar A. de Lima, consultant to the Commission on the tourist program, made a trip in June to various Caribbean territories.

¹ For an article on this subject, see "Report on the West Indian Conference", by Elizabeth H. Armstrong, BULLETIN of May 19, 1946, p. 840.

² Document 204, G/133, of the West Indian Conference, Second Session, contains recommendations adopted in regard to tourism.

During the trip he was able to explain, at first hand, the technical details of the various problems which the Caribbean Commission had encountered in drafting working papers for the conference and to obtain the ideas of the appropriate local officials on the various points involved.

There is general agreement throughout the Caribbean area and among outside tourist experts that a striking increase in tourism in the region, with a distinctly beneficial influence on economic conditions, is achievable if there can be simultaneous development of local tourist amenities and transportation services to the area. There is also agreement that it is necessary to have a regional tourist organization working on behalf of the area as a whole in order to obtain the maximum of such simultaneous development. Consequently the primary object of the Caribbean Tourist Conference will be to take action leading to the establishment of a joint Caribbean tourist organization.

The First International Conference of Archeologists of the Caribbean¹ met under the auspices of the Government of the Republic of Honduras from August 1 to 11, 1946.

Attending delegates represented 36 educational and scientific institutions from the following 14 countries: Argentina, Colombia, Costa Rica, Cuba, Dominican Republic, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Puerto Rico, and the United States. There were delegates from the United States representing the Carnegie Institution, the Smithsonian Institution, and the United States National Museum.

The plenary sessions and the meetings of the various committees during the first and the closing days of the Conference were held at the National School of Fine Arts in the capital city of Tegucigalpa. As the Conference progressed, meetings were held in the field at such places as the Central School of San Pedro Sula; among the ruins of the ancient Mayan city of Copán; and under the massive pine trees on the slopes of the beautiful mountain lake of Yojoa.

Facilities were provided by the Honduran Government for the 60 Conference delegates to visit many areas by plane and to examine widely sep-

arated sites where the prolific remains of Mayan and other basic aboriginal cultures still exist in the form of pyramids, mounds, and ruins of abandoned villages in the upland valleys of western Honduras.

The suggestion of the desirability of a joint conference of students of Mayan civilization and archeology of the Caribbean area grew out of resolutions adopted at previous conventions of the Inter-American Union of the Caribbean, and of recommendations of related scientific and cultural institutions interested in the prehistory of the Caribbean area.

The Honduran Archeological Commission, which was entrusted by authority of the President of Honduras with the organization and coordination of the work of the First International Conference of Archeologists of the Caribbean, named as chairman Prof. Angel G. Hernández, Minister of Public Education of Honduras, and as advisers Dr. Gustav Strömsvik, the representative of the Carnegie Institution of Washington for the restoration of the Copán ruins; Miss Doris Stone, specialist in Central American archeology; and Dr. Federico Lunardi, member of the Association of Archeology and Anthropology of Honduras and Apostolic Papal Nuncio in Honduras. Other appointments were made by the Inter-American Union of the Caribbean; they consisted of a Secretary General of the Conference, Dr. José L. Franco, and two Technical Secretaries, Francisco Pérez de la Riva and René Herrera Fritot.

The central theme of the Conference was: "The Mayans of Honduras and their Relations with the Countries of the Caribbean". The agenda for the Conference was organized to bring sectional discussions and papers within the following five categories:

1. Archeology of the Mayas and of neighboring peoples.
2. Anthropology of the Mayas and of neighboring peoples.
3. Transculturation; relations between the Mayan and other cultures; various related subjects.
4. History and colonial art.
5. Motions to be brought before the Conference.

On the whole, the sectional meetings were well attended and brought forth five discussions. Sec-

¹Prepared by the Division of International Conferences, Department of State, in collaboration with the United States National Museum.

tion 3, which was concerned with the emanations of Mayan civilization and the affiliations of aboriginal Caribbean cultures generally, appeared to attract a larger number of delegates and to arouse more active discussion than any of the other sectional topics. Although there were few delegates present having a working knowledge of Mayan glyphs, numbers, and chronology, the work completed by section 4 was outstanding.

The meetings held in the Mayan amphitheater at Copán under the shadow of glyph-inscribed "estelas" were particularly inspiring. The restoration of the old Mayan city of Copán was undertaken by the Carnegie Institution of Washington in cooperation with the Government of Honduras beginning in 1934 and, with the exception of interruption during the war, has continued up to the present. Work on the project is supposed to be completed within the next five years. An interesting thing to the delegates was evidences of the splendid cooperation of the Honduran Government with the Carnegie Institution. At the direction of the Honduran Government a river had been diverted where it was undermining the wall of the old city. Among the most interesting of the restorations in progress was the great amphitheater, which seats approximately 100,000 people.

¹ What has been accomplished toward restoring the city of Copán can best be understood by comparing its present condition with that described by John L. Stephens in his two-volume work, *Incidents of Travel in Central America* (1841).

Delegates thrilled to see this important Mayan city dating from the eighth century emerging from the ruins.¹

The opening and the closing plenary sessions, held at Tegucigalpa, were colorful and dignified. Especially interesting was the opening session and the inauguration of the Conference by the President of the Republic of Honduras, Teburcio Carias Andino. The last two meetings of the sections were given over to round-table discussions which attempted to reach definite conclusions for incorporation in the final minutes of the Conference.

The hospitality of the Honduran Government and the forethought of the Organizing Committee in providing for every need of the delegates during their 11 days of residence and travel under Honduran auspices will long be remembered by those who participated in the Conference.

Trusteeship and Dependent Territories

A discussion on the subject of trusteeship and dependent territories by Benjamin Gerig and Ralph J. Bunche, Chief and Associate Chief of the Division of Dependent Area Affairs, Department of State, was broadcast on September 7 and issued as press release 618 on the same date. The program was one in a group of State Department programs of the NBC University of the Air series entitled "Our Foreign Policy".

The Record of the Week

Restatement of U. S. Policy on Germany

ADDRESS BY THE SECRETARY OF STATE¹

I HAVE COME to Germany to learn at first hand the problems involved in the reconstruction of Germany and to discuss with our representatives the views of the United States Government as to some of the problems confronting us.

We in the United States have given considerable time and attention to these problems because upon their proper solution will depend not only the future well-being of Germany but the future well-being of Europe.

We have learned, whether we like it or not, that we live in one world, from which world we cannot isolate ourselves. We have learned that peace and well-being are indivisible and that our peace and well-being cannot be purchased at the price of the peace or the well-being of any other country.

I hope that the German people will never again make the mistake of believing that because the American people are peace-loving they will sit back hoping for peace if any nation uses force or the threat of force to acquire dominion over other peoples and other governments.

In 1917 the United States was forced into the first World War. After that war we refused to join the League of Nations. We thought we could stay out of Europe's wars, and we lost interest in the affairs of Europe. That did not keep us from being forced into a second world war.

We will not again make that mistake. We intend to continue our interest in the affairs of Europe and of the world. We have helped to organize the United Nations. We believe it will stop aggressor nations from starting wars. Because we believe it, we intend to support the United Nations organization with all the power and resources we possess.

The American people want peace. They have long since ceased to talk of a hard or a soft peace for Germany. This never has been the real issue. What we want is a lasting peace. We will oppose soft measures which invite the breaking of the peace.

In agreeing at Potsdam that Germany should be disarmed and demilitarized and in proposing that the four major powers should by treaty jointly undertake to see that Germany is kept disarmed and demilitarized for a generation, the United States was not unmindful of the responsibility resting upon it and its major Allies to maintain and enforce peace under the law.

Freedom from militarism will give the German people the opportunity, if they will but seize it, to apply their great energies and abilities to the works of peace. It will give them the opportunity to show themselves worthy of the respect and friendship of peace-loving nations, and in time, to take an honorable place among the members of the United Nations.

It is not in the interest of the German people or in the interest of world peace that Germany should become a pawn or a partner in a military struggle for power between the East and the West.

German militarism and Nazism have devastated twice in our generation the lands of Germany's neighbors. It is fair and just that Germany should do her part to repair that devastation. Most of the victims of Nazi aggression were before the war less well off than Germany. They should not be expected by Germany to bear, unaided, the major costs of Nazi aggression.

The United States, therefore, is prepared to carry out fully the principles outlined in the Potsdam Agreement on demilitarization and reparations. However, there should be changes in the

¹ Address delivered in Stuttgart, Germany, on Sept. 6, 1946 and released to the press on the same date.

levels of industry agreed upon by the Allied Control Commission if Germany is not to be administered as an economic unit as the Potsdam Agreement contemplates and requires.

The basis of the Potsdam Agreement was that, as part of a combined program of demilitarization and reparations, Germany's war potential should be reduced by elimination and removal of her war industries and the reduction and removal of heavy industrial plants. It was contemplated this should be done to the point that Germany would be left with levels of industry capable of maintaining in Germany average European living standards without assistance from other countries.

The plants so to be removed were to be delivered as reparations to the Allies. The plants to be removed from the Soviet zone would go to the Soviet Union and Poland and the plants to be removed from the western zones would go in part to the Soviet Union but in the main to the western Allies. Provision was also made for the distribution of Germany's foreign assets among the Allies.

After considerable discussion the Allies agreed upon levels to which the principal German industries should be reduced in order to carry out the Potsdam Agreement. These levels were agreed to upon the assumption that the indigenous resources of Germany were to be available for distribution on an equitable basis for all of the Germans in Germany and that products not necessary for use in Germany would be available for export in order to pay for necessary imports.

In fixing the levels of industry no allowance was made for reparations from current production. Reparations from current production would be wholly incompatible with the levels of industry now established under the Potsdam Agreement.

Obviously, higher levels of industry would have had to be fixed if reparations from current production were contemplated. The levels of industry fixed are only sufficient to enable the German people to become self-supporting and to maintain living standards approximating the average European living conditions.

That principle involves serious hardships for the German people, but it only requires them to share the hardships which Nazi aggression imposed on the average European.

The German people were not denied, however, the possibility of improving their lot by hard work over the years. Industrial growth and progress

were not denied them. Being obliged to start again like the people of other devastated countries, with a peacetime economy not able to provide them more than the average European standard, the German people were not to be denied the right to use such savings as they might be able to accumulate by hard work and frugal living to build up their industries for peaceful purposes.

That was the principle of reparations to which President Truman agreed at Potsdam. And the United States will not agree to the taking from Germany of greater reparations than was provided by the Potsdam Agreement.

The carrying out of the Potsdam Agreement has, however, been obstructed by the failure of the Allied Control Council to take the necessary steps to enable the German economy to function as an economic unit. Essential central German administrative departments have not been established, although they are expressly required by the Potsdam Agreement.

The equitable distribution of essential commodities between the several zones so as to produce a balanced economy throughout Germany and reduce the need for imports has not been arranged, although that too is expressly required by the Potsdam Agreement.

The working out of a balanced economy throughout Germany to provide the necessary means to pay for approved imports has not been accomplished, although that too is expressly required by the Potsdam Agreement.

The United States is firmly of the belief that Germany should be administered as an economic unit and that zonal barriers should be completely obliterated so far as the economic life and activity in Germany are concerned.

The conditions which now exist in Germany make it impossible for industrial production to reach the levels which the occupying powers agreed were essential for a minimum German peacetime economy. Obviously, if the agreed levels of industry are to be reached, we cannot continue to restrict the free exchange of commodities, persons, and ideas throughout Germany. The barriers between the four zones of Germany are far more difficult to surmount than those between normal independent states.

The time has come when the zonal boundaries should be regarded as defining only the areas to be

occupied for security purposes by the armed forces of the occupying powers and not as self-contained economic or political units.

That was the course of development envisaged by the Potsdam Agreement, and that is the course of development which the American Government intends to follow to the full limit of its authority. It has formally announced that it is its intention to unify the economy of its own zone with any or all of the other zones willing to participate in the unification.

So far only the British Government has agreed to let its zone participate. We deeply appreciate their cooperation. Of course, this policy of unification is not intended to exclude the governments not now willing to join. The unification will be open to them at any time they wish to join.

We favor the economic unification of Germany. If complete unification cannot be secured, we shall do everything in our power to secure the maximum possible unification.

Important as the economic unification is for the recovery of Germany and of Europe, the German people must recognize that the basic cause of their suffering and distress is the war which the Nazi dictatorship brought upon the world.

But just because suffering and distress in Germany are inevitable, the American Government is unwilling to accept responsibility for the needless aggravation of economic distress that is caused by the failure of the Allied Control Council to agree to give the German people a chance to solve some of their most urgent economic problems.

So far as many vital questions are concerned, the Control Council is neither governing Germany nor allowing Germany to govern itself.

A common financial policy is essential for the successful rehabilitation of Germany. Runaway inflation accompanied by economic paralysis is almost certain to develop unless there is a common financial policy directed to the control of inflation. A program of drastic fiscal reform to reduce currency and monetary claims, to revise the debt structure, and to place Germany on a sound financial basis is urgently required.

The United States has worked hard to develop such a program, but fully coordinated measures must be accepted and applied uniformly to all zones if ruinous inflation is to be prevented. A central agency of finance is obviously necessary to carry out any such program effectively.

It is also essential that transportation, communications, and postal services should be organized throughout Germany without regard to zonal barriers. The nation-wide organization of these public services was contemplated by the Potsdam Agreement. Twelve months have passed and nothing has been done.

Germany needs all the food she can produce. Before the war she could not produce enough food for her population. The area of Germany has been reduced. The population in Silesia, for instance, has been forced back into a restricted Germany. Armies of occupation and displaced persons increase demands while the lack of farm machinery and fertilizer reduces supplies. To secure the greatest possible production of food and the most effective use and distribution of the food that can be produced, a central administrative department for agriculture should be set up and allowed to function without delay.

Similarly, there is urgent need for the setting up of a central German administrative agency for industry and foreign trade. While Germany must be prepared to share her coal and steel with the liberated countries of Europe dependent upon those supplies, Germany must be enabled to use her skills and her energies to increase her industrial production and to organize the most effective use of her raw materials.

Germany must be given a chance to export goods in order to import enough to make her economy self-sustaining. Germany is a part of Europe, and recovery in Europe, and particularly in the states adjoining Germany, will be slow indeed if Germany with her great resources of iron and coal is turned into a greenhouse.

When the ruthless Nazi dictatorship was forced to surrender unconditionally, there was no German government with which the Allies could deal. The Allies had temporarily to take over the responsibilities of the shattered German state, which the Nazi dictatorship had cut off from any genuine accountability to the German people. The Allies could not leave the leaders or minions of Nazism in key positions ready to reassert their evil influence at the first opportunity. They had to go.

But it never was the intention of the American Government to deny to the German people the right to manage their own internal affairs as soon as they were able to do so in a democratic way

with genuine respect for human rights and fundamental freedoms.

The Potsdam Agreement, concluded only a few months after the surrender, bound the occupying powers to restore local self-government and to introduce elective and representative principles into the regional, provincial, and state administration as rapidly as was consistent with military security and the purposes of the military occupation.

The principal purposes of the military occupation were and are to demilitarize and de-Nazify Germany but not to raise artificial barriers to the efforts of the German people to resume their peacetime economic life.

The Nazi war criminals were to be punished for the suffering they brought to the world. The policy of reparations and industrial disarmament prescribed in the Potsdam Agreement was to be carried out. But the purpose of the occupation did not contemplate a prolonged foreign dictatorship of Germany's peacetime economy or a prolonged foreign dictatorship of Germany's internal political life. The Potsdam Agreement expressly bound the occupying powers to start building a political democracy from the ground up.

The Potsdam Agreement did not provide that there should never be a central German government; it merely provided that for the time being there should be no central German government. Certainly this only meant that no central government should be established until some sort of democracy was rooted in the soil of Germany and some sense of local responsibility developed.

The Potsdam Agreement wisely provided that administration of the affairs of Germany should be directed toward decentralization of the political structure and the development of local responsibility. This was not intended to prevent progress toward a central government with the powers necessary to deal with matters which would be dealt with on a nation-wide basis. But it was intended to prevent the establishment of a strong central government dominating the German people instead of being responsible to their democratic will.

It is the view of the American Government that the German people throughout Germany, under proper safeguards, should now be given the primary responsibility for the running of their own affairs.

More than a year has passed since hostilities ceased. The millions of German people should

not be forced to live in doubt as to their fate. It is the view of the American Government that the Allies should, without delay, make clear to the German people the essential terms of the peace settlement which they expect the German people to accept and observe. It is our view that the German people should now be permitted and helped to make the necessary preparations for setting up of a democratic German government which can accept and observe these terms.

From now on the thoughtful people of the world will judge Allied action in Germany not by Allied promises but by Allied performances. The American Government has supported and will continue to support the necessary measures to de-Nazify and demilitarize Germany, but it does not believe that large armies of foreign soldiers or alien bureaucrats, however well motivated and disciplined, are in the long run the most reliable guardians of another country's democracy.

All that the Allied governments can and should do is to lay down the rules under which German democracy can govern itself. The Allied occupation forces should be limited to the number sufficient to see that those rules are obeyed.

But of course the question for us will be: What force is needed to make certain that Germany does not rearm as it did after the first World War? Our proposal for a treaty with the major powers to enforce for 25 or even 40 years the demilitarization plan finally agreed upon in the peace settlement would have made possible a smaller army of occupation. For enforcement we could rely more upon a force of trained inspectors and less upon infantry.

For instance, if an automobile factory, in violation of the treaty, converted its machinery to the production of weapons of war, inspectors would report it to the Allied Control Council. They would call upon the German Government to stop the production and punish the offender. If the German Government failed to comply then the Allied nations would take steps to enforce compliance by the German Government. Unfortunately our proposal for a treaty was not agreed to.

Security forces will probably have to remain in Germany for a long period. I want no misunderstanding. We will not shirk our duty. We are not withdrawing. We are staying here. As long as there is an occupation army in Germany, American armed forces will be part of that occupation army.

The United States favors the early establishment of a provisional German government for Germany. Progress has been made in the American zone in developing local and state self-government in Germany, and the American Government believes similar progress is possible in all zones.

It is the view of the American Government that the provisional government should not be hand-picked by other governments. It should be a German national council composed of the democratically responsible minister presidents or other chief officials of the several states or provinces which have been established in each of the four zones.

Subject to the reserved authority of the Allied Control Council, the German National Council should be responsible for the proper functioning of the central administrative agencies. Those agencies should have adequate power to assure the administration of Germany as an economic unit, as was contemplated by the Potsdam Agreement.

The German National Council should also be charged with the preparation of a draft of a federal constitution for Germany which, among other things, should insure the democratic character of the new Germany and the human rights and fundamental freedoms of all its inhabitants.

After approval in principle by the Allied Control Council, the proposed constitution should be submitted to an elected convention for final drafting and then submitted to the German people for ratification.

While we shall insist that Germany observe the principles of peace, good-neighborliness, and humanity, we do not want Germany to become the satellite of any power or powers or to live under a dictatorship, foreign or domestic. The American people hope to see peaceful, democratic Germans become and remain free and independent.

Austria has already been recognized as a free and independent country. Her temporary and forced union with Germany was not a happy event for either country, and the United States is convinced that it is in the interest of both countries and the peace of Europe that they should pursue their separate ways.

At Potsdam specific areas which were part of Germany were provisionally assigned to the Soviet Union and to Poland, subject to the final decisions of the Peace Conference. At that time these areas were being held by the Soviet and Polish armies.

We were told that Germans in large numbers were fleeing from these areas and that it would in fact, because of the feelings aroused by the war, be difficult to reorganize the economic life of these areas if they were not administered as integral parts in the one case of the Soviet Union and in the other case of Poland.

The heads of government agreed to support at the peace settlement the proposal of the Soviet Government concerning the ultimate transfer to the Soviet Union of the city of Königsberg and the area adjacent to it. Unless the Soviet Government changes its views on the subject we will certainly stand by our agreement.

With regard to Silesia and other eastern German areas, the assignment of this territory to Poland by Russia for administrative purposes had taken place before the Potsdam meeting. The heads of government agreed that, pending the final determination of Poland's western frontier, Silesia and other eastern German areas should be under the administration of the Polish state and for such purposes should not be considered as a part of the Soviet zone of occupation in Germany. However, as the Protocol of the Potsdam Conference makes clear, the heads of government did not agree to support at the peace settlement the cession of this particular area.

The Soviets and the Poles suffered greatly at the hands of Hitler's invading armies. As a result of the agreement at Yalta, Poland ceded to the Soviet Union territory east of the Curzon Line. Because of this, Poland asked for revision of her northern and western frontiers. The United States will support a revision of these frontiers in Poland's favor. However, the extent of the area to be ceded to Poland must be determined when the final settlement is agreed upon.

The United States does not feel that it can deny to France, which has been invaded three times by Germany in 70 years, its claim to the Saar territory, whose economy has long been closely linked with France. Of course, if the Saar territory is integrated with France she should readjust her reparation claims against Germany.

Except as here indicated, the United States will not support any encroachment on territory which is indisputably German or any division of Germany which is not genuinely desired by the people concerned. So far as the United States is aware the people of the Ruhr and the Rhineland desire to

remain united with the rest of Germany. And the United States is not going to oppose their desire.

While the people of the Ruhr were the last to succumb to Nazism, without the resources of the Ruhr Nazism could never have threatened the world. Never again must those resources be used for destructive purposes. They must be used to rebuild a free, peaceful Germany and a free, peaceful Europe.

The United States will favor such control over the whole of Germany, including the Ruhr and the Rhineland, as may be necessary for security purposes. It will help to enforce those controls. But it will not favor any controls that would subject the Ruhr and the Rhineland to political domination or manipulation of outside powers.

The German people are now feeling the devastating effects of the war which Hitler and his minions brought upon the world. Other people felt those devastating effects long before they were brought home to the people of Germany.

The German people must realize that it was Hitler and his minions who tortured and exterminated innocent men, women, and children and sought with German arms to dominate and degrade the world. It was the masses, angered

forces of humanity which had to fight their way into Germany to give the world the hope of freedom and peace.

The American people who fought for freedom have no desire to enslave the German people. The freedom Americans believe in and fought for is a freedom which must be shared with all willing to respect the freedom of others.

The United States has returned to Germany practically all prisoners of war that were in the United States. We are taking prompt steps to return German prisoners of war in our custody in other parts of the world.

The United States cannot relieve Germany from the hardships inflicted upon her by the war her leaders started. But the United States has no desire to increase those hardships or to deny the German people an opportunity to work their way out of those hardships so long as they respect human freedom and follow the paths of peace.

The American people want to return the government of Germany to the German people. The American people want to help the German people to win their way back to an honorable place among the free and peace-loving nations of the world.

Facts Relating to Flights of American Planes Over Yugoslav Territory

REPLY FROM ACTING SECRETARY CLAYTON TO THE YUGOSLAV CHARGÉ D'AFFAIRES¹

[Released to the press September 31]

SIR:

I refer to a note dated August 30, 1946 which you left at the Department of State in regard to alleged flights of United States planes over Yugoslav territory. In your note you refer to several notes of protest to the United States Government requesting that flights over Yugoslav territory be stopped and that inquiries be undertaken toward establishing those responsible. You state that your Government did not receive a satisfactory reply and that measures were not undertaken to prevent the flights. Your note states furthermore that your Government received no satisfactory answer to its last two notes—that of August 10, 1946 in regard to the forced landing of an American military transport plane in Yugoslavia on August 9 and that of August 20 concerning the flight of a

second American transport over Yugoslav territory on August 19, "whose crew unfortunately met a tragic end that might, in any case have been avoided had the crew obeyed the invitation to land".

In your note of August 30 you state that neither of these two American planes flew over Yugoslavia in an emergency caused by bad weather. Your note further states that your Government "cannot be held responsible for the victims" of the plane which was shot down on August 19 "as it had undertaken everything possible to avoid such results in similar flights which had taken place,

¹This note was handed to the Yugoslav Chargé d'Affaires, Sergej Makić, on Sept. 3. For texts of other notes to Yugoslavia on the flight of American planes over Yugoslav territory and on the Yugoslav attack on American planes, see BULLETIN of Sept. 1, 1946, p. 415.

and which might easily occur at a border where our army, like that of every independent country, is charged with guarding the integrity of our territory and the sovereignty of our country".

Your note of August 30 states that your Government again requests that the United States Government reply concerning the steps it has taken to end "the unauthorized and intentional flights over Yugoslav territory". You further state that unauthorized flights over Yugoslav territory have occurred again in the same region even after the "incident" of August 19. Your note states that "on August 23 there were flights by three bombers, three fighters and one transport; August 24, eight planes flew over—three bombers, three fighters and two transports; August 25, three planes, two fighters and one transport; August 26, nine planes, seven fighters, one transport and one bomber; August 27, nine planes, five bombers, two transports and two fighters". Your note goes on to state that it is obvious that all of these cases "could not be the result of emergency or bad weather, but that in most cases the flights over our territory were intentional".

Your note concludes by referring to the statement of Marshal Tito to Ambassador Patterson that "he has forbidden the shooting at planes that might fly over Yugoslav territory; presuming that for its part the Government of the United States of America would undertake the steps necessary to prevent these flights, except in the case of emergency or bad weather, for which arrangements could be made by agreement between American and Yugoslav authorities".

In a conversation with Ambassador Patterson in Belgrade on August 31, Marshal Tito stated that he was sorry to say that far from ceasing, unauthorized flights over Yugoslav territory continued in increasing numbers every day. He stated that on August 28 four fighters and two bombers were sighted over Yugoslav territory; on August 29 he asserted 20 planes, 14 bombers, 2 transports and 4 fighters flew over Yugoslav territory without authorization. Presumably, although this is not completely clear from Ambassador Patterson's telegram reporting the conversation, Marshal Tito believed that all of these planes were American planes.

In this same conversation with Ambassador Patterson on August 31, Marshal Tito, after referring to your note of August 30 to the Depart-

ment of State, stated that he was now asking for three things: (1) an official guarantee that violations of Yugoslav territory would stop; (2) that pilots and others responsible for future violations would be punished and (3) an agreement on signals for pilots in difficulty to communicate with Yugoslav pilots and ground forces for assistance.

In order that I may deal comprehensively with the alleged violations of Yugoslav territory by American planes, perhaps it would be well if I recapitulated briefly statements contained in the notes of your Government in regard to such alleged violations. Your Government's note of August 10 alleged 172 violations of Yugoslav territory and gave 97 examples of such violations on seven specified dates between July 16 and August 8. The examples cited comprised 61 bombers, 15 fighters, 1 transport and 20 unidentified aircraft.

A further note from your Government dated August 20 alleged 44 violations of Yugoslav territory by unauthorized aircraft from August 10 to August 20. These 44 violations were alleged to have taken place on seven specific dates during the period and to have consisted of 27 bombers, 12 fighters, 4 transports and one unidentified aircraft.

The violations of Yugoslav territory alleged to have taken place in your note of August 30 are set forth in the third paragraph of this note and those mentioned by Marshal Tito in conversation with Ambassador Patterson on August 31 are set forth in the fifth paragraph of this note.

In summary, the Yugoslav Government has alleged that over the period from July 16 to August 29 278 unauthorized flights were made over Yugoslav territory, a high proportion of those flights being by bombers and fighters.

The United States Government has made a thorough and comprehensive investigation of these alleged flights over Yugoslav territory. In the course of this investigation the records of the various military headquarters and establishments of the United States in Europe were checked and the whereabouts of every American military plane in Europe during the period July 16 to August 29, inclusive was established. As a result of this exhaustive investigation, I am now in a position to provide you with the facts in regard to flights of American planes.

During the period July 16 to August 8, 1946 there were only 10 American military aircraft which made flights which were anywhere near

Yugoslav territory. Of these flights, 9 were made by unarmed transports and one by a bomber, a B-17. No other American military planes were near enough to Yugoslav territory for it to have been possible for them to fly over the territory of your country. According to the records of the United States Army Air Force, the 10 flights of United States planes during this period did not take place over Yugoslav territory. These planes were, however, near Yugoslav territory, and it is conceivable that there might have been brief moments when, due to weather conditions, one or more of the planes was in fact over Yugoslav territory, but so far as the United States Government is aware, and according to the records of the United States Army Air Force, this did not actually take place. I would call your attention to the fact that during this period of July 16 to August 8 your Government alleges that there were violations of Yugoslav territory by 61 bombers, 15 fighters, one transport and 95 unidentified planes, and again remind you that of the American planes which could have possibly been over Yugoslav territory at any time during this period there were only 9 American unarmed transports and one bomber; this is to be compared with the 172 violations your Government alleges. I can only conclude that violations of Yugoslav territory by the planes set forth in your Government's note of August 10 must have been made by planes other than United States planes.

As regards the period August 10 to August 20, dealt with in your Government's note of August 20, the facts are that on the dates specified during this period United States military aircraft performed only 30 flights in areas close enough to Yugoslav territory for it to have been possible for any of these planes to fly over Yugoslav territory. All of these United States planes were unarmed transport aircraft except for one bomber, a B-17. Twenty-two of the alleged 44 violations, "3 fighters, 1 transport aircraft and at least 18 bombers", took place on August 13 according to the Yugoslav Government. On that day only three American military aircraft performed flights close enough to Yugoslav territory for it to have been possible for a violation of Yugoslav territory to have occurred; these three planes were unarmed transports. It is within the bounds of possibility that some of the 30 United States aircraft which flew during this period were inadvertently over

Yugoslav territory due to weather conditions. This, however, is not shown in the records of the United States Army Air Force. I would call your attention to the fact that during this period your Government alleges that there were violations of Yugoslav territory by 27 bombers and 12 fighters. During that period no American fighter and only one American bomber was close enough to Yugoslav territory for it to have been possible, even inadvertently, for it to have flown over Yugoslav territory. I am therefore forced to conclude that the violations of Yugoslav territory set forth in your Government's note of August 20 must have been made by planes other than American planes.

As regards the alleged violations of Yugoslav territory set forth in your note of August 30 and recapitulated in the third paragraph of this note, I may say that the facts as regards American planes are as follows: All flights over the Vienna-Udine route were stopped on August 20. On August 25 orders were given for the resumption of this service with armed B-17 bombers. The orders provided that each plane was to proceed as far as Klagenfurt, Austria, and thence to Udine without crossing Yugoslav territory provided the weather was satisfactory. If the weather was unsatisfactory and there was danger that the plane might inadvertently get over Yugoslav territory, the plane was to return to Vienna. The B-17 bomber which was to inaugurate this service on August 25 did in fact return to Vienna after reaching Klagenfurt because of weather conditions. For the remainder of the period covered by your note of August 30 there were three flights of American military planes over that route under the instructions set forth above. These three flights were made by armed B-17 bombers. I can state categorically that not one of these planes violated Yugoslav territory and that there were no other American military planes in the air on the five specific dates mentioned in your note of August 30 which were close enough to Yugoslav territory for it to have been possible for them even through inadvertence to fly over Yugoslav territory. Therefore, I am forced to the conclusion that all of the 36 violations alleged to have occurred in your note of August 30 must have been made by planes other than American planes.

Concerning the flights alleged by Marshal Tito in his conversation with Ambassador Patterson mentioned in the fifth paragraph of this note,

there were two flights of American aircraft, under identical instructions, both by B-17 bombers, on August 28. One of these was from Vienna to Udine and the other on the same route in the opposite direction. On August 29, one American bomber, a B-17, flew from Udine to Vienna. I can similarly state that none of these planes violated Yugoslav territory. Thus I am likewise forced to the conclusion that the 26 violations alleged by Marshal Tito to have taken place on August 28 and 29 must also have been caused by planes other than American.

No American planes have flown over Yugoslavia intentionally without advance approval of Yugoslav authorities unless forced to do so in an emergency. I presume that the Government of Yugoslavia recognizes that in case a plane and its occupants are jeopardized, the aircraft may change its course so as to seek safety even though such action may result in flying over Yugoslav territory without prior clearance.

Two unarmed American transport planes have been shot down by Yugoslav fighters. The first incident occurred on August 9th. The pilot of this plane was specifically instructed to fly over Klagenfurt to Udine via Tarvisio, carefully avoiding Yugoslav territory. The weather information available to this pilot was inaccurate and he encountered heavy clouds, icing and high winds on his route. When he emerged into clear weather he believed that his plane was northwest of Udine in Italy. Actually, while under instrument flight conditions he had drifted off his course into Yugoslavia. The plane was then approached by three Yugoslav fighters. These fighters made no signal which could be interpreted as a landing signal. They did wobble their wings which, according to United States practice is the accepted signal to attract attention to the plane making the signal. The Yugoslav fighters then attacked without any warning whatsoever. The transport plane then descended rapidly in an effort to land but was fired on during the descent. After the plane landed the passengers and crew were held from August 9 to August 22 by the Yugoslav authorities. During this period the passengers and crew were questioned frequently and the Yugoslav questioners attempted to persuade individuals to delete from their statements any reference to the bad weather they had encountered and were asked to include statements as to the satisfactory care af-

forded. The foregoing statements are taken from the report of the pilot and crew of the plane made after their release by Yugoslav authorities.

On August 19 an unarmed American transport aircraft left Vienna for Italy. In accordance with standard practice, the pilot was carefully instructed as to his route. These instructions included a directive to avoid Yugoslavia. It is impossible to give complete information as to what occurred on this flight. The pilot and crew of this unarmed American transport are dead, shot down by Yugoslav armed aircraft.

The Yugoslav Government has already received assurances from the United States Government that the United States planes will not cross Yugoslav territory without prior clearance from Yugoslav authorities except when forced to do so by circumstances over which there is no control such as bad weather, loss of direction, and mechanical trouble. Assurances along these lines were repeated in the note which the American Ambassador gave the Yugoslav Government on August 21, 1946. Standing orders in this sense governing the activities of American planes have been enforced throughout the period referred to in the several recent notes from the Yugoslav Government alleging violations of Yugoslav territory by American planes. These orders have, in fact, been carried out at all American air stations in central, southern and eastern Europe from which American planes fly in the vicinity of Yugoslavia, and will continue to be carried out in the future.

I do not believe that it would serve a useful purpose for me to add to the views which were expressed in the note which the Acting Secretary of State handed you on August 21 last in regard to the action of the Yugoslav Government in shooting down the two American transport planes on August 9 and August 19. Marshal Tito in his conversation with Ambassador Patterson on August 22 expressed his regret at the loss of American lives. I have noted the efforts of the Yugoslav authorities in the search for the bodies of the five crew members and the honors shown the remains which were recovered. Marshal Tito further informed Ambassador Patterson of his order recited in your note of August 30 that Yugoslav planes should not fire on planes that might fly over Yugoslav territory.

The Yugoslav Government has released the crew and passengers of the transport plane which

was forced down on August 9 with the exception of the wounded Turkish officer who was a passenger on the plane and is still in the hospital. I have been informed that the Yugoslav Government has advised the Turkish authorities that this Turkish officer is free to leave Yugoslavia when he is able to travel and that your Government has expressed its regrets concerning his injury.

The United States Government was glad to receive the assurances contained in Marshal Tito's note dated August 31st to Ambassador Patterson. The full text of that note reads as follows:

-No. 10681 Belgrade, August 31, 1946.

"Excellency:

"With reference to our conversation in Bled on August 22, 1946, as well as to the statements I made on that occasion on behalf of the Government of the Federative Peoples Republic of Yugoslavia, not all of which have been laid down in my written reply of August 23, I have to confirm herewith:

"*(One)* The Government of the Federative Peoples Republic of Yugoslavia regrets indeed that American pilots lost their lives at the accident of August 19, near Bled, when an American military transport plane crashed after disobeying signals to land;

"*(Two)* As I already stated both orally and in writing to Anglo-American correspondents, I have issued orders to our military authorities to the effect that no transport planes must be fired at any more, even if they might intentionally fly over our territory without proper clearance, but that in such cases they should be invited to land; if they refused to do so their identity should be taken and the Yugoslav Government informed hereof so that any necessary steps could be undertaken through appropriate channels.

"I also confirm my statement made on that occasion, on behalf of the Government of the Federative Peoples Republic of Yugoslavia that I consider objectless the American Government's note which was, to our surprise, unnecessarily and without reason too strong towards an Allied country as is Yugoslavia; the Government of the Federative Peoples Republic of Yugoslavia had ordered 24 hours prior to the handing over of the said note that the crew of the plane be released and that they be allowed to leave this country. The crew had been taken over by Mr. Hohenthal, the American

Consul at 7:30 hours of August 22, i.e. full 8 hours before the note in connection with that crew was handed over.

"Respectfully yours, TITO MP"

With reference to Marshal Tito's proposal for an agreement on signals, United States military representatives would welcome a discussion of this question and are prepared to meet Yugoslav military representatives at such time and place as your Government may designate, in order to reach an agreement regarding the signals to be employed.

I am constrained to advise you that the United States Government has confidently expected that expressions of Yugoslav regrets respecting the loss of members of the crew, who were killed as a consequence of the action of Yugoslav armed forces, would be accompanied by an offer to make suitable indemnification to the families and dependents of the unfortunate victims of such Yugoslav action. My Government expects that such indemnification will be made by the Yugoslav Government, as well as compensation for the destruction of and damage to the United States planes and other property caused by the two Yugoslav attacks.

Accept [etc.]

WILLIAM L. CLAYTON
Acting Secretary

SECURITY COUNCIL.—Continued from page 499

purpose of my motion is to avoid, if I can—and I will say so quite frankly—the painful necessity of casting a negative vote at this time. If it is your wish and the wish of the Council to continue this discussion on the merits of the Albanian case, I have no objection whatever. I would desire however that, before any vote is taken as to whether or not the Security Council would recommend to the Assembly the admission of Albania, that a vote be taken on my proposal to postpone consideration, so that in that case no vote would be taken on the merits of this application. I would include Outer Mongolia, for the sake of form, also in that statement.

PRESIDENT: In this case, I shall suggest that we discuss the application of Albania, and at the end of that discussion take into consideration the motion of the Delegate of the United States, or any other motion which may be made.

Swedish-Soviet Trade Negotiations

EXCHANGE OF NOTES BETWEEN THE U.S. AND SWEDISH GOVERNMENTS

[Released to the press September 4]

This Government presented to the Swedish Government on August 16, 1946, through its Legation in Sweden, a note dated August 15, 1946, the text of which is substantially as follows:

As your Excellency is aware, the Government of the United States in December 1945 published its *Proposals for Expansion of World Trade and Employment*. A copy of this document was transmitted to your Excellency's Government. A basic principle of the Proposals is the promotion of a multilateral trading system on a non-discriminatory basis.

On February 18, 1946 the Economic and Social Council of the United Nations approved a resolution concerning the calling of an International Conference on Trade and Employment for the purpose of promoting the expansion of production and the exchange and consumption of goods. It is now expected that this Conference will be convened in the latter part of 1947. The resolution as approved by the Economic and Social Council establishes a preparatory committee, which is directed to prepare an annotated draft agenda, including a draft convention, for consideration by the Conference and suggests that this agenda include the principal topics contained in the aforementioned Proposals.

The resolution also directs the preparatory committee to submit to the Economic and Social Council recommendations concerning what states, if any, not members of the United Nations should be invited to the Conference on Trade and Employment.

It is my understanding that the Government of Sweden is at the present time engaged in the negotiation of a bilateral trade agreement with the Union of Soviet Socialist Republics which might last for five or more years, and that the quantities involved may, for particular products, absorb a substantial portion of the exports of Sweden.

The effect of such a long-term bilateral trade agreement would be to allocate specified quantities

of Swedish exports for shipment to the U.S.S.R. irrespective of superior commercial opportunities which may develop in other countries. Pre-termination of exports over a long period of time as to destination tends to freeze trade in a bilateral pattern thereby reducing the benefits arising from multilateral trade. Furthermore, other countries would be discriminated against in that they could not bid for and obtain a share of these Swedish exports during the period of the agreement, even though market conditions might make such transactions profitable to Swedish firms as well as to buyers in these other countries. Presumably, therefore, the proposed trade agreement with the U.S.S.R. might be of such a type as to prevent the Government of Sweden from assuming the obligations of the character contemplated in the Proposals.

The Government of the United States does not wish to see any peoples deprived of the opportunity to participate in the benefits of this program. Consequently it hopes that the Government of Sweden will conform to the basic principles of these Proposals in its trade agreements and will avoid entering into any agreement involving such quantities of goods for such periods of time as would make it impossible for Sweden to conform to the proposed charter of ITO in its commercial policy, and that it will at least retain its freedom of action by inserting, in any such bilateral trade agreements which it may negotiate, an appropriate clause making such agreements subject to any general agreements looking to trade expansion on a multilateral basis to which Sweden may in the future become a party. My Government on previous occasions has similarly expressed to other countries its views regarding bilateral trade agreements which involve relatively large quantities of goods for long periods of time.

The foregoing comments naturally do not refer to the extension of external credits by the Government of Sweden if the sales made pursuant to those credits are based on commercial considerations.

The views of the United States on this subject are also being communicated to the Government of the U.S.S.R.

Translation of text of reply of Swedish Government, dated August 29, 1946:

MR. CHARGÉ D'AFFAIRES:

In a note of the 15th of this month addressed to His Excellency Per Albin Hansson, Prime Minister and Minister of Foreign Affairs ad interim, recalling the initiatives taken in the international field with a view to establishing a multilateral system for commercial exchange on a non-discriminatory basis, you saw fit to present certain points of view on the commercial and financial agreement which is at present the subject of negotiations between the Swedish Government and the Government of the Union of Soviet Socialist Republics. At the same time you expressed in the name of your Government the hope that the Swedish Government will adapt its commercial policy to the general principles of the proposals published by the Government of the United States in the month of December 1945 with a view to the expansion of world commerce and full employment.

With reference to this communication I must call to your attention the numerous official declarations made by members of the Royal Government advocating the establishment of an international system of free exchange on a multilateral and non-discriminatory basis. It appears clearly from these declarations that the Swedish Government is ready to adhere to a multilateral arrangement which while facilitating the resumption of international commerce would include guarantees against national discriminatory measures in the commercial and financial field as well as in that of shipping, etc., subject however to the condition that such an arrangement would be of a truly international character, that is to say, that it would receive the approval of the principal States engaging in international trade. The Swedish Government will when the time comes take the liberty of presenting more fully its points of view on the above-mentioned American proposal.

It is in this spirit that, since the termination of hostilities in Europe, Sweden has on her part and within the limits of her capabilities striven to contribute to a rapid resumption of her foreign trade.

In the present state of affairs in Europe this policy has necessarily had to be based upon a bilateral collaboration between Sweden and the various European nations with which it has commercial relations. It is, however, to be noted that as has been officially stated by Sweden, the Swedish authorities have constantly taken care that the bilateral agreements concluded or in course of negotiation between Sweden and the various foreign countries far from impeding the development of international trade should contribute to the establishment of true international collaboration in the economic field. These agreements, easy to incorporate in such an international arrangement, are also of such a nature as to favor the return of a true multilateralism in international trade.

The Swedish Government which must reserve to itself complete freedom of decision as to the opportuneness of concluding such bilateral agreements as well as of adhering to an eventual international commercial arrangement can hardly understand how the situation, being that set forth in the explanations given about Swedish commercial policy, can have given rise to conclusions of the sort contained in your Note.

Please accept [etc.]

OSTEN UNDEX
Foreign Minister

U.S.—French Conversations on Use of Algiers Radio Transmitters

[Released to the press September 5]

In the months following the Allied landings in North Africa in November 1942 the United States, on the basis of existing military agreements, built a group of three radio transmitters near Algiers.

These transmitters played an important part during the war in reaching the enemy and friendly listeners in European countries.

Since the end of the war the Government has continued to relay broadcasts over Algiers to the continent of Europe. The transmitters are operated by American radio engineers employed by the United States Government.

When the Office of International Information and Cultural Affairs of the State Department was

created, it became necessary to reexamine the Government's position as regards these radio transmitters whose presence on French soil was no longer justified by military exigencies.

It was decided to approach the French Government with a view of ascertaining whether it would be willing to enter into formal agreement with the United States Government providing for further utilization of this American radio relay station on French soil. The French Government has at all times shown sympathetic understanding of our aims in this matter. However, the French Government pointed out that it was unable to prolong indefinitely a broadcasting arrangement growing out of wartime agreements, the continuance of which it considered abnormal in time of peace.

The United States Government is accordingly continuing conversations with the French Government and is examining the possibility of reaching an agreement providing for certain relay times over the Algiers transmitters if they are made available by sale or otherwise to the French Government under special arrangements.

Restricted Mail Service to Japan

[Released to the press September 7]

Effective September 10, 1946 a restricted mail service will be established between Japan and the rest of the world except Germany. This service will extend only to the islands of Honshu, Kyushu, Shikoku, and Hokkaido, and communications will be restricted to postcards containing messages of a personal or family nature, written in English, Chinese, Japanese, French, Korean, Russian, or Spanish. Effective on the same date, a one-way gift service to Japan will be established.

Gift parcels must not exceed 11 pounds in weight, and only one parcel a week may be sent by or on behalf of the same sender to or for the same addressee. The parcels will be subject to the postage rate of 14 cents a pound or fraction thereof.

Contents of gift parcels are limited to essential relief items, such as non-perishable foods, clothing, soap, and mailable medicines.

The parcels and relative customs declarations

must be conspicuously marked "Gift Parcel" by the senders, who must itemize the contents and value on the customs declarations.

Parcels which are undeliverable will not be returned to senders but will be turned over to authorized Japanese relief agencies.

Postcards and parcels should be addressed in English, but it will be permissible for the addresses to be shown also in any of the other languages listed in the second paragraph of this order, provided those addressed in the Chinese, Japanese, Korean, or Russian languages bear an interline translation in English of the names of the post office, island, and country of destination.

The export control regulations of the Office of International Trade, Department of Commerce, Washington 25, D.C., are applicable to parcels sent from the United States for delivery in Japan.

Postponement of Third Atomic-Bomb Test

[Released to the press by the White House September 6]

In view of the successful completion of the first two atomic-bomb tests of Operation Crossroads and the information derived therefrom, the Joint Chiefs of Staff have concluded that the third explosion, test "C", should not be conducted in the near future. The information obtained from tests "A" and "B", together with the knowledge derived from the original experimental test in New Mexico and from study of the results of the explosions in Hiroshima and Nagasaki, will enable our scientific and military experts to make a proper evaluation of the effects of this weapon.

The additional information of value expected to result from test "C" is such that the Joint Chiefs of Staff do not feel that completion of this test in the near future is justified.

The Joint Chiefs of Staff are extremely gratified by the conduct and results of the atomic-bomb tests and consider the entire operation an unqualified success.

The invaluable assistance of the civilian scientific personnel and the inter-service cooperation toward a common end were major factors in achieving this success.

Oil for the Lamps of Democracy

BY FRANCIS H. RUSSELL

MARK TWAIN is credited with the discovery that everyone talks about the weather but nobody does anything about it. He might have added that there is another thing nearly everyone talks about: that is, the way man's knowledge in the field of the physical sciences, and his application of that knowledge, has out-stripped his information in the social sciences—in other words, about himself. Fortunately, in this case, some people are trying to see that something is done about it. Witness this meeting.

For many years now we have been saying that the most important subject of study by man is man, but we have not indicated by the apportionment of time that we have given to our studies that we recognized the truth of this axiom. We have practically instantaneous travel, but where are the people to put in the rocket planes who can, as a result of their travels, bring about friendly relations between peoples? We have communications systems that over-spread the world, but what are the messages we should send that will bring us peace? We have acquired a knowledge about the atom that will enable us either to commit global suicide or vastly to increase the potential for human happiness. How are we to assure that we shall make the intelligent choice?

If we are to make progress, it must be of two kinds. In the first place, we must push further and further the boundaries of our knowledge of man and how and why he acts. In the second place, we must take that knowledge and make sure that it is more and more fully applied in the decisions that we make. In the realm of government we must play less by ear and more from knowledge. It is essential not only that new research be carried on but also that what is known is translated into terms that those of us who are not scientists can understand. Psychologists can help not only in their role as searchers for truth but also as citizens in bringing the fruits of science into the making of policy.

All this is true with an over-striding urgency in

a democracy. Dictatorships have always had a certain kind of advantage over democracies. The techniques of dictatorship are easy to come by. We are keenly aware, as a result of our experience of the last decade, that dictators can organize for war more quickly. They can be more secret and mobile in preparing to strike. They can crush internal dissidence. Dictatorship, after all, is the easiest—as it is the most fragile, cruel, and soul-poisoning—kind of government. A really skillful demagog can get one to working in a few years. Unfortunately, it takes generations to build a sound democracy. The foundations and instruments of democracy are infinitely complex because democracy is built not by a jumbo but by the millions.

It is easy to incorporate scientific developments into the arsenal of the dictator. The military sciences, the various media of communication, the developments in transportation, as well as the advances in the field of medicine, psychology, and the social sciences have all been seized upon by the dictators and quickly used to promote their ends.

As one example, take radio and the power which it has placed in our hands for affecting the minds of millions of men. What should be the relationship of government to this immeasurably powerful instrument? The answer, for Hitler, was easy. It was *Göbbels*—and the methods which his name has come to denote. Through radio the hearts of millions of people were frozen with fear; through radio their minds were confused with a barrage of double talk; through radio doubts and suspicions were made to take the place of loyalty to principles that had long been held. Radio became an indispensable adjunct of the Nazi army and the Nazi hangmen.

How can radio best serve a democracy? We

¹ An address delivered at a meeting of the American Psychological Society in Philadelphia, Pa., on Sept. 4, 1946 and released to the press on the same date. Mr. Russell is Acting Director of the Office of Public Affairs, Department of State.

have made a lot of progress but do not yet have the full answer. Two or three hundred representatives of the radio industry, program directors, commentators, executives, and representatives from universities, spent several days at Columbus, Ohio, last May trying to make some headway on the problem.

Unfortunately, the dictators have also been quick to seize upon the body of knowledge which the psychologists have produced and to turn that knowledge to their own malignant ends. Mob reactions and the baser motivations of fear, hate, greed, and love of power seem to be nearer the surface and easier to arouse than the more solid virtues which are the ingredients of democracy. The resort to Quislings, the burning of books, the rigorous censorship, making scapegoats of minorities, the intricate playing off of one ancient prejudice against another, the prostitution of language and logic, the fuhrer principle—all testify to Nazi misuse of some of the facts of human nature.

If democracy is to be the shape of the future, its adherents must engage in the arduous work that will harness to democratic ends the knowledge that man has acquired about himself both as an individual and in the aggregate. The political architects of this country during the half century that encompassed our revolution had a solid, even though rough-and-ready, insight into human nature. The Declaration of Independence, the various state constitutions, and, above all, the federal Constitution with its theories of reserved and delegated powers, its three branches of government, and its checks and balances, all revealed a knowledge of the human foundations upon which democracy could safely be built and the dangers against which safeguards should be erected.

But just as it did not require as vast an accumulation of knowledge in order to be up to date in, say, medicine at that time as it does in these days of bacteriology, X-ray, and atomic tracers, so it was not as difficult for our forefathers to apply the rules and techniques of the social sciences that were available then as it is to apply those of today. The statesmen of the 1780's did not have to wrestle with the problem of population masses, industrialization, rapid transportation and communications, weapons of mass destruction, competing ideologies, and national thrusts on the scale that besets the politicians of today. We have, it is true, knowledge and techniques that were not available to

them. Our task, therefore, as theirs was, is to apply the knowledge of the day to the issues of the day.

In no area of problems that press upon us is it more important to bring to bear all of the available knowledge of man's motivations and reactions than in the field of foreign relations. Here, perhaps, the ingredients of the various problems are most numerous and the price of failure the costliest. Here is presented the social-science equivalent in complexity of the mathematical equations in the field of atomic science. Multiple premisses, variable factors, and changing media abound.

Democracy in the final analysis consists of an equitable resolving of the views, the hopes and fears, the ambitions and ideals, and the concerns of the individual components of the community in which the democracy operates. Man's variant motivations, his concepts of his own and others' interests, the principles that he lives by and their relative force whenever they may compete for his allegiance must all be understood if we are to make sound judgments as to what is wise and what is just. The means which the modern social sciences have evolved by which these can be determined and measured must be utilized if the race between our democratic institutions and disaster is to be won.

Now what are some of the problems in the field of foreign policy to which this type of knowledge and this regimen of thought might be applied?

To work from the general toward the specific, it seems to me that a great deal more attention needs to be given to the psychological factors that cause the lag between our creation of a continuously new world and our ability to adapt ourselves to it. How can we strike a better resolution between the necessity for stability and the compulsion for progress? How can we best condition ourselves to a world that is changing by geometric progression? What is the psychological analysis and the psychological prescription for the cultural lag? The modern miracles of communication and travel nowhere impinge with greater violence on established habits of thought than in relations between peoples. Before we can successfully go about the task of deciding what changes to make in our intellectual habits and tracks of thought we must become conditioned to change itself. That will not be easy. The saying that man's most fundamental instinct is to sit applies intellectually as

well as physically. What are the other instincts to which we can appeal? And how can we best appeal to them? Fortunately for me my task today is only to raise questions, not to answer them.

Next, I suppose, on anyone's list of items for the social scientists to tackle is the dismayingly large and complex series of problems that sprung up to confront us when Hiroshima vanished into the atmosphere. The statement on "Psychology and the Atomic Energy Problem" which your society prepared last May was an excellent indication of the type of contribution which workers in your field can make. It was, of course—and I am sure you recognize it more than anyone else—only an introduction to the problem. The report emphasized that fear is one of the paramount forces currently influencing the public. Intensive studies need to be made—no doubt they are already in progress—to explore how far fear actually does exist in the public mind and in what ways it is affecting public attitudes on the various aspects of national and international control of atomic energy. May people be expected to be more or less ready to release to a majority vote of the Security Council, without power of veto by our own country, a decision as to whether this country should become involved in armed conflict? May people be expected to be more or less in favor of an extension of social control both in the national and international spheres as a result of the discovery of atomic energy? May people be expected to feel that we have a closer bond with the rest of the world as a result of the fission of the atom, or will the fears that have been created result in world psychological fission?

Next we might turn to the field of our international economic relations. What does the American public (or rather the American publics, for there are many of them, not one) regard as the real supports to our prosperity? In what terms do the American people think in considering the question of prosperity? How far do they carry the concept of interrelationship: merely to their family, to their farm or factory, to their state, to their country, or to the world as a whole? In what terms do they regard foreign trade? What are their views on the conflict between free enterprise and collectivism? To what extent are economic problems and political problems regarded as related?

Next, I would suggest that you give some

thought to the psychological factors which may be counted upon to work for the success of the United Nations and, conversely, the psychological obstacles to its success. One of the great problems in the first half century of our national life—indeed it was not settled until the repulse of Pickett's charge at Gettysburg—was the necessity of extending the allegiance of people from the town and the state to the nation. We have a similar problem, on a vastly greater scale, today. Although Charles Warren in his book "The Making of the Constitution" says that many people at the time of our national birth viewed the inhabitants of other states "as Americans now view Turks and Russians", we surely are not unduly magnifying our present-day problems if we doubt the complete accuracy of that statement. In any event, it will be some time before the sound psychological foundations that make for the success of our national institutions can be said firmly to underlie our efforts to achieve world unity.

The necessity for a healthy psychological relationship between the peoples of the world is recognized in the Charter—indeed by the existence—of the United Nations Educational, Scientific and Cultural Organization. To use the phrase that is rapidly taking its place with portions of the Declaration of Independence and Lincoln's Gettysburg Address as a part of our daily speech, "since wars begin in the minds of men, it is in the minds of men that the defenses of peace must be constructed." All the machinery in the world for military, political, and economic cooperation will come to naught unless the underlying antipathies, suspicions, and tensions that now exist between numerous sections of the world are supplanted by trends toward healthy relationships. The social psychologist should be able to suggest plans and ideas to UNESCO as it starts to tackle its all-essential work.

A large part of the job of creating positive, in place of negative, relationships between peoples will necessarily be done through activities carried on by the respective countries. In this country the responsibility for promoting this work rests with the Assistant Secretary for Public Affairs, Mr. Benton, and the Office of International Information and Cultural Affairs under him. In their work of promoting mutual understanding through exchange of students, short-wave radio programs,

publications, moving pictures, and other media, they are necessarily making decisions every day that involve psychological factors. What are the appeals to a common bond with other peoples that we can make with the greatest prospect of success? Again I leave the question with you.

Perhaps the greatest problem of all time for the social psychologists exists in our relations with the Soviet Union. Both the Russian people and we want peace. Yet we are caught in a tense and dangerous trend attested by each day's news. To what basic causes is this trend due—differences in racial temperament, old national drives, opposing ideologies, the ambitions of a small group, national insecurity, economic pressures, or to other causes? Are we taking part in a Greek tragedy, a fight against aggression, or merely some necessary hard-headed international negotiations? An accurate dissecting of the problem will carry us a long way toward meeting it.

To a very considerable extent the shape and nature of the world in which the United Nations tackles its multifarious responsibilities will be determined by the outcome of the series of peace conferences which recently began their work. The political and economic framework of Europe and the psychological relationships between the sections of Europe for many years to come will be very largely fixed as the result of our work now. The same is true of the peace treaties affecting the Far East. Quite obviously we should strive for arrangements that will make for positive and constructive psychological attitudes and not those that will result in strain and mounting tension.

Within our lifetime we have witnessed in more than one country the development of national psychopathic tendencies that have resulted in vast human suffering not only for the people of those countries but for the world at large. Our knowledge of the individual human personality has progressed to a point where we are able to note trends which forecast danger for the person himself and for those with whom he may come in contact. If we are to prevent war, one of the things we must do is to review with scientific thoroughness the history of those countries that have become menaces to their own and other people's welfare. We must be able to note and analyze similar trends as they develop in the future so that we may appraise the prospects for our own and the world's safety.

That again, it seems to me, is a task to which social psychology can make a major contribution.

Our foreign policy as a whole, the principles upon which we operate, must be consonant with the prevailing views and sentiments of the American people. As Secretary Hull said in the phrase that has become classic, foreign policy is for us "the task of focusing and giving effect in the world outside our borders to the will of 135 million people". It is, in part at least, for the social scientists to tell us what are the elements that go to make up the will of the American people. To what principles will we genuinely rally? To which do we give mere lip service? To what extent do we need to get our thinking straightened out in this respect?

And finally, if the American people are to have a will which can be focused and given effect, there must be not only a thorough-going program of providing essential information but, even more important, there must be continuous, purposeful, constructive thinking upon these questions by, as nearly as may be possible, all of the people of the land. The old town meeting, which gave an opportunity to the individual citizen to participate actively in the formulation of public policies, has disappeared as an available instrument for discussion for a large proportion of our population. To take its place, organizations of many kinds are performing an invaluable function of democracy by providing the machinery, the surroundings, and the stimulus for discussion. This activity, if we are to remain a true and virile democracy, must be greatly increased with particular attention to the local communities. What approaches, what incentives, what surroundings, what techniques, what type of organization, what type of leadership are best designed to promote this goal? The answers, it seems to me, must be found on the basis of a sound understanding of social psychology. We have all witnessed worthy attempts to stimulate this type of thinking which have been dull failures. On the other hand, I know from personal witness of a community meeting to discuss a phase of this country's foreign policy that was a whopping success. It took place at the Methodist church. It was jointly sponsored by two of the local Service clubs with the cooperation of a number of other local organizations, the library, and the schools. They had an old-fashioned

church turkey supper with all of the fixings. The chairman of the meeting was the head of a local trucking business. The meeting started with singing led by one of the town's doctors, and then followed an intensely stimulating discussion of a difficult international problem. Whether the turkey dinner, the singing, and the fact that it was held in the church had anything to do with the liveliness and seriousness that characterized the discussion I do not know. I suspect that they did. Perhaps we are too prone to undervalue the element of pleasure as an important psychological contribution to the success of a meeting. Possibly we are too apt to be dull and serious and tedious whenever we undertake to discuss "public affairs". I do not contend that that meeting represented the only setting for a community discussion. Obviously, there are many others, but I do suggest that many experiments and a great deal of research on the problem of how to stimulate constructive community discussion and thinking needs to be done. And I hope that persons with your skills and experiences will furnish many ideas, possibly produce a handbook, on how modern communities of various sizes and types can make their most effective contribution to the hard thinking that the believers in democracy must engage in if our way of life is to prevail, will assist in constructing pipelines from the grass roots to the points of policy making.

In the formulation of foreign policy in a democracy such as ours, public opinion plays a role in at least four different ways. In the first place, it generates new ideas. In a sense it produces the foreign policies of tomorrow. It furnishes the battleground for the myriad of ideas that emerge from the thinking of millions of people. On that intellectual battlefield the good ideas survive and the bad succumb to scrutiny and discussion.

Secondly, public opinion fixes the limitations within which this Government's current foreign policy must operate. I believe it was Secretary Hughes who remarked that on the whole foreign policy cannot get much ahead of or much behind public opinion.

Thirdly, public opinion supports and strengthens (or conversely undermines and weakens) the Government's policies. No democracy can long maintain a policy which does not receive general support. A most frequent phrase in diplomatic language, and one which enables this Government's

representatives to speak with the strength of millions, is "public opinion in my country is strongly to the effect that . . ." such and such a thing should happen. Conversely, foreign governments know if a particular policy does not receive public support in this country, and hard indeed is the role of the diplomat who tries to maintain a line of policy without that support.

Fourthly, in many important respects foreign policy is dependent upon the public for its execution. This is true particularly in the case of our cultural and economic relations with other countries.

Public opinion in the last analysis is little more than the aggregate of many private opinions. "Private opinion creates public opinion. Public opinion overflows into national behavior; and national behavior, as things are arranged at present, can make or mar the world. That is why private opinion, and private behavior, and private conversation are so terrifyingly important." And that is why it is so important that all our knowledge of human beings and their ways be brought to bear on the problems whose answers are going to spell our future.

Distribution of "Amerika Illustrated" to U.S.S.R.

(Released to the press August 30)

Distribution within the Soviet Union of *Amerika Illustrated*, the Russian-language magazine published by the United States Department of State, has begun at the new quintupled figure of 50,000 copies, the Department announced on August 30.

Permission to increase the magazine's distribution from 10,000 to 50,000 at ten rubles a copy—which probably will enable the United States Government to break even on the venture financially—was obtained by the American Embassy in Moscow last April and becomes effective with the sixth issue of *Amerika* which is just beginning to be distributed in the Soviet Union. The magazine was first sold in the Soviet Union in January of 1945.

Published in a *Life*-size, illustrated format, the present issue presents President Truman's twelve points of American foreign policy in its lead editorial. There also are pictures and articles rang-

ing from the last New York *Herald Tribune* Forum's speeches on U.S.-Soviet relations to Joe Louis, Jones Beach, the U.S. Naval Academy at Annapolis, chemistry, the U.S. Treasury Department, Jerome Kern, John Curry, and women's home-dressmaking designs.

Cancellation of Tripartite Agreement on Rubber

[Released to the press September 4]

The Department of State has been informed by the American Embassy in Rio de Janeiro that Brazil is willing to approve cancellation of the tripartite agreement governing the export of rubber and rubber products to Argentina from the United States and Brazil.¹ Brazil agrees, in advance of a formal exchange of notes among the three countries cancelling the agreement, that the United States may export tires to Argentina.

The agreement was concluded May 2, 1945 by representatives of the Governments of Argentina, Brazil, and the United States to establish procedures under which Argentina would be integrated into the existing inter-American system covering the supply of rubber and rubber products. The purpose of this arrangement was to conserve the greatest possible quantities of natural rubber for the prosecution of the war.

The Government of Argentina undertook to insure that rubber products and the raw materials for their manufacture would be devoted solely to meeting the essential economic requirements of Argentina, to apply adequate price controls, and to prevent contraband transactions in natural rubber and rubber products.

Following a joint study of Argentine requirements, there was established an allocation of tires, tubes, and rubber for shipment from Brazil or the United States. Changed conditions following the termination of hostilities have removed the necessity for a special agreement of this character.

U.S.—Argentine Discussion on Air-Transport Agreement

[Released to the press September 5]

Discussions between the United States and Argentina relating to a bilateral air-transport agreement are scheduled to begin in Washington on September 6.

The Argentine representatives now in the United States for this purpose are Santiago Díaz Biale, president of FAMA, the Argentine state-controlled airline; Enrique Ferreira, director of commercial aeronautics; Enrique Moss, Counselor of the Argentine Embassy in Washington; and Guillermo de Mare of the Argentine Ministry of Foreign Relations.

Representatives of the Department of State and the Civil Aeronautics Board will participate in the discussions on behalf of the United States.

International Institute of Agriculture

The President on August 28, 1946 ratified the protocol, dated at Rome March 30, 1946, terminating the convention for the creation of an International Institute of Agriculture, signed at Rome June 7, 1905,² and providing for the transfer of the functions and assets of the Institute to the Food and Agriculture Organization of the United Nations.³

Visit of Indian Industrialists

[Released to the press August 30]

Eight Indian industrialists, headed by Sir Mokshagundam Visvesvaraya of Bombay, arrived in Washington on August 26 to begin a six weeks' tour of the United States during which time they will visit automobile, aircraft, shipbuilding, textile, chemical, machine-tool, and machinery manufacturing plants in this country. The delegation is sponsored by the All-India Manufacturers' Organization, a country-wide industrial body representative of both large and small industries throughout India. The main purpose of the delegation's visit to the United States is to study American production methods, technological developments, and industrial relations, and to make

¹Treaties and Other International Acts Series 1542.

²Treaty Series 489; amended Apr. 21, 1926, Treaty Series 1063.

³S. Ex. H, 79th Cong., 2d sess.

contacts with American industrialists and businessmen with a view to developing commercial relations between the two countries.

Officials of the Department of Commerce are assisting the visitors in arranging their itinerary in this country and Under Secretary of State William Clayton held a reception at Blair Lee House for the delegation on August 29.

The Indian industrialists will proceed to New York on September 1 and establish headquarters at the India Supply Mission, 15 Broad Street, New York City, for the duration of their stay in the United States. They plan to visit the West Coast before returning to Washington early in October.

Members of the delegation are: S. G. Shah, S. X. Haji, G. V. Puranik, H. Gupta, R. Singh, H. Dhanda, and G. K. D. Naidu.

Letters of Credence

Ambassador of Argentine Republic

The newly appointed Argentine Ambassador, Oscar Ivanissevich, presented his credentials to the President on September 6. For texts of the Ambassador's remarks and the President's reply, see Department of State press release 619.

The Foreign Service

National War College Opened

The National War College, the first school established in this country to promote integration and understanding between the highest levels of the armed services and the Department of State, was opened on September 3 by the Commandant, Vice Admiral Harry W. Hill, U.S.N. The new college occupies the site of the former Army War College in Washington.

Operating under the direction of the Joint Chiefs of Staff, with the cooperation of the Department of State, the college trains ranking Army, Navy, Air Force, and Department of State officers for duties in the highest echelons of the Government services.

The integration of foreign and military policies

of the United States will be stressed throughout the course. The curriculum will include, in addition to military strategy, a study of the role of the United Nations as a preventative of armed conflict, of the factors of power as they bear upon the Nation's ability to wage total war, and of the objectives of the United States in its international relations.

The course of instruction is divided into two semesters. Lectures of the first semester will cover the impact of science and technology on war, international politics, basic conflicts in international relations, and measures of peaceful pressure and adjustment. Concurrently, studies in the war potential of selected nations will receive critical attention. Through these courses the class should arrive at an understanding of United States policy and its objectives.

In the second semester, from January through June, 1947, military studies involving the implementation of national policies will be emphasized. Military power as a means toward an end will be the theme, with planning on the level of the Joint Chiefs of Staff receiving special attention.

An important part of the curriculum which has resulted from experiences in World War II is a course of science appreciation. It is designed to produce an understanding between scientists and military planners in the hope that scientific developments will be utilized to the maximum.

The student body of 100 is composed of 90 Army, Navy, and Air Force colonels and captains, equally divided, and 10 Department of State and Foreign Service officers. Selected individuals who served in all parts of the globe in the multifarious activities of a nation at war assure adequate representation of thought and experience within the student body.

The faculty also is well rounded in world-wide professional experience. There are four civilian professors on the staff. Hardy C. Dillard, University of Virginia, who served with the School of Military Government during the war, is director of studies. Walter L. Wright, Jr., Princeton University, former president of Robert College in Istanbul, Turkey, was the War Department's chief historian during the war. Bernard Brodie, Yale Institute of International Studies, was with the Navy's Bureau of Ordnance and was loaned to the State Department for duty at the San Francisco conference. Sherman Kent,

also of Yale, was a key member of the Office of Strategic Services during the war and later served in the State Department. The qualifications of the four prominent scholars are balanced by those of the military members of the faculty, all of whom were selected for their new tasks on the basis of their qualifications.

The Commandant, Vice Admiral Hill, is assisted by two deputy commandants, Major General Alfred M. Gruenther and Brigadier General Truman H. Landon. The Deputy for Foreign Affairs is George F. Kenman, Department of State, who was Counselor of Embassy at Moscow from May 1944 to May 1946 and who has a career of 20 years in the Foreign Service.

Consular Offices

The status of the American Consulate General at Kunming, China, was changed to that of a Consulate on August 26, 1946.

The Department

Appointment of Officers

Herschel Brickell as Chief, Division of International Exchange of Persons, effective June 3, 1946.

James Kerr Grain as Deputy Chairman, Policy Committee on Arms and Armament, effective July 1, 1946.

William P. Maddox as Chief, Division of Training Services, effective July 11, 1946.

Garrison Norton as Director and Walter A. Radius as Deputy Director of the Office of Transport and Communications, effective July 28 and July 14, 1946, respectively.

Albert E. Clattenburg, Jr., as Chief, Special Projects Division, effective July 28, 1946.

O. H. Transtrum as Executive Officer, Office of Economic Security Policy, effective August 12, 1946.

Guy W. Ray as Chief, Division of Mexican Affairs, effective August 13, 1946.

John M. Bezz as Chief, International Motion Pictures Division, effective August 25, 1946.

Arthur G. Stevens as Executive Assistant, Office of Assistant Secretary for Economic Affairs, effective August 28, 1946.

Departmental Regulations

121.10 Division of Protocol (PR): (Effective 2-21-46)

1. FUNCTIONS. PR is given responsibility for the per-

formance, in behalf of the Secretary, and in collaboration with the Division of International Organization Affairs (OIA), of the Department's responsibilities under the International Organizations Immunities Act. (See DR 240.1 for a statement of the general provisions of the Act and PR's responsibilities thereunder.)¹

II. PRESIDENTIAL APPOINTMENTS AND AUTHENTICATIONS SECTION. (Added 8-1-46)

A. *Functions.* The Presidential Appointments and Authentications Section of PR is responsible for:

1. Custody of the Seal of the United States and its use in connection with Presidential appointments, proclamations, and other official documents.

2. Preparation, upon request from the White House and from appropriate officials of the Department, of nominations for Cabinet Officers, heads of independent agencies, members of international boards, ambassadors, ministers, Foreign Service officers, and miscellaneous officials for submission by the President to the Senate; and preparation of corresponding commissions for the signature of the President.

3. All routine matters in connection with the appointment of Presidential appointees within the Department or to international boards, commissions, or delegations under the jurisdiction of the Department including determination from appropriate sources as to the compensation, day of entrance-on-duty, and other factors affecting the appointment, notification of the individual to take his oath of office, and preparation of necessary papers for permanent record, payroll, and other purposes.

4. Preparation of exequaturs, certificates of recognition, letters of credence and recall, and letters to Senators concerned with Presidential appointments.

5. Custody of the Seal of the Department of State and its use in authenticating documents for use by American citizens in foreign countries and for other purposes.

B. *Relation to the White House and to Other Units of the Department.*

1. In preparing nominations and other documents for the President the Section functions as a part of the President's office, and, when acting under direct orders from the White House particularly with respect to the confidentiality of nominations, the head of the Section and the Chief (of Division) of Protocol are not responsible to any other officer of the Department. In all other respects the usual lines of authority are applicable.

2. In order that the work of this Section may be performed accurately and expeditiously, it is important that it be notified at the earliest possible moment of any proposed actions which may result in a Presidential appointment or in the establishment of a position to be filled by Presidential appointment. All officers of the Department shall be responsible for communicating promptly with this Section on any such matters with which they may be concerned.

¹ BULLETIN of June 9, 1946, p. 1019.

121.11 Presentation Division (PN):¹ (Effective 7-1-46) PN of the Office of Departmental Administration (ODA) shall be responsible, under the general direction of the Director of ODA, for:

I Formulating presentation programs in connection with the intelligence, information, and administrative and other activities of the Department.

II Preparing visual materials required by such programs. Such materials will include:

A Two-dimensional visuals, including charts, free-hand illustrations, mechanical drawings, posters, and photographs.

B Motion pictures and animations.

C Three-dimensional visuals, including exhibits, models, stage sets, and display devices.

III Performing specialized presentation services for international conferences, diplomatic missions, and United States delegations to international organizations.

132.10 Office of International Information and Cultural Affairs (OIC)²

D *Review Committee on Visual and Audio Material (REV).* (Added 6-13-46) Since BBS an interdivisional Committee of the Department of State has been active in the review and evaluation of visual and audio materials which, because they are government-made or because they are distributed through official channels, require a judgment of probable effect on other governments and peoples, or upon the people of the United States. The Committee has undertaken to formulate a position for the Department regarding materials likely to be objectionable to foreign governments and peoples or inimical to the interests of the United States. The reconstitution of the Committee, in OIC, with representation from a number of organizations within and outside the Department, recognizes the diversity of subject matter and interests from among which consistent judgments must be made.

1 *Functions.* At the request of organizations within or outside the Department of State, REV shall:

a Review scripts, titles, films, filmstrips, and sound recordings (hereinafter referred to as materials).

b Evaluate such materials from the standpoint of their end use and suitability for transmittal through official channels.

c Formulate, with respect to each submission of materials, the position of the Department of State which is consistent with the best interests of this Government in its relations with other governments by whom the material is produced or to whom it may be transmitted or with third governments.

2 *Organization.*

a REV shall consist of:

(1) A Chairman designated by the Director of OIC.

(2) Members designated by the Chairman, with the approval of the Director of the Office.

(3) Such other representatives of organizations of the Department of State, other departments and agencies, and non-Governmental organizations as may be invited to participate, from time to time, in the deliberations of the Committee on matters directly involving their interests or technical competence.

(4) The Secretary of REV shall be designated by the Chairman.

b The Chairman shall report and be responsible to the Assistant Director of OIC in charge of mass media or in his absence to the Chief of IMP.

E *Committee on Attestation (COA).* (Added 6-13-46) Since BBS the Department of State followed a policy of assisting, in every appropriate manner, the circulation abroad of American-made visual and, latterly, audio materials of a broad cultural character. Under this policy the Department has attested the international educational character of films, filmstrips, slides and recordings upon proper request for such certification. Since 1942 an interdivisional committee, acting for the Department, has undertaken the review of such materials for the purpose of determining their character on predetermined bases of judgment, by this means facilitating the entry of attested materials into those countries which provide special tariff exemptions for materials of established educational character. The reconstitution of that Committee as the Committee on Attestation, in OIC, with representation from a number of organizations within and outside the Department of State, recognizes the continuing importance of the function in the enlarged information and cultural program of the Department of State.

1 *Functions.* The responsibilities of COA shall include:

a The review of motion pictures, filmstrips, slides, and sound recordings at the request of the owners of the rights of reproduction and recording of such materials.

b The evaluation of such materials from the standpoint of their international application and educational purpose and effect.

c The formulation, with respect of each subject, of a position of the Department of State consistent with accepted criteria of evaluation.

d The attestation of materials by the issuance of a certificate signed by the Attestation Officer.

2 *Organization.*

a COA shall consist of:

(1) The Attestation Officer, who shall serve as Chairman.

(2) Members designated by the Chairman, with the approval of the Director of the Office.

(3) Representatives of such other organizations of the Department of State, other departments and

¹ Transferred from the Office of Intelligence Collection and Dissemination.

² Supplementary to regulations printed in BULLETIN of Jan. 6-13, 1946, p. 42.

agencies, and non-Governmental organizations as may be invited to participate, from time to time, in the deliberations of the Committee on matters directly involving their interests or technical competence.

(j) The Secretary, who shall be designated by the Chairman.

b The Chairman shall report and be responsible to the Assistant Director of OIC in charge of mass media or in his absence to the Chief of IMP.

182.5 Cabinet Committee on Palestine and Related Problems (CCP): (Effective 7-1-46)

I FUNCTIONS. In view of the urgent nature of various problems relating to Palestine and to the displaced Jews in Europe, there has been established, by Executive Order of June 11, 1946, a Cabinet Committee on Palestine and Related Problems (hereinafter referred to as the Committee). The functions of the Committee shall be:

A To assist the President in the early consideration of the recommendations of the Anglo-American Committee on Inquiry and of the views which may be submitted as a result of the consultations thereon, and in determination of the steps to be taken by this Government in regard to Palestine and related problems.

B To propose the specific measures considered necessary or appropriate effectively to implement the decisions made by the President with regard to Palestine and related problems.

C So far as may be permitted by law, to implement and coordinate, either directly or through the appropriate departments and agencies of the United States Government, such policies or programs in respect of Palestine and related problems as may be approved and authorized by the President.

D To perform such other tasks in connection with the functions and duties described in paragraphs I A, B, and C above as the President may from time to time direct.

II ORGANIZATION AND STAFFING. The Committee is composed of the Secretary of State, who serves as Chairman, and the Secretaries of War and of the Treasury. Each member of the Committee shall designate a fully deputized alternate to act for and in his behalf. The alternates thus selected shall function as the executive agency of the Committee and shall be known as the Board of Alternates, whose Chairman shall be alternate for the Secretary of State. The Committee is hereby empowered:

A To fix its rules of conduct and procedures and the pattern of its internal organization.

B To employ a Secretariat to be headed by a Secretary-General with such deputies and assistants and such clerical and administrative personnel as may be necessary.

C To utilize to the maximum extent possible by way of loan or otherwise such personnel, facilities, and services of the State, War, and Treasury Departments as may be necessary or useful to the Committee in the accomplishment of its functions and duties.

D Subject to paragraph II C hereof and within the limits of funds which may be made available to it, to employ necessary technical personnel, consultants, or

advisers without regard to the Civil Service laws and regulations, and to make provision for such supplies, facilities, and services as may be necessary fully to discharge the Committee's responsibilities.

E Whenever necessary, to call upon the heads of other departments and agencies of the Government to supply experts or technical advisers to the extent available to assist the Committee or its staff in connection with its objectives.

III LIAISON. In the formulation of its policy recommendations as provided in paragraph I hereof and in the implementation of any policies and programs approved by the President, the Committee shall be empowered:

A To negotiate and consult, directly or through its representatives, with accredited representatives and agencies of other governments, with public or private international bodies, with states and municipalities and private and quasi-public organizations in the United States or abroad.

B Upon the written request of the Chairman, or his alternate, to procure from all departments and agencies of the Government such records and documents in their possession as may be necessary, relevant, or useful to the Committee in the accomplishment of its objectives hereunder.

IV TRAVEL EXPENSES. In carrying out its functions and duties, and within the limits of available funds, the members of the Committee and its personnel are authorized to engage in the necessary domestic and foreign travel. The President has prescribed that, when permitted by law and otherwise practicable, the Secretary of War and the Secretary of the Navy shall provide appropriate travel assistance, including the furnishing of available Government-owned transportation and other facilities.

324.3 Training of All Foreign Service Personnel: (Effective 8-1-46) The Department recognizes that an economical and efficient execution of the functions of the Foreign Service rests upon the knowledge, skills, abilities and enthusiasm of its personnel. The Department is concerned, therefore, that fully adequate opportunities for training be made available to all personnel of the Foreign Service, both upon initial induction and throughout their individual careers. In order that appropriate programs of training may be developed, and also in order that personnel may participate in those programs to the fullest extent which the exigencies of the Service may permit, the following directives are established for the guidance of those Divisions of the Department which may be concerned.

1 NEW PERSONNEL.

A The Division of Foreign Service Personnel (FP) will immediately assign all newly recruited personnel for the Foreign Service to the Division of Training Services (FSS) for appropriate training.

B All Divisions of the Department concerned with the recruitment of specialist personnel for the Foreign Service will send requests for the appropriate training of such personnel including orientation and indoctrination to FP with copies to FSS.

C To facilitate the organization of training courses all Divisions of the Department concerned with the recruitment of personnel for foreign duty are requested to keep FSS informed in advance of the numbers and types of personnel whose recruitment is envisaged, and all such Divisions will have the responsibility of advising FSS of the training needs for the overseas personnel within their jurisdiction.

D FSS will interview all personnel assigned to it for training, determine in consultation with other interested Divisions suitable courses of instruction which may be required by individuals or groups, and where indicated will arrange individual programs of consultation within and without the Department as may be required to carry out the objectives of the training program. FSS will make every effort to complete the training of personnel as rapidly as possible in order to permit their full time release for duty.

E While Foreign Service personnel are in training they will be administratively responsible to FSS, which in addition to programs of instruction will make such work assignments within the Department as may be desirable in each individual case with a view to achieving the objectives of the training process. When training has been completed, such personnel will be returned to the administrative control of FP.

FSS will submit to the Director of the Office of the Foreign Service (OFS) for administrative approval, the standards of training and time limit established for each occupational category of personnel.

II FOREIGN SERVICE OFFICERS REPORTING TO WASHINGTON ON ORDER.

A FP will refer all officers of the Foreign Service reporting to Washington on orders for consultation, transfer or statutory home leave of absence to FSS for registration and participation in such programs of training and reorientation as the other duties and schedule of each individual will permit; provided, that in appropriate cases as may be determined by FP, the procedure will be as follows:

1 Officers who have been submitting political or economic reports from the field and who are required for official consultation within and without the Department of State will immediately upon registration with FSS be instructed to report to the Division of Foreign Reporting Services (FR) for routing to such consultations.

2 Such officers, after the completion of required consultations to which they have been routed by FR, will return to FSS for such time as may be available.

B While on duty at the Department of State for general consultation or training, officers will be granted per diem in accordance with the appropriate provisions of the travel regulations.

C Time spent on duty for consultation or training will not be chargeable to an officer's authorized period of home leave of absence.

D FP will determine, in consultation where appropriate with FR or FSS as the case may be, the length of time officers will be made available for consultation and

training. Wherever feasible a minimum of five days for purposes of reorientation will be allowed.

III OTHER AMERICAN EMPLOYEES OF FOREIGN SERVICE REPORTING TO WASHINGTON ON ORDER.

Other American employees of the Foreign Service returning to Washington on detail for transfer or on home leave, may be assigned for purposes of consultation and training under similar conditions as in paragraph 11 above, in such cases as FP, in consultation with the other Divisions concerned, may consider necessary or desirable.

IV FOREIGN SERVICE OFFICERS AND OTHER AMERICAN EMPLOYEES REPORTING VOLUNTARILY.

Officers and other American employees reporting voluntarily to the Department in connection with home leave of absence at their own expense should, when determined necessary by FP be referred by that Division to FR for routing to useful consultations and to FSS for information regarding training programs and activities which may be then or in the future available to the personnel of the Foreign Service. In such cases per diem may be granted as the Assistant Secretary for Administration or his Executive Officer may determine. Time spent for purposes of general consultation and reorientation which has been thus authorized will not be chargeable to the employee's period of home leave of absence.

The Congress

Joint Resolution Providing for membership and participation by the United States in the United Nations Educational, Scientific, and Cultural Organization, and authorizing an appropriation therefor. Approved July 30, 1946. [H.R. Res. 305.] Public Law 565, 79th Cong. 3 pp.

An Act To amend section 201 (g) of the Nationality Act of 1940 (54 Stat. 1138-1139; 8 U.S.C. 601.) Approved July 31, 1946. [H. R. 388.] Public Law 571, 79th Cong. 1 p.

An Act To amend the Surplus Property Act of 1944 to designate the Department of State as the disposal agency for surplus property outside the continental United States, its Territories and possessions, and for other purposes. Approved August 1, 1946. [S. 1636.] Public Law 584, 79th Cong. 2 pp.

An Act For the development and control of atomic energy. Approved August 1, 1946. [S. 1717.] Public Law 585, 79th Cong. 22 pp.

An Act To establish the Office of Under Secretary of State for Economic Affairs. Approved August 1, 1946. [H.R. 6446.] Public Law 500, 79th Cong. 1 p.

An Act To amend the Philippine Rehabilitation Act of 1946, for the purpose of making a clerical correction. Approved August 2, 1946. [S. 2259.] Public Law 597, 79th Cong. 1 p.

An Act To provide for increased efficiency in the legislative branch of the Government. Approved August 2, 1946. [S. 2177.] Public Law 601, 79th Cong. 45 pp.

Training Announcements

ORIENTATION CONFERENCES SEPTEMBER 23-27, 1916

Departmental Orientation Conferences, 10 a. m.¹

SEPTEMBER 23

Work and Problems of the Office of Controls
Frederick B. Lyon, Director, Office of Controls (CON)

SEPTEMBER 24

Work and Problems of the Office of the Foreign Service
Selden Chapin, Director, Office of the Foreign Service (OFS)

SEPTEMBER 25

Research and Intelligence
W. Park Armstrong, Consultant to Special Assistant for Research and Intelligence (SA-E)

SEPTEMBER 26

The United States and the Maintenance of Peace
Alger Hiss, Director, Office of Special Political Affairs (SPA)

SEPTEMBER 27

Work and Problems of the Assistant Secretary for Administration
J. Anthony Pannich, Deputy to the Assistant Secretary of State for Administration (A-R P)

Motion Picture Series

SPECIAL ANNOUNCEMENT

The new film "International Conferences", the first motion picture produced by the Department of State, will be given its initial departmental showings on September 19 and 26 and October 3, in two showings at 12 noon and 1 p. m., in room 474 of the main State Department building. The "Know Your America" series has been temporarily discontinued to make way for this program.

Thursdays, September 19, 26, October 3

International Conferences—A realistic and graphic portrayal of the organization and func-

tioning of an international conference, based on actual shots taken at recent international conferences. Preparations for a conference, arranging the physical facilities, organizing the staff, assigning functions, the staff in operation during a conference, handling of documents traced through all stages, the function of each individual conference employee portrayed as part of a total process. This picture was produced by the Presentation Division (PN) in collaboration with the Division of International Conferences (IC) and the Division of Training Services (FSS).

¹These conferences are open to all personnel of the Department and the Foreign Service, room 474, main State Department Building.

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Private Enterprise in the Development of the Americas

By ASSISTANT SECRETARY BRADEN page 539

Accomplishments of the Fifth Session of the Council of UNRRA

Article by DAVID PERSINGER page 523

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Publications of the Department, cumulative lists of which are published at the end of each quarter, as well as legislative material in the field of international relations, are listed currently.

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Accomplishments of Fifth Session of Council of UNRRA

Article by DAVID PERSINGER¹

THE FIFTH SESSION of the Council of UNRRA met at Geneva, Switzerland, from August 5 to 16, 1946. Of the 48 member nations, 39 were represented at the session. Also present were observers from Albania, Austria, Finland, Hungary, and Italy. Special visitors attended from Argentina, Portugal, Sweden, Switzerland, and the Vatican.

The principal subjects discussed during the two weeks of the session were: (1) the need for free relief after the termination of UNRRA's supply programs early in 1947 and the possible methods of meeting this need; (2) the problems involving UNRRA supplies, including a new program for Korea; (3) displaced persons; (4) the gradual transfer of UNRRA's functions to other organizations; and (5) fixing the date and place for the next session of the Council.

Director General La Guardia opened the session on August 5. The only business conducted at the first plenary meeting was the election of certain *ad hoc* committees, including the Committee on Nominations, which reported to the Council at its second plenary meeting. At the latter meeting, the Council elected the following officers of the Session: chairman, Anders Frihagen of Norway; first vice chairman, J. Bristock Brigden of Australia; second vice chairman, Vojislav Szentetic of Yugoslavia; third vice chairman, Vasilii Labello of the Byelorussian Soviet Socialist Republic. Dr. Ludwik Rajchman of Poland was elected chairman of the Committee on Policy, and Sir Atul Chatterjee of India, chairman of the Committee on Procedure, both being committees of the whole. Unlike the situation at the Fourth Session held at Atlantic City in March 1946, where each officer of the Session had the opportunity to preside at one time or another, the chairman of the Fifth Session presided throughout. The debates during the first week were devoted largely

to the problem of relief in 1947, but informal discussions of the other items on the agenda occupied the time of most of the delegates. During the second week the pressure to complete the work of the Session became so strong that formal meetings were held regularly from morning until nearly midnight.

Relief Financing in 1947—Resolution No. 100

As pointed out, the most controversial issue before the Council was whether any or all of the UNRRA receiving countries of Europe would continue to need free relief after the close of the UNRRA programs early in 1947. Each of the receiving countries was represented at the Council and each spoke with some emotion of the urgent need to continue UNRRA for at least another year, or, if UNRRA could not be continued, of the need for a comparable international organization to carry on its relief work through 1947. The U.S. representative was the most vocal in opposition to the proposal of the receiving countries. Assistant Secretary Clayton, U. S. member of the Council, and later C. Tyler Wood, Special Assistant to Mr. Clayton and First Alternate on the Council, spoke frequently and at length on this subject and explained that the United States took the position (1) that the problem was basically one of financing rather than one of supply; (2) that the extent of any need for free relief financing at the conclusion of UNRRA had not been and could not at that time be shown; and (3) that in no event would UNRRA's procurement and shipping functions be required next year.

The U.S. position with regard to those first two points was and is that it was not known what exchange resources each of the UNRRA receiving

¹Mr. Persinger is Secretary to the U. S. Delegation of UNRRA in the Office of the Assistant Secretary for economic affairs, Department of State.

countries would have in 1947 and, moreover, that more reliable findings could be expected from a group of technical experts than from a political forum such as the Council. It was thought that the exchange resources, including those to become available through sale of exports, when finally known would have to be correlated with the then latest information on the essential import requirements of each country in order to discover whether a particular country could finance its import needs. In short, the problem was one involving the status of the whole balance of payments of each receiving country. The United States further insisted that there could be no question of the need for further free financing of rehabilitation supplies, that the only possible issue centered around the need for free relief supplies such as foodstuffs. The U.S. representative then pointed out that each receiving country had access to the International Bank and, in the United States, to the Export-Import Bank for loans to finance the importation of heavy equipment and raw materials and that such loans should free for the purchase of foods such foreign exchange as might be available to the receiving country; that it was extremely unlikely that any substantial number of receiving countries would be unable to finance their food imports through this means. It was made clear to the

¹The text of the resolution follows:

RESOLUTION 98

A Resolution Relating to a Program of Relief and Rehabilitation Supplies for Korea

WHEREAS

Resolution 76 adopted at the Third Session of the Council of UNRRA provides for extension of aid to Korea upon the same terms and conditions as to other liberated areas; and

WHEREAS

Up to the present time no supply program for Korea has been proposed by the Administration; it is therefore

RESOLVED

1. That, without curtailing the programs already approved for receiving countries, a program of relief and rehabilitation supplies for Korea shall be worked out without delay and submitted by the Director General to the Central Committee for approval,

2. That, upon the approval by the Central Committee of the program of relief and rehabilitation supplies for Korea and the conditions of its execution, the Administration shall immediately proceed to carry out this program.

Council that the United States was not proposing to turn its back on any starving peoples, that such a course would be distasteful to the people of America, but that the then current harvests indicated that there was no immediate prospect of undernourishment, far less of starvation. If later and more complete information clearly proved a different picture of conditions, "the history of the United States indicated it would fulfil its international" and humanitarian "obligations".

With regard to the third point, the U.S. position was that UNRRA had been established as a procurement and shipping agency because, in effect, there were no governments of the liberated areas existing; that, now that each liberated area had a functioning government, it was in the best interest of both the people of that area and their government that they undertake their own procurement and shipping in a normal peacetime fashion; that without exception they were once more able to do this and therefore those functions theretofore performed by UNRRA should be turned over to the receiving governments.

The debates on the above problem continued for more than a week, but in conclusion the Council adopted resolution 100, which, in its eight "whereas" clauses, reaffirmed the international objective of general economic well-being, noted the progress already made toward economic recovery by the liberated areas, noted the establishment of various international organizations to promote the foregoing objective, but recognized that certain difficulties with regard to foreign exchange might nonetheless be experienced by the liberated areas in 1947. The resolution then recommended that the General Assembly of the United Nations designate or establish an agency or agencies to review the 1947 needs for foreign exchange and to recommend how necessary financial assistance might be given.

In accordance with resolution 100 the various interested offices of the Department of State are now discussing the proper instructions to guide the U.S. representative in implementing that resolution at the next meeting of the General Assembly.

Problems Involving Supplies

The Council agreed in resolution 98¹ that UNRRA should prepare a supply program for Korea to be approved by the Central Committee

but that this program should not curtail any existing programs. It was made clear in the debates that, in considering a proposed program for Korea, the Central Committee might take into consideration the status of the plans for the economic unification of the country. The Council also adopted resolution 104, which instructed the Director General to invite all governments and voluntary agencies having surplus medical stores to turn them over to UNRRA in order that it might complete its medical program.

The other specific problem under this general heading concerned the termination of UNRRA programs of operations. The Council, in resolution 101, recognized that to a considerable extent UNRRA's programs have been delayed by shortages of supplies, work stoppages, transportation difficulties, and other incidents beyond the control of UNRRA; the Council also recognized that inevitably the shipment of some supplies would slip over beyond the termination dates set forth in resolution 80, which had directed that shipments to Europe should conclude at the end of 1946 and to the Far East at the end of March 1947. The Council therefore resolved that all efforts should be made to complete shipments within the foregoing limits but authorized shipments to be continued thereafter provided they are completed as promptly as possible. Some of the receiving countries asked that the resolution embody an assurance that despite delays all programs as then approved would be fulfilled. The U.S. representative opposed this amendment, and it was not adopted.

Under the rules and regulations of UNRRA, the Central Committee, composed of the United States, the United Kingdom, the Soviet Union, China, France, Canada, Brazil, Australia, and Yugoslavia, has authority to approve supply programs and to make changes in them. Therefore, it is too early to estimate the extent to which shipments of supplies subsequent to the target dates will be allowed.

Displaced Persons

The issues before the Council involving displaced persons were somewhat complex. First there was the problem of the termination of UNRRA's functions in this field; second, the problem of the readiness of other agencies to take over UNRRA's functions; third, the problem of

relating UNRRA's further activities in this field to the plans of the successor agency or agencies; and, fourth, the continued financing of UNRRA's activities and the disposition of any funds remaining at the termination of UNRRA.

It has been contemplated for some time that an organization to be known as the International Refugee Organization (IRO) would be established as a permanent agency to care for displaced persons. A constitution of the IRO was drafted on July 5 and has been submitted to the Economic and Social Council for approval. If the Council approves, it will then go to the General Assembly, and if it is approved there, it will be submitted to the various governments for signature. It is recognized, however, that the IRO cannot possibly be prepared to assume UNRRA's functions by the first of January 1947. In addition, the Intergovernmental Committee on Refugees (IGC), which was functioning before the war, has already entered into negotiations with various governments looking toward the resettlement abroad of those displaced persons who for one reason or another will not be repatriated. The IGC, however, is a relatively small organization and would be utterly unable to assume UNRRA's function of assisting in caring for the displaced persons of Europe. The current plan is that the IGC will be merged into the IRO, which is intended to handle all displaced-persons problems as soon as it is able to function actively.

The Council therefore decided, in resolution 99, that it was essential that UNRRA continue to assist in the care of displaced persons until at least June 30, 1947, unless the IRO is ready to assume UNRRA's functions prior to that date. The Council also recognized that UNRRA would be unable to assume responsibility in Germany for furnishing the basic supplies, housing, and transportation necessary to its work there and recommended that the occupying authorities continue to furnish those supplies and services; the Council recognized further that the UNRRA supply program for Austria may terminate before its responsibility for the displaced persons is transferred to the IRO and therefore recommended that the occupying authorities be prepared to assume the same responsibilities in Austria which they are carrying at present in Germany.

In order that no gap may occur between the deadline for UNRRA's operations and the assump-

tion of those operations by the IRO, the Council in resolution 99 urged that all nations concerned with the establishment of the IRO act promptly so that it will be in a position to discharge its proper functions as early in 1947 as possible.

In order that the transition from UNRRA to the IRO shall be smooth, the Council authorized the Administration to broaden its definition of eligible displaced persons so that it may coincide with the definition set out in the constitution of the IRO and further authorized the Administration to assist in the resettlement of displaced persons, a function which UNRRA has not been authorized to perform heretofore. However, the Council recognized that the problem of resettlement is one of considerable difficulty and that it will inevitably take a number of years to solve, that the most satisfactory solution of the problem before most displaced persons is repatriation to their homes, and that repatriation is also much cheaper than resettlement and much simpler administratively. It is generally accepted that a number of the displaced persons in Europe will continue to refuse repatriation because of present or former political views and activities or, in the case of persecutees, the revulsion which they would feel at returning to countries which they can regard only as vast graveyards of their friends and relatives. It is equally accepted that for the large majority of displaced persons it is most desirable that they take up their old ways of life among friends and relatives who speak their own language and among the scenes which they have known from childhood. The considered judgment of all who have worked closely with this problem is that a large number of displaced persons who have so far refused repatriation would be better off and in no danger of persecution if they returned to their homes, but many are continuing to resist returning either through sheer inertia or because of the example of the more articulate groups who know that they cannot themselves return. The foregoing must not be regarded as an expression by the Council of approval of the use of force or compulsion in any degree to compel repatriation. The Council has recorded its full support of the right of displaced persons to choose or refuse repatriation as they will. The Council does, however, sanction suggestion and persuasion which might lead displaced persons to adopt that course

of action which the Council believes is in their best interest.

Apart from the humanitarian aspects, it is estimated that the cost of repatriating one displaced person is about \$50, whereas the IGC in its current plans is estimating the cost of resettlement as in excess of \$2,500 a person. Moreover repatriation is quick, a matter of days; resettlement on the other hand requires not only weeks of travel but also months of settling down on new land in an unknown country and probably years for assimilation into the local community.

Recognizing the foregoing the Council in resolution 99 reaffirmed its adherence to the principles, laid down by the General Assembly in its resolution of February 12, that each displaced person shall be free to decide whether he will return to his country of origin or not and shall receive full knowledge of all relevant facts in order to reach his decision; it urged the Administration, the occupying authorities in Germany, the control authorities in Austria, and the countries of origin to make every effort consistent with those principles to speed repatriation of displaced persons during the remainder of the time of UNRRA's operations in this field. So far as this suggestion is carried out the burden of resettlement will be lightened and the drain on all contributing nations of caring for displaced persons will be reduced.

The Council further authorized the Administration at the time its functions are transferred to IRO to transfer also its records, property, personnel, and such funds scheduled for displaced-persons activities as may remain unused; it authorized the Administration to set aside funds necessary for the continuation of its displaced-persons operations through the first six months of 1947 at a rate not to exceed the current rate of expenditure.

Transfers of UNRRA Functions

We have already discussed the transfer of UNRRA's displaced-persons functions. In addition the Council authorized the transfer of each of the following functions:

(a) *Health.* In resolution 94 the Director General is authorized to consult with the Interim Commission, pending the establishment of the World Health Organization, as to when and to

what extent UNRRA should transfer its records, property, personnel, and available funds for the smooth continuation of its work in this field.

(b) *Welfare.* In resolution 95 the Council authorized the Director General to transfer the Administration's functions, records, property, and personnel devoted to welfare activities, but no funds, to the appropriate authorities of the United Nations.

(c) *Proceeds of Local Sales.* As a part of its work UNRRA has entered into agreements with the receiving countries whereby the proceeds of sales of supplies made available by UNRRA are to be used by the receiving government in part to defray UNRRA's operating expenses in the receiving country and in part to carry on parallel relief activities. Because use of the proceeds of the sale of UNRRA supplies will continue beyond the end of the UNRRA programs, the Council authorized the Administration, in resolution 97, to consult with the United Nations and with the receiving governments concerning the advisability and acceptability of transferring UNRRA's responsibilities with regard to the use of those proceeds to the United Nations or some specialized agency to be designated by the United Nations.

(d) *Agricultural Production.* One of UNRRA's lesser known functions but a function of considerable importance has been the furnishing of expert technical assistance in agricultural rehabilitation. In order that such assistance may not end with the conclusion of the UNRRA programs, the Council in resolution 102 recommended that the Food and Agriculture Organization of the United Nations assume that function.

(e) *The Rehabilitation of Children and Adolescents.* The Council decided in resolution 103 that the Central Committee should determine at the conclusion of UNRRA's operations what assets are available and that such assets might well be transferred to an International Children's Fund to be open for contributions from any and all sources and to be used for the rehabilitation of children and adolescents in the liberated areas. The Council established a standing committee to consult with and recommend to the Council or the Central Committee the steps necessary to organize those activities, the assistance which UNRRA might give, and the probable response of other contributors. The standing committee

is to consist of the members of the Central Committee and of Greece, Norway, Poland, Denmark, and the Ukrainian S. S. R.

(f) *UNRRA Personnel.* In resolution 106 the Council urged all United Nations organizations to take full advantage of the experience gained by the personnel of UNRRA and authorized the transfer of personnel from time to time to such other United Nations organizations as desire their services.

Summary

From the foregoing accounts of the various problems which were considered at the Fifth Session of the Council it is apparent that some were settled so that nothing remains to be done by the Council at a further session other than receive the reports of the Director General on the extent to which the Council's instructions have been carried out. However, it is equally apparent that the most controversial issue of all, the need for free relief in 1947, has not yet been finally dealt with. Resolution 100 refers to the General Assembly the problem of fact-finding. The Assembly may appoint a group of experts to ascertain the financial resources of each country, in which case the facts will not be known before the first of next year at best. Once the facts are known, if any country is shown to be in need of free relief in 1947 the United States must determine its position relating thereto.

It should be pointed out that such a delay does not endanger the lives of any of the liberated peoples by denying essential shipments of foodstuffs. The harvests in their countries have been sufficient to supply their essential needs for many months to come and perhaps, as many believe, for the entire period preceding the next harvest. If they are not normally self-sufficient, their available exchange will be adequate to finance through the winter months the imports which they may need to supplement their harvests. It appears certain that no receiving country will suffer hardship if free imports of foods in addition to the supplies still scheduled by UNRRA are not forthcoming between now and next spring; by that time the facts should be established and a final solution on the problems confronting the Fifth Council Session or a number of final solutions should have been reached.

The United Nations

Summary Statement by the Secretary-General¹

MATTERS OF WHICH THE SECURITY COUNCIL IS SEIZED AND OF THE STAGE REACHED IN THEIR CONSIDERATION

Pursuant to Rule II of the Provisional Rules of Procedure of the Security Council, I submit the following Summary Statement of matters of which the Security Council is seized and of the stage reached in their consideration on 6 September 1946.

1. *The Iranian Question*

By letter dated 6 May 1946 addressed to the President of the Council (S 53), the Iranian Ambassador, pursuant to the Council's Resolution of 4 April, reported on the withdrawal of Soviet troops.

At the fortieth meeting the Council adopted by ten votes (the Representative of the U.S.S.R. being absent) the following Resolution proposed by the Representative of the United States:

"RESOLVED: That in view of the statement made by the Iranian Government in its preliminary report of 6 May, submitted in compliance with the resolution of 4 April 1946, that it was not able as of 6 May to state whether the withdrawal of all Soviet troops from the whole of Iran had been completed, the Council defer further proceedings of the Iranian matter in order that the Government of Iran may have time in which to ascertain through its official representatives whether all Soviet troops have been withdrawn from the whole of Iran; that the Iranian Government be requested to submit a complete report on the subject to the Security Council immediately upon the receipt of the information which will enable

it to do so; and that in case it is unable to obtain such information by 20 May, it report on that date such information as is available to it at that time; and that immediately following the receipt from the Iranian Government of the Report requested, the Council shall consider whether any further proceedings are required." (Page 635, Security Council *Journal* No. 33).

By letters dated 20 May and 21 May 1946, addressed to the President of the Council (S 66 and S 68), the Iranian Ambassador, in compliance with the Council's Resolutions of 4 April and 8 May 1946, submitted reports of additional information with respect to the matters brought to the Council's attention by the Iranian Government.

At the forty-third meeting the Council adopted the following Resolution submitted by the Netherlands Representative:

"The discussion of the Iranian consideration is adjourned until a date in the near future, the Council to be called together at the request of any of its members." (Page 711, Security Council *Journal* No. 36.)

2. *The Spanish Situation*

The Sub-Committee held nineteen meetings and completed its report on 31 May.

At the forty-fourth meeting the Chairman of the Sub-Committee submitted to the Council the Sub-Committee's Report (document S 75) and a supplementary memorandum containing its factual findings concerning the Spanish Situation (document S 76). He moved that the Council adopt the recommendations of the Sub-Committee, as set out in paragraph 31 of the above report.

¹ Security Council Document S 154, Sept. 6, 1946.

This summary supplements the one printed in the *BULLETIN* of May 19, 1946, p. 849; the omitted parts correspond substantially to the material formerly printed.

At the forty-fifth meeting the Representative of Australia stated that the members of the Sub-Committees had agreed that a modification to their recommendations should be included in the formal resolution to be placed before the Council. He then moved the following resolution:

"WHEREAS the Sub-Committee on Spain made the three following recommendations in Paragraph 31 (a), (b) and (c) of its report to the Security Council:

(a) The endorsement by the Security Council of the principles contained in the declaration by the Governments of the United Kingdom, the United States and France, dated 4 March 1946.

(b) The transmitting by the Security Council to the General Assembly of the evidence and reports of this Sub-Committee, together with the recommendation that unless the Franco regime is withdrawn and the other conditions of political freedom set out in the declaration are, in the opinion of the General Assembly, fully satisfied, a resolution be passed by the General Assembly recommending that diplomatic relations with the Franco regime be terminated forthwith by each Member of the United Nations.

(c) The taking of appropriate steps by the Secretary-General to communicate these recommendations to all Members of the United Nations and all others concerned.

"IT IS HEREBY RESOLVED THAT the Security Council adopt the three recommendations of the Sub-Committee set out above, subject to the addition to recommendation (b) after the words 'each Member of the United Nations' of the following words 'or alternatively such other action be taken as the General Assembly deems appropriate and effective under the circumstances prevailing at the time.'"

At the forty-sixth meeting the Representative of the United Kingdom submitted an amendment to the above resolution, substituting for the last paragraph:

"It is hereby resolved that the Security Council adopt the three recommendations of the Sub-Committee set out above, subject to the deletion of paragraph (b) after the words 'reports of this Sub-Committee' and the addition of the words 'together with the minutes of the discussion of the case by the Security Council.'"

At the forty-seventh meeting two representatives voted in favour of the amendment submitted

by the Representative of the United Kingdom and six against; three representatives abstained and the amendment was declared lost. The recommendations of the Sub-Committee were voted as follows: Paragraph (a)—affirmative 10; negative 1; Paragraph (b) and (c) and the whole recommendation—affirmative 9; negative 1; with one representative abstaining. The recommendations were declared lost since the opposing vote was that of the Representative of the U.S.S.R. a permanent member.

The Representative of Poland then submitted a Resolution calling upon all Members of the United Nations who maintain diplomatic relations with the Franco government to sever such relations immediately. At the forty-eighth meeting this Resolution was lost, four Representatives voting for it and seven against it. The Representative of Poland then proposed a draft resolution providing that the Security Council keep the Spanish question on the list of matters of which it is seized and that it take up the matter again not later than 1 September 1946. Since agreement was not reached on this Resolution, the President appointed the Representatives of Australia, Poland and the United Kingdom as a drafting committee to try to prepare a text acceptable to the Council.

At the forty-ninth meeting the drafting committee submitted the following amended Resolution which had been agreed upon by the Representatives of Australia and the United Kingdom but which was not supported by the Representative of Poland:

"WHEREAS the Security Council on 29 April 1946, appointed a Sub-Committee to investigate the situation in Spain

"AND WHEREAS the investigation of the Sub-Committee has fully confirmed the facts which led to the condemnation of the Franco regime by the Potsdam and San Francisco Conferences, the General Assembly at the first part of its first session and by the Security Council by resolution of the date above-mentioned

"AND WHEREAS the Sub-Committee was of opinion that the situation in Spain is one the continuance of which is likely to endanger the maintenance of international peace and security

"IT IS HEREBY RESOLVED that without prejudice to the rights of the General Assembly under the Char-

ter, the Security Council keep the situation in Spain under continuous observation and maintain it upon the list of matters of which it is seized in order that it will be at all times ready to take such measures as may become necessary to maintain international peace and security. Any member of the Security Council may bring the matter up for consideration by the Council at any time."

Seven Representatives voted for the above Resolution and two against it. The President ruled that the Resolution had been carried, but the Representative of the U.S.S.R. pointed out that the Resolution was a substantive question and had not received the concurring vote of the U.S.S.R., a permanent member, as required under Article 27 (3). The Ruling of the President that the Resolution was a question of procedure was put to a vote and eight Representatives voted in favour of the ruling, two against it with one Representative abstaining. The President drew the conclusion that since the five permanent members did not concur that the Resolution was a matter of procedure, the Representatives of France and the U.S.S.R. having voted against this ruling, the Resolution was not adopted. The Representative of the U.S.S.R. introduced several amendments to the above Resolution submitted by the drafting committee, in the form of an amended text which was voted upon by paragraphs.

The paragraph, "The Security Council will take up the matter again not later than 1 September 1946, in order to determine what appropriate practical measures provided by the Charter should be taken," was rejected, with three Representatives voting for this amendment, seven against it, and one abstaining.

The following paragraphs were accepted without objection:

"WHEREAS the Security Council on 29 April 1946, appointed a Sub-Committee to investigate the situation in Spain

"AND WHEREAS the investigation of the Sub-Committee has fully confirmed the facts which led to the condemnation of the Franco regime by the Potsdam and San Francisco Conferences, the General Assembly at the first part of its first session and by the Security Council by resolution of the date above mentioned.

"THE SECURITY COUNCIL DECIDES to keep the

situation in Spain under continuous observation and keep the question on the list of matters of which it is seized, in order to be able to take such measures as may be necessary in the interest of peace and security. Any member of the Security Council has a right to bring the matter up before the Security Council at any time."

The Representative of Australia then introduced a Resolution providing that the carrying of the above Resolution "does not in any way prejudice the rights of the General Assembly under the Charter." Eight Representatives voted for this Resolution and two against. It was not carried because of the dissenting vote of the Representative of the U.S.S.R., a permanent member, who considered that resolution also as a matter of substance and not a procedural one. So the Council continues to be seized of the Spanish question.

4. *Rules of Procedure of the Security Council*

As instructed by the Council at its first, sixth and twenty-third meetings, the Committee of Experts drafted provisional Rules of Procedure and recommendations concerning communications from private individuals and non-governmental bodies.

After minor amendments the Council adopted these Rules of Procedure and recommendations at its thirty-first meeting. It was agreed that the Committee of Experts should formulate additional Provisional Rules of Procedure for submission to the Council.

Additional Rules of Procedure drafted by the Committee of Experts were adopted by the Council at its forty-first, forty-second, forty-fourth and forty-eighth meetings. A resolution concerning the admission of new members was submitted by the Australian Representative at the forty-second meeting; it secured one vote and was declared lost. The entire body of Provisional Rules of Procedure adopted by the Council through the forty-eighth meeting is reproduced as document S/96.

6. *Definition of Conditions under which the International Court of Justice shall be open to States not Parties to the Statute*

By letter dated 1 May 1946, addressed to the Secretary-General, the President of the Court of

International Justice brought the attention of the Council to Article 35, Paragraph 2, of the Statute of the International Court of Justice, which specifies that "the conditions under which the Court shall be open to other States shall be regulated by the Security Council." He requested that the Court be informed of any decisions the Council saw fit to take in the matter of access to the Court by States not Parties to the Statute of the Court. At its fiftieth meeting the Council referred this letter, together with a memorandum of the Secretary-General in regard to this letter, to the Committee of Experts and instructed the Committee to prepare a draft resolution for the Council.

7. *The Greek Situation*

By letter dated 24 August 1946 addressed to the Secretary-General (S/437), the Minister of Foreign Affairs of the Ukrainian S.S.R. stated that, pursuant to Article 35 (1) of the Charter, he brought to the attention of the Security Council the situation in the Balkans which had resulted from the policy of the Greek Government. He stated that this situation endangered the maintenance of international peace and security and was of the nature referred to in Article 34. He requested that this situation be placed on the Council's agenda and that the Council consider without delay what measures it should adopt in order to eliminate this threat to the peace.

By telegram dated 28 August 1946 addressed to the Secretary-General (S/140), the Acting Minister for Foreign Affairs of Greece requested that discussion of the Ukrainian S.S.R. application be adjourned for ten days.

By telegram dated 26 August 1946 addressed to the Secretary-General (S/142), the Permanent Representative of Greece to the United Nations stated that, in accordance with Article 31, Greece

wished to participate in the Council's discussions of the Ukrainian S.S.R. application.

By letter dated 29 August 1946 addressed to the Secretary-General (S/145), the Minister for Foreign Affairs of the Ukrainian S.S.R. requested that the Council be informed that he was available in New York to give additional information and necessary explanations on his Government's application.

At the fifty-fourth and fifty-eighth meetings the Representative of the Netherlands moved that a vote be taken on the proposal contained in the provisional agenda that the application of the Ukrainian S.S.R. be placed on the agenda.

At the fifty-eighth meeting the President proposed that the Representatives of Greece and the Ukrainian S.S.R. be invited to participate, under Article 31, in the Council's discussions. Six Representatives voted in favour of this proposal, three against and two abstained. Accordingly, the proposal was rejected.

At the fifty-ninth meeting seven Representatives voted in favour of the inclusion of the Ukrainian S.S.R. application on the agenda, two Representatives voted against the inclusion and two Representatives abstained. Accordingly, the application was placed on the agenda.

At the sixtieth, sixty-first and sixty-second meetings the substance of the Ukrainian S.S.R. application was discussed, the Representatives of Greece and the Ukrainian S.S.R. participating.

By letter dated 5 September 1946 addressed to the President of the Council (S/151), the Representative of the People's Republic of Albania to the United Nations requested, under Article 32, that he be invited to present to the Council a statement of facts concerning the application by the Ukrainian S.S.R. This request was considered at the sixty-second meeting, but no decision has yet been taken.

The Paris Peace Conference

U.S. Requests No Reparation From Italy

STATEMENT BY WILLARD L. THORP¹

THE UNITED STATES GOVERNMENT is not requesting any reparation from Italy. Our latest estimate is that the United States direct war cost was roughly \$335,000,000,000 and that perhaps as much as \$20,000,000,000 of this tremendous amount might be allocated against Italy. The Italian participation in the war on the Axis side forced upon us two bloody campaigns in the Mediterranean. The \$20,000,000,000 represents the measure in financial terms of the prolonged Mediterranean operations carried out at the end of a long supply line. American men and American *matériel* were used in huge quantities. The combined effort of the Allies first threw the aggressor back on his own soil and then forced him to unconditional surrender.

The total of \$335,000,000,000 in war costs actually incurred by the Federal Government of the United States is approximately equal to the pre-war value of the entire national wealth in the United States. War costs as used here include primarily those expenditures incurred for the subsistence and maintenance of the personnel of the armed forces of the United States, the cost of producing armaments and other military equipment, and the cost of certain measures to increase the military strength of our Allies. War costs as used here do not include interest on borrowed funds, pensions, and other expenses related in some way to budgetary war costs, or allowances for the disturbance of the national economy. Under other definitions, the potential United States claim against Italy would be much larger than \$20,000,000,000.

We agree that the Italian peace treaty should provide for the payment of reparation to certain countries in limited amounts. The statements presented here before this Commission by the various countries give an appalling record of the tragic consequences of Fascist aggression. And these statements, in their precise statistical form, only hint at the much deeper immeasurable losses caused to body and soul. No possible reparation arrangement can be fully compensatory, providing an offset to the costs and burdens of war. Nor should reparation be regarded as punitive. It should be a payment by the ex-enemy countries in recognition of the tremendous costs of war for which they were responsible and the needs for reconstruction in the Allied countries resulting from the acts of the aggressors.

The United States is not requesting reparation from Italy. In fact, the flow is quite the other way. We have been assisting Italy in many ways, while it struggles to reestablish economic activity. Since the armistice, close to \$1,000,000,000 has gone to Italy from the United States in one form or another, assisting the Italian civilian economy through this difficult period. Under the circumstances, there would be little purpose in our seeking reparation. But our interest goes beyond the point of renunciation. We ask in turn that the burden of reparation should not be transferred to us. We do not wish our assistance to Italy merely to pass through Italy as a temporary transfer point and go out to other countries as reparation. We bent every effort to provide supplies during the war to our Allies, but we are not at all interested in paying reparation for our enemies. We have therefore renounced our claim but not our interest in the reparation problem. Our concern is with the difficult task of finding a fair and equitable balance between tremendous

¹Made before the Economic Commission for Italy at the Paris Peace Conference on Sept. 11, 1946 and released to the press on the same date. Mr. Thorp is Deputy to the Assistant Secretary for economic affairs and is a member of the American Delegation to the Conference.

claims on the one hand and exceedingly limited resources on the other. We recognize that our position is not always similar to that of other countries represented at the Conference. We are not suggesting that all other countries should likewise renounce their claims to reparation. Under some circumstances, it may be possible for us to be more generous than other Allied and associated powers in dealing with the ex-enemy states.

In some cases, the United States will not wish to take full advantage of certain treaty provisions which may be regarded as essential by other countries. I may refer, for example, to the question of occupation costs. We have paid to the Italian Government more than \$100,000,000 for expenditures by our troops in Italy, although Italy could be required to bear this cost under the armistice terms. We realize that other nations who maintain large occupation forces in various countries are not in the same financial position as we are.

We have not asked them to take steps similar to ours.

The United States is withholding any claim for reparation against Italy in the interest of easing the heavy burdens which Fascism and its consequences have placed on the Italian people. The imposition upon Italy of a crushing reparation burden would militate against the restoration of international economic stability, which is an essential basis for the maintenance of peace. The statements which we have been hearing in the Commission are not merely an indictment of Fascist aggression but also an indictment of a world which permits war. No conceivable schedule of reparation payments or formula for compensation for damage is in the same scale of magnitude as the costs of war themselves. None of us who has fought in this war has any economic interest which compares with his interest in creating the conditions essential to an enduring peace.

International Organizations and Conferences

Calendar of Meetings

In Session

Far Eastern Commission	Washington	February 25
United Nations:		
Security Council	New York	March 25
Military Staff Committee	New York	March 25
Commission on Atomic Energy	New York	June 14
Subcommission on the Reconstruction of Devastated Areas (field teams in Europe)	London	July 29
Economic and Social Council: Third Session with Commissions and Subcommissions	New York	September 11
Paris Peace Conference	Paris	July 29
Eleventh International Exhibition of Cinematographic Art	Venice	August 31-September 15
FAO	Copenhagen	September 2-13
First Inter-American Congress of Medicine	Rio de Janeiro	September 7-15
PICAO:		
Caribbean Regional Air Navigation Meeting	Washington	August 26-September 13
Council Meeting	Montreal	September 4
Special Radio Technical Division of United Kingdom Air Navigation Committee (Demonstrations)	London	September 9-30

Calendar of Meetings—Continued

Fifth Congress of the Postal Union of the Americas and Spain	Rio de Janeiro	September 1
ILO: Ninety-ninth Session of Governing Body	Montreal	September 16

Scheduled

PICAO:

Conference on North Atlantic Ocean Stations	London	September 17
Middle East Regional Air Navigation Meeting	Cairo	October 1-15
Special Radio Technical Division of Air Navigation (Demonstrations)	New York and Indianapolis	October 7-26
Meteorological Protection of International Aeronautics	Montreal	October 29
Special Radio Technical Division of Air Navigation	Montreal	October 30-November 8
Communication and Radio Aids to Navigation	Montreal	November 19
Search and Rescue	Montreal	November 26
Rules of the Air and Air Traffic Control Practices	Montreal	December 3
ILO: Twenty-ninth Session	Montreal	September 19-October 12
International Film Festival	Cannes	September 20-October 5
UNESCO: Plenary Session	Paris	November 4
International Fund and Bank: Joint Meeting of Boards of Governors	Washington	September 27
Five Power Preliminary Telecommunications Meeting	Moscow	September 28
Caribbean Tourist Conference	New York	September 30-October 9
International Tourist Organizations Conference	London	October 1-7
Second Pan American Congress of Mining Engineering and Geology	Rio de Janeiro	October 1-15
Second Pan American Congress on Physical Education	Mexico City	October 1-15
18th International Congress for Housing and Town Planning	Hastings	October 7-12
Conference on Tin	London	October 8-12
Preparatory Commission on World Trade and Employment	London	October 15 (Tentative)
United Nations: General Assembly (Second Part of First Session)	New York	October 23
United Maritime Consultative Council: Second Meeting	Washington	October 24-30
International Commission for Air Navigation (CINA): Twenty-ninth Session	Dublin	October 28-31
International Technical Committee of Aerial Legal Experts (CITEJA): Plenary Session	Cairo	November 4
World Health Organization: Interim Commission	Geneva	November 4
Inter-American Commission of Women	Washington	November 11-20

The opening dates in the third column are current as of Sept. 15.

Activities and Developments

U.S. Delegation to First Inter-American Congress of Medicine. Acting Secretary Clayton announced on September 12 that the President has approved the designation of the following persons as delegates representing the United States Government at the First Inter-American Congress of Medicine, which was convened at Rio de Janeiro on September 7, 1946:

- Col. Arden Freer, Medical Corps Chief, Consultants Division, Office of Surgeon General, War Department
- Capt. Carroll P. Hungate, Medical Corps, United States Naval Reserve
- Dr. James A. Shannon, Consultant, United States Public Health Service, Federal Security Agency
- Capt. John J. Wells, Medical Corps, United States Navy

U.S. Representative on Interim Council of PICAQ. Announcement was made by the PICAQ Caribbean Regional Air Navigation Meeting in Washington on September 3 of the designation of Maj. Gen. Laurence S. Kuter, Commanding General of the Atlantic Division of the Air Transport Command, as the United States representative on the Interim Council of PICAQ. Major General Kuter succeeds Gerald B. Brophy.

U.S. Delegation to Governing Body of ILO.¹ Acting Secretary of State Clayton announced on September 12 that the President has approved the designation of David A. Morse, Assistant Secretary of Labor, as United States Government representative on the Governing Body of the International Labor Office. Mr. Morse will attend the Ninety-ninth Session of the Governing Body, which is scheduled to be held at Montreal on September 16, 1946, and the preliminary committee meetings which are scheduled to be held beginning September 11, 1946. The President has also designated Miss Frieda S. Miller, Director, Women's Bureau, Department of Labor, as substitute Government representative for the period of the preliminary meetings and the Ninety-ninth Session. Mr. Morse and Miss Miller will be accompanied by:

John S. Gamba, Adviser on International Labor Relations, Department of Labor

Thomas W. Holland, Associate Chief, Division of International Labor, Social, and Health Affairs, Department of State

Walter H. C. Laves, Administrative Consultant on International Affairs, Bureau of the Budget

Also participating from the United States will be James David Zellerbach, an employers' member of the Governing Body, and Robert J. Watt, a workers' member of the Governing Body.

Mr. Zellerbach and Mr. Watt serve on the Governing Body by virtue of election by the employers' and workers' groups, respectively, at the Twenty-seventh Session of the International Labor Conference, which met at Paris in November 1945.

The Governing Body will be concerned primarily with matters affecting budget, financial regulations, Staff problems, and the pending agreement of relationship with the United Nations. The Governing Body consists of representatives of 16 governments, 8 employer representatives, and 8 worker representatives.

North Atlantic Ocean Weather Stations Conference.² The Government of the United States accepted an invitation from the Provisional International Civil Aviation Organization to participate in the North Atlantic Ocean Stations Conference, which was convened at London, England, on September 17, 1946. A United States Delegation of 11 persons, headed by J. Paul Barringer, Assistant Chief of the Aviation Division, Department of State, was appointed by the President. The Conference was called by PICAQ in order that the 13 member states of PICAQ who have an interest in weather observations over the North Atlantic air routes might determine requirements for adequate weather reporting and the apportionment of the costs of operation. It is expected by PICAQ that an agreement will be

¹ Released to the press Sept. 12.

² Prepared by the Division of International Conferences, Department of State.

reached at this Conference which will resolve immediate responsibilities on this question commensurate with present ability of the various states operating weather vessels and that a permanent operational procedure will likewise be determined.

The Air Coordinating Committee, an inter-departmental committee composed of representatives from all Federal agencies having a direct interest in civil aviation, referred the question of United States representation to its Subcommittee on PICAQ Matters. This Subcommittee recommended that representatives from the Department of State, Civil Aeronautics Administration, U.S. Weather Bureau, U.S. Coast Guard, U.S. Navy, and Bureau of the Budget be named to the United States Delegation.

The agenda for this Conference includes discussion of the number of weather stations required, their location, the number of ships for each station to be operated, the cost of operation and administration for this service, and the apportionment of cost among the nations receiving the service.

The Provisional International Civil Aviation Organization requested that where possible nations send representatives empowered to sign an agreement covering these points, subject to later ratification by the governments concerned.

The Conference is expected to last from one to two weeks.

The Second Pan American Congress on Physical Education¹ is scheduled to be held in the City of Mexico on October 1, 1946. The United States has accepted the Mexican Government's invitation to participate, and it is expected that this country will be represented by delegates from the United States Office of Education and the National Education Association. Possibly several other Government departments and agencies as well as private organizations will send representatives.

The provisional agenda for the Conference is as follows:

SECTION I

Technical-Pedagogical

1. That orientation in physical education should

¹ Prepared by the Division of International Conferences, Department of State.

be given in the pre-scholastic, scholastic (primary and secondary), and superior cycles.

2. Would the adoption of a pan-American physical-education plan be advisable? What would be its bases and fundamental directives? What would be the common objectives?

3. The role of physical education in the educational plan.

SECTION II

Technical-Biological

1. In accordance with individual physical strength, what elements should be considered for classifying homogeneous groups for the practice of physical education in the different school cycles?

2. Would the elaboration of an individual, integral, pan-American rating be advisable?

3. Sex and physical education.

4. Puberty and physical education.

5. Endocrinology and physical education.

6. Nutrition and physical education.

7. Evaluation of results obtained by instructors of physical education through the method of anthropometric and physiological measurements as modified by physical exercise.

8. Evaluation of the physical capacity of students by the method of minimum tests. What should examinations consist of? What should be their practical application?

9. Deviations from morphological and physiological normality. Criterion of appreciation. The role of scholastic physical education in connection with these problems.

10. Geographical altitude and physical education. Adaptation, results, fatigue, etc.

11. Health certificate an indispensable requisite for the sportsman.

SECTION III

Policy and Educational Sociology

1. Post-war problems.

2. Readaptation of the Indians for physical education. Methods to be utilized.

3. Should post-scholastic physical education, with official support, be a practical activity directed to the masses?

4. Social-moral problems derived from professional sports. The ideals of the Olympic amateur.

SECTION IV

Organization of Physical Education

1. Should infantile playgrounds, playgrounds, recreation centers, permanent camps, vacation colonies, etc., be institutions under the technical control of the directing organizations for physical education? What should be the purposes, scope, and organization of each one? Is adoption advisable in countries which do not have it and must encourage its diffusion?

2. The unification of plans in the institutes for teachers of physical education and the validity of the titles awarded for all the American countries.

3. The scope of recreation as a medium of popular education. Adequate use of free time. Organization of recreation facilities for employees and workers.

4. What should be the elemental basis for unifying the statistics of pan-American physical education?

SECTION V

1. Technique of organized infantile play. Principal games peculiar and autochthonous to each country for knowledge and diffusion in all the American countries as a means of promoting pan-American solidarity.

2. What should be the character of sports in the school? The teaching of recreation or of competence? Its methodology and technique.

3. Feminine sports. Purposes and its technical-biological and social-moral place.

International Tourist Organizations Conference, London, October 1-7, 1946. The Travel Association of Great Britain and Northern Ireland has issued invitations to all governments throughout the world asking their official tourist representatives to attend an international conference in London to be held at the Town Hall from October 1 to October 7, 1946. This association is the Government-sponsored travel organization dealing with tourism.

The purposes of the Conference as stated in the invitation are:

(a) To promote international travel as the best medium for the building up of that international good-will which is essential to the maintenance of a lasting peace.

(b) To discuss matters of mutual interest affecting the world's travel industry and to seek means for removing or modifying, progressively, existing restrictions and regulations which now make traveling a difficult and irksome business.

The agenda for the Conference includes the following items:

1. Free movement of tourists, passports, visas, currency control.
2. Standardization of tourist statistics.
3. Improved conditions of customs entry of official tourist publicity material.
4. Exchange of students and young people's visits.

Twenty-seven nations have now accepted invitations to the Conference. Many of them, particularly the western European countries, will send as their representatives officials of ministerial rank who head government bureaus or departments responsible for the promotion of tourism.

The United States Government will be represented by George Tait, Counselor of Embassy, London, and by Herbert A. Wilkinson of the Office of International Trade Policy, Department of Commerce. Delegates to the Conference will not have plenipotentiary powers; Conference reports will be in the form of resolutions which will be referred to the participating governments for consideration.

The restoration and development of international tourism is of major importance to world trade expansion. This is indicated by the statistics for the year 1937 (the last normal year before the outbreak of the World War). In that year American tourists expended more than \$561,000,000 in foreign countries.

The World War has left a heritage of barriers and restrictions to international travel. Grave problems are presented in any effort toward the reduction or removal of existing frontier formal-

¹Prepared in collaboration with the Caribbean Commission and the Division of International Conferences, Department of State.

ties, security controls, and passport and visa regulations. Yet these are but a beginning. Economic and financial policies must be developed, and planning on an international scale will be essential to the successful reestablishment of international tourism. The London conference will be one of many attempts to restore this important commerce.

The Eighteenth International Congress for Housing and Town Planning¹ is scheduled to be held at Hastings, England, October 7-12, 1946. The United States has accepted the invitation of His Majesty's Government to attend, and it is expected that an official delegation of 11 persons representing interested departments and agencies of the United States Government, and several more representing private organizations, will attend.

The Congress is being organized by the International Federation of Housing and Town Planning, an organization founded in 1913, with headquarters in London. Recent meetings of the Congress were the Seventeenth, held at Stockholm, July 8-15, 1939, and the Sixteenth, held at Mexico City, August 15-19, 1938.

The provisional program for the sessions of the Eighteenth Congress includes the following topics:

1. Replanning the centers of cities—some examples of new plans: County of London, Le Havre, Exeter, Warsaw, Stalingrad, Rotterdam, and Antwerp.

2. Replanning the centers of cities—decentralization: The planned location of industry in town and country; balanced movement of population and industry; new towns; satellites; extension of existing towns; density and open-space standards; machinery; and special problems of different countries.

3. Replanning the centers of cities—implementing the plans: Land; basis of ownership; finance; labor and materials; organization; priorities; and the building industry.

4. Housing technique: New methods of construction; new materials; standardization; planning; production and distribution; assembly and erection; services and equipment; research; inter-

national pooling of information; and the role of sociologists, engineers, and architects.

5. Housing economics: Finance; land; changing approach to housing; limitation of life of houses; ownership and renting; and international coordination.

In addition to the plenary sessions of the Congress and the meetings of the committees there will be a number of tours and visits throughout England to study housing and town-planning projects. Exhibits are also being prepared for the inspection of the delegates to the Congress.

CONFERENCE ON TIN

[Released to the press September 9]

The United Kingdom Government, after consultation with the Governments of the United States, Bolivia, Belgium, and the Netherlands, has invited the main tin-consuming and tin-producing countries to an international tin conference in London. The countries invited are Belgium, Bolivia, China, France, the Netherlands, Siam, the United States of America, and the Union of Soviet Socialist Republics. The object of the conference is to consider the prospective tin position and the advisability of continuous intergovernmental study of that position. It is hoped that the conference will open about October 8.

The United States has accepted the invitation to attend the tin conference in London. An announcement will be made concerning the membership of the United States Delegation after its composition has been finally determined.

Foreign Surplus Property Disposal

On September 14 a discussion on the disposal of foreign surplus property was broadcast over the NBC network. The participants in the broadcast were Thomas B. McCabe, retiring Special Assistant to the Secretary of State and Foreign Liquidation Commissioner, and Gen. Donald H. Connolly, Deputy Foreign Liquidation Commissioner. For a complete text of the radio discussion, see Department of State press release 641 of September 13.

¹ Prepared by the Division of International Conferences, Department of State.

The Record of the Week

Private Enterprise in the Development of the Americas

BY ASSISTANT SECRETARY BRADEN¹

IT IS PERTINENT in the discussion of foreign investments to recall that to begin with English and other European capital contributed in substantial measure to the financing of this region. (I have been told that at one period the Royal Family of Great Britain were the largest single stockholders of a principal Midwestern railroad.) In this way, new undertakings were given indispensable impetus and support. They grew, prospered, and accumulated capital, wherewith to continue building, to initiate still other enterprises, and incidentally to purchase their own securities held abroad. Thus, in due course, foreign investments and profits in this country were repatriated largely by normal means, although the process was expedited by the last war. There were neither confiscations nor expropriations. It was good business for everyone.

United States capital has frequently, in somewhat similar fashion, gone into the other American republics. But it is only in the last dozen years or so that any considerable number of the nationals of those countries have demonstrated a desire to purchase the securities of these enterprises. Also, in many cases they have not yet accumulated the wherewithal to do so.

Huge sums will be required for the adequate development, industrialization, and diversification of the economies of those countries. In the light of the extensive experience already amassed, it should be possible for United States capital, "know-how", and ingenuity in collaboration with our neighbors to the south to avoid the mistakes which they and we alike have made in the past, and to get together on mutually profitable bases.

In this way, our surplus stores of private-venture capital, if soundly placed, can earn substantial dividends. The proper employment of

this capital with the latest machinery, tools, and methods will accelerate per-capita productivity, raise real wages and living standards, and so augment the wealth of the other peoples of this hemisphere that they too, gradually, by normal means, may acquire the full ownership of the enterprises located in their countries. Nothing could be better calculated to insure the ultimate defense of the hemisphere and, therefore, of the United States.

This procedure will serve further to expand the already growing numbers of the educated and liberty-loving middle classes and to fortify popular resistance to those totalitarian ideologies of both the so-called "right" and "left", whose agents and "cat's paws", while busily trying to burrow everywhere, prey successfully only upon those who have been weakened by poverty and privation, by lack of sanitation and education, and who enjoy neither present well-being nor prospects of security for themselves and their families.

I wish to emphasize that private enterprise is the best and in most circumstances the only really sound means to develop the known or unknown resources of a new country, because in recent years there has appeared a school of thought which, when considering United States cooperation in the development of Latin America, overlooks or even in a few cases condemns the use of private capital. Instead it advocates that the requisite financing be done by our Government, either in the form of loans at low rates of interest or of what is tantamount to outright grants, in the case of certain public-health, nutrition, and educational projects. These well-intentioned proposals are entirely consonant with our definite and continuing

¹Delivered before the Executives' Club of Chicago in Chicago, Ill., on Sept. 13 and released to the press on the same date.

ing policy of economic and social cooperation with the other republics, but the suggested implementation of using United States taxpayers' money abroad to any appreciable extent I believe is generally impractical, invalidated by the experience of history, and counter to the expressed desires of the American republics. Among the many economic and other reasons why the job should be done mainly by private enterprise, there are the following:

(1) The selective processes of society's evolution through the ages have proved that the institution of private property ranks with those of religion and the family as a bulwark of civilization. To tamper with private enterprise, except to apply well-conceived, legal, and essential controls, will precipitate a disintegration of life and liberty as we conceive and treasure them.

Those totalitarian regimes of our time, which pretend to have established a modern streamlined communalism, have with their regimentation and dull mediocrity demonstrated the gross inefficiency of state management. But what is worse, they have destroyed individual independence, initiative, and opportunity. They have left the single man weak and subjected to such barbaric conditions as have shocked all civilized peoples. If to depend on government for everything within our own borders is demoralizing, what will be the effects of doing so abroad?

(2) In the Economic Charter of the Americas, approved by the Inter-American Conference on Problems of War and Peace at Mexico City in March 1945, the American republics declared for freedom of action and opportunity, the promotion and encouragement of private enterprise, elimination of the excesses of economic nationalism, and assurance of just and equitable treatment to foreign capital, management, and skills. It is perhaps of challenging significance that, in a world ridden with statism, at least the American republics still affirm the self-reliant, virile principles of private enterprise.

(3) Except during the crisis of war, government, with manifest exceptions, does not belong in business other than for legitimate and essential regulation or cooperation. When it does intrude to operate or excessively control undertakings normal to private enterprise, inefficiencies, extravagance, and disorder inevitably ensue. All my experience in and out of government has con-

vinced me of this. Private enterprise, as a rule, will invest capital more wisely and develop resources more competently.

(4) Our huge war debt, budget, and tax burden will, I anticipate, cause the American people through their representatives in Congress stringently to curtail or eliminate every expense beyond our borders, the necessity of which is not directly and readily apparent. For a time desirable as well as undesirable projects will go down before an economy wave. In other words, the generous appropriations of the last few years will not be voted soon again.

To be more concrete, there are, doubtless, thousands of worthy projects outside the United States, where, by a wisely planned and executed financial and technical cooperation, great good could be done. The American taxpayer, however, unappreciative of the value to hemisphere defense of such measures, might ask why those funds were not devoted, if at all, to our own necessities in this country.

The vast sums spent and loaned by the United States since 1940 have created the false impression that our wealth is infinite. Far too often it is said, right here at home: "But what are a few million dollars to Uncle Sam?" The time has come to recognize that the United States Treasury is not an inexhaustible reservoir, that "thrift is the philosopher's stone" and that excessive taxes discourage production. Lower production means unemployment and less national income or purchasing power wherewith to buy from our neighbors, as well as from ourselves.

(5) The volume of government foreign financial operations henceforth should also be restricted because the official responsible for making a loan or investment is morally bound to employ even greater caution and stricter standards than the representative of private capital. He is, so to speak, acting as a trustee on behalf of the taxpayer, who becomes the real investor yet with no prior opportunity to pass on the security. On the other hand, while the private entrepreneur's judgment and prestige, and therefore his survival in business, are involved, he is either authorized to act by his directors and stockholders or is selling the security to a client, who himself decides whether or not to buy. In either case he can exercise considerably more latitude in the risks he as-

sumes than the government official properly should.

(6) The maker of any loan or investment necessarily has to specify conditions and demand compliance therewith. But when government is a party to the transaction, the responsible official, as I have just indicated, must sometimes be so exigent that his requirements may be misinterpreted as a species of intervention. This would be distasteful to both parties, but particularly to the borrower, and, because of the preponderance of United States economic—and military—power, could easily provoke accusations of "dollar diplomacy", which under existing policies should not arise with respect to private capital. Also, financial assistance by our Government might on occasion be misinterpreted as an endorsement of a given administration. We wish to avoid even the hint of such charges as the afore-described because our determination is to meet with our neighbors as sovereign equals on a basis of mutual respect.

In this spirit we neither expect nor would we accept a profit beyond the actual cost of the money to us, on loans or investments made by our Government in the other republics, yet those funds through the tax medium come from the store of private capital and, if otherwise employed, would earn a fair return proportionate to the risks taken.

On the other hand, if we endeavor to assist another country with grants, no matter how meritorious the objectives, the recipient deep down will not like it—no one wants to be the object of charity. Also it is well to remember that when one gets something for nothing, he usually values it at precisely nothing. Friendship cannot be purchased.

What then are the limited occasions when United States Government money may be properly loaned or employed abroad? I would list the following:

(a) Investments to produce vitally needed rubber, nickel, and other materials in wartime, when costs and sound business are subordinate considerations and private enterprise cannot bear the unavoidable losses.

(b) Long-term loans, such as that to Great Britain, and investments, such as in the International Bank and Monetary Fund, to prevent worldwide economic chaos, from which we would suffer as much as, or more than, anyone.

(c) Donations in war-ravaged areas, where pri-

vate organizations could neither mobilize quickly nor surely enough to operate effectively.

(d) The initiation, preferably in conjunction with local interests, of certain health or cultural endeavors not of a purely economic nature, as an incentive to others to take over or follow suit, thus expediting the fruition of these essential projects. This should be done only to forward our long-range foreign policy, which is to help bring into being a world in which the United States may live safely in freedom, peace, and prosperity.

(e) Short-term credits to assist in the financing of our export and import trade, where private capital may not be available.

To develop our foreign commerce we hope to have common effort by public and private finance. In this three of Chicago's distinguished executives, Champ Cary, Walter J. Cummings, and Fowler McCormick, will take a leading role. When appointing them to the Committee for Financing Foreign Trade, President Truman emphasized the "vital importance" of tying in "our national productive capacity with the world's reconstruction requirements." He also declared that:

"The conduct and financing of our foreign trade should be handled by private industry with the cooperation and such assistance as is necessary from the proper Government agencies."

It also has been considered appropriate for the Government to collaborate with our neighbors by making loans or investments which may blaze the trail for private capital and in which the latter may participate. This type of financing is now available from the International Bank for Reconstruction and Development, to which we have contributed so materially.

Self-evidently our Government should undertake no financial operation when the effect will be to harm American investments or foreign trade.

Generally, the better credit risks will be those countries which do not have exaggeratedly nationalistic or restrictive laws and which do pursue the liberal trade policies agreed upon at the Mexico City and previous inter-American conferences.

There must be reciprocal confidence between lender and borrower. To insist upon genuine compliance by the signatories to every international agreement is imperative. Not to do so would break

down all international relations and would greatly weaken, if not destroy, a government's ability to require that the loans, concessions, or contracts of its nationals abroad likewise be respected.

A government which wastes or misspends its competence, as for instance on excessive armament, both injures its people and is likely to be a bad debtor. This also applies to any government which by abuse of the power to tax destroys initiative, thrift, and the commonweal.

The purpose of lending should be to create a net increment to the economy of a borrowing country. Therefore, loans should not be made, if they enable another government to acquire or displace existing efficient private enterprises, whether they be American in ownership or not. Every country has the right to experiment in whole or part with its economy, but the risks of experimentation abroad should not be borne by the American taxpayer.

This Government, of course, should not compete with commercial banks or private investors and it will be unnecessary for it to do so, if these latter will demonstrate the progressiveness and imagination which made this country and this city what they are.

Finally, I would add that disreputable governments and, in the long pull, dictators do not make good financial risks. While corruption in government frequently leads to dictatorship, it is equally true that dictatorships almost inevitably sink into corruption. "Power corrupteth; and absolute power corrupteth absolutely". Temporarily the dictator's decisiveness and semblance of efficiency may be more impressive than the often protracted constitutional procedures of a democratic regime, but in the end they turn out to be traps for the ingenious. Many of those who have dealt with such as Hitler and Mussolini have learned this lesson to their regret.

In keeping with its experience, and while scrupulously avoiding even the remotest implication of intervention, the Department of State has publicly declared that our Government and people, of course, have a more friendly feeling for, and a greater desire to collaborate with, those countries whose governments rest upon the periodically and freely expressed consent of the governed.

But if it be granted that United States Government participation in the development of the other American republics should be limited it may be

asked: Is private enterprise competent to assume the major share of this job? Has it not made too many mistakes in the past?

Certainly mistakes, serious ones, have been made. Many bond issues of the late 1920's were unwise and sometimes worse. But, after all, we erred just as grievously with our own securities and I know of no one in that insane era who did not make mistakes. Moreover, no advantage is to be gained by assessing the relative responsibilities of lenders and borrowers. Both blundered badly, and both have suffered as a consequence. It is to be hoped that that lesson has been well learned.

Likewise, American capital in other ways has occasionally committed mistakes and even abuses, but it has paid for them dearly, the many innocent suffering with the very small number of guilty. However, business mores everywhere have steadily improved during the last few decades and I am proud to say that today the vast majority of our industrialists, merchants, and bankers in Latin America are of the highest integrity and will have no more truck with the other kind than will our diplomatic missions. They rigidly obey the laws of the lands where they reside and comport themselves with a propriety and dignity which wins respect for them and their country. With few exceptions, they have refrained from political meddling.

In this latter connection it is pertinent to quote the State Department's position:

"The Department disapproves of and opposes most strongly any intervention in local political affairs by American businessmen or companies. Such activities are bad for American business, complicate international relations and create serious problems, and are bound to lead to rumors that the Department is involved. The position of the Department is that any American businessman or company engaging in political activities (including the making of campaign contributions whether in the firm's name or by an American citizen as an individual) need expect no assistance from the Department or from our diplomatic missions abroad."

The United States, with values written down to 1940 levels, has approaching \$3,000,000,000 of direct private investments in the other American republics. This money has mostly—76 percent—gone into manufacturing, public utilities, and the development of natural resources. This contrasts

with European undertakings which in most of the countries have been largely devoted to trading and therefore have not so substantially increased the economic potential of those nations. Nor does the trader have to struggle in the same measure with the multiplicity of complicated and difficult social or other problems which the industrialist has ever present. Our investments have created new, more skilled, and higher paid employment. They have established new industries and increased purchasing power, not to mention substantial tax contributions for the governments concerned. By and large a constructive job, highly beneficial for the countries involved, has been splendidly done.

It is sometimes alleged that especially our oil and mining enterprises have made exorbitant profits. That charge is due to a misconception of the nature of those undertakings. The investigation, equipment, and placing in operation of a large mine or oil property in the remote mountains or jungles where they are usually found, is at best highly speculative and involves directly millions upon millions of dollars, not to mention other millions previously expended in unfruitful explorations and dry holes. To expect such venture money to accept the low return of, for instance, a triple A bond, is absurd. The profit must be commensurate to the risk.

On the other hand, large corporations operating in Latin America may find it unorthodox, but highly remunerative in the long run, jointly or severally to devote a portion of their profits to public service of the type ordinarily handled by government in agriculture, health, or education. For example, the drawing away of agricultural workers from the soil by one or two big industries in a given country may so reduce the production and increase the cost of food as to unbalance the national economy. To assist in the solution of such a problem would be self-interested wisdom.

Outside the economic field, the achievements of such United States organizations as the Rockefeller Foundation in nutrition, sanitation, and education deserve highest praise, but require no comment now because they are already so widely recognized.

In Chicago, one of the world's great labor centers, I would be delinquent did I not mention that while United States labor organizations have not thus far been active in the other republics, contacts

have been established and measurably cemented in recent years. The American working-man knows that the only way permanently to raise real wages is by increasing per-capita productivity through the adoption of the most modern machinery, tools and methods. He is anxious to see the labor and living standards of his fellows to the south improved, not merely to avoid low-wage competition and to create new markets for the goods he makes, but for humanitarian reasons, to avoid the totalitarian infiltrations to which I have referred, and to replace the menace of economic uncertainties, such as inflation, with the stability which is so vital for the worker.

It is right and proper that labor throughout the hemisphere have a common concern in these matters. As Abraham Lincoln said when addressing a deputation of working-men:

"The strongest bond of human sympathy outside the family relation, should be one uniting all working people of all nations, and tongues, and kindreds."

Lincoln went on to remark:

"Nor should this lead to a war on property, or the owners of property. Property is the fruit of labor; property is desirable; is a positive good in the world. That some should be rich shows that others may become rich, and hence is just encouragement to industry and enterprise. Let not him who is homeless pull down the house of another, but let him work diligently and build one for himself, thus by example assuming that his own shall be safe from violence when built."

Gentlemen, I trust you will agree with me in the urgent necessity of the United States collaborating with its neighbors of this hemisphere to conquer the conditions of distress which presently exist, to improve living conditions, and to bring about a sound and beneficial development of those countries.

At best, even with maximum concerted effort, we can only expect gradual progress over a long period of years. But if nothing is done, proponents of extremist "isms" will fill the vacuum with their specious proposals, which aim to create such confusion and upheaval as will destroy both private enterprise and the human rights and civil liberties we hold so dear.

The job must be done. It should be done pri-

marily by private enterprise with all the driving force of competitive democratic capitalism rather than by government. But if there is not a conscious, coordinated, and effective performance by private enterprise, government may be compelled to fill the breach. If we are to preserve the "American way of life", this unhappy alternative *must* be avoided.

The Department of State desires in this program to cooperate with private enterprise in every way possible. I am confident that it can give valuable

counsel and guidance. It can help to formulate plans along broad constructive lines, in terms of over-all and future advantages as well as of individual and momentary benefits. But the implementation, the doing, the achievement depend on the initiative and vision of private enterprise.

Our success or failure in the performance of this complex and difficult task may determine not only the economic well-being and prosperity, but the security and independence of this hemisphere and the United States.

Policy on UNRRA Shipments to Yugoslavia

STATEMENT BY ACTING SECRETARY CLAYTON

[Released to the press September 12]

As a natural reaction to the inexcusable behavior of the Yugoslav air forces in shooting down two unarmed U.S. transport planes resulting in the loss of five American soldiers, it has been widely urged that the United States Government stop immediately further shipments of UNRRA supplies from the United States to Yugoslavia.

The present status of this matter is as follows:

The Yugoslav authorities have met the demands of the United States Government that the survivors of the attacks be released, that the Yugoslav authorities apologize, and that a promise be given that such attacks will not recur. The Yugoslav authorities have also tentatively agreed to indemnify the families of the U.S. airmen who lost their lives. The question of compensation for property is still under discussion.

Thus, the demands of the United States Government have been largely met.

The question now is:

Should we attempt through UNRRA to retaliate against the Yugoslav Government for this outrageous occurrence?

We think not, because, aside from the fact that the matter is already in a fair way to be adjusted, any such action on our part would be a violation of the obligations we assumed when we agreed to participate in UNRRA.

UNRRA is an international organization established by the United Nations. Its resources are

made up by contributions of 2 percent of the national income of the contributing countries. Although the United States contribution is 72 percent of the total, it is no more in proportion to our means than that of any other contributing country.

UNRRA is governed by its Council of 48 nations and by a Central Committee composed of representatives of nine member nations, of which the United States is one. That Committee approved the relief program for Yugoslavia.

To take any action now to stop shipments from the United States on this program would subject us to the charge that we have little regard for the sanctity of international agreements.

Notwithstanding the great provocation in this case, it is our belief that we should take no action which would place us in the position of dishonoring our international commitments.

Foreign Agriculture

The following article of interest to readers of the BULLETIN appeared in the September issue of *Foreign Agriculture*, a publication of the Department of Agriculture, copies of which may be obtained from the Superintendent of Documents, Government Printing Office, for 10 cents each:

"Cuban Agricultural Policy", by Paul G. Minneman, agricultural attaché, American Embassy, Habana.

Government's Role in Assisting International Cooperation Between Scientific Groups

BY RAYMUND L. ZWEMER¹

IT HAS BEEN RIGHTLY SAID that scientists are probably the world's oldest internationalists. Aristotle, Euclid, and Archimedes traveled throughout the ancient world to get the information and the inspiration they needed. More recently, the Curies, Fermi, Neils Bohr, Walton, Hahn, Urey, and many others have exchanged ideas developed in laboratories in many countries, by scientists of many different nationalities, creeds, and races.

Rarely does the average student stop to think of the nationality of Galileo, Copernicus, or Newton. Many names of famous scientists are now so woven into our language that even their original pronunciation has been lost—for instance, pasteurized milk, amperes, and volts.

Until recently, most scientific collaboration between countries was carried out by scientists themselves independently of their governments. In this the scientific unions and the large national congresses performed services of widely recognized value. Typical of such international interchanges were the triennial congresses of the Association of Chemists which used to assemble as many as 4,000 delegates from 52 nations.

However, even in the years between the wars, it was beginning to be recognized that privately financed organizations alone could not do all that was necessary to make sure that scientific progress was reported in all countries, nor could private organizations alone assist the less technically advanced countries in developing techniques and experimental projects of a lasting value.

The Organization for Intellectual Cooperation, associated with the League of Nations, did help to some extent, but most of its work came to an abrupt end in 1939 when Axis aggression induced scientists as well as everyone else to line up for or against the various concepts of what world law and order should be.

During the war it became more and more evident that science and human affairs are inseparable. Industrial progress and high living stand-

ards depend in the final analysis upon the scientific development of the fullest use of natural resources. Furthermore, it is now generally recognized that without a steadily improving economy wars are more likely to break out—just as crime breaks out in depressed slum areas. This is not a simple cause-and-effect relationship. All criminals are not necessarily the product of slums, nor can lawbreakers be reformed by being set up in palatial establishments. But, admittedly, people with low living standards, hungry people, and ignorant people, are a breeding ground for ill-will and aggression because they are easily misled and misinformed.

I am glad to see more scientists being drawn into political and international life. Practically every one of the new international agencies now recognizes the importance of the scientist.

A brief review will recall to your attention that in the United Nations the Security Council has a commission considering control of atomic energy, resources, and applications. Many commissions of the Economic and Social Council deal with the sciences directly or indirectly. Of the specialized bodies, the Food and Agriculture Organization has an ambitious program for combating the world's long-standing problems of hunger and dietary deficiencies, by determining and improving the scientific relationship between production of world food and other agricultural products and world needs based on careful regional analyses.

Engineers of many types are being called upon to solve transportation tangles in Europe through the Inland Transport Organization, and all over the world through PICAQ, the Provisional International Civil Aviation Organization. They are also helping through such bodies as the International Hydrographic Institute, the Interna-

¹ Address delivered before the American Chemical Society in Chicago on Sept. 13 and released to the press on the same date. Mr. Zwemer is Executive Director of the Interdepartmental Committee on Scientific and Cultural Cooperation, Department of State.

tional Telecommunications Union, and through advising and developing new power projects in a number of countries.

The newly created World Health Organization will call upon the vast field of chemistry related to the medical sciences, preventive as well as curative.

UNESCO, about which we will hear later, has an entire commission devoted to scientific programs.

In addition to these multilateral international efforts, the United States Government has in recent years called upon scientists to aid in furthering its foreign policy in bilateral cooperative projects. We want to see other countries develop stable economies, since their development is helpful to us as well as to them, and it is essential to the building of a peaceful world. The Federal Government has now in operation some 22 types of cooperative projects of a technical or scientific nature with other countries in the Western Hemisphere.

This program was developed to implement the Buenos Aires and Lima conventions signed by the 21 American republics in 1936 and 1938. While much of it became related to the building up of hemisphere solidarity in wartime, the permanent value of the program was recognized by Congress in increasing its appropriation 30 per cent for its first full peacetime year. I would like to give you a few examples of the work which has been done in this precedent-making program.

A few months ago I had the opportunity of visiting six countries where cooperative projects are now in operation. In Guatemala and Peru I visited agricultural experiment stations where, as in other experimental stations in Latin America, research was being done by Department of Agriculture scientists on fibers, insecticides, medicinals, and other tropical products which are not grown in the United States.

In Guatemala, as elsewhere, these agricultural stations are financed jointly, the United States contributions being more than matched by the other country in men, money, and materials. For the entire agricultural program, the cooperating countries have spent \$3 for every \$1 spent by the United States.

In Colombia, I talked with our specialists who are working on rubber cultivation. A scientist from the United States Department of Agriculture

reported that in the upper regions of the Amazon he and his Colombian co-workers have just discovered a new type of blight-resistant rubber plant. The implications are tremendous for Colombia and for other rubber-raising countries. Plans are already under way for three new nursery plantations and numerous homestead plantings of this new type of rubber. The growing of rubber as a cash crop on small farms should be an important factor in stabilizing the production of raw rubber.

In Mexico, I visited the fish hatchery at Salazar at an altitude of 10,000 feet. Through introducing the latest scientific methods here and elsewhere in the country, rainbow trout, blue gills, and black bass are raised from egg to adult stage and then released in streams and lakes throughout Mexico. Better utilization of deep sea fish also aids in providing an increased source of food for the population. Two experts from the Fish and Wildlife Service give expert assistance in this project.

Medical projects in other countries include assistance in the control of epidemics of disease, vitally important in this era of rapid transportation of persons from one country to another; the dissemination of pamphlets and other informational materials on child care and general public health; advice and help in the setting up and inspection of much-needed pure water supply systems; and aid in improving the collection of vital statistics.

These and many other projects—such as the radiosonde weather stations in the Caribbean area which serve as hurricane-warning centers and weather-reporting points—are all financed jointly by the United States and by the cooperating governments. In general, we supply staff and know-how in the beginning, the other governments supply plants and equipment. These projects are largely self-terminating as nationals are trained to take the places of the U. S. experts in a few years' time.

In carrying out the program we have necessarily developed a network of exchanges of people and ideas. American specialists have gone to Latin America and have brought back much that is of scientific value; about 700 Latin American specialists have come to this country for training courses in our Government departments and technological schools. We have also had 200 or so students visiting in this country every year, a large propor-

tion of whom were interested in scientific and technical fields.

The agency of the Federal Government which plans and coordinates these projects for the Department of State is the Interdepartmental Committee on Scientific and Cultural Cooperation. This Committee is the general staff for the "Combined Operation" of 12 government agencies representing 42 separate bureaus. Our total budget this year amounts to approximately \$5,000,000.

While the budget is modest in comparison with the amounts of money involved in wartime expenditure, the results have been very gratifying in terms of accomplishment. The acceptability of the program by the cooperating governments is shown by their increased financial participation, which is now greater than our own. Sharing the expense makes it imperative that projects be worked out to mutual advantage.

Many other governments—including the British, French, Russian, and German Governments—have for many years recognized the need for spending money on similar activities. We are a late-comer in the field. I might add that our emphasis on cooperative scientific and technical projects in addition to cultural activities and information exchanges is a rather typically American emphasis.

The value of these scientific and technical projects in promoting hemispheric solidarity was well demonstrated during the war. The program helped to improve our own defenses by improving health conditions in strategic military areas where our troops were stationed; it also increased hemispheric productivity, and solidified good relations by demonstrating by deeds our interest in the welfare of the others.

In peacetime, programs of scientific and technical cooperation can also be evaluated in terms of our national welfare. Economically, by improving standards of living in other countries, at relatively small cost to ourselves, we improve trade opportunities. By familiarizing others with our technical and scientific methods we increase demands for American equipment and machinery. And by assisting in promoting a more stable world economy we may perhaps avoid the disastrous decline in world commerce which took place in the thirties. Instead of gluts of coffee or wheat or national failures in one-crop countries we want a balanced trade with healthy balanced economies abroad.

In addition to the economic dividends which our relatively small investment in scientific and cultural cooperation brings, there are also the social and political values which come from the increased understanding that naturally flows from working together as a team. When we bring together people of like interests and set them to work on mutually advantageous projects, good-will and friendly feelings are almost bound to result. The important thing is to collaborate and in the actual process of working together we learn to understand and in most cases to admire each other.

You will have noted that I have been talking chiefly of cooperative projects with the Americas. This is because the Congress has so far only granted authority to operate in this hemisphere. Basic legislation to extend the cultural and scientific cooperation program to other areas of the world was contained in a bill introduced into the last session of Congress by Congressman Bloom and an accompanying bill introduced in the Senate by Senator Thomas. The House bill received the unanimous support of the Foreign Affairs Committee and passed the House by a large majority. In the Senate the bill passed the Committee on Foreign Relations by a vote of 16 to one. However, it failed final passage in the Senate in the pressure of other legislation during the final days of the Session. If similar bills are introduced into the next session of Congress and passed successfully, the United States Government's program of cultural and scientific cooperation can then be extended on a world-wide basis.

Such an extension is desirable for many reasons but particularly if we are to play our full part in implementing the United Nations Educational, Scientific and Cultural Organization (UNESCO). UNESCO is an advisory, stimulating agency which has to rely on national governments to carry out suggested programs. We need national authority before we can play our full part internationally.

Our cooperative scientific and technical projects with the nations of this hemisphere have served in a way as a laboratory experiment. They have shown us that the kind of cooperation that can win a war can also be effective in building up a friendly neighborhood of nations. I trust that we can continue to build good neighborhoods throughout the world—a world which science has made too small for war.

Denial of Sale Of Military Items to China

[Released to the press by OFLC in Shanghai August 27]

Assistant Secretary of War Howard C. Petersen and Thomas B. McCabe, Special Assistant to the Secretary of State and Foreign Liquidation Commissioner, made the following joint statement through the office of the American Consul General on August 27:

We have noted the charges appearing in the press to the effect that we are engaged here in "secret" negotiations with representatives of the Chinese Government for the sale to China of large amounts of surplus ammunition, weapons, and other purely military items and that as part of the consideration for this sale China is to cede to the United States valuable civil air rights. These statements are without foundation in fact.

Discussions are in progress looking toward the sale to China of surplus property now on the islands of the western Pacific having an estimated original cost of approximately \$500,000,000.

No ammunition, no weapons, no airplanes of any type, no other purely military items are among the surplus now being offered to China. All of this surplus is civilian-type or civilian-end-use items. We are of the opinion that its acquisition by China will be of vast benefit to the rehabilitation of China and to its peacetime economy.

Chinese civil air rights have not been discussed as part of the consideration nor will this form any part of the consideration of the sale of the surplus. Discussions on a civil air agreement are being carried on by Bolling R. Powell of the U.S. Department of State, who was a passenger on the airplane which brought us to China but who is not a member of our surplus-property mission. These discussions are completely separate from and unconnected with the surplus-property negotiations.

Mr. Powell stated that he is holding discussions with the Chinese Government on the question of a mutual bilateral civil air agreement of the type that has been successfully negotiated by the United States with about 18 other countries of the world, including France, Canada, Norway, Sweden, Holland, Portugal, and the United Kingdom. He also said that if a civil air agreement is successfully concluded its provisions will be publicly announced in a press statement.

If a sale of surplus property to China is successfully concluded, it will not be a secret agreement, and a detailed press statement will be issued or a press conference held.

Agreement With China On Surplus-Property Sales

[Released to the press by OFLC in Shanghai August 31]

T. V. Soong, President of the Executive Yuan, and Thomas B. McCabe, United States Foreign Liquidation Commissioner and Special Assistant to the Secretary of State, signed on August 30 at Shanghai an over-all agreement for the bulk sale to China of certain U. S. civilian-type surplus property located in the western Pacific and China in settlement of U. S.-Chinese national currency indebtedness to China plus the equivalent of \$55,000,000 (U. S.) for other considerations of value to the United States in China.

The following joint statement was released in Shanghai on August 31:

The surplus property, newly acquired under this agreement, originally cost the United States \$500,000,000 (U. S.) for the moveables in China, Okinawa, Guam, Saipan, Tinian, and other islands and \$85,000,000 (U. S.) for the fixed installations in China. In addition, as an offset of \$74,000,000 (U. S.) to the U. S. indebtedness China is receiving approximately \$130,000,000 (U. S.) original cost of other surplus property, \$90,000,000 (U. S.) original cost of small ships, \$20,000,000 (U. S.) original cost of west China surplus property. In order to facilitate the prompt loading and shipment of the property and its reconditioning for sale, it was agreed that a fund of \$30,000,000 (U. S.) be created and set aside for the charter of U. S. vessels, the payment of engineer services, and the initial purchase of spare parts, as an additional offset against the U. S.-Chinese national currency debt. This debt was incurred by the U. S. armed forces in China in connection with the American war effort against Japan. In addition to the offsetting of this debt, the United States receives the equivalent of \$35,000,000 (U. S.) for the acquisition of Embassy and Con-

sulate buildings and sites, and for financing U. S. Government expenditures in Chinese currency. China also agrees to establish a fund equivalent to \$20,000,000 (U. S.) for promoting research, cultural and educational exchange with the United States.

The surplus property acquired is well suited to the needs of China's economic rehabilitation program, and therefore will be of great benefit in combating the forces of inflation through the realization of substantial revenues from the sale of urgently needed civilian items. It does not include aircraft, ammunition, weapons, or non-demilitarized combat material. The United States, in turn, will be able to speed up the demobilization of its remaining troops and the clearance of surplus property from the Pacific. The absorption of this property by the Chinese economy also will create a steady market for American products. The Board of Supplies of the Executive Yuan will be responsible for receiving and handling this property and China expects to employ an established American engineering firm or firms to assist in the over-all operation. China will utilize to the greatest possible extent established commercial distribution channels for the resale of the property in China and will give U. S. distributors, established in China, an equal opportunity to bid for the property. Normal distribution practices, including the marketing, whenever practicable, of name-brand products through the established agencies for such products, will be followed. China is given 22 months in which to remove the surplus. In addition to the financial assistance for facilitating the prompt loading and shipment of the property, China will be accorded the full cooperation of U. S. forces in the various bases in the accomplishment of this task. China intends to begin importing the surplus to China at any early date and is planning to move a considerable part before the end of 1946.

The most significant features of the large bulk sale of the U. S. surplus property in the western Pacific to China are:

(1) The incalculable benefits to China of the huge volume of civilian-type items which can be immediately distributed among its 400,000,000 people to start the wheels of commerce turning among its multitude of small businesses where an acute shortage of materials exists. China needs

thousands of miles of new roads, and the road-building equipment it will acquire in this surplus transaction will make work for great numbers of its people and the new roads will provide means of transportation which are so desperately needed. In a country which is undergoing acute inflation, the impact of 1,500,000 tons of additional items will have a profound effect. The U. S. policy is to assist China in attaining peace and unity and its objectives can only be attained by assisting in the restoration of China's economy. The surpluses which China has just purchased from the United States will go far in this direction, as they are promptly and efficiently distributed in all parts of the country.

(2) The advantages to the United States of this sale to China are obvious, as it will relieve the United States in the near future of the large expenses of care and custody of huge quantities of material scattered among numerous islands of the Pacific, where many thousands of our troops are employed in caring for the property and where the expenses of maintaining these troops are obviously high. Deterioration of the property is evident because of the tropical weather conditions, and unless it is disposed of promptly its value will progressively become less and less. The price which China is paying the United States for the surplus property is quite fair and reasonable and includes the unique features of settlement to date of many heretofore unsettled accounts including a balancing of our debt to China under the so-called "Yuan Account", as well as providing the equivalent of \$55,000,000 (U. S.) in Chinese currency for the acquisition of U. S. Department of State property so acutely needed in China, providing certain funds for the payment of U. S. expenses in China and a special fund for cultural, educational, and scientific benefits to both countries. The total of all of the surplus property which China has purchased prior to this agreement, plus the new acquisitions, amounts to approximately \$800,000,000 (U. S.) at original cost, exclusive of the west China purchases last year. For this the United States will receive an estimated dollar equivalent of \$175,000,000 (U. S.), more than two thirds of which are cancellations of U. S. dollar obligations to China. Therefore, the major portion of this transaction has been made primarily for U. S. dollars and not for credit.

Business Travel Information On Netherlands East Indies

[Released to the press September 11]

American businessmen have not yet been granted permission to visit the Netherlands East Indies in appreciable numbers, according to a report received from the American Consulate General at Batavia, Java. Those admitted are for the most part representatives of American firms which were established there before the war.

At the present time all foreign trade has been taken over and is operated by the Government through the NIGIEO (Netherlands Indies Government Import and Export Organization). All exports are sent to the Netherlands Purchasing Commission in New York, and conversely imports are shipped by the Commission on orders from NIGIEO. It is expected that the NIGIEO will be dissolved by January 1, 1947, but exchange controls will probably remain for some time.

Batavia is crowded, and accommodations can be obtained for only a limited number at the leading hotel, where rates for one person begin at about \$6 a day, including meals. Meals in restaurants are high, dinner costing from \$3.20 to \$4.80.

It is practically impossible for a businessman to visit points outside Batavia, as connections with other cities are entirely by air and priorities are granted to businessmen only in cases of urgent necessity. Inter-island shipping, it is reported, is still not functioning normally.

Participation of U.S. Capital In Siamese Mineral Development

[Released to the press September 9]

The Department of State announced on September 9 that the Government of Siam has informed the Government of the United States that it would welcome the participation of American capital in the development of the mineral resources of Siam.

Tin is the only product at present being mined in appreciable quantities. Siam ordinarily ranks fourth in world tin production. Iron, tungsten, antimony, lead, gold, and gems, notably sapphires, are mined in small quantities.

The Siamese Government reserves the right, the Department stated, to grant or reject applications for the prospecting or mining of "coal, gold, petroleum and iron".

The Siamese Mining Act of 1919 stipulates that all lands and minerals in the Kingdom of Siam are crown property, and that the right to prospect or mine must be expressly granted by the Government. The act also states that any person who has acquired the right to occupy land for agricultural or building purposes or for any other purposes must secure Government permission to prospect.

Chinese Students Awarded U.S. Government Fellowships

[Released to the press September 15]

The Department of State has announced the expected arrival in San Francisco on September 14 of 17 Chinese students, the first to reach the United States from among a group of 25 men and women graduates of Chinese universities awarded travel and maintenance grants by the United States Government for two years of advanced study in this country.

In contrast to the fellowship program of the Chinese Government, designed primarily to train engineers and other technical students abroad, the majority of Department grants have been awarded in the fields of pure science, social science, and the humanities. These fellowships have been made possible by an allotment from the President's remaining wartime emergency funds.

Trade Agreement With Paraguay

A reciprocal trade agreement between the United States and Paraguay was signed on September 12, 1946 at Asunción by Willard L. Beaulac, American Ambassador, and Miguel Angel Soler, Minister of Foreign Relations of Paraguay.¹

The agreement will enter into force 30 days after its proclamation by the President of the United States and publication thereof in the *Gaceta Oficial* of the Republic of Paraguay, or, if the proclamation and publication take place on different days, 30 days after the one later in time. It will remain in force for a period of two years

¹The text of the agreement was released as Department of State press release 631 of Sept. 12.

unless terminated earlier under special circumstances provided for in the agreement itself. If at the end of two years neither Government has given the other notice of its intention to terminate the agreement, it will continue in force thereafter, subject to termination on six months' written notice or under special circumstances provided for in the agreement itself.

The agreement provides for the mutual reduction of tariffs and the elimination or reduction of other trade barriers in order to facilitate the movement of trade between the two countries.

The terms of the agreement are in line with the principles involved in United States trade agreements with 28 other countries, as well as with the basic principles governing post-war commercial policies set forth in the proposals made in December 1945 by the Government of the United States for consideration by the United Nations. Announcement of intention to negotiate a reciprocal trade agreement with Paraguay was made in June 1943; public hearings were held in August of that year. By July 5, 1945, when the Trade Agreements Act was extended and additional authority to reduce rates of duty on imports was granted, the negotiations with Paraguay had reached an advanced stage. They were, therefore, continued without reference to the enlargement of the authority contained in the extended act.

The reciprocal concessions for which the agreement provides cover a substantial proportion of the trade between the United States and Paraguay. They include reductions by each country of its import duties on specified products of importance to the other country, bindings of certain tariff rates against increase, and bindings of the duty-free status of certain commodities. The general provisions of the agreement include mutual assurances of nondiscriminatory tariff, quota, and exchange treatment.

The bulk of Paraguayan exports to the United States is composed of raw materials which are not produced in the United States at all or only in insufficient quantities and which enter the United States either free of duty or at comparatively low rates. Such imports are largely utilized by domestic manufacturing industries and thus help to maintain employment in the United States. The concessions on Paraguayan imports from the United States apply largely to manufactured specialties and to certain agricultural items.

Return of Panamanian Bases

JOINT STATEMENT BY GOVERNMENTS OF PANAMA AND UNITED STATES

(Released to the press September 12)

Mindful of the objectives of the 1936 Treaty of Friendship and Cooperation and of the Defense Sites Agreement of May 18, 1942, and conscious of recent improvements in weapons and methods of warfare, the Governments of Panama and of the United States have agreed to consult on the most effective means for assuring the defense of the Panama Canal. Consistent with the aforementioned agreement of 1942, the United States has already returned to Panama 71 defense sites and is preparing to return immediately 27 more.

It is the desire of both Governments to fulfill their joint responsibilities for the adequate protection of the Canal. The two Governments have reiterated their unqualified endorsement of the traditional friendship and sovereign respect existing between them and the vital role which the Panama Canal plays in the defense of this hemisphere.

Letters of Credence

Ambassador of Peru

The newly appointed Ambassador of Peru, Jorge Prado, presented his credentials to the President on September 10. For texts of the Ambassador's remarks and the President's reply, see Department of State press release 624.

Ambassador of Australia

The newly appointed Ambassador of Australia, Norman J. O. Makin, presented his credentials to the President on September 11. For texts of the Ambassador's remarks and the President's reply, see Department of State press release 625.

Ambassador of Bolivia

The newly appointed Ambassador of Bolivia, Ricardo Martinez Vargas, presented his letters of credence to the President on September 13. For the translation of the text of the Ambassador's remarks on the occasion of the presentation of his credentials and for the text of the President's reply, see Department of State press release 640.

Action on Multilateral Agreements

The following action on multilateral agreements has been communicated to the Department of State by the various governments and international organizations which are depositaries of those agreements:

HEALTH AND SANITATION

Dominican Republic

The Netherlands Embassy has informed the Department that on June 12, 1946 the Dominican Republic adhered to the International Sanitary Convention for Aerial Navigation signed at The Hague on April 12, 1933.¹

INDUSTRIAL PROPERTY

New Zealand

The Swiss Legation has informed the Department that New Zealand has adhered to the International Convention for the Protection of Industrial Property, which was signed at London on June 2, 1934.² The adherence became effective on July 14, 1946.

NARCOTIC DRUGS

Argentina

The Netherlands Embassy has informed the Department that the Argentine instrument of ratification of the Convention and final protocol for the suppression of the abuse of opium and other drugs, signed at The Hague on January 23, 1912 and July 9, 1913,³ was deposited with the Netherlands Government on April 23, 1946.

The Secretary General of the League of Nations has informed the Department that the Argentine instrument of ratification of the Convention for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs, signed at Geneva on July 13, 1931,⁴ was deposited with the League of Nations on April 18, 1946.

¹ Treaty Series 901.

² Treaty Series 941.

³ Treaty Series 612.

⁴ Treaty Series 863.

⁵ League of Nations Treaty Series 81:316.

⁶ Treaty Series 981.

⁷ 54 Stat. (pt. 2) 2049.

⁸ Treaty Series 867.

⁹ Treaty Series 948.

The Secretary General also informed the Department that on April 18, 1946 Argentina deposited with the Secretariat of the League of Nations the Argentine instrument of ratification of the International Opium Convention signed at Geneva on February 19, 1925 at the Second Opium Conference.⁵

NATURE PROTECTION

Argentina

The Director General of the Pan American Union has informed the Department that on June 27, 1946 Argentina deposited with the Union its instrument of ratification of the Convention on Nature Protection and Wild Life Preservation in the Western Hemisphere, which was opened for signature on October 12, 1940.⁶ The instrument of ratification, which is dated May 8, 1946, recites the reservation made by the Argentine representative at the time he signed the convention.

Nicaragua

The Director General also informed the Department that on May 22, 1946 Nicaragua deposited with the Union its instrument of ratification of the above-named convention.

POSTAL MATTERS

Lebanon, Syria

The Swiss Legation has informed the Department that Lebanon adhered on November 27, 1945 and Syria adhered on April 10, 1946 to the Universal Postal Union Convention signed at Buenos Aires on May 23, 1939,⁷ and arrangements concerning insured letters and parcels, parcel post, and postal money orders.

TELECOMMUNICATIONS

Lebanon

The Spanish Embassy has informed the Department that by a note dated March 11, 1946 Lebanon informed the Spanish Government of its adherence to the International Telecommunications Convention signed at Madrid on December 9, 1932⁸ and to the Cairo Regulations of 1938,⁹ including the Telegraph Regulations and Final Protocol, Telephone Regulations and Final Protocol, General Radio Regulations and Final Protocol, and

Additional Radio Regulations and Additional Protocol.

WHALING

United States

The United States deposited with the British Foreign Office on August 30, 1946 its instrument of ratification of the Protocol of November 26, 1945¹⁰ amending the International Agreement for the Regulation of Whaling signed on June 8, 1937.¹¹

Argentina

The American Embassy in London has informed the Department that Argentina deposited with the British Foreign Office on June 18, 1946 its instrument of ratification of the 1937 whaling agreement¹² and the 1938 protocol¹³ amending it. The

Argentine Government also notified its accession to the 1944 protocol amending the above-named agreement.¹⁴

WOUNDED AND SICK

Lebanon

The Swiss Legation has informed the Department that on June 11, 1946 Lebanon gave notice of its adherence to the Convention for the Amelioration of the Condition of the Wounded and Sick of Armies in the Field, which was signed at Geneva on July 27, 1929.¹⁵

Syria

The Swiss Legation also informed the Department that by a note dated June 20, 1946 the Syrian Legation at Paris informed the Swiss Legation there of the Syrian decision to adhere to the above-named Convention.

Commercial Relations: France-U.S.S.R.

The American Embassy at Paris has transmitted to the Department a copy of the *Journal Officiel* of June 20, 1946 containing the text of Decree no. 46-1505 of June 12, 1946 whereby the French Government promulgated the agreement between France and the U.S.S.R. concerning reciprocal commercial relations and the status of the commercial representation of the U.S.S.R. in France, which was signed at Moscow on December 29, 1945. A translation of the text of the decree, including the commercial agreement with protocol, follows:

The President of the Provisional Government of the French Republic,

Upon the recommendation of the Minister of Foreign Affairs and the Minister of National Economy and Finance,

DECREES:

Art. 1.—An agreement¹⁶ concerning reciprocal commercial relations and the status of the commercial representation of the Union of Soviet Socialist Republics in France having been signed in Moscow on December 29, 1945, between the French Republic on the one hand, the Union of Soviet Socialist Republics on the other hand, and the ratifications of this act having been exchanged in Paris on May 2, 1946, the said agreement, the tenor

of which follows, shall be executed in its fullness and entirety, and shall come into force on May 2, 1946:

AGREEMENT

Between the Provisional Government of the French Republic and the Government of the Union of Soviet Socialist Republics concerning reciprocal commercial relations and the status of the commercial representation of the Union of Soviet Socialist Republics in France.

The Provisional Government of the French Republic and the Government of the Union of Soviet Socialist Republics, animated with the desire to see commercial relations between the two countries resumed and developed, and referring to the provisions of Article 6 of the Treaty of Alliance and Mutual Assistance of December 10, 1944, have agreed to the following provisions:

Art. 1.—France and the Union of Soviet Socialist Republics agree to accord each other most-favored-nation treatment in all matters concerning commerce and navigation between the two countries.

Art. 2.—Products of the soil and industry originating in or coming from the territory of the Union of Soviet Socialist Republics shall be subject, on their importation into the territory of the French Republic, to the minimum tariff rates. These products shall not be subject to import duties, taxes or fees higher than the import duties, taxes or fees assessed on merchandise imported from any third State whatsoever.

The Provisional Government of the French Republic agrees to apply the provisions of the preceding paragraph in its colonies and to recommend their adoption to the governments of the countries under French protectorate or mandate.

Products of the soil or industry originating in or coming from the territory of France and its colonies shall not

¹⁰ Senate Executive I, 79th Cong., 2d sess.

¹¹ Treaty Series 1933.

¹² Treaty Series 944.

¹³ Not printed.

¹⁴ Treaty Series 847.

¹⁵ The word is *arrangement* in the French text. It is frequently translated *agreement*, as above.

be subject, on their importation into the territory of the Union of Soviet Socialist Republics, to import duties, taxes or fees higher than the import duties, taxes or fees assessed on merchandise imported from any third State whatsoever.

The same regulations shall be applied to products originating in or coming from French Protectorates and Mandates in so far as these countries have themselves agreed to grant to the Union of Soviet Socialist Republics the privileges enumerated in the first paragraph of the present article.

Art. 3.—Merchant vessels of each of the Contracting Parties shall be subject, in the ports of the other Contracting Party, to the same conditions in every respect as merchant vessels of the most favored nation.

The Contracting Parties will grant each other most-favored-nation treatment with respect to the entry, departure and sojourn of their vessels and cargoes in their ports. This treatment shall likewise apply to any duties and taxes whatsoever and to berthing conditions.

The nationality of the ships shall be reciprocally recognized according to the laws and decrees of each of the Contracting Parties on the basis of the documents and certificates forming part of the ship's papers and issued by the competent authorities of each of the Contracting Parties.

Certificates of tonnage, as well as other technical ship's papers of the same nature, issued or recognized by one of the Contracting Parties, shall likewise be recognized by the other party.

The Provisional Government of the French Republic agrees to apply the provisions of the present article in its colonies and to recommend their adoption to the governments of the countries under French protectorate or mandate.

Art. 4.—Without prejudice to further stipulations, French merchants and manufacturers, natural or fictitious persons constituted in conformity with French law, shall be favorably treated, in their persons and in their property, as the nationals and fictitious persons of the most favored nation with respect to the exercise, directly or through such intermediaries as they have selected, of their economic activity on the territory of the Union of Soviet Socialist Republics, under circumstances where such activity is authorized by the laws of the Union of Soviet Socialist Republics.

State economic organizations of the Union of Soviet Socialist Republics and Soviet fictitious persons endowed by Soviet law with civil personality, as well as natural persons, [who are] nationals of the Union of Soviet Socialist Republics, shall be as favorably treated, in their person and in their property, as the nationals and fictitious persons of the most favored nation with respect to the exercise of their economic activity in the territory of France under circumstances where such activity is authorized by French law.

The nationals and fictitious persons of each Contracting Party may bring [legal] actions and shall enjoy free and easy access to the courts of the other Contracting Party.

Art. 5.—Inasmuch as, according to the laws of the Union of Soviet Socialist Republics, foreign trade is the monopoly of the State, the Provisional Government of

the French Republic recognizes the right of the Government of the Union of Soviet Socialist Republics to have a commercial representation in France for the purpose of assuring in France the exercise of this monopoly.

The commercial representation of the Union of Soviet Socialist Republics in France shall have as its functions:

a) To contribute to the development of commercial relations between France and the Union of Soviet Socialist Republics;

b) To represent the interests of the Union of Soviet Socialist Republics in all matters concerning foreign trade;

c) To regulate in the name of the Union of Soviet Socialist Republics all matters concerning commercial transactions between the Union of Soviet Socialist Republics and France;

d) To carry on trade between France and the Union of Soviet Socialist Republics.

Art. 6.—The commercial representation of the Union of Soviet Socialist Republics shall form an integral part of the Embassy of the Union of Soviet Socialist Republics in France and shall have its seat at Paris.

The chief of the commercial representation of the Union of Soviet Socialist Republics in France and his two assistant chiefs shall enjoy all the rights and privileges accorded to members of diplomatic missions.

The buildings occupied by the commercial representation of the Union of Soviet Socialist Republics in Paris shall enjoy the right of extraterritoriality.

The commercial representation of the Union of Soviet Socialist Republics in Paris shall have the right to use a cipher code.

Art. 7.—The commercial representation of the Union of Soviet Socialist Republics in France may establish an agency in the city of Marseille.

Agencies of the commercial representation of the Union of Soviet Socialist Republics may be opened in other French cities by mutual agreement between the commercial representation and the competent French authorities.

The status of such agencies shall be determined by mutual agreement between the two Contracting Parties.

Art. 8.—The commercial representation of the Union of Soviet Socialist Republics in France shall perform its functions in the name of the Government of the Union of Soviet Socialist Republics. The Government of the Union of Soviet Socialist Republics assumes responsibility only for commercial transactions concluded or guaranteed in France in the name of the commercial representation and signed by persons authorized for that purpose.

Commercial transactions concluded without the guarantee of the commercial representation of the Union of Soviet Socialist Republics in France by any State economic organization of the Union of Soviet Socialist Republics possessing a distinct fictitious personality according to the law of the Union of Soviet Socialist Republics shall involve only the said organization and execution may be carried out only on its property. The responsibility shall rest neither with the Government of the Union of Soviet Socialist Republics nor with the commercial representation of the Union of Soviet Socialist Republics in France nor with any other economic organization of the Union of Soviet Socialist Republics.

Art. 9.—The commercial representation of the Union of Soviet Socialist Republics in France may give its guaranty to the contracts concluded between one of the organizations mentioned in paragraph 2 of Article 8 and a French natural or fictitious person.

Art. 10.—The commercial representation of the Union of Soviet Socialist Republics in France shall enjoy the privileges and immunities deriving from Article 6 above, with the following exceptions:

Disputes relating to commercial transactions concluded or guaranteed on the territory of France by the commercial representation of the Union of Soviet Socialist Republics in conformity with the first paragraph of Article 8 of the present agreement shall, with reservation of an arbitration clause or a clause conferring another jurisdiction, fall within the competence of the French courts and shall be decided according to French law, unless otherwise provided by the clauses of each individual contract or the French laws.

However no distraining measures may be taken in connection with actions brought against the commercial representation.

The execution of all legal decisions relating to transactions to which the commercial representation of the Union of Soviet Socialist Republics in France has been a party may be carried out on all State property of the Union of Soviet Socialist Republics in France, notably on the property, rights and interests deriving from transactions made by the commercial representation of the Union of Soviet Socialist Republics in France or with its guaranty, with the exception of the property belonging to the organizations mentioned in Article 8, second paragraph.

The property and buildings exclusively set aside for the exercise in France, according to international practice, of the political and diplomatic rights of the Government of the Union of Soviet Socialist Republics, as well as the buildings occupied by the commercial representation of the Union of Soviet Socialist Republics in France and the movable properties located therein, shall be exempt from any measure of execution.

Art. 11.—All disputes relating to commercial transactions concluded between Soviet economic organizations and French natural or fictitious persons shall, with the reserve of an arbitration clause, be under the jurisdiction of the French courts if the transaction was concluded in France, and under the jurisdiction of the Soviet courts if it was concluded in the Union of Soviet Socialist Republics. However, the courts of the other country may, in either case, take cognizance of such disputes when jurisdiction has been expressly given to them by a specially accepted clause of the contract.

Art. 12.—The commercial representation of the Union of Soviet Socialist Republics in France shall not be subject to regulations concerning commercial registration. It shall have the names of the persons authorized by it to execute legal acts published in an official publication of the French Republic, as well as all information relating to the competence of each of such persons and to their power to bind the commercial representation in commercial matters by their signatures.

Art. 13.—The present agreement is concluded for a period of five years. It shall be ratified as soon as possi-

ble and shall come into force on the day of the exchange of the instruments of ratification, which shall take place in Paris.

It may be denounced at the latest by the 30th of September of each year, to take effect on the 31st of December following.

Done at Moscow on December 29, 1945, in two copies, each in the French and Russian languages, both texts being equally authentic.

In the name of the Government of the Union of Soviet Socialist Republics:

A. MIKOLAN

In the name of the Provisional Government of the French Republic:

CATROUX

PROTOCOL

On the occasion of the signature, today, of the agreement between the Provisional Government of the French Republic and the Government of the Union of Soviet Socialist Republics concerning reciprocal commercial relations and the status of the commercial representation of the Union of Soviet Socialist Republics in France the undersigned representatives of the two contracting parties, vested with full powers, have agreed to the following:

1.—The two parties agree to bear in mind that the commercial attaché of the Embassy of France in Moscow, as he belongs to the personnel of that Embassy, enjoys, in such capacity, with respect to himself, his domicile and his offices, the customary diplomatic privileges and immunities.

2.—The two parties shall determine by mutual agreement the number of officers and employees of the commercial representation of the Union of Soviet Socialist Republics in France, not specified in Article 6, who, not to exceed 130 in number, shall be exempt from taxes on the income which they earn from their work in the service of the Government of the Union of Soviet Socialist Republics; the present provision, however, shall apply only to the nationals of the Union of Soviet Socialist Republics.

In the name of the Government of the Union of Soviet Socialist Republics:

A. MIKOLAN

In the name of the Provisional Government of the French Republic:

CATROUX

Art. 1.—The Minister of Foreign Affairs and the Minister of National Economy and Finance shall be charged, each in his own sphere, with execution of the present decree, which shall be published in the *Journal Officiel* of the French Republic.

Done at Paris, June 12, 1946.

FELIX GOUIN

By the President of the Provisional Government of the Republic:

GEORGES BIDAULT

The Minister of National Economy and Finance,

A. PHILIP

U.S.—Brazil Air-Transport Agreement

On September 13 the Department of State and the Civil Aeronautics Board released the text of the bilateral air-transport agreement between the United States and Brazil which was concluded in Rio de Janeiro on September 6 and which was signed on behalf of the United States by Ambassador William D. Pawley and James M. Landis, Chairman of the Civil Aeronautics Board.¹ The new agreement, which becomes effective 30 days from date of signature, authorizes various United States routes traversing Brazil, with commercial stops at Rio, São Paulo, Manaus, Goiânia, Belém, Natal, Porto Alegre, Barreiros, Guaiará, and Campo Grande. Brazilian airlines are accorded reciprocal operating privileges in United States territory, with commercial stops in New York, Washington, Miami, New Orleans, Chicago, and Puerto Rico.

The body of the agreement is based substantially on the so-called "standard form" drawn up at the Chicago aviation conference. The annex includes certain provisions and principles which also appeared in the Bermuda agreement between the United States and the United Kingdom dealing with traffic, rates, settlement of disputes, and other related matters.² The agreement imposes no arbitrary limitations or restrictions on capacity, frequency of schedules, or Fifth Freedom traffic.

Also included is a protocol of signature which sets forth certain guiding principles under which the air services of both countries are to be operated under the agreement.

Corrigendum

Division of Map Intelligence and Cartography

References to the Division of Map Intelligence, printed in the BULLETIN of September 8, pp. 466 ff., should read "Division of Map Intelligence and Cartography".

¹ The text of the agreement was issued as Department of State press release 436 of Sept. 12, 1946.

² BULLETIN of Apr. 7, 1946, p. 584.

Visit of Chinese Biologist

Dr. Ch'eng-chao Liu, professor of biology, West China Union University, arrived in the United States on August 25, 1946 for a year's visit under the Department's cultural-cooperation program. While in this country, Dr. Liu will visit universities, museums, and scientific institutions.

The Department

Resignation of Thomas B. McCabe Statement by Acting Secretary Clayton

(Released to the press September 13)

It is with very sincere personal regret that I announce that Thomas B. McCabe plans to tender his resignation within a few days as Special Assistant to the Secretary of State and as Foreign Liquidation Commissioner. Mr. McCabe has been in charge of the disposal of overseas surpluses for some 17 months, during which time under his administration there has been disposed of from our global stockpiles of war surpluses property that cost nearly 6 billion dollars. We have realized for that property over one and a quarter billion dollars.

This job will complete Mr. McCabe's fourth position in Government service since May 1940, during which time he has put in nearly three years' service to the Government. He now plans to return to his pre-war job as president of the Scott Paper Co., Chester, Pa., and as chairman of the board of the Federal Reserve Bank of Philadelphia.

Gen. Donald H. Connolly will replace Mr. McCabe as Foreign Liquidation Commissioner. General Connolly was formerly the Commanding General of the Persian Gulf Command. He has been Mr. McCabe's deputy for some time and has been associated with surplus disposal abroad since February 1945.

With the recent announcements of the bulk sales of surplus property to China, to Italy, and to the Philippines, we estimated that about 75 percent of the Army and Navy surplus property abroad has been sold. The total of foreign surpluses comes to about 7.5 billion dollars cost value, and of this amount about 5.7 billion has been disposed

of, that is, has been sold or transferred under congressional acts.

The realization to the United States from the property sold is considerably in excess of one billion dollars, exclusive of transfers to UNRRA amounting to about 100 million dollars, and to the Philippines—under the Tydings Act—of 100 million dollars. Over 350 million dollars' worth of these sales has been for cash dollars and the remainder for credit, real estate, cancellation of debts and claims, implementation of the Fulbright bill, and other tangible considerations.

I may add that, in addition to his responsibilities as Foreign Liquidation Commissioner, Mr. McCabe also had charge of the termination of the lend-lease program in a settlement with recipient governments for inventories and related matters connected with lend-lease. Most of these settlements have either been completed or are under negotiation at the present time.

I cannot speak in too great praise of the fine job that Mr. McCabe has done and of our feeling of gratitude to him for taking this time from his own business at considerable sacrifice to do this job.

Departmental Regulations

OFFICE OF INTERNATIONAL INFORMATION AND CULTURAL AFFAIRS

132.16 Area Divisions¹

D *Area Division IV (American Republics) (ADI).* ADA shall be responsible for the programs of OIC in countries under the jurisdiction of the Office of American Republic Affairs (ARA).

E *Functions.* The major functions of Area Divisions I, II, III, and IV shall be as follows:

1 To plan the informational and cultural programs in their respective areas. While programs will be developed in the closest cooperation with the Chiefs of the media Divisions, the decision as to content of programs shall rest with the appropriate Area Division Chief, in accordance with the program and policy directives of the Program Planning and Evaluation Board (PEB).

2 To coordinate the various programs of OIC abroad at the operating stage and establish controls over projects in operation, requests from the field for action, and proposals originating elsewhere in OIC or the Department.

3 To maintain liaison with the appropriate geographic Offices of the Department and their component Divisions to insure that the informational and cultural

programs will harmonize with the over-all policies and objectives of the Department and that they are so planned as to aid the effective implementation of these policies.

4 In close cooperation with the Office of the Foreign Service (OFS), and other Offices and Divisions of the Department, to recruit, train, and supervise the field employees engaged in the informational and cultural program.

5 To prepare analytical studies of field reports concerned with program content and effectiveness to further the planning of more effective programs.

H *AREA DIVISION V (OCCUPIED AREAS) (ADO).* ADO shall be initially responsible within the Department for all matters pertaining to informational and cultural affairs in the occupied areas (Germany, Austria, Japan, and Korea).

A *Functions.* The major functions of this Division shall be as follows:

1 To formulate and draft initially all policy statements of the Department in the fields of informational, educational, religious, cultural, and scientific affairs.

2 To formulate initially programs of the Department for assisting in implementing the policies in the fields of informational, educational, religious, cultural, and scientific affairs.

3 To review from the standpoint of policy, the program materials to be furnished to the occupied areas for executing the policies of the United States Government in the fields of informational, educational, religious, cultural, and scientific affairs.

4 To evaluate and review developments in the occupied areas affecting programs and policies in the fields of informational, educational, religious, cultural, and scientific affairs.

5 To maintain liaison with the appropriate geographic and economic Offices or Divisions and all other interested Divisions in the Department to insure that the informational and cultural programs will harmonize with the over-all policies and objectives of the United States Government, and that the programs are so planned as to aid the effective implementation of these policies.

6 To provide representation within the Department on the Germany-Austria Secretariat and the Japan-Korea Secretariat.

7 To plan the radio short-wave program in closest cooperation with the Chief of the International Broadcasting Division (IBD), but the decision as to content of programs shall rest with the Chief of ADO in accordance with general policy directives.

8 All the foregoing responsibilities of ADO shall be subject to Departmental Regulation 134.1, defining the duties and responsibilities of the Assistant Secretary of State for Occupied Areas.

¹ Additions to Departmental Regulation 132.16 effective Aug. 1, 1946. See BULLETIN of Jan. 6-13, 1946, p. 45.

Division of Middle Eastern and Indian Affairs

The name of the Division of Middle Eastern Affairs, Office of Near Eastern and African Affairs, was changed to Division of Middle Eastern and Indian Affairs, effective August 16, 1946.

The Congress

Financial Aid to the Republic of the Philippines: Hearings Before the Committee on Banking and Currency, House of Representatives, Seventy-ninth Congress, second session, on H.J. Res. 383 superseded by H.J. Res. 388, a joint resolution to authorize the Secretary of the Treasury to render financial aid to the Republic of the Philippines, and for other purposes, July 24, 1946. ii, 34 pp. [Department of State, pp. 6-10, 23-34.]

Problems of American Small Business: Hearings Before the Special Committee To Study and Survey Problems of Small Business Enterprises, United States Senate, Seventy-ninth Congress, second session, pursuant to S. Res. 28 (79th Congress) (Extending S. Res. 298—76th Congress), a resolution to appoint a special committee to study and survey problems of American small business enterprises. Part 92, World Food Supplies in Relation to Small Business: 1, June 3, 4, and 5, 1946. v, 135 pp. [Department of State, pp. 10426-46.]

To Provide for the Rehabilitation of the Philippine Islands: Appendix to Hearings Before the Committee on Insular Affairs, House of Representatives, Seventy-ninth Congress, second session, on S. 1610, a bill to provide for the rehabilitation of the Philippine Islands, and for other purposes. Part 2; February 26, 27, and 28, March 1 and 2, and April 2, 3, 4, and 5, 1946. Exhibits Pertaining to Testimony Appearing in Part 1 (Pages 1 to 210) of Committee Hearings. iii, 158 pp.

Convention on International Civil Aviation: Hearings Before the Committee on Foreign Relations, United States Senate, Seventy-ninth Congress, second session, on Executive A, a Convention on International Civil Aviation, Chicago, Ill., December 7, 1944. Part 2; May 29 and June 14, 1946. iii, 51 pp. [Department of State, pp. 315-329, 358-361.]

An Act To place Chinese wives of American citizens on a nonquota basis. Approved August 9, 1946. [H.R. 4844.] Public Law 713, 79th Cong. 1 p.

Investigation of the Pearl Harbor Attack: Report of the Joint Committee on the Investigation of the Pearl Harbor Attack, Congress of the United States, pursuant to

S. Con. Res. 27, 79th Congress, a concurrent resolution to investigate the attack on Pearl Harbor on December 7, 1941, and events and circumstances relating thereto and additional views of Mr. Keefe together with minority views of Mr. Ferguson and Mr. Brewster. S. Doc. 244, 79th Cong. xviii, 580 pp. [Indexed.]

An Act To provide for the expeditious naturalization of former citizens of the United States who have lost United States citizenship through voting in a political election in a country not at war with the United States during the Second World War. Approved August 7, 1946. [H.R. 434.] Public Law 614, 79th Cong. 1 p.

An Act For the relief of certain Basque aliens. Approved August 7, 1946. [H.R. 1402.] Private Law 818, 79th Cong. 1 p.

An Act To discontinue certain reports now required by law. Approved August 7, 1946. [H.R. 2504.] Public Law 615, 79th Cong. 7 pp. [Department of State, p. 4.]

Joint Resolution Making additional appropriations for the fiscal year 1947, and for other purposes. Approved August 8, 1946. [H.J. Res. 390.] Public Law 665, 79th Cong. 40 pp. [Department of State, p. 7.]

An Act To improve, strengthen, and expand the Foreign Service of the United States and to consolidate and revise the laws relating to its administration. Approved August 13, 1946. [H.R. 6967.] Public Law 724, 79th Cong. 47 pp.

Compulsory Jurisdiction, International Court of Justice: Hearings Before a Subcommittee of the Committee on Foreign Relations, United States Senate, Seventy-ninth Congress, second session, on S. Res. 196, a resolution proposing acceptance of compulsory jurisdiction of International Court of Justice by United States Government, July 11, 12, and 15, 1946. iii, 160 pp.

To Provide for the Rehabilitation of the Philippine Islands: Hearings Before the Committee on Insular Affairs, House of Representatives, Seventy-ninth Congress, second session, on S. 1610, a bill to provide for the rehabilitation of the Philippine Islands and for other purposes. Part 1, February 26, 27, and 28, and March 1 and 2, and April 2, 3, 4, and 5, 1946. (Appendix referred to in Hearings will appear as Part 2.) ii, 210 pp.

Third Deficiency Appropriation Bill for 1946: Hearings Before the Subcommittee of the Committee on Appropriations, United States Senate, Seventy-ninth Congress, second session, on H.R. 6885, an act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1946, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1946, to provide appropriations for the fiscal year ending June 30, 1947, and for other purposes. ii, 306 pp. [Indexed.]

Atomic Energy: Hearings Before the Committee on Military Affairs, House of Representatives, Seventy-ninth Congress, second session, on S. 1717, an act for the development and control of atomic energy, June 11, 12, and 26, 1946. iii, 68 pp.

Training Announcements

ORIENTATION CONFERENCES, OCTOBER 7-11, 1916

Foreign Service Orientation Conferences, 9 a.m.

OCTOBER 7

The United States of America—A Current Survey

John B. Whitelaw, Assistant Chief, Division of Training Services (FSS)

OCTOBER 10

The Organization and Functioning of the Department of State

Frank S. Hopkins, Assistant Chief, Division of Training Services (FSS)

These conferences are open to all personnel of the Department and the Foreign Service, room 474, main State Department building.

Personnel of other departments in Washington may attend by calling the registrar in advance on extension 3173.

Further information concerning orientation conferences may be secured from Leroy H. Mayes, Special Assistant for Orientation Conferences, extension 3056.

Individual instruction in over 25 languages is now available at the Lothrop House under the auspices of the Language Branch of the Division of Training Services. For the present the instruction, which is provided for Foreign Service personnel and departmental employees, is limited to self-study by means of phonograph records with supervision and advice from the staff. Dr. C. A. Ferguson and Miss Madeline Pignatelli have been added to the staff as language instructor and research assistant, respectively, and institution of regular group instruction in several languages is planned for the near future.

Departmental Orientation Conferences, 10 a.m.

OCTOBER 7

Political Problems of the Near East and Africa

Edwin Wright, Special Assistant to the Director, Office of Near Eastern and African Affairs (NEA)

OCTOBER 9

Political Problems of the Far East

James K. Penfield, Deputy Director, Office of Far Eastern Affairs (FE)

OCTOBER 10

Political Problems of the American Republics

Ellis O. Briggs, Director, Office of American Republic Affairs (FE)

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Publications of the Department, cumulative lists of which are published at the end of each quarter, as well as legislative material in the field of international relations, are listed currently.

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Tripartite Commission for the Restitution of Monetary Gold

1. In order to implement Part III of the Agreement on Reparation, signed in Paris on January 14th, 1946,¹ the Government of the United States of America, His Majesty's Government of the United Kingdom and Northern Ireland, and the Government of France have established, on September 27th, 1946, a Commission known as the Tripartite Commission for the Restitution of Monetary Gold.²

2. Each of the three Governments will appoint as from September 27th, 1946, a Commissioner as its representative on the Commission.

3. The Tripartite Commission for the Restitution of Monetary Gold shall normally sit in Brussels, but shall be independent of the Inter-Allied Reparation Agency already located there. The Commission is nevertheless empowered to communicate, on behalf of the three Governments concerned, with the Allied Governments, Members of the Inter-Allied Reparation Agency, through the Delegates accredited to the Agency by those Governments, with the Secretariat of the Agency, and, when necessary, with other Governments, on questions arising out of Part III of the Paris Agreement on Reparation.

4. The official languages of the Tripartite Commission for the Restitution of Monetary Gold shall be English and French.

5. The functions of the Tripartite Commission for the Restitution of Monetary Gold shall be:

(a) To request the submission of and to receive from Governments claiming the right to participate in the division of monetary gold found in Germany or which may be recovered from a third country to which it was transferred from Germany, claims for restitution of gold looted by or wrongfully removed to Germany, supported by detailed and verifiable data regarding such losses.

(b) To scrutinize claims received and to determine the share of each claimant Government in the pool of monetary gold to be distributed by way of restitution in accordance with Part III of the Paris Agreement on Reparation and any other pertinent agreements.

(c) In due course to announce the total value of the pool of monetary gold which will become available for distribution by way of restitution.

(d) When all claims for restitution have been received and adjudicated upon, to announce the share in the pool of monetary gold available for restitution to each country entitled to participate in the pool.

(e) In such other ways as shall be decided by the three Governments establishing the Commission, to assist in the distribution of the pool of monetary gold available for restitution.

(f) To perform such administrative acts as may be necessary to carry out the functions referred to in sub-paragraphs (a) through (e) above, including, without limiting the generality of the foregoing, the opening and maintaining of bank accounts, and the making of contracts for the performance of necessary services. Expenses of the Commission incident to the carrying out of its functions shall be a first charge against the fund of monetary gold to be distributed.

6. Decisions of the Commission shall be by unanimous agreement of its members.

7. An official publication of the above text is being made in the *London Gazette*, the *State Department Bulletin*, and in the *Journal Officiel de la République Française*.

September 27th, 1946

¹ For text of the Agreement, see BULLETIN of Jan. 27, 1946, p. 114.

² Minister Russell H. Dorr, United States delegate to the Inter-Allied Reparation Agency, represents the United States on this Commission. Sir Desmond Morton is the representative of the United Kingdom, and M. Jacques Rueff represents France.

German Documents: Conferences With Japanese Representatives¹

MEMORANDUM OF CONVERSATION BETWEEN THE REICH FOREIGN MINISTER AND AMBASSADOR OSHIMA AT BERLIN, NOVEMBER 28, 1943

AFTER SOME OPENING DISCUSSION of the bombing terror directed against Berlin, Ambassador Oshima described briefly the impressions gained on his inspection tour along the Atlantic Wall. He spoke very appreciatively of the strength of the fortifications, which had far exceeded his expectations, as well as of the outstanding morale of the troops. With regard to a hostile landing attempt his impression was that the English would rather try to form a bridgehead in Brittany between Cherbourg and Brest than on the Belgian coast, but that they would do this only on account of its propaganda value in respect to Russia.

The Reich Foreign Minister then stated that he had invited the Ambassador in order to discuss with him confidentially the subject which had been taken up in their last conversation at his field headquarters. He had furnished the Ambassador at that time a number of the reports which were in his hands from agents on the subject of the withdrawal of Russian forces from the Far East and at the same time he had referred to the favorable opportunity presenting itself for an attack by Japan on Russia in case these reports were true. He had also referred to reports which stated that certain assurances had been given by Tokyo to Moscow which went beyond the limits of the existing non-aggression pact. He had called attention to both of these types of reports at their last meeting in the same sort of open and frank ex-

change of views that had prevailed between them for years, and, just as always, he had considered it his duty on this occasion also to discuss both questions with him, the Ambassador of their ally, Japan, with entire frankness. He expected that the Ambassador, in case the situations were reversed, would employ the same frankness.

Unfortunately, following their last conversation, a regrettable misunderstanding had arisen. The Japanese General Staff had given a reply to their conversation, which had been conducted on a purely political level, before the reply had been transmitted by way of the political authorities, to wit, from Foreign Minister Shigemitsu to Ambassador Stahmer. This reply had only later been conveyed in the form of a memorandum. In the answer of the General Staff there appeared expressions which were entirely incomprehensible to the Reich Foreign Minister and which were completely misleading. The General Staff had stated that its honor had been wounded. Also from its exposition conclusions were drawn to the effect that "the German leadership might possibly have other political intentions." At the same time the request was made that no political agency, meaning therefore neither the Reich Foreign Minister nor Ambassador Oshima, be informed at all of these types of reaction of the General Staff.

The Reich Foreign Minister again stated emphatically that the point of view of the Japanese General Staff, which, from the fact that we had informed our allies of certain weaknesses of the Russians, drew conclusions pointing to German weaknesses or even the collapse of the German eastern front, was entirely incorrect, just as was

¹These are translations of documents on German-Japanese conversations, secured from German Government files, and are among the German official papers which the BUREAU is currently publishing. They have been selected and translated by J. S. Beddie, an officer in the Division of Policy Research, Office of U.S. Public Affairs, Department of State.

the conclusion that the German leadership was intending to proceed along new political paths. Such a supposition he would have to refute energetically. It had only been his intention to discuss openly with their allies, on the basis of reports which were on hand, how they might on either side best divide the burdens of the struggle and where one of them might perhaps assist the other in the common interest.

Ambassador Oshima asked to be allowed to make a clarifying statement on this subject. It was known to them that the German General Staff for some time had held the view that there were supplementary agreements in existence between Moscow and Tokyo and also that the Russians had removed the larger part of their Far Eastern army to the West for the battle against Germany. He had, therefore, following the last conversation with the Reich Foreign Minister, considered it would be for the best if Tokyo would once and for all take a final stand on both of these questions, and accordingly he had telegraphed to Tokyo the request that Foreign Minister Shigemitsu should give Ambassador Stahmer a comprehensive answer to the questions regarding the alleged supplementary agreements and that, on the other hand, the Japanese General Staff should explain to General Kretschmer the views of the Japanese General Staff about the prevailing strength of the Russian Far Eastern army and the withdrawal of Russian forces to the West.

To the question from the Reich Foreign Minister as to how these two matters were connected with the wounding of Japanese honor the Ambassador replied that it certainly did not involve the official point of view of the Japanese General Staff, which had been stated in the conversation between General Kretschmer and Lieutenant Colonel Saigo, but there had possibly arisen among the younger officers of the General Staff a fear that Germany might be capable of betraying Japan in a way similar to what had been done by Badoglio's Italy. He was sure that the conversation which had been reported to him had been more in the nature of a private conversation between Herr Kretschmer and Herr Saigo. With regard to the strength of the Russian Far Eastern army the experts on the Japanese side and on the German side were in agreement. Also here in Berlin repeated conferences had taken place between the Russian specialist on the German General Staff, Colonel Gehlen,

and the head of the Russian section of the Japanese Embassy, Lieutenant Colonel Kotani, in which, by and large, complete agreement had been attained in their conclusions about the division of the Russian forces.

To a question from the Reich Foreign Minister regarding the Japanese theater of war the Ambassador declared that the Japanese Navy had been able to achieve great successes at Bougainville. It was noteworthy that, according to the reports which had come in up to this time, the Americans had not been conducting these operations by themselves, but the English had been taking part also. Two English battleships of the *George V* and *Renown* class had been employed in action and had been sunk by Japanese torpedo planes. It had become completely evident that the English and the Americans had intended to make a large-scale attack in the southern area, which fortunately had been frustrated.

The Reich Foreign Minister then informed the Ambassador of an especially reliable report according to which Secretary of State Hull in Moscow had requested of the Russians airplane bases for the bombing of Japan. Stalin had rejected this request, however, with the remark that at a later time the question would be given further consideration.

To Oshima's question about the results of the Moscow Conference the Reich Foreign Minister stated that at Moscow there had been apparently three subjects principally discussed:

1. Stalin had urgently requested the second front which England had promised.
2. Every means had been attempted to draw Turkey into the war on the side of the Allies. This had not succeeded.
3. It had been decided to hasten the conduct of the war against Germany by the use of all means.

Accordingly the question of Far Eastern bases for the U.S.A. had been postponed for the moment. Germany on the other hand would therefore have to count on stronger attacks being made on Europe.

The Reich Foreign Minister then communicated to the Ambassador the contents of a telegram from Ambassador Stahmer according to which Japan was trying earnestly to arrange an agreement with Chungking China.

Ambassador Oshima declared on that subject that it was true that Chungking was still hoping that the English would be successful in reopening the Burma Road, but that if the hope of recovery of the Burma Road was finally lost there would be a possibility of reaching an understanding with Chungking China. If then the Japanese armies, of which a third were tied up in China, should be freed, consideration could be given to a new effort in a different direction.

The Reich Foreign Minister referred to the importance of a Japanese offensive in Burma which would tie down important English forces and would thereby represent relief for us. Basically he wanted to declare once again that we must divide the enemies' forces.

GOTTFRIEDSEN

BERLIN, November 28, 1943

MEMORANDUM OF THE CONVERSATION BETWEEN THE REICH FOREIGN MINISTER AND AMBASSADOR OSHIMA AT BERLIN, DECEMBER 11, 1943

The Ambassador declared that on the instructions of his Government he was informing the Führer and the Reich Foreign Minister of a decision of the combined State Council, which consisted of representatives of the Imperial Headquarters and of the Government. The new naval attaché, Admiral Kojima, in accordance with his instructions, would have additional details to impart. Unfortunately the latter's arrival had been delayed since the submarine on which he had intended to embark at Penang for the voyage to Europe had run onto an enemy mine about 30 nautical miles off Penang, as a result of which half of the crew had been lost at sea. It was also unfortunate since the vessel had been carrying a valuable cargo of tin, wolfram, gold, etc., for Germany. The Japanese Government, however, was prepared to dispatch a similar cargo to Europe by another submarine.

Ambassador Oshima then read off the following text of a statement in translation:

"I. The enemy offensive in the Pacific area is constantly becoming more severe. It may be assumed that it will reach its height in the coming spring or summer. The Japanese people, however, are prepared to meet it with firm determination and steadfast confidence. Our program now consists of the following points:

1. Consolidation of an unassailable military position by spring at the latest.

2. Basic strengthening of the armament position, especially that of the airplane industry.

3. Complete employment of the people's strength.

4. Further strengthening of cooperation with Germany for the joint conduct of the war.

5. Encouragement of the peoples and countries of Greater East Asia to close collaboration with Japan.

II. Regarding the military situation in East Asia the enemy have dispatched strong forces of landing troops, supported by powerful fleets, air forces, and transport flotillas against the Solomons, New Guinea, and the Gilbert Islands, in order to cut off our base at Rabaul. Simultaneously enemy enterprises are becoming ever more active against Burma and in the Banda Sea (northward of Australia). But the strokes which our naval air force has repeatedly delivered against the hostile forces at Bougainville and on the Gilbert Islands have appreciably damaged the morale of the Americans. Also the successful conduct of our Greater East Asia policy has had a strong influence on the enemy camp.

III. By the summoning of the National Assembly into extraordinary sessions on two occasions in the course of this year, all of the measures necessary for the successful prosecution of the war have been taken. In addition to the total mobilization of the strength of the people, the expansion and increase of the armament industry is in full swing. The most urgent task of the Government in the field of production is and remains ship and airplane construction. The difficulties in ship construction exist because we have encountered certain difficult decisions in connection with the transport problem, to wit, the matter of priority, the question of whether we should employ our

shipping space for the transportation of raw materials from the occupied areas in the South, which, of course, is of greater importance for the expansion of the armament industry, or whether we should rather employ it, in accordance with strategic requirements, for the transportation of troops to the front. We have, however, been concerned in increasing decidedly our productive capacity by every possible means, so that we now are able to establish a definite goal for our armament program. Additionally we have the firm intention of continuing to expand the armament industry, especially in the field of ship and airplane construction, so as to be able to prosecute the war successfully in the coming year. It is a regrettable fact that at the present time the loss of shipping is on the increase, but that crisis will be overcome by March of next year at the latest, for we are firmly convinced that in the course of time the new construction will suffice not only to cover losses but even to go beyond that."

Oshima added that the General Staff as well as the Ministry of War Production had apparently already received the necessary directives and had already set about to put through this program. In any case the enemy offensive in the southern area was extraordinarily strong, since the Americans had clearly brought their fleets out from their various bases. It could be assumed that there was operating in the southern area not only the fleet of the officer commanding there, Admiral Husley [Halsey], but that together with that fleet were operating the fleets from Hawaii and the home fleet from Los Angeles. The struggle was proceeding for the Japanese base at Rabaul, which the U.S.A. hoped to capture at all costs. For Japan this was an extraordinarily favorable opportunity to assail these combined fleets, and the Japanese had already caused them appreciable losses. For tactical reasons Tokyo was not making public all of these losses. Thus it appeared that just recently both of the two newest American battleships of 45,000 tons each had been sunk.

The Reich Foreign Minister congratulated the Ambassador on the successes of the Japanese Navy and then asked him when Japan would take the offensive in Burma. Oshima answered that this would be possible only up to February, since already at the end of February the rainy season would begin there. When he was asked about the

strength of the Japanese Army in Burma, the Ambassador said that this was not known to him, but that he would gladly make inquiry about this question.

The Reich Foreign Minister then declared that he thought it was a good occasion to speak about a question which was really Japan's business, but which, at the same time, was of indirect interest to us also. There were repeated reports that relations between Japan and Portugal on the subject of Timor were coming to a climax, or that no satisfactory settlement was being reached in that matter. The Reich Foreign Minister stated expressly that the Timor question was purely a Japanese-Portuguese affair and that Germany did not want to interfere in that question in any way. Germany was, however, interested in it to the extent that the English should be given no pretext to bring the Portuguese into the war on their side. Salazar, as a result of extreme pressure from the U.S.A. and England, had, by an act of compulsion, been forced to make the Azores available for their use and we had confined ourselves to a sharp protest. If Salazar now could obtain no satisfactory solution of the Timor question, the English would again be given the opportunity to exert further pressure in the direction of an entry of Portugal into the war. Such a thing would be unfavorable for us on account of the wolfram question, etc.

In his reply to this question Ambassador Oshima made the following explanation:

Japan, in the beginning, had been forced to drive from Timor the Australian troops who were stationed there. She had, however, immediately made a declaration to the effect that the sovereignty of the island was not affected. In spite of that, the Governor, who was a very strong Anglophile, had fled. Although an extensive amount of self-government had been retained, many Portuguese had also fled to Australia and had instigated there a propaganda campaign hostile to Japan, and they were engaged in this lately to an even greater extent by spreading completely misleading and false reports about the situation in Timor. This had led to strained relations between Portugal and Japan. Tokyo, however, was entirely prepared to see that the relationship was not further strained. It was possible, however, that Portugal on her part would use the Timor

situation as a pretext for entering the war against Japan.

The Reich Foreign Minister informed the Ambassador in this connection of the contents of a telegram from Minister Huene from Lisbon about the official statement of Salazar and the proposals of the Japanese Minister in Lisbon for an easing of Portuguese-Japanese relations. Oshima declared that his colleague, Morishima, had informed him by telegraph some time previously of his view of the matter, and he (Oshima) had vigorously supported in Tokyo the views of his Lisbon colleague, which were intended to settle the Timor incident.

The Reich Foreign Minister then gave the Ambassador confidentially for the information of his Government certain information from a telegram of December 9 from Ambassador von Papen, concerning an interview between the latter and the Turkish Foreign Minister, Numan, about the results of the conferences at Tehran

and Cairo, and in summing the matter up the Reich Foreign Minister declared that Turkey basically, out of fear of the Soviets, had the greatest interest in keeping out of the war. However, every step on the part of Turkey must be watched carefully.

The Ambassador then inquired about the situation in Bulgaria and the Reich Foreign Minister gave it as his opinion that the Bulgarians had good nerves and that in spite of the bombing of Sofia no nervousness had appeared there.

In saying farewell the Ambassador expressed the wish that he might be received by the Führer at headquarters after the return of the Reich Foreign Minister in order to carry out his instructions with respect to the Führer also, regarding the decision of his Government which he had communicated to the Reich Foreign Minister.

BERLIN, December 11, 1943

**MEMORANDUM OF THE RECEPTION OF AMBASSADOR COUNT OSHIMA
BY THE FÜHRER, WITH THE REICH FOREIGN MINISTER AND
AMBASSADOR HEWEL ALSO PRESENT, JANUARY 22, 1944**

Führer's Memorandum 2/44

After the Führer had inquired about Count Oshima's health, he began a short discussion of the possibilities of a Burma offensive, keeping in mind the rainy season which would begin again there in March. On that subject Oshima said that no large-scale operations could be counted on before the beginning of the next dry season in October or November.

Next Count Oshima explained, in accordance with instructions from his Government, and with the assistance of a map, the position in East Asia, and he read off five memoranda after which he handed them to the Reich Foreign Minister. These memoranda were concerned with the military situation as follows:

1. In the Pacific
2. On New Guinea
3. In Burma
4. In China
5. In Russia (a report on the situation by Ambassador Sato)

The contents of these memoranda were already known to the Führer through information received from military sources at the beginning of January.

Next the Führer, using a map of Europe, gave Count Oshima a brief sketch of the military situation in our theaters of war.

The decisive event of the year 1943 had been the Italian betrayal, which had been especially marked by the sabotage of the Italian fleet. This betrayal had compelled us to retain for the time being 25 divisions in Italy and 20 divisions in the Balkans, which in the course of time had had to be increased to 60 divisions. These forces had, of course, to be taken from those in the Russian theater of war. If these forces had not been necessary the Russians would never have been able to have attained their successes in the East. Also the defection of the Italians had compelled us to take the whole Italian railway network into our own control, and, since the situation in France appeared constantly more uncertain because of the threat of invasion, we had been compelled to

operate the railways there also to a large extent with German personnel. Just for these reasons we had not been able to maintain such an extensive rearward area as we had had under occupation in the East, and only through reducing it had it been possible for us to meet requirements in the West. Also the uncertainty regarding our allies, especially Hungary, made it impossible for us to occupy effectively such extensive rearward areas.

At the moment we could not take the offensive in the East. In the West we had 62 divisions, which, however, were not all of the same high quality, since among them were fortification defense divisions and the like. However, among them also were a number of very high-quality divisions, for example, SS divisions, regular army Panzer divisions, and one Hermann Göring division; altogether about 12 entirely first-class units. He still had 30 divisions in reserve; then there were six divisions in Denmark, 12 in Norway, and seven in Finland, or, including fortification defense divisions, ten. Then we had strong forces on Rhodes, Leros, Samos, and Ceos, as well as on Crete, so that there was a huge military force distributed over the continent. The war against the Partisans in the Balkans was developing satisfactorily. We were giving the Partisan bands no rest. According to latest reports they had definitely lost 190,000 dead in the course of the last year. Thus in constant combat the active elements among them would be destroyed. Tito could not stand these losses continuously.

He (the Führer) expected the landing of the Anglo-Saxons in the West to take place in the course of the spring. In his opinion they might very well land in Portugal and perhaps also in the vicinity of Bordeaux. The North Coast included a wall of fortifications constructed on a huge scale, to which 600,000 to 700,000 cubic meters of reinforced concrete were being added monthly. Millions of mines and land mines were being planted along the coast. He expected, therefore, that the enemy would land somewhere and he would be glad of it, for then we would defeat him. If the enemy were once defeated there we would have 30 to 35 divisions available for the purpose of operations in the East. Also he hoped that in the course of the summer the U-boat warfare would again get under way. Already the new

acoustic torpedoes were being employed, with which splendid results were being achieved. By May complete new U-boats in large numbers would be in operation. In addition he was building up a new operational bomber reserve consisting of only the most modern and the fastest machines. He had already assembled some 600 to 700, which would soon be increased to 1,000. Last night we had for the first time again attacked London on a large scale and dropped some 800 tons of bombs. This, however, was still not the reprisal weapon. That was based on the rocket principle and would only come into operation later. In addition thereto he was also building up an operational air force for the East which would be ready for use by February 15. The air defense of Germany was now very strong and would constantly become stronger. Last night, of 200 to 300 attacking enemy bombers, we had shot down 61. The armament of the fighter planes was at present being improved by supplying them with more powerful guns. November and December had been very unpleasant months for us since weather conditions had given the enemy every advantage and us every disadvantage for air warfare. Also he had built up an operational reserve of fighters which now consisted of 1,000 fighter planes and which would soon be increased to 2,000. He intended to save this in order to have it for use at the decisive moment. Next the Führer spoke of a formidable program of tank construction and of other new weapons.

We must under no circumstances permit any accidents to occur in the West. In the extensive areas in the East, however, there was no decisive danger at the moment. He (the Führer) was of the opinion that the Anglo-Saxons were convinced that they must undertake something soon, since they could take it for granted that in May our U-boat arm would again begin to have its effect. To a question of Oshima as to whether it was not possible to attack the English by way of Spain, the Führer replied that the Spanish were in an extremely doubtful position, and that he did not wish to take a step which might drive them into the enemy's camp.

Next Oshima inquired further about the landing operations southward of Rome which had taken place yesterday. The Führer answered that we had considerable forces at our disposal there. With that the conversation was concluded.

The Paris Peace Conference

U.S. Position on the Free Territory of Trieste

REMARKS BY SENATOR CONNALLY¹

[Released to the press September 16]

The city of Trieste and its contiguous territory present the most troublesome problem before this Conference. Its proper solution and a wise statute for its government and administration go to the very heart of the peace settlements. This Conference is charged with the responsibility of making such a settlement and of adopting such a wise statute.

The Council of Foreign Ministers agreed upon the establishment of the so-called "French Line" which marks the proposed boundary between Italy and Yugoslavia, between Italy and the Free Territory of Trieste, and the proposed boundary between the Free Territory of Trieste and Yugoslavia. The Free Territory of Trieste was to be carved out of this territory to the west of the "French Line". The Council of Foreign Ministers further agrees that the integrity and independence of the Free Territory shall be assured by the Security Council of the United Nations and that the permanent statute for the government of the Free Territory shall be submitted to the Security Council for its approval and its report to the General Assembly of the United Nations.

Among other recommendations of the Council of Foreign Ministers, it was suggested that the Governor shall be appointed by the Security Council, and that legislative and executive authority shall be established on democratic lines under universal suffrage, and that citizens shall be protected with respect to human rights and fundamental freedoms.

The United States Delegation has submitted a proposed draft of the statute for the government of the Free Territory of Trieste which we commend to the study and consideration of the Commission.² The United States attaches great importance to the relationship of the Free Territory of Trieste with the Security Council of the United Nations. It is proposed that the constitution of the Free Territory shall be submitted to the Security Council for its approval. This constitution must establish and define the structure of the government and must contain guaranties to the citizens. We also regard as vital that adequate guaranties must be provided for the absolute independence and integrity of the Free Territory—not alone from Italy and Yugoslavia but from other powers. Its international character must be maintained and protected. It must be strong enough to secure the rights and freedoms of its inhabitants. We hold that the Governor of the Free Territory, who is to be appointed by the Security Council, should be regarded as the agent of the Council and should be entrusted with the power and means to meet [garbled]. The Governor must possess sufficient power to preserve public order and to insure the observance of the statute for the control of the Free Territory.

The Australian Delegation has expressed doubt as to the authority of the Security Council to perform the duties imposed upon it by these proposals. Article 24, chapter V, of the Charter of the United Nations provides that the Security Council has "primary responsibility for the maintenance of international peace and security". This is a broad grant of authority and carries with it the preserving of international peace and security wherever on the earth either may be threat-

¹ Made before the Political and Territorial Commission for Italy on Sept. 16, 1946, at the Paris Peace Conference. Senator Connally is a member of the United States Delegation to the Conference.

² Not printed.

ened. This is ample authority for the exercise of the powers conferred.

The United States proposals envisage election of an assembly for the Free Territory by a popular vote, by universal secret ballot without any discrimination. The statute should also provide methods and means for the territory and for a proper definition respecting the nationality of the inhabitants. There are also economic questions which deserve careful treatment. It is proposed that Trieste shall be a free port, but that will be treated in a special statute. The United States also proposes that the interim government shall be regulated by a provisional statute. It must be elected under thoroughly democratic practices and processes.

Mr. Molotov has proposed that the Free Territory of Trieste and Yugoslavia should be embraced within a customs union. It is the view of the American Delegation that the regulation of customs is a matter for long-term development since the United Nations must bear the deficit in the expenses of the Free Territory. It will no doubt have an interest in the customs arrangements with a possible view of obtaining a source of revenue instead of imposing heavy local property taxes. It is our view that this matter should be worked out at a later date by the Free Territory and the United Nations.

Mr. Molotov expresses a view that under the draft of the United States it might be possible for a foreign government to establish a military base at Trieste. Our proposal is that the Free Territory shall be neutral and demilitarized. It is provided, "No military, naval or air forces, installations or equipment shall be maintained, built, or manufactured in the Free Territory." "No military, naval or air forces of any state shall enter the territory, territorial waters or air space of the Free Territory." These provisions will become effective upon the date on which the permanent statute becomes effective and the free state is created. Under these provisions no armed forces except those of the Security Council, if its authority should be invoked by an incident requiring intervention, would be permitted in the territory. There could be no military or naval bases established.

The proposed text of the treaty articles advanced by the United States may be found in document CP (IT/P) 16.³ The territory of

Trieste must not remain as a danger spot. It must not become a center of irritation and intrigue which may disturb the peace of the world. It must be absolutely independent. Its integrity and dignity must be secured. We are not here to serve the interests of Yugoslavia or the interests of Italy. Yugoslavia and Italy are both subordinate to the peace of the area and to the peace of the world. The Free Territory must not be a satellite of Yugoslavia or Italy. Yugoslavia and Italy must accept and desire that the settlement may be a success. There must be no mental reservations. There must be no secret evasions of mind. If they fail to so accept it they will fail in their duty to the world. Such a course will not advance their own welfare. The peace of the world is more important than a few miles of territory. The peace of the world is more important than inflated national pride.

Since the Security Council of the United Nations is to be given the responsibility to assure the integrity and independence of the Free Territory, it must be endowed with and exercise through the Governor the authority and means to perform this duty. The Free Territory of Trieste must not be merely a "paper state". It must be a real state with its own identity, with its own character, and with its own independence and dignity.

The United States Delegation has also submitted a memorandum in connection with its draft of a proposed statute to which it invites attention.⁴ The United States Delegation deems it vital and of imperative importance that a strong and wise statute shall be adopted. This Conference is in search of peace. We are seeking the highways that lead to peace. Europe must do its part for peace. Two world wars have started in Europe. They have involved the rest of the world. The challenge to peace is here. We must not create another Danzig.

The Free Territory of Trieste must in fact be free—free from Yugoslavia and free from Italy. It must be free from intrigue and conspiracy. Its independence must be secure. Its title to existence must be its own. Its authority and power must arise from its own strength. It must be an entity within itself. Let Trieste be a symbol of peace and security.

³ Not printed.

International Organizations and Conferences

Calendar of Meetings

In Session

(As of September 22, 1946)

Far Eastern Commission	Washington	February 26
United Nations:		
Security Council	New York	March 25
Military Staff Committee	New York	March 25
Commission on Atomic Energy	New York	June 14
Subcommittee on the Reconstruction of Devastated Areas	London	July 29-September 13
Economic and Social Council: Third Session with Commissions and Sub-commissions	New York	September 11
Paris Peace Conference	Paris	July 29
Fifth Congress of the Postal Union of the Americas and Spain	Rio de Janeiro	September 1
German External Property Negotiations with Portugal (Safehaven)	Lisbon	September 3
PICAO:		
Council Meeting	Montreal	September 4
U. K. Demonstrations of Radio Aids to Air Navigation	London	September 9-30
ILO: Ninety-ninth Session of Governing Body	Montreal	September 16-18

Scheduled

(September-December 1946)

PICAO:		
Conference on North Atlantic Ocean Stations	London	September 17
Middle East Regional Air Navigation Meeting	Cairo	October 1-15
U. S. Demonstrations of Radio Aids to Air Navigation	New York-Indianapolis	October 7-26
Meteorological Division of the Air Navigation Committee	Montreal	October 29
Special Radio Technical Division of the Air Navigation Committee	Montreal	October 30-November 8
Communications and Radio Aids to Navigation: Division of Air Navigation Committee	Montreal	November 19
Search and Rescue: Division of Air Navigation Committee	Montreal	November 26
Rules of the Air and Air Traffic Control Practices: Division of Air Navigation Committee	Montreal	December 3
International Labor Conference: Twenty-ninth Session	Montreal	September 19-October 12
International Film Festival	Cannes	September 20-October 5
International Fund and Bank: Joint Meeting of Boards of Governors	Washington	September 27
Five Power Preliminary Telecommunications Meeting	Moscow	September 28
Caribbean Tourist Conference	New York	September 30-October 9
International Tourist Organizations Conference	London	October 1-7
Second Pan American Congress of Mining Engineering and Geology	Rio de Janeiro	October 1-15
Second Pan American Congress on Physical Education	Mexico City	October 1-15
Eighteenth International Congress for Housing and Town Planning	Hastings	October 7-12
Conference on Tin	London	October 8-12

Preparatory Commission of the International Conference on Trade and Employment	London	October 15
Meeting of the Permanent Committee of the International Health Office	Paris	October 23
United Nations: General Assembly (Second Part of First Session)	New York	October 23
United Maritime Consultative Council: Second Meeting	Washington	October 24-30
International Commission for Air Navigation (CINA): Twenty-ninth Session	Dublin	October 28-31
World Health Organization: Interim Commission	Geneva	November 4
International Technical Committee of Aerial Legal Experts (CITEJA)	Cairo	November 6
Inter-American Commission of Women	Washington	November 11-20
UNESCO: General Conference	Paris	November 19 (tentative)

Activities and Developments

The U.S. Delegation to the Twenty-ninth Session of the International Labor Conference was announced on September 16 by Acting Secretary Clayton, after the President had approved the composition of the Delegation to the Conference, which was scheduled to convene at Montreal on September 19, 1946.

The agenda items for the Conference include the Director's report, constitutional questions, protection of children and young workers, minimum standards of social policy in dependent territories, and reports on the application of conventions.

The United States Delegation is a tripartite one, representing the Government, employers, and workers of the United States.

Members of the United States Delegation are:

REPRESENTING THE GOVERNMENT OF THE UNITED STATES

Delegates

- David A. Morse, Assistant Secretary of Labor, Department of Labor
- Ellert D. Thomas, Chairman, Senate Military Affairs Committee

Substitute Delegates and Advisers

- Augustine B. Kelley, Chairman, Subcommittee, House Labor Committee
- Miss Frieda S. Miller, Director, Women's Bureau, Department of Labor

Advisers

- Frederick P. Bartlett, Acting Assistant Chief, Division of Dependent Area Affairs, Department of State
- Mrs. Clara M. Beyer, Assistant Director, Division of Labor Standards, Department of Labor
- Miss Ethel Evans, Secretary to Senator Thomas, in charge of Senate Education and Labor Committee Matters

John S. Gambs, Adviser on International Labor Relations, Department of Labor

Substitute: Millard Cass, Adviser to Assistant Secretary of Labor on International Labor Affairs, Department of Labor

Walter Laves, Administrative Consultant on International Affairs, Bureau of the Budget

Miss Beatrice McConnell, Assistant Director, Division of Labor Standards, in charge of Child Labor and Youth Employment Branch, Department of Labor

Mrs. Alice Morrissey McDiarmid, Specialist on International Organization Affairs, Department of State

J. Harry Moore, State Labor Commissioner, Department of Industrial Relations, Columbus, Ohio

Guillermo Atilés Moren, Administrator, State Insurance Fund, San Juan, Puerto Rico

Murray Ross, Assistant Chief, International Labor Organizations Branch, Division of International Labor, Social, and Health Affairs, Department of State

Louis Sherman, Special Assistant to the Secretary of Labor, Department of Labor

Bernard Wiesman, Chief, International Labor Organizations Branch, Division of International Labor, Social, and Health Affairs, Department of State

Miss Faith Williams, Director of the Staff on Foreign Labor Conditions, Department of Labor

Thacher Wislow, Assistant to the Assistant Secretary of Labor, Department of Labor

REPRESENTING THE EMPLOYERS OF THE UNITED STATES

Delegate

James David Zellerbach, President, Crown Zellerbach Corporation, San Francisco, Calif.

Advisers

John Meade, Director of Labor Relations, American Tobacco Company, New York, N. Y.

M. M. Olander, Personnel Director, Owens-Illinois Glass Company, Toledo, Ohio
 Thomas R. Reid, Director of Personnel and Public Relations, McCormick & Company, Inc., Baltimore, Md.
 Charles E. Shaw, Manager, Industrial Relations, Standard Oil Company (New Jersey), New York, N. Y.
 James Tanham, Vice President, The Texas Company, New York, N. Y.

REPRESENTING THE WORKERS OF THE UNITED STATES

Delegate

Robert J. Watt, International Representative, American Federation of Labor, Washington, D. C.

Advisers

C. L. Darling, former President, American Train Dispatchers' Association, Chicago, Ill.
 F. H. Fljodzal, former President, Brotherhood of Maintenance of Way Employees, Detroit, Mich.
 V. S. Gauthier, Grand Lodge Representative, International Association of Machinists, New York, N. Y.
 J. C. Lewis, International Representative, United Mine Workers of America, Washington, D. C.
 Miss Jennie Matyas, Vice President, International Ladies Garment Workers' Union, San Francisco, Calif.
 Joseph P. McCurdy, President, United Garment Workers, Baltimore, Md.
 John L. Spalding, General Organizer, United Association of Plumbers and Steamfitters of the United States and Canada, San Francisco, Calif.

Secretaries of the United States Delegation

Miss Mary M. Cannon, Chief, International Division, Women's Bureau, Department of Labor
 Millard Kenestrick, Administrative Officer, Division of International Conferences, Department of State

Assistant Secretary of United States Delegation

Miss Dorothy King, Division of International Conferences, Department of State

Stenographers:

Mrs. Mary S. Bedell, Department of Labor
 Miss Bianca Escobar, Department of Labor
 Miss Bertha M. Glotzbach, Department of Labor
 Miss Jean Bryan, Division of Personnel, Department of State

The Twenty-ninth Session of the International Labor Conference¹ convened at Montreal, Canada, on September 19, 1946, with G. Myrdin Evans as chairman. He claimed that the ILO, because of its constitution, its record, its ideals and faith, had made a bigger contribution to social progress and improvement in working conditions than any other similar organization.

The 500 delegates, representing more than 40 national governments and including representatives of employers and workers from each nation, were welcomed by Montreal's Mayor, Camilien Houde, and Msgr. Olivier Maurault, Rector of the University. Humphrey Mitchell, Canadian Labor Minister, was named President. In a brief speech he stressed the need for the work of the ILO in helping to repair the moral, physical, and financial destruction caused by the war. The ILO, he said, was concerned with the lives of people, with the establishment of human justice all over the world, and with the simple aspirations of workers everywhere.

One of the principal matters to come before the Conference will be the adoption of a draft agreement the ILO will have a larger degree of responsibility for its own finances and will retain a measure of independence greater than in its old relationship with the League of Nations. Financial matters will eventually be integrated with the United Nations.

Another important question to be raised at the Conference—by the French Delegation—is that of representation on the Governing Body and in the Conferences.

The Fourth Middle East Regional Air Navigation Meeting of PICAO² is to be convened at Cairo, Egypt, on October 1, 1946. The first three meetings were held at Dublin, Paris, and Washington and covered the North Atlantic, European-Mediterranean, and Caribbean areas respectively. These regional meetings are being called for the purpose of implementing the standards and practices developed in the technical divisions of PICAO at its Montreal headquarters and of recommending the necessary procedures for placing PICAO standards and methods into effect in the respective air regions. The pattern of these regional technical meetings is similar, deviations reflecting variations in operational requirements between areas.

The agenda for the Cairo meeting includes the following topics: air-ground aids, traffic control, weather, communications, and search and rescue activities.

The President of the United States has approved a delegation to be headed by Glen A. Gilbert, Consultant to the Administrator of the Civil

¹ Prepared by the Division of International Conferences, Department of State.

Aeronautics Administration, and 13 other members representing the Departments of State, War, Navy, and Commerce, the Federal Communications Commission, the United States Coast Guard, and two non-governmental organizations—Aeronautical Radio, Inc., and the Air Transport Association of America.

The meeting is expected to last three weeks. Following its adjournment, certain of the Delegation members will stop over in Paris to attend the Second Session of the Air Traffic Control Committee on the European-Mediterranean Area in order to complete several items on the agenda of this Committee which were left unfinished at the original Paris meeting.

U.S. Delegation to the Five Power Preliminary Telecommunications Meeting.¹ Acting Secretary Clayton announced on September 18 that the President had approved the composition of the United States Delegation to the Five Power Preliminary Telecommunications meeting scheduled to convene at Moscow on September 28, 1946.

The purpose of the Conference will be to hold informal preliminary discussions prior to the proposed World Telecommunications Conference. The time and place of the latter has not yet been determined.

Members of the United States Delegation are:

Chairman

Francis Colt deWolf, Chief, Telecommunications Division, Department of State

Members

David Adams, Assistant Chief, Common Carrier Division, Federal Communications Commission

Robert Burton, Special Assistant to the Director, Office of International Information and Cultural Affairs, Department of State

J. H. Dellinger, Chief, Division XIV, National Bureau of Standards

Clifford J. Durr, Commissioner, Federal Communications Commission

Lt. Col. James D. Flashman, Chief, Frequency Unit, ACO, Headquarters, Army Air Forces

Capt. W. E. Lineweaver, Assistant Chief of Naval Communications, Navy Department

Donald R. MacQuivey, Divisional Assistant, Telecommunications Division, Department of State

Capt. Donald E. McKay, Acting Chief Communications Officer, Coast Guard

Paul Miles, Chief, Frequency Service, Allocation Division, Federal Communications Commission

Eugene Sibley, Director, Airways Operations Service, Civil Aeronautics Administration

Col. A. G. Simson, Consultant, Communications Liaison Branch Office of the Chief Signal Officer, War Department

Rear Admiral E. E. Stone, Chief of Naval Communications, Navy Department

Marion Woodward, Assistant Chief Engineer, Federal Communications Commission

Secretary

Mrs. Helen P. Gray, Research Analyst, Near East Division, Department of State

Fiscal Officer

Oliver P. Webb, Administrative Assistant, U. S. Foreign Service

Interpreter

Raymond Ziminski, Department of State

Stenographers

Miss Elizabeth A. Davis, Executive Clerk, Telecommunications Division, Department of State

Miss Jane F. Finn, Research Assistant, Division of Eastern European Affairs, Department of State

Mrs. Grace Horn, Confidential Secretary, Division of Communications and Records, Department of State

Miss Naomi Sutphin, Secretary, Division of Southeast Asian Affairs, Department of State

Fund Members Notified to Communicate Par Values of Currencies

Announcement by the International Monetary Fund

[Released to the press by the International Monetary Fund September 12]

Camille Gutt, Managing Director of the International Monetary Fund, announced on September 12 that the 39 members of the Fund have been notified to communicate to the Fund, within 30 days, the par values of their currencies. After the Fund and the members have agreed on the par values, the Fund will begin exchange transactions.

The par values of their currencies which members will communicate to the Fund must be expressed in gold or U.S. dollars and be based on the rates of exchange that prevailed 60 days before the Fund agreement went into effect. According to the Articles of Agreement, the Fund may notify a member or a member may notify the Fund, within a period of 90 days, that the communicated par value is unsatisfactory and cannot be maintained without excessive dependence on the Fund. In such a case, the Fund and the member must agree on a suitable par value for the currency within a rea-

¹ Released to the press Sept. 18.

sonable period determined by the Fund. Special arrangements may be made to extend the period of 90 days for agreeing on the par value of the currency of any member which was occupied by the enemy.

The object of the Fund, Mr. Gutt explained, will be to agree with members on par values for their currencies which will enable them to balance their international transactions. The members of the Fund are obligated under the Articles of Agreement to keep the foreign-exchange rates for their currencies within one percent of the par value that is established by agreement with the Fund. A change in the par value may be made by a member only after consultation with the Fund, and only if it is necessary to correct a fundamental disequilibrium in the international balance of payments. Establishment of suitable and definitive par values will be a big step toward restoring normal commercial relations and encouraging the expansion of world trade.

After agreement has been reached on the par values of the currencies of countries having quotas aggregating \$5,720,000,000, the Fund will be in a position to begin exchange operations, probably early in 1947. The Fund will sell to a member for its own currency, or for gold, the foreign exchange it needs to make payments for imports and other current transactions. The foreign exchange sold by the Fund for a member's currency will be repurchased by the member under specified conditions. In this way, the Fund will help members to maintain stable and orderly exchange arrangements.

Reply From U.S. Government

September 19, 1946.

MY DEAR MR. GUTT:

In reply to your letter of September 12, 1946, which was received the same day, I have the honor, on behalf of the United States Government, to inform the International Monetary Fund that the par value of the dollar is fifteen and five twenty-firsts ($15 \frac{5}{21}$) grains of gold nine-tenths ($9/10$) fine. This par value, based on the rate of exchange prevailing on October 28, 1945, the sixtieth day before the entry into force of the Articles of Agreement of the International Monetary Fund, is identical with the weight and fineness of

the United States dollar in effect on July 1, 1944, referred to in Article IV, Section 1, of the Articles of Agreement of the International Monetary Fund.

The United States Government desires that the par value here communicated shall be the par value of the dollar for the purposes of the Fund as mentioned in Article XX, Section 4 (b). This par value of the dollar is hereby communicated to the Fund and all territories and possessions of the United States.

The United States Government does not believe that it will be necessary to make any special arrangements for the discussion of the par value of the dollar with the Fund.

Sincerely yours,

JOHN W. SNYDER

Secretary of the Treasury, and Chairman, National Advisory Council on International Monetary and Financial Problems

The Second Pan American Congress of Mining Engineering and Geology¹

is scheduled to meet at Rio de Janeiro, October 1-15, to study the current status of the mineral resources and mineral industry of the Americas. Official delegations from at least 12 of the American republics, in addition to many visiting engineers, are expected to attend.

The First Congress, at which the Pan American Institute of Mining Engineering and Geology was formed, was held at Santiago, Chile, in January 1942. Because of the conditions prevailing during the war, it was necessary to postpone the Second Congress until this fall.

The United States Delegation to the Congress is expected to consist of officers of the American Embassy at Rio de Janeiro, and members of the Department of Interior, the Department of State, and the United States Section of the Pan American Institute of Mining Engineering and Geology. It is anticipated that several mining engineers and geologists from the United States will also attend in a personal capacity.

Included on the agenda of the Congress are discussions of technical and general problems affecting the development and production of mineral wealth in the Americas. Toward the end of the meeting, the delegates and visitors will divide into several groups for visits to the important mining fields of Brazil, after which they will return to Rio de Janeiro to conclude the Congress.

¹ Prepared by the Division of International Conferences, Department of State.

The Record of the Week

Statement by the President on U.S. Foreign Policy

[Released to the press by the White House September 20]

The foreign policy of this country is the most important question confronting us today. Our responsibility for obtaining a just and lasting peace extends not only to the people of this country but to the nations of the world.

The people of the United States may disagree freely and publicly on any question, including that of foreign policy, but the Government of the United States must stand as a unit in its relations with the rest of the world.

I have today asked Mr. Wallace to resign from the Cabinet.¹ It had become clear that between his views on foreign policy and those of the administration—the latter being shared, I am confident, by the great body of our citizens—there was a fundamental conflict. We could not permit this conflict to jeopardize our position in relation to other countries. I deeply regret the breaking of a long and pleasant official association, but I am sure that Mr. Wallace will be hap-

pier in the exercise of his right to present his views as a private citizen. I am confirmed in this belief by a very friendly conversation I had with Mr. Wallace on the telephone this morning.

Our foreign policy as established by the Congress, the President and the Secretary of State remains in full force and effect without change. No change in our foreign policy is contemplated. No member of the executive branch of the government will make any public statement as to foreign policy which is in conflict with our established foreign policy. Any public statement on foreign policy shall be cleared with the Department of State. In case of disagreement, the matter will be referred to me.

As I have frequently said, I have complete confidence in Mr. Byrnes and his delegation now representing this country at the Paris Peace Conference.

Mr. Byrnes consults with me often and the policies which guide him and his delegation have my full endorsement.

International Air-Transport Policy

JOINT STATEMENT BY U.S. AND BRITISH GOVERNMENTS²

1. During the visit of United States aviation officials to the exhibition of the Society of British Aircraft Constructors in London between September 11 and 15, 1946, the opportunity was taken to arrange informal discussions with the Minister of Civil Aviation and representatives of the Ministry and the Foreign Office.

2. The discussions centered on developments in the field of international air transport since the conclusion of the United States-United Kingdom Air Transport Agreement at Bermuda on February 11, 1946.

3. Both parties are in accord that experience since the Bermuda agreement has demonstrated that the principles enunciated in that agreement are sound and provide, in their view, a reliable basis for the orderly development and expansion of International Air Transport. They believe that these principles provide the basis for a multilateral international agreement of the type that their representatives at the meeting of

¹ Mr. Wallace was Secretary of Commerce.

² Released to the press simultaneously by the U. S. Department of State and the British Government on Sept. 19.

the PICAQ Assembly in May advocated as being in the interests of international air transport.

4. Consequently, both parties believe that in negotiating any new bilateral agreements with other countries, they should follow the basic principles agreed at Bermuda, including particularly

(A) fair and equal opportunity to operate air services on international routes and the creation of machinery to obviate unfair competition by unjustifiable increases of frequencies or capacity;

(B) the elimination of formulae for the pre-determination of frequencies or capacity or of any arbitrary division of air traffic between countries and their national airlines;

(C) the adjustment of Fifth Freedom traffic with regard to:

(1) traffic requirements between the country of origin and the countries of destination.

(2) the requirements of through airline operation, and

(3) the traffic requirements of the area through which the airline passes after taking account of local and regional services.

5. The representatives of the two countries were united in the belief that until a multilateral agreement should be adopted, the Bermuda type of agreement represents the best form of approach to the problem of interim bilateral agreements.

6. In furtherance of the foregoing principles each government is prepared upon the request of any other government with which it has already concluded a bilateral air transport agreement that is not deemed to be in accordance with those principles to make such adjustments as may be found to be necessary.

7. Arrangements have been completed for setting up the machinery envisaged in the Bermuda conversations for continuous consultation and exchange of view between the two countries on civil aviation problems. Mr. Laurence Vass has been appointed as representative of the Civil Aeronautics Board with the Ministry of Civil Aviation in London. Mr. Nigel Bicknell has been appointed as representative of the Ministry of Civil Aviation with the Civil Aeronautics Board in Washington.

The United States representatives at the discussions included: Mr. James M. Landis, chair-

man of the Civil Aeronautics Board; Mr. William A. M. Burden, Assistant Secretary of Commerce for Air; Mr. Garrison Norton, Director of the Office of Transport and Communications Policy of the Department of State; Mr. George A. Brownell, Personal Representative of the President to the Middle East and India in connection with air agreements; Mr. Livingston Satterthwaite, Civil Air Attaché of the United States Embassy in London.

The United Kingdom representatives included Lord Winster, Minister for Civil Aviation; Mr. Ivor Thomas, Parliamentary Secretary; Sir Henry Self, Permanent Secretary; and Mr. Peter Masefield, Civil Air Attaché at the British Embassy in Washington.

British Government Will Not Require Documents Connected With Navicert System

[Released to the press September 20]

The British Government, after consultation with this Government, has decided that after September 30, 1946 navicerts, ship navicerts, certificates of origin, landcerts, expasses, and similar documents connected with the navicert system will no longer be required.

However, the Reserved Commodity List of the International Emergency Food Council will remain in effect, and shipments of commodities upon that list and of commodities under the control of the international committees dealing with tin, rubber, and textiles should be made only in accordance with the allocations made by the Council and the committees.

Summation of Non-Military Activities in Japan

Summation no. 10 for the month of July 1946 of non-military activities in Japan, consisting of information on political, economic, and social activities, was released to the press simultaneously by General Headquarters, Supreme Commander for Allied Powers, in Tokyo and by the War Department in Washington on September 14.

Reply to Yugoslav Note Alleging Improper Treatment of Yugoslavs in Venezia Giulia

[Released to the press September 29]

There follows the text of a note delivered September 17, 1946 by Ambassador Patterson to the Yugoslav Ministry of Foreign Affairs:

The American Embassy presents its compliments to the Ministry of Foreign Affairs and has the honor to refer to the latter's notes Nos. 8515 of July 26 and 9659 of August 14, 1946, alleging improper treatment of Yugoslav officers and men in zone A of Venezia Giulia.

In the first of these notes the Ministry of Foreign Affairs alleges that on June 30, 1946 the civil and Allied military police in Trieste made no attempt to prevent an attack upon the premises of the Yugoslav War Booty Commission, and while taking no action against persons who attacked this building, arrested Yugoslav officers and men. In making this allegation the Ministry of Foreign Affairs has placed an entirely false interpretation upon the facts of the matter. Investigation has shown that the attack upon the premises of the Yugoslav War Booty Commission was one of a number of sporadic outbreaks of violence occurring simultaneously and provoked both by pro-Slav and pro-Italian elements. The civil police were ordered to the spot, and were able to minimize the property damages which might otherwise have resulted. One Yugoslav officer and two Yugoslav soldiers were arrested. As they admitted that they had fired on the crowd, thereby fatally injuring a civilian, there can be no doubt that their arrest was abundantly justified. There is no foundation whatever in the Ministry's allegation that members of the civil police insisted under threat of using firearms, that the door of the Commission's premises should be opened. In written statements one of the two arrested Yugoslav soldiers has testified that a civil policeman "asked admittance"; the other testified that three or four minutes after the firing of shots by members of the Commission "the civil police arrived and protected us until the arrival of the American MPs".

In the same note the Ministry mentions six other instances of alleged failure of the civil and Allied military police to protect the persons and property of Yugoslav citizens in Trieste. Of this number, three were not reported to any Allied authority until the delivery of the note under reply, a procedure which renders difficult any adequate investigation. The fullest investigation possible in the circumstances has, however, failed to reveal any independent evidence that these allegations are well founded. The remaining three allegations have proved on investigation to be false in part and exaggerated throughout.

In the second note under reference the Ministry states that no satisfactory answer has been given to a number of the Ministry's notes alleging that other similar attacks upon Yugoslav persons and property in zone A of Venezia Giulia had been condoned by the Allied military authorities, and in general implying that those authorities are prejudiced against Yugoslav interests. In point of fact, the Embassy's note of May 20, 1946 clearly indicates the attitude which the United States Government has been forced to adopt towards these and other such complaints received from the Yugoslav Government. That note records several examples of important administrative measures undertaken by the Allied military authorities which were obviously inspired by the firm intention to maintain an impartial administration. It also cites numerous instances of the measures taken by pro-Slav elements to obstruct the Allied military administration and to intimidate the local population, thus indicating the provocative attitude of those elements. The United States Government considers that its note answered the complaints put forward by the Ministry of Foreign Affairs and made it clear that it could not regard such complaints as being justified. The Embassy has nevertheless been instructed to inform the Ministry that the attempt on the life of Major Cundar (the subject of the Ministry's note No. 2894 of March 20, 1946) and

the murder of Major Ravnihar (the subject of the Ministry's note No. 5228 of May 10, 1946), have been investigated with the utmost care by the Allied authorities concerned. The fact that these investigations have so far failed to result in the apprehension of the assailants is certainly not to be ascribed to any lack of energy on the part of the Allied authorities. Indeed, as the Ministry is aware, the failure of these investigations in the case of Major Ravnihar is largely to be ascribed to the failure of Major Ravnihar's companions to inform the police or any allied authority of the assault upon him until several days had passed.

In its note No. 9659 the Ministry also alleges that on August 9, 1946, a Major Despot, the political commissar of a Yugoslav detachment in zone A, together with another Yugoslav officer and a soldier, was assaulted by Allied military police, and was not protected from further assault by "Fascist mobs". The facts of the matter are as follows: On August 9, 1946, attempts by pro-Slav elements to interfere with an authorized Italian demonstration in Gorizia resulted in two hand grenades being thrown by unknown persons presumed to be pro-Slav and in the infliction of several casualties. Shortly after this incident a Yugoslav staff car in which Major Despot and another Yugoslav officer were riding was stopped and menaced by Italian demonstrators. Members of the civil police, followed shortly afterwards by Allied military police, intervened in order to escort the two officers to safety. Both officers resisted violently and the driver of the car threatened the police and the crowd with a hand grenade. A search was then undertaken by the police, revealing several more grenades in the car and a loaded pistol in the driver's pocket. The crowd, observing this, adopted a hostile attitude and endeavored to assault the Yugoslav officers, with the result that further Allied military police arriving on the scene had considerable difficulty in escorting them to safety.

The findings of the court of inquiry disclosed that a member of the civil police struck the second Yugoslav officer in the belief that the latter was about to attack him, and that in the general confusion Major Despot was also struck by an unidentified member of the police. In view, however, of the gross provocation offered by Major

Despot and his companions, both in deliberately and in unnecessarily interfering in an area of disturbance, and more particularly in threatening the police and the crowd with a hand grenade, and in resisting all attempts by the police to conduct them to safety, the United States Government cannot admit that any blame whatever attaches to the members of the civil police concerned. Moreover, Major Despot acknowledged that the Allied military police concerned were endeavoring to bring him to safety and that on no occasion was he struck by them. The Embassy has in fact been instructed to lodge the most vigorous protest against the behavior of Major Despot and his companions. Major Despot in addition to the provocative actions recorded above, and the possession of prohibited weapons, conducted himself in the most offensive manner towards the General officer commanding the 88th Division, and has in consequence been ordered to leave zone A of Venezia Giulia.

As stated in the fourth paragraph of the present note, the United States Government considers that the instances given in the Embassy's note of May 20 for the obstructive and terroristic activities of pro-Slav elements in zone A constitute in themselves a reply to many of the complaints leveled by the Yugoslav Government. Since that date numerous further instances of such activity have come to the notice of the United States Government. In particular, on July 21, 1946, a Yugoslav known to be a political opponent of the present Yugoslav Government was shot dead in the streets of Trieste by the occupants of a motor car in motion, which bore a zone B registration plate. On July 26, 1946, an attempt to kidnap another Yugoslav of similar political opinion was prevented by an Allied soldier. The car used in this operation subsequently crashed while attempting to escape, and the driver, who was arrested, was discovered to be a resident of Finme and to be employed by an office of the Yugoslav security organization. The upholstery of the vehicle was found to be heavily bloodstained, and two pairs of handcuffs were discovered in it, circumstances which lead to overwhelming suspicion that it had been used in other criminal activities by pro-Slav elements.

The Ministry cannot suppose that activities of this nature can be undertaken by pro-Slav elements without provoking serious reaction from

the local population, and the United States Government is forced to point out that it is such activities and other forms of provocation offered by members of the Yugoslav detachment in zone A which are directly responsible for many of the attacks upon Yugoslav persons and property of which the Yugoslav Government has complained. Although the Allied military authorities will continue to do all in their power to suppress such attacks, the remedy for this situation lies largely in the hands of the Yugoslav Government itself. In its note of May 20, 1946 the Embassy expressed the firm intention of the United States Government to maintain to the utmost of its power a fair and impartial administration in zone A in Venezia Giulia, so long as the obligations which have been undertaken in that area continue. The Embassy is instructed to emphasize once again that the United States Government will not be deflected from this course. At the same time it must once again deplore in the strongest terms the failure of the Yugoslav Government to accord in this task the cooperation to which the United States Government believes itself entitled.

The Embassy takes this occasion to renew to the Ministry of Foreign Affairs the assurance of its high consideration.

American Citizens Prevented From Leaving Albania

[Released to the press September 20]

The Department of State has been advised by the United States Mission at Tirana that the Albanian authorities have declined to issue permits to American citizens who are also considered citizens of Albania to leave that country for the purpose of returning to the United States.

Several cases involving naturalized American citizens of Albanian origin were taken up by the United States Mission at Tirana with the Albanian authorities. It was pointed out that under the treaty between the United States and Albania, signed at Tirana on April 5, 1932, Albania obligated itself to hold as having lost their Albanian nationality and to be nationals of the United

States, nationals of Albania who have been or shall be naturalized in territory of the United States.

The failure of Albania to abide by the provisions of the treaty and to issue permits to enable naturalized American citizens to depart from Albania before October 13, 1946 will result in the loss of their American citizenship. Section 404 of the Nationality Act of 1940, which becomes effective on October 13, 1946, provides that a naturalized citizen shall lose his citizenship by residing continuously for three years prior to the effective date of the law in the territory of the foreign state of which he was formerly a national.

The United States Mission at Tirana has also reported to the Department that the Albanian officials have also refused to permit relatives of American citizens to leave Albania for the purpose of coming to the United States. The United States Mission has sought in every way to assist American citizens and prospective immigrants and non-immigrants to depart from Albania but has met with an uncooperative attitude on the part of the Albanian authorities.

Resumption of Radio Frequencies With International Telecommunication Union

[Released to the press September 17]

The Department of State has informed the Director of the International Telecommunication Union at Bern, Switzerland, that the United States is resuming normal notification of radio frequencies to the Bern Bureau of the I.T.U.

Effective September 16, 1946 all new radio frequencies assigned to radio stations in the United States will be registered at Bern; and effective October 16, 1946 the backlog of new radio frequencies which were assigned during the war years will be registered.

The notifications will be made to the I.T.U. Bern Bureau by the Federal Communications Commission.

The submission of new frequencies to I.T.U. was discontinued in September 1939.

One Hundred Years of Liberia's Independence

REMARKS BY ASSISTANT SECRETARY BENTON¹

[Released to the press September 20]

MR. CONSUL GENERAL, LADIES AND GENTLEMEN: One hundred years is a good ripe age for a man. But among nations it is that of a stripling, with all the risks and rewards of life ahead.

During the last hundred years great empires have waxed and waned; the meek have risen and the mighty have fallen; great peoples have lost their internal freedom and external independence. Down on the west coast of Africa the Republic of Liberia has kept its candle of freedom burning without interruption for an entire century, notwithstanding that Liberia was involved in both world wars in this century.

Any people, anywhere in the world, would be proud of a record of independence, and considering the special difficulties it has faced and overcome, the Republic of Liberia has *special* reason to be proud of its achievement. On behalf of the Government of the United States, I salute you, sir, and the country you represent, as you celebrate the hundredth year of your country's independence.

I have always considered it one of the most interesting paradoxes of history that Negro freedmen from the United States—men freed from slavery here—should have fashioned the political institutions in their new home in Liberia, and their bill of rights, after those in the United States. We American citizens call this a classical historical tribute.

We have made much progress in this country since 1846, but we still have a long way to go. That is one of the interesting facts about democracy—there are always improvements and additions which we concede must be made, and there are usually materials at hand with which to tackle them.

I notice from my reading of history that the people of Liberia, having borrowed many of their

political institutions from the United States, then proceeded to make many of the same mistakes and to be guilty of the same shortcomings they, too, have been trying to overcome. This seems to show that the human species is often more animal than rational. It has difficulty, not only in the United States and Liberia, but all over the world, in creating satisfactory institutions.

Today the Liberian people, under the leadership of their great President, William V. S. Tubman, is making important progress in improving its political house. Woman suffrage has, in recent years, been adopted and the interior tribes have been given representation in the Government at Monrovia. These reforms show a trend which, we can hope, will continue to be carried forward.

Even while the recent war was on, President Tubman was taking steps to extend social and economic democracy in Liberia as essential corollaries of political democracy. In so doing, President Tubman called upon one who would help him in this task, one who had always taken a special interest in Liberia, the late President Franklin D. Roosevelt.

As a result of President Tubman's appeal a program of cooperation and assistance was formulated, which included a great port development at Monrovia, an economic mission to investigate the development possibilities of the country, and a public health mission. Other projects have been carried on under the State Department's cultural relations program which is now a part of my special responsibility in the Department of State. Under the State Department's program of assistance several scientific and technical missions have gone to Liberia. There have been an agricultural mission and a nursing mission.

The public health mission headed by Dr. John B. West which went to Liberia in 1944 accomplished much that was of benefit both to Liberia and this country. In testimony presented to Congress a year ago, Dr. West stated that in less than a year malaria mosquitos had been reduced one-

¹Made on Sept. 20 at a dinner given by the Consul General of Liberia in New York, to celebrate entry into the 100th year of Liberia's independence.

fourth and many tropical diseases had been studied.

I heard Dr. West's testimony to the Foreign Affairs Committee of the House, on the proposed Bloom bill which would have permitted a continuing program of technical and scientific collaboration with foreign countries, including Liberia. Though the bill passed the House, it failed in the closing hours of the Senate. I propose to have the bill introduced in the next Congress.

The State Department is now planning to set up a cultural center in Monrovia which will contain a basic collection of books, magazines, pictures, music records and films on America and American life. This will be available to Liberian schools and to the public.

We are also hoping to increase our exchange of students, professors and specialists. We have been glad to have the eleven students from Liberia who have been studying in this country this past year. This number should be greatly enlarged. We would welcome "trainees" who want to study in some of our government departments such as the Public Health Service, the Department of Agriculture and the Bureau of Aeronautics. As Roberts Field in Monrovia becomes one of the im-

portant points in the world-wide network of air transportation, cooperative projects and information exchanges become more than ever important and mutually valuable. Monrovia is now only thirty hours from this banquet.

It gives me special pleasure to know that the long American association with the Republic of Liberia is being continued and intensified through the programs with which I am associated. It has been a hundred and twenty-five years since the first free American Negro left this country to start a new life on the coast of Africa. Throughout that period this country has taken a special interest in the people of Liberia and has acted many times to support Liberian independence and well-being.

What of the next one hundred years? My crystal ball has a way of becoming clouded. But I prophecy for Liberia a more intensified economic development and an attention to social welfare which will greatly speed up progress toward a more perfect political democracy. I have the same hope for this country of ours, particularly in the field of racial relations where we have so much to learn and such need of progress. I also predict that relations between the Republic of Liberia and the United States are destined to be intensified and enriched many fold.

Proposals for Termination of Defense Agreement With Iceland

[Released to the press September 20]

Note delivered by the American Minister at Reykjavik on September 19, 1946 to the Foreign Minister of Iceland

EXCELLENCY:

In 1941 the Government of Iceland entrusted the protection of Iceland to the United States. The threat to the security of Iceland and the American continent then existing has been eliminated by the military defeat of the Axis forces. However, obligations arising out of the war still continue.

In view of the changed conditions and following recent conversations between Your Excellency and representatives of my Government I have the

honor to propose an agreement between the Government of the United States and the Government of Iceland as follows:

(1) The Government of the United States and the Government of Iceland agree to the abrogation of the defense agreement of July 1, 1941, which shall terminate upon the coming into force of the present agreement.

(2) The Keflavik area and the airfields hereinafter referred to as the airport and the immovable installations constructed thereon by the United States, which will be listed in a joint United States-Icelandic inventory to be prepared concurrently with the transfer of the airport, will be transferred to the Government of Iceland. The airport shall then become the undisputed property

of the Icelandic State in fulfillment of the undertakings of the Government of the United States with respect thereto.

(3) Transit and technical stop rights at the airport will be accorded to civil aircraft of all nations which are granted such rights by the Government of Iceland.

(4) The Government of the United States will withdraw as promptly as possible United States military and naval personnel now in the city of Reykjavik and during a period of 180 days, commencing upon the coming into force of the present agreement, will progressively withdraw all other United States military and naval personnel now in Iceland.

(5) The Keflavik airport will continue to be available for use by aircraft operated by or on behalf of the Government of the United States in connection with the fulfillment of United States obligations to maintain control agencies in Germany. To this end the Government of the United States shall have the right to and may, at its expense, maintain either directly or under its responsibility the services, facilities and personnel necessary to such use. The special character of these aircraft and their personnel will be respected as far as customs, immigration and other formalities are concerned. No landing fees shall be charged such aircraft.

(6) In connection with the operation of the airport the United States will train Icelandic personnel, to the extent circumstances permit, in airport techniques to enable Iceland to assume progressively the operation of the airport to the greatest possible extent.

(7) The Government of the United States and the Government of Iceland will jointly determine operational, safety and similar regulations to govern the use of the airport by all aircraft. Such regulations shall not, however, impair the ultimate authority of the Government of Iceland with respect to the control and operation of the airport.

(8) The Government of the United States and the Government of Iceland will determine a mutually satisfactory formula for the equitable distribution between them of the cost of maintenance

and operation of the airport; provided, however, that neither Government shall be obligated to incur any expense with regard to maintenance and operation of the airport which it does not deem necessary to meet its own needs.

(9) No duty or other taxes shall be charged on material, equipment, supplies or goods imported for the use of the Government of the United States or its agents under the agreement or for the use of personnel in Iceland by reason of employment pursuant to the agreement. No export tax shall be charged on the removal of such articles.

(10) No personnel of the United States resident on territory of Iceland by reason of employment pursuant to the agreement shall be liable to pay income tax on income derived from sources outside of Iceland.

(11) Upon the termination of the present agreement the Government of the United States shall have the right to remove from the airport all movable installations and equipment which have been constructed or provided by the United States or its agents after the date of the agreement, unless by agreement such installations and equipment are bought by the Government of Iceland.

(12) The agreement shall continue in effect until the obligations of the Government of the United States to maintain control agencies in Germany shall have been fulfilled; provided, however, that at any time after the lapse of five years from the coming into force of the present agreement either government may propose a review of the agreement. In such case, the two governments shall consult as soon as possible. If no agreement is reached as a result of such consultation within a period of six months from the date of original notification either government may at any time thereafter give notice of intention to denounce the agreement, which shall then terminate twelve months from the date of such notice.

Should the Government of Iceland accept the proposals set forth above, the affirmative reply of Your Excellency shall constitute, together with this note, the agreement of the two Governments in these matters.

Accept, Excellency, the assurances of my most distinguished consideration.

An International Trade Organization

[Released to the press September 20]

The Department of State made public on September 20 the text and summary of a Suggested Charter for an International Trade Organization of the United Nations.¹

The draft charter for an International Trade Organization is based upon the United States *Proposals for Expansion of World Trade and Employment* issued last December. It has been under preparation for several months by a technical staff drawn from a number of agencies of the United States Government and was drafted in the

light of various comments on the Proposals originating in the United States and other countries. It is issued, however, solely on the responsibility of the United States.

Public hearings on the suggested charter will be held by an appropriate interdepartmental committee beginning on a date to be announced later. At these hearings all interested persons and organizations will be afforded an opportunity to present their written and oral views regarding any aspect of the draft.

FOREWORD TO THE CHARTER BY THE UNDER SECRETARY OF STATE FOR ECONOMIC AFFAIRS

In December 1945 the Government of the United States published and transmitted to other governments for their consideration a document entitled *Proposals for Expansion of World Trade and Employment*.

These Proposals put forward the idea that there should be established an International Trade Organization of the United Nations, the members of which would agree to conduct their commercial relations in accordance with rules to be set forth in the Charter of the Organization. The Proposals contained suggestions for rules to govern trade barriers, restrictive business practices, intergovernmental commodity arrangements, and the international aspects of domestic employment policies, and outlined a suggested structure for the International Trade Organization itself. The governments of several other countries have expressed their general agreement with these suggestions.

In February 1946 the Economic and Social Council of the United Nations, at its first meeting, adopted a resolution calling for an international conference on trade and employment to consider

the creation of an International Trade Organization. It also established a Preparatory Committee of 19 countries to arrange for the conference and to prepare a draft Charter for such an Organization. The Preparatory Committee is to meet in London in the fall of 1946.

In preparation for the conference, the Government of the United States has prepared an elaboration of its Proposals in the form of a suggested Charter for the International Trade Organization. Copies of the suggested Charter have been transmitted to the Secretary-General of the United Nations and to the other governments named by the Economic and Social Council to serve on the Preparatory Committee.

The suggested Charter is the work of many persons of competence and experience in the departments and agencies of the United States Government. It is put forward, however, as a basis for discussion and not as a document expressing the fixed or final views of this Government. The draft should clarify possible obscurities and remove any misunderstandings to which the condensed language of the Proposals may have given rise.

SUGGESTED CHARTER FOR AN INTERNATIONAL TRADE ORGANIZATION OF THE UNITED NATIONS: SUMMARY OF PROVISIONS

I. Need for an ITO Charter

The United Nations have taken many important steps toward the creation of prosperous economic and social conditions throughout the world.

The Bretton Woods agreements are designed to

promote world monetary stability and to assist in economic reconstruction and development. Other specialized agencies of the United Nations deal with food and agriculture, with emergency relief,

¹ Department of State publication 2508.

with civil aviation, with labor, with health, and with educational and social advancement. The United Nations at San Francisco set up an Economic and Social Council to coordinate all these institutions and generally to promote conditions of economic and social progress and development which are necessary to world peace.

There still remains the need for direct action to maintain and protect employment against threats of depression, and to attack the trade barriers and discriminations which stand in the way of an expansion of the production, exchange, and consumption of goods. Such action is essential to safeguard and strengthen the whole structure of economic and social cooperation thus far built up.

It is the purpose of the suggested Charter for an International Trade Organization of the United Nations to assure that this action will be taken.

II. The Charter as a Whole

The ITO Charter seeks to accomplish four main things: (1) to promote the maintenance of employment in member countries; (2) to bring about the general relaxation and regulation of barriers to world trade, whether such barriers are imposed by governments or private organizations; (3) to provide an orderly procedure under agreed rules for the negotiation of intergovernmental commodity arrangements; and (4) to create permanent international machinery for consultation and collaboration in trade and related matters.

The provisions of the Charter are set forth in seven chapters and 79 articles, as follows:

Chapter I—Establishes the broad purposes of the International Trade Organization (art. 1)

Chapter II—Regulates membership in the Organization (art. 2)

Chapter III—Provides for the maintenance of employment (arts. 3 through 7)

Chapter IV—Provides for the reduction of governmental barriers of all kinds and for the

elimination of trade discriminations (arts. 8 through 33)

Chapter V—Provides for concerted action to eliminate restrictive trade practices by cartels and combines (arts. 34 through 40)

Chapter VI—Regulates the making of intergovernmental agreements to deal with surplus commodities (arts. 41 through 49)

Chapter VII—Creates the machinery for an International Trade Organization to facilitate the operation of the Charter and to promote continuing international cooperation in trade and related matters (arts. 50 through 79)

III. Summary of Detailed Provisions

Chapter I—Purposes

Chapter I sets forth the broad purposes of the ITO. These are: to promote the cooperative solution of trade problems; to expand opportunities for trade and economic development; to aid the industrialization of underdeveloped countries; and in general to promote the expansion of the production, exchange, and consumption of goods, the reduction of tariffs and other trade barriers, and the elimination of trade discriminations.

Chapter II—Membership

Chapter II looks toward broad membership in the Organization. It provides for two general categories of members: original members and other members. Original members would be all those countries which are represented at the proposed International Conference on Trade and Employment¹ and which accept the ITO Charter by a certain date. Other countries would be brought in with the approval of the Organization after it had become established.

Chapter III—Employment Provisions

Chapter III recognizes that high levels of employment are essential to achieve the purposes of the ITO and, reciprocally, that measures to promote high levels of employment should be consistent with these purposes. Accordingly, each member of the ITO would agree to take action designed to achieve and maintain employment within its own jurisdiction through measures appropriate to its political and economic institutions, to avoid domestic employment measures which create unemployment in other countries, to make arrangements for the collection, analysis, and exchange of information on employment

¹This Conference has been called for by the Economic and Social Council of the United Nations in a resolution adopted in February 1946. The question as to what countries, if any, not members of the United Nations should be invited to the Conference has been referred to a preparatory committee of 19 nations created by the Council for the purpose of preparing for the Conference.

problems and consult regularly on these problems, and to hold special conferences if depression should threaten.

The Economic and Social Council would have the responsibility for furthering the employment objectives of the Charter. These matters are placed under the Economic and Social Council rather than under the ITO because the Council has been given the broad function of promoting full employment by the Charter of the United Nations, and also because the Council, by virtue of its authority to coordinate the many specialized international agencies whose activities contribute to the maintenance of employment, is better fitted for this work than the ITO.

Chapter IV—General Commercial Policy

Chapter IV, the longest in the Charter, provides for the reduction or elimination of governmental barriers to international trade. Broadly, these barriers take the form of excessive customs regulations of all kinds: tariffs; embargoes and quotas; exchange restrictions on trade; governmental subsidization of production or exports; restrictive practices by state-trading enterprises; and the discriminatory application of trade barriers and controls generally.

Chapter IV contains provisions relating to all these types of trade barriers and to connected matters. The chapter is divided into 10 sections, as follows:

Section A (General Commercial Provisions) establishes equality of treatment in trade generally. Eliminates or regulates various administrative devices which hamper imports or discriminate in trade. Requires full publication of trade regulations and advance notice of restrictive regulations.

Section B (Tariffs and Tariff Preferences) requires reciprocal negotiations for the substantial reduction of tariffs and for the elimination of import tariff preferences.

Section C (Quantitative Restrictions) eliminates quotas and embargoes on trade in general, but permits them for agreed purposes under defined circumstances.

Section D (Exchange Control) eliminates exchange restrictions on trade in general, but permits them for agreed purposes under defined circumstances.

Section E (Subsidies) requires that subsidies affecting trade be reported to the ITO; that those seriously injuring trade be subject to negotiated limitations; and that export subsidies in general be eliminated except under defined circumstances.

Section F (State Trading) requires that state trading enterprises be operated in a non-discriminatory manner; that state monopolies of individual products negotiate for the reduction of protection afforded to domestic producers; and that complete state monopolies of all foreign trade agree to maintain total imports of all products at a level to be negotiated periodically.

Section G (Emergency Provisions—Consultation—Nullification or Impairment) permits withdrawal or modification of tariff or other concessions in case of serious injury to domestic producers; provides for consultation with ITO on all phases of chapter IV; permits members to withdraw concessions from countries which do not live up to obligations of chapter IV.

Section H (Relations with Non-Members) prohibits agreements with non-members promising them benefits of Charter; prevents members, after an initial period, from extending tariff concessions to non-members without ITO approval.

Section I (General Exceptions) excepts from chapter IV measures usually excepted from commercial agreements (e. g. sanitary regulations, traffic in arms, and the like).

Section J (Territorial application) applies chapter IV to customs territories of members; permits special advantages to promote frontier traffic or arising out of customs unions.

Chapter V—Restrictive Business Practices

Under chapter V members of the ITO would agree to take appropriate individual and collective measures to eliminate business practices among commercial enterprises which restrict international trade and thus frustrate the purposes of the ITO. The chapter defines certain practices which would be presumed to be restrictive of trade unless shown otherwise. Among these practices would be combinations, agreements, or other arrangements which fix prices, allocate markets or

customers, boycott or discriminate against enterprises outside the arrangement, limit production, and suppress technology.

A complaint procedure would be set up for taking action against particular restrictive business practices in order to carry out the policy described above. Under this procedure the ITO would receive complaints from a member, or from persons or business organizations within a member's territory, that a particular business arrangement is restricting international trade. If the ITO found that the complaint was justified, it could recommend that members take appropriate remedial action.

Members would agree to cooperate with the ITO in eliminating restrictive business practices. Among other things, they would agree to obtain and furnish to the ITO information needed by it in connection with particular restrictive practices; to consult with the ITO regarding complaints which had been filed; and to take action in accordance with ITO recommendations regarding particular practices found to be restrictive.

Chapter VI—Intergovernmental Commodity Arrangements

Chapter VI recognizes that in the case of certain commodities, usually primary agricultural products, special difficulties, such as a world surplus, may arise which would warrant the adoption of intergovernmental commodity agreements regulating production, trade, or prices. Such agreements would have to be consistent with certain general objectives and would need to satisfy certain conditions.

Regulatory commodity agreements would be justified if necessary (1) to enable countries to solve difficulties caused by surpluses without taking unilateral action which would shift the burden of the problem to other countries; (2) to avoid the serious distress to producers or labor caused by surpluses when production adjustments cannot be made quickly enough because of the lack of alternative employment opportunities; and (3) to provide a working arrangement for a transitional period during which measures may be taken to increase consumption of the surplus product or to facilitate the movement of resources and manpower out of the production of the surplus product into more remunerative lines.

It would be required that the members concerned must formulate and adopt a program of

economic adjustment designed to make progress toward solving the basic problem which gave rise to the proposal for a commodity agreement; that such agreements be open initially to all ITO members on equal terms and that they assure non-discriminatory treatment to all members (including those not participating in the agreement); that they provide for adequate representation by members primarily interested in the commodity as consumers, and give consuming countries an equal vote with producing countries in deciding matters such as the regulation of prices, trade, production, stocks, and the like; that, where practicable, they provide for measures to expand consumption of the commodity in question; that they assure supplies of the product adequate to meet world consumption at reasonable prices; and that they make appropriate provision to satisfy world consumption from the most effective sources of supply.

Provision is made that full publicity must attend all important stages in the making of intergovernmental commodity agreements.

Chapter VII—Organization

Chapter VII of the Charter sets forth the functions and structure of the ITO and relates them to the substantive undertakings of members provided for in the earlier chapters.

Functions. The functions of the ITO largely relate to its responsibilities in connection with chapter IV (Commercial Policy), chapter V (Restrictive Business Practices), and chapter VI (Commodity Agreements). In addition to functions of this kind, the ITO would be authorized to provide assistance and advice to members and other international organizations in connection with specific projects of industrialization or other economic development; to promote international agreements such as those designed to facilitate the international movement of capital, technology, art, and skills, and those relating to commercial travelers, commercial arbitration, and the avoidance of double taxation; and to cooperate with the United Nations and other organizations on economic and social matters and on measures to maintain peace and security.

Structure. The principal organs of the ITO would be a Conference, an Executive Board, a Commission on Commercial Policy, a Commission on Business Practices, a Commodity Commission, and a Secretariat.

The Conference. The governing body of the ITO would be the Conference, on which each country belonging to the ITO would be represented. The decisions of the Conference on most matters would be taken by a simple majority vote of the members present and voting, each country casting one vote. The Conference would have final authority to determine the policies of the ITO. It would be authorized to make recommendations regarding any matter relating to the purposes of the ITO and to elect the members of the Executive Board.

Interim Tariff Committee. An Interim Tariff Committee within the ITO would be charged with the function of authorizing members to withhold, if necessary, tariff reductions from other members which failed to meet their obligations to negotiate for the substantial reduction of tariffs and the elimination of preferences. The Committee would consist of those members of the ITO which had already fulfilled these requirements among themselves.¹ Other members of the ITO would be entitled to join the Committee upon the completion by them of adequate negotiations regarding tariffs and preferences. All decisions of the Committee would be taken by majority vote, each member casting one vote.

The Executive Board. The Executive Board would consist of 15 members of the ITO elected by the Conference every three years. Decisions of the Board would be taken by a majority of the members present and voting, each country casting one vote. The Board would be responsible for executing the policies of the ITO and for exercising powers delegated to it by the Conference. It would be authorized to make recommendations to members of the ITO, to the Conference, and to other international organizations.

The Board would be required to provide adequate machinery to review the work of the ITO as it relates to industrialization and other economic development.

The Commissions. The Commission on Commercial Policy, the Commission on Business Practices, and the Commodity Commission would be established by the Conference and would be responsible to the Executive Board. The Conference would be authorized to establish any other commissions which might in time be required.

The commissioners would be expert persons appointed by the Board in their personal capacities.

The chairmen of the Commissions could participate, without vote, in the meetings of the Board and of the Conference. Other international organizations having a special interest in the activities of one of the Commissions might be invited to participate in its work.

The functions of the three Commissions are concerned largely with the making of recommendations to the Executive Board relating to the discharge of the ITO's responsibilities in the three specialized fields. In addition, the Commissions would perform any other functions assigned to them by the Conference or the Board, including such functions in connection with the settlement of disputes as the Board might deem appropriate.

Secretariat. The Secretariat of the ITO would consist of a Director General, three or more Deputy Directors General, and such staff as might be required.

The Director General would be appointed by the Conference upon the recommendation of the Board. He could participate in the deliberations of the Board and Conference and initiate proposals for consideration by any organ of the ITO.

The Deputy Directors General would be appointed by the Director General. Each deputy would be an *ex officio* member, without vote, of one of the Commissions, and would have charge of the Secretariat's work related to the activities of that Commission.

Miscellaneous Provisions. These provisions largely parallel similar provisions in the constitutions of other international organizations. They deal with relations between the ITO and other organizations, the international responsibilities of the staff of the ITO, legal capacity of the ITO, privileges and immunities of the ITO, amendments to the Charter, interpretation and settlement of legal questions, contributions of members, entry into force of the Charter, and withdrawal from the ITO and termination of the Charter.

¹ Initially, the Interim Tariff Committee would consist of those members which had made effective the agreement for concerted reduction of tariffs and trade barriers which it is hoped will be concluded by the countries already invited by the United States to negotiate for this purpose. It is contemplated that the agreement would incorporate schedules of tariff concessions and certain of the provisions of chapter IV of the Charter (e.g. those relating to most-favored-nation treatment, to national treatment on internal taxes and regulations, to quantitative restrictions, etc.)

Foreign Policies: Their Formulation and Enforcement

BY LOY W. HENDERSON¹

AT NO TIME, even while this country was at war, has the Department of State been faced with problems more delicate, more complicated, and more grave than those with which we are confronted at this time. The very nature of these problems renders it impossible for us to evade them. The welfare and, in certain instances, the security of the United States demand that there should be no delay in the solution of many of them. If we are to meet with success in our efforts to carry out our tasks we must have the sympathetic understanding and the full support of the American people. When I say full support I do not mean that we are asking for uncritical support. We not only welcome, we need criticism of a constructive nature. No matter how honestly and sincerely we may endeavor to protect the interests and to promote the welfare of the United States and to implement policies which we believe to be consonant with American traditions and the will of the American people, some mistakes may be made. Such mistakes may be based on an inaccurate analysis of the international situation, on a failure to understand the feelings of the American people, or on faulty judgment with regard to the tactics which should be employed in given situations. Constructive criticism assists us in discovering and in rectifying these mistakes. It is furthermore an invaluable aid in the charting of our course for the future. But criticism which is constructive must also be enlightened. Constructive criticism in the field of foreign affairs cannot be a product of ignorance, prejudice, partisanship, intolerance, or hatred. It must come from those who have given really careful study to our international situation and who think in terms of what would be in the best interests of the United States and for the benefit of the American people as a whole. If we are to have foreign

policies worthy of a great democracy the body of American citizens must take a personal and individual interest in our foreign affairs.

The charge is frequently made that the Government of the United States has no foreign policies; that we are drifting somewhat aimlessly in an uncharted new world to an unknown destination; that the State Department flounders in the presence of each new problem and attempts to solve it without seriously considering how the solution might affect the broader interests of the United States or how it might impair our ability to meet fresh problems of the future. I want to assure you that we do have well-established foreign policies. We have long-term foreign policies which are as stable and as permanent as the traditions and way of life of the American people. We are also constantly formulating shorter-term policies in order to meet the ever-shifting world situation. These shorter-term policies, in order to be effective, must always lie within the framework of our long-term policies and must reflect the desires, aspirations, and hopes of the American people.

How are our foreign policies formulated? So many factors are involved that I would not venture to undertake a full discussion of them. I shall, however, touch briefly on some of them.

Our long-term basic foreign policies are molded by tradition. Just as our common law is the heritage of centuries of experience in the field of human relations, so our basic foreign policies have gradually taken form as a result of a series of decisions of an international significance which began even before the Declaration of Independence of the United States. Some of these decisions are to be found in public statements made by those responsible for the conduct of our foreign affairs.

There has not been a President or Secretary of State of the United States who has not left an imprint of some character on our foreign policies. Each succeeding administration makes decisions to meet the particular needs of the times and these decisions become interwoven into foreign policy traditions.

¹ An address delivered before the annual meeting of the National Association of Secretaries of State in Los Angeles, Calif., on Sept. 19 and released to the press on the same date. Mr. Henderson is Director of the Office of Near Eastern and African Affairs, Department of State.

Many decisions which still influence present foreign policy were contained in communications to foreign governments, others in communications or memoranda addressed to the President or to other officials of this Government. Thousands of documents which have contributed to the formulation of foreign policies have been collected in a series of volumes issued periodically by the Department entitled *Foreign Relations of the United States*.¹

Our foreign policies are also affected by the treaties and agreements to which the United States is a party. It is axiomatic that we live up to our treaty obligations. In the conduct of our foreign affairs, therefore, we must continually exercise care lest we unwittingly embark upon some policy or engage in some activity which would not be in keeping with the spirit or the letter of some international agreement. During the past year we entered into an international commitment which has had a profound effect upon our foreign policies. I am of course referring to the Charter of the United Nations. In joining the United Nations we have not only reduced to written form some of the policies to which we had already been adhering for many years but have also formally adopted a number of new and extremely important foreign policies.

The Congress of the United States plays an important role in shaping our foreign policies. Many of the more important laws enacted by Congress affect in some way or other our relations with the outside world. It is our obvious duty as officials of the American Government to make sure that we in no way run counter to American law. In this connection, I might point out that the provisions of the Constitution itself render it impossible for the Federal Government to undertake certain international obligations with respect to matters which fall exclusively within the jurisdiction of the constituent States.

Before making a decision to meet a given situation, we in the Department therefore must be sure not only that such a decision would be in accord with the current general policies of the Government and that it would be likely to be acceptable to the American people as a whole, but also that it would not be in conflict with any of our longer-term or more general policies. If it is found that such a conflict exists, the decision must be made as to whether the new situation is

so important as to warrant consideration being given to the effecting of changes in long-range policies or policies of a more universal nature. If the answer is in the affirmative, recommendations may go up to the Secretary or to the President. In case the recommendations call for changes of considerable importance, the President or the Secretary of State sometimes confers with appropriate members of Congress before such changes are authorized.

It will be observed that although our foreign policies rest upon basic principles which have a high degree of constancy, their expression and their form are frequently altered to meet shifts in the world situation and changes in the conditions in the United States or in the outlook of the American people.

During recent years steps have been taken to reorganize and truly vitalize the Department of State in order that we may be able more effectively to perform the increasingly numerous and difficult tasks which our new role in world affairs imposes upon us.

I shall endeavor to give to you an abbreviated outline of our present organization. Associated with the Secretary of State at present are the following members of the so-called Little Cabinet: an Under Secretary, an Under Secretary for Economic Affairs, a Counselor, and four Assistant Secretaries of State. The appointment of each of them as well as that of the Legal Adviser has been made by the President and approved by the Senate. The Under Secretary ranks next to the Secretary and assumes responsibility to the Secretary for the functioning of the Department. The Under Secretary for Economic Affairs is responsible to the Secretary for the conduct of the economic affairs of the Department. The Counselor acts as a special adviser to the Secretary with regard to such important matters as the Secretary may assign to him.

Attached to the Under Secretary for Economic

¹ These volumes are compiled to present a documentary record of American diplomacy on a year-by-year basis. This series of annual volumes has been published for the years prior to and including 1939, and the volume for 1941 on the Far East has also been released. Special volumes in the series have been issued, the most recent being those relating to the Paris Peace Conference, 1919, and to relations with Japan, 1931-1941. The volumes may be purchased from the Superintendent of Documents, Government Printing Office, Washington, D.C.

Affairs are a number of offices usually referred to as functional offices, among which might be mentioned the Office of Transport and Communications Policy, the Office of International Trade Policy, the Office of Economic Security Policy, and the Office of Financial and Development Policy. These offices assist in initiating, formulating, and coordinating our foreign policies. They cooperate closely with other Government agencies and with various public and private American organizations and economic groups.

One of the Assistant Secretaries is in charge of public affairs. Under his direction are the Office of United States Public Affairs and the Office of International Information and Cultural Affairs. These offices assist in formulating the policies relating to the dissemination of information in the United States and abroad as well as to the promotion of cultural relations with such countries. Some of this work was carried on during the war by the Office of War Information and the Office of Inter-American Affairs and represents activities new to the Department of State. We feel, however, that these activities are essential, in present world conditions, to the effective conduct of our foreign relations. It is extremely helpful to us who are endeavoring to realize the objectives of the United States in the international arena for the peoples of foreign countries to have a more accurate knowledge of the United States and a more complete understanding of the aims of the American Government, of the American ways of life, and of the manner in which the American people are thinking and acting. Similarly, it is of advantage to us that there should be a wider dissemination in this country of information concerning other countries. It is also in the interest of the United States as well as of the other countries concerned that through the exchange of professors, students, technicians, and scientists, and through the exchange of information of a cultural, scientific, and social character, the peoples of the United States and those of other countries should have a better understanding of each others' problems and should mutually benefit from each others' accomplishments.

Two Assistant Secretaries are responsible for the operation of the four offices of the Department which are usually referred to as the geographic offices. Under one of these Assistant Secretaries is the Office of American Republic Affairs and under

the other the Office of Near Eastern and African Affairs, the Office of Far Eastern Affairs, and the Office of European Affairs. Each of these four offices assists in coordinating and formulating the policies and activities of the American Government in regard to the territorial divisions of the world assigned to it. For instance, the Office of Far Eastern Affairs should be consulted before any action by the Department relating to China is taken. Similarly, any action which might conceivably affect our relations with any of the republics of this hemisphere should be passed upon in advance by the Office of American Republic Affairs.

Another Assistant Secretary is responsible for the Administration of the Department, including that of the Foreign Service. Under this Assistant Secretary are the Office of Controls, which handles passport, visa, and related matters; the Office of the Foreign Service, which has charge of the administration and functioning of our Foreign Service apparatus abroad, including our Embassies, Legations, and Consulates; the Office of Budget and Finance, which deals with all budgetary and fiscal matters; and the Office of Departmental Administration, which concerns itself with administering the Department in Washington, supplying personnel and equipment to the Department, with the recording and the filing of Departmental documents, with the handling of incoming and outgoing telegraphic and mail communications.

The Legal Adviser has under him a corps of lawyers who are experts in various fields of international law and who with their experience and legal knowledge are able to advise other branches of the Department.

In addition to the Under Secretaries, Counselor, and Assistant Secretaries, there are also a number of Special Assistants to the Secretary and to the Under Secretary who are charged with particular functions. During recent months, for instance, there has been attached to the Secretary a Special Assistant for Research and Intelligence under whom are the Office of Intelligence Coordination and Liaison and the Office of Intelligence Collection and Dissemination. These offices are doing much to help a long-felt need of the Department since they have brought with them scholarly and distinguished personnel recruited from our universities, institutions of learning, and from branches of the Government who can concen-

trate upon research in international problems, and who are extremely helpful in increasing the amount of information available to the Department and in making sure that the maximum use is made of this information by the Department of State and by other agencies of the Government.

There is also the Office of Special Political Affairs, which acts as a liaison between the Department and the United Nations and deals with special problems such as those relating to international security and to dependent areas. In addition there are numerous interdepartmental committees and international bodies in the work of which the Department participates, as well as a wide variety of committees within the Department itself.

It might give you a little more insight into the manner in which the Department carries on its day-to-day work if I should describe in some detail what the office with which I happen to be associated does and how it functions. This is the Office of Near Eastern and African Affairs. As one of the four geographical offices of the Department it is responsible for the coordination of policies and activities in that area of the world which, for purposes of convenience, we refer to as Near East and Africa. This area includes all of Africa except for Algeria and the Union of South Africa. In it are Greece, Turkey, Iran, Afghanistan, Palestine, Trans-Jordan, the Arab countries of Syria, Lebanon, Iraq, Saudi Arabia, Egypt, the Yemen, the Arab Sheikdoms of the Persian Gulf, India, Ceylon, Nepal, and Burma. This area of more than 13,000,000 square miles stretches from Tangier to Rangoon, from Angola to Kabul, and from Liberia to Ceylon. It has a population of 600,000,000 people. In it are the world's highest mountains, attaining a height of 29,000 feet in Mount Everest, and the world's deepest depression, the Dead Sea, 1,400 feet below sea level. It also includes the Sahara and Arabian deserts as well as certain territories of extremely high precipitation such as Assam where there are 428 inches of rainfall a year.

Among the inhabitants of this area are some of the richest potentates of the world and hundreds of millions of persons who live at bare subsistence levels. In it are to be found some of the world's oldest civilizations, including those evolved many thousand years ago on the banks of the Nile, the Tigris, the Euphrates, and the Indus rivers, and

some of the world's newest states, such as Syria and Lebanon and the Kingdom of the Yemen, with which we have just recently entered into relations, not to mention India, which is in the process of creating what is certain to be one of the great nations of the world. Unfortunately, these areas also present a number of extremely difficult international problems which it would be against the vital interests of the United States for us to ignore.

The Office of Near Eastern and African Affairs, which is charged with assisting the Secretary of State in the conduct of our foreign affairs so far as this area is concerned, contains three geographic divisions, namely, the Division of Near Eastern Affairs, the Division of Middle Eastern and Indian Affairs, the Division of African Affairs, and a research and analysis division. The Office is under the direction of a Director and a Deputy Director and each of the Divisions is headed by a Chief. In the three geographic divisions there are established what are usually referred to as "country desks", each of which specializes in our relations with one or more countries. In our Near Eastern Division, for example, we have an Egyptian desk, a Saudi Arabian desk, a Turkish desk, and so forth; in our Middle Eastern and Indian Division we have an Afghan desk, an Iranian desk, and an Indian desk; among the desks in the African Division are those charged with working on the affairs of Liberia, Morocco, Ethiopia, and various African colonial possessions and mandates. The official in charge of a country desk is usually known in the Department as a "desk officer". It is the duty of a desk officer to keep himself informed regarding any activity of the Department which might affect the country for which he has responsibility and it is the duty of the members of the Department to cooperate in keeping him informed of these activities. Furthermore, he must keep himself currently informed with regard to the internal and international situations of the country in his jurisdiction; he must be thoroughly acquainted with the problems of the work of our diplomatic missions and consular offices in that country, and he must know precisely what our special political, economic, commercial and cultural interests in that country are. He assists in the preparation of the correspondence of the Department relating to that country and he reads telegrams and despatches received from our diplomatic and consular officials in that country as well as

communications relating to that country received from other sources, including American Governmental agencies, American enterprises, and private American citizens. He keeps in touch with the diplomatic mission of that country in Washington and most of the correspondence between the Department and that mission passes over his desk. When any other Office or Division of the Department desires information regarding a country it may call upon the appropriate desk officer to furnish it. If such information is not available he must take steps to obtain it. Such steps frequently include the despatch of telegraphic or mail requests to our diplomatic and consular establishments abroad.

The work of the desk officers is coordinated and directed by the Chiefs of their Divisions; the work of the divisions is under the general supervision of the Director of the Office who acts under the direction of the appropriate Assistant Secretary of State, the Under Secretaries, and the Secretary.

It is obvious that the Director of the Office, the Chiefs of Divisions, and the desk officers cannot function unless they know what the general foreign policies of the United States are and what the particular policies may be with regard to the countries with which they are concerned.

The main objective of the United States in the Near and Middle East is to prevent rivalries and conflicts of interest in that area from developing into open hostilities which eventually might lead to a third world war. This part of the world is of tremendous strategic value, in view of its importance as a common highway by sea, land, and air between the East and West; it possesses great mineral wealth, and it has potentially rich agricultural resources. In spite of the fact that some of the countries in it are the heirs of great civilizations the majority of the populations in them, for reasons which I do not have the time to advance here, are poverty stricken and are not so advanced politically, economically, and technically as those of the western world. Many of these peoples during recent years have become conscious of the fact that they are not playing a role in world affairs commensurate with their great native abilities and distinguished history and are beginning to demand that they be given opportunities to create for themselves a way of life comparable to that of the peoples of the West. They are demanding

more and better educational facilities; they are insisting that steps be taken to improve their economic position; they are asking that they be given the right to govern themselves and to work out their own destiny with the aid of foreign cultural and technical assistance of their own choosing. They wish to use the experience of the more advanced countries in order to build a society and civilization upon the foundation of their own culture and traditions. Among them there is a growing sense of frustration at the slowness of their progress, and restiveness and discontent are increasing.

The disintegrating effect of many groups of dissatisfied citizens weakens the governments of some of the countries of the Near and Middle East. Without foreign assistance, these governments in their weakened condition encounter difficulties in taking effective measures to remove the very causes of discontent. The presence of large numbers of disaffected citizens also impairs the ability and undermines the determination of these countries to resist pressure from without. Until all the countries of the Near and Middle East are politically and economically sound, and until their governments become stable and are able to preserve internal order and to take measures to improve the living standards of their populations, the Near and Middle East will continue to present a temptation to powers outside the area. As long as this temptation exists the danger of conflict which may lead to war will continue to be present. Our Government has taken the attitude that this danger is too real for it to be ignored and our policies with regard to the Near and Middle East have been formulated accordingly.

Our primary policy with regard to that area therefore is to take whatever measures may be possible and proper to promote directly and indirectly the political and economic advancement of the Near and Middle Eastern peoples and to support in that area the principles of the United Nations. We should give appropriate assistance to developing the economies of the countries of the Near and Middle East and to raising the standard of living of their people. We should do what is possible and proper to encourage greater political and economic stability. We should endeavor to create conditions favorable to the orderly development of the resources of the area, free from the

exploitative, discriminatory, and restrictive practices which have caused friction in undeveloped areas in the past. Among the specific policies which are being followed in promoting the advancement of the Near and Middle East might be mentioned:

(1) The lending of our support to enable the independent countries in that area to maintain their political independence and territorial integrity;

(2) The initiation by the United States of an expanding program of assistance which would vary in each country according to its individual needs and in response to its specific requests. Such assistance may be cultural, economic, financial, or technical; it may be implemented by sending special missions, by providing technical experts or advisers to the interested government or, in some instances, by facilitating the extension of credits for purposes of rehabilitation or modernization of the country's economy.

In addition we are endeavoring to strengthen the economic relations existing between the United States and these countries in a manner which would be to our mutual advantage and which would be compatible with the spirit of the United Nations:

(A) by insisting upon non-discriminatory treatment of United States nationals and interests and by giving appropriate encouragement to the gradual elimination of such special economic privileges of other foreign governments as tend to create international resentment or to impede the progress of the peoples of that area;

(B) by actively promoting our commercial and business interests and trade with the United States and supporting the development of industries and extractive projects in which United States companies are involved along lines which promise to be beneficial to the Near and Middle East, to the United States, and to a world economy in general; and

(C) by promoting American communication facilities to and through the Near and Middle East—I am referring here to aviation, telecommunication, and shipping.

In general we consider it important to the security and prosperity of the world as well as of the Near and Middle East that the doctrine of the open

door be fully applicable to that part of the world. We would, therefore, be opposed to any trend in the direction of preventing that area from enjoying untrammelled economic relations with the rest of the world.

These are some of the basic and general policies which guide us in making decisions with regard to the problems which are arising from day to day in the conduct of our relations with the Near and Middle East. The manner in which these policies are applied must of course vary as the special situation of, or special conditions prevailing in, the individual countries may require.

No decision of importance which might involve a change in policy is of course made by any division or office of the Department without reference to the more responsible officers of the Department, and no action is taken with regard to matters of concern to other agencies of the Government until after appropriate consultation.

For instance, the Office of Near Eastern and African Affairs before taking an action with regard to our aviation rights in the Near and Middle East would consult the Office of Transport and Communications Policy, and the latter Office before giving the proposed action clearance might confer with the Civil Aeronautic authorities. Thus the Office of Near Eastern and African Affairs assures itself that the proposed action would be in accord with our over-all aviation policies and plans. Similarly the Office of Transport and Communications Policy would consult the Office of Near Eastern and African Affairs before taking an action relating to Near or Middle Eastern aviation matters in order to satisfy itself that such action would be compatible with our general Near and Middle East policies and that it is not being taken at an inopportune moment.

The Office of Near Eastern and African Affairs similarly consults with the Office of International Trade Policy before taking decisions of a trade or commercial character, with the Office of International Information and Cultural Affairs with regard to matters involving our cultural relations, with the Office of the Foreign Service in respect to matters pertaining to the personnel and administration of our diplomatic missions in the Near and Middle East, with the Office of European Affairs if a European country as well as a Near or Middle Eastern country might be affected, etc.

These Offices likewise clear in advance with the Office of Near Eastern and African Affairs decisions and actions which are likely to affect our relations with, or our interest in, the Near and Middle East. In case there should be a disagreement among the various Offices regarding the advisability of the taking of an action, the matter is referred to the responsible official of the Department, that is, an Assistant Secretary or perhaps the Under Secretary or Secretary.

I should like to add that the members of the Department and of the Foreign Service are drawn from every State in the Union and from almost every walk in life. Most of them entered the service of the Government because of their desire to serve the interests of the United States. They have been selected with the greatest care. Many have been admitted only after having successfully passed extremely difficult and searching examinations; others have given up successful or promising careers in the professions or in business in order to assist in the conduct of our foreign affairs; still others have come to the Department from the armed forces.

There are differences in the personal opinions and views of various members of the Department and of the Foreign Service similar to those which are almost certain to exist in any group of thinking human beings. I do not believe, however, that there can be found anywhere a group of persons who are more loyally, harmoniously, and effectively protecting and promoting the interests of the United States and serving the cause of world peace than the body of men and women working in our State Department and in our Embassies and Consulates abroad.

These men and women are encouraged and stimulated in the performance of their duties by the realization that never has the conduct of foreign affairs been entrusted to more capable hands than those in whose charge it is today. It means much to those who are in the forefront of our struggle for a peaceful world of the kind in which we would like to live that they are under the direction of able and courageous leaders who have no hesitation in making known to the world that for which the United States stands and that for which it strives.

Treaty Obligations and Philippine Independence

REPLY OF DANISH GOVERNMENT TO U.S. NOTE¹

September 10, 1945.

Sir:

I have the honor to acknowledge receipt of the Department of State's note of May 4th, according to which the Government of the United States of America considers that provision for a transitional period for dealing with the special tariff position which the Philippines products have occupied for many years in the United States, is an essential accompaniment to Philippine independence.

Accordingly, under the Philippine Trade Act approved April 30, 1946, goods the growth, produce or manufacture of the Philippines, will enter the United States free of duty until 1954, after which they will be subject to gradually and regularly increasing rates of duty or decreasing duty-

free quotas until 1974 when general rates will become applicable and all preferences will be completely eliminated.

Upon instructions received, I have the honor to inform you that the Danish Government agree that the most-favored-nation provisions of the Treaty of Friendship, Commerce and Navigation between the United States and the Kingdom of Denmark signed on April 26, 1826, shall not be understood to require during the said period the extension to Denmark of the above-mentioned advantages accorded by the United States of America to the Republic of the Philippines.

I avail [etc.]

POVL BANG-JENSEN

The Honorable

WILLIAM L. CLAYTON

Acting Secretary of State

¹ U.S. note is similar to note sent to Bolivian Government as printed in BULLETIN of June 16, 1946, p. 1049.

Export-Import Bank of Washington

LOANS AUTHORIZED DURING SIX MONTHS ENDED JUNE 30, 1946¹

<i>Country and Obligor</i>	<i>Amount (in millions of dollars)</i>	<i>Purpose</i>
LATIN AMERICA		
<i>Brazil:</i>		
National Department of Railways.....	1.93	Export of diesel locomotives
Panair do Brasil.....	3.0	Export of air transportation equipment
<i>Chile:</i>		
Chilean State Railways.....	.8	Export of electrical equipment
<i>Colombia:</i>		
Ferrocarril de Antioquia.....	.2	Export of locomotives
Do.....	.32	Do
Republic of Colombia.....	3.0	Export of railway equipment
<i>Ecuador:</i>		
Republic of Ecuador.....	.78	Highway construction, export of equipment and services
<i>Mexico:</i>		
Aeronautical Radio de México.....	3.0	Purchase of ground equipment for aviation
Fred Leighton.....	.12	Import of Mexican handicraft
<i>Peru:</i>		
Cía. Peruana del Santa.....	.1	Export of electrical equipment
<i>Various Latin American Countries:</i>		
TACA Airways, S.A., and TACA Airways Agency, Inc.....	2.0	Purchase of air transportation equipment
Total Latin America.....	15.25	
EUROPE		
<i>Czechoslovakia:</i>		
Prague Credit Bank.....	² (20.0)	Export of raw cotton
<i>Finland:</i>		
Finlands Bank.....	² (5.0)	Do
Republic of Finland.....	35.0	Export of goods and services
<i>France:</i>		
Republic of France.....	650.0	Export of industrial equipment and raw materials
<i>Greece:</i>		
Kingdom of Greece.....	25.0	Export of equipment and services
<i>Italy:</i>		
Italian commercial banks.....	² (25.0)	Export of raw cotton
<i>Netherlands:</i>		
Kingdom of the Netherlands.....	200.0	Purchase of goods and services
Netherlands commercial banks.....	² (10.0)	Export of raw cotton
<i>Poland:</i>		
Republic of Poland.....	40.0	Export of locomotives and coal cars
Total Europe.....	1,010.0	

¹ For a table of loans authorized subsequent to June 30, 1945 as of Dec. 31, 1945, see BULLETIN of Mar. 10, 1946, p. 384. The Second Semi-Annual Report to Congress of the Export-Import Bank, from which this table is taken, was released to the press on Sept. 13, 1946.

² Allocations from a general cotton export credit of \$100,000,000 available to European countries, which was established in October 1945. The allocation to Finland was approved in December 1945, and those to Czechoslovakia, Italy, and the Netherlands during the first half of 1946. Since the total amount was included in credits authorized during the last half of 1945, none of these allocations is included in the totals of new authorizations during the first half of 1946.

<i>Country and Obligor</i>	<i>Amount (in millions of dollars)</i>	<i>Purpose</i>
ASIA		
<i>China:</i>		
Bank of China.....	33.0	Export of raw cotton
Republic of China.....	4.24	Purchase of cargo vessels
Do.....	2.6	Do
Do.....	8.8	Export of generating equipment and engineering services
Do.....	16.65	Export of railway repair materials
Do.....	1.5	Export of equipment, materials and supplies for coal mining
<i>Netherlands Indies:</i>		
Bank Voor Nederlandsch Indie, N.V.....	³ 100.0	Export of goods and services
<i>Saudi Arabia:</i>		
Kingdom of Saudi Arabia.....	25.0	Purchase of goods and services
Total Asia.....	191.79	
VARIOUS COUNTRIES		
<i>Special Exporter-Importer Credits.....</i>	.24	Various
GRAND TOTAL.....	1,217.28	

³ Authorized on September 11, 1945, but not entered on the books of the Bank as a commitment until January 1946.

First Meeting of U.S. National Commission on Educational, Scientific and Cultural Cooperation

[Released to the press September 18]

The first meeting of the United States National Commission on Educational, Scientific and Cultural Cooperation will be held in Washington from September 23 to 26, the Department of State announced on September 18.

The National Commission is the first American group to be set up to serve as a direct and permanent link between United States citizens and the American Delegation to an international body. The international body concerned is UNESCO (United Nations Educational, Scientific and Cultural Organization), which was organized in London last fall in order to help the people of the world get to know more about each other. The first meeting of UNESCO will be held in Paris in November.

The National Commission at its forthcoming meeting in Washington will discuss the proposed program of activities for UNESCO and will draw up recommendations for the consideration and guidance of the American Delegation at the Paris meeting.

The Commission will be composed of 100 members, including representatives of 50 educational, scientific, cultural, and civic organizations already designated, and representatives of 10 organizations to be selected by the Commission. In addition, 40 members are to be selected by the Department of State. Of these, 10 will represent the Federal Government, 15 will represent the interests of State and local authorities, and 15 will be members at large.

William Benton, Assistant Secretary of State for public affairs, says that topics to be discussed by the National Commission include: ways in which the press, radio, and films can contribute to international understanding; how to reduce and eliminate obstacles to the free flow of information across national boundaries; world-wide cooperation to promote literacy; establishment of international youth clubs; exchange of scientific information; promotion of exchanges in the arts; and future conferences on fundamental problems in the social sciences and philosophy.

The Commission will also consider ways in which schools and colleges, scientific societies, and national organizations interested in furthering international understanding can take part in the work of UNESCO.

Mr. Benton announces that the following people have accepted invitations to serve on the National Commission:

Federal Government Representatives

- Gen. Omar N. Bradley, Administrator of Veterans' Affairs, Veterans Administration
 Luther H. Evans, Librarian of Congress
 John W. Studebaker, Commissioner, United States Office of Education

Members at Large

- Edward W. Barrett, Editorial Division, *Newsweek*, New York, N. Y.
 Chester Bowles, Hayden's Point, Essex, Conn.
 Ben Mark Cherrington, Director, Social Science Foundation, University of Denver, Denver, Colo.
 Arthur Compton, Chancellor, Washington University, St. Louis, Mo.
 Mrs. Mildred McAfee Horton, President, Wellesley College, Wellesley, Mass.
 Archibald MacLachlan, New York, N. Y.
 Edward R. Murrow, Columbia Broadcasting System
 Mrs. Anna Rosenberg, Member of the Advisory Board, Office of War Mobilization and Reconversion
 Beardsley Ruml, Chairman, R. H. Macy and Company, New York, N. Y.
 John Hay Whitney, New York, N. Y.

Representatives From State and Local Governments

- Ralph A. Beale, Director, New York Public Library, New York, N. Y.
 Milton Eisenhower, President, Kansas State College of Agriculture and Applied Science, Manhattan, Kans.
 James Marshall, Member, Board of Education, New York, N. Y.
 Thomas G. Pullen, State Superintendent of Schools, Baltimore, Md.
 Daniel C. Rich, Director of Fine Arts, Art Institute of Chicago, Chicago, Ill.
 Miss Maycie Katherine Southall, Professor of Elementary Education, Peabody College, Nashville, Tenn.
 A. J. Stoddard, Superintendent of Schools, Philadelphia, Pa.
 Blake Van Leer, President, Georgia School of Technology, Atlanta, Ga.
 Mrs. Pearl A. Wanamaker, State Superintendent of Public Instruction, Olympia, Wash.
 Miss Helen C. White, Professor of English, University of Wisconsin, Madison, Wis.

Representatives of Organizations

- Morse A. Cartwright, Director, American Association for Adult Education, New York, N. Y.
 James B. Conant, President, American Association for the Advancement of Science, Harvard University, Cambridge, Mass.

- Channey J. Hamlin, President, American Association of Museums, Buffalo Museum of Science, Buffalo, N. Y.
 Ralph E. Hinckley, General Secretary, American Association of University Professors, Washington, D. C.
 Miss Kathryn McHale, General Director, American Association of University Women, Washington, D. C.
 Harry F. West, Managing Director, American Book Publishers Council, New York, N. Y.
 Louis Brownlow, Chairman, American Committee for the International Union of Local Authorities, Washington, D. C.
 Waldo G. Leland, President, American Council of Learned Societies, Washington, D. C.
 George F. Zook, President, American Council on Education, Washington, D. C.
 Mrs. Roy C. F. Weagly, American Farm Bureau Federation, Hagerstown, Md.
 Hudson Walker, American Federation of Arts, New York, N. Y.
 Nelson H. Cruikshank, Director, Social Insurance Activities, American Federation of Labor, Washington, D. C.
 Miss Selma Borchardt, Chairman, International Relations Committee, American Federation of Teachers, Washington, D. C.
 Albert Harkness, American Institute of Architects, Providence, R. I.
 Ralph A. Utveling, Librarian, Detroit Public Library, American Library Association, Detroit, Mich.
 Thomas S. Gates, President, American Philosophical Society, Philadelphia, Pa.
 Hubert O. Croft, President, American Society for Engineering Education, State University of Iowa, Iowa City, Iowa.
 Erwin D. Cunham, Editor, *Christian Science Monitor*, American Society for Newspaper Editors, Boston, Mass.
 Walter N. Ridley, President, Virginia State College, American Teachers Association, Petersburg, Va.
 Walter A. Bloesorn, M.D., Dean, School of Medicine, George Washington University, Association of American Medical Colleges, Washington, D. C.
 Harry D. Gidouise, President, Associated Youth Serving Organizations, Inc., Brooklyn College, Brooklyn, N. Y.
 Mrs. Cathleen Lardie, President, Association for Education by Radio, Department of Radio Education, Detroit Public Schools, Detroit, Mich.
 Guy F. Snavely, Executive Director, Association of American Colleges, Washington, D. C.
 William K. Jackson, President, Chamber of Commerce of the United States, Washington, D. C.
 Paul G. Hoffman, Chairman, Board of Trustees, Committee for Economic Development, Washington, D. C.
 Kermit Eby, Director of Education and Research, Congress of Industrial Organizations, Washington, D. C.
 C. J. McLanahan, Cooperative League of the United States of America, Chicago, Ill.

Edgar Dale, Educational Film Library Association, Bureau of Educational Research, Ohio State University, Columbus, Ohio.

Edward Yocumans, Secretary, Eastern Division, Farmers Educational and Cooperative Union of America, Trenton, N.J.

Bishop G. Bromley Oxnam, President, Federal Council of Churches of Christ in America, New York, N.Y.

Mrs. William Dick Sporborg, General Federation of Women's Clubs, New York, N.Y.

Eric Johnston, President, Motion Picture Association of America, Inc., Washington, D.C.

Ross G. Harrison, National Academy of Sciences, Osborn Zoological Laboratory, Yale University, New Haven, Conn.

Charles H. Thompson, Dean, Graduate School, Howard University, National Association for the Advancement of Colored People, Washington, D.C.

Justin Miller, President, National Association of Broadcasters, Washington, D.C.

The Reverend Edward V. Stanford, Rector, Augustinian College, National Catholic Educational Association, Washington, D.C.

The Very Reverend Monsignor Frederick G. Hochwalt, General Secretary, Department of Education, National Catholic Welfare Conference, Washington, D.C.

Mrs. L. W. Hughes, President, National Congress of Parents and Teachers, Chicago, Ill.

Ward Barnes, Editor, *Eagle Grove Eagle*, National Editorial Association, Eagle Grove, Iowa.

William G. Carr, Associate Secretary, National Education Association, Washington, D.C.

Fred Bailey, National Grange, Washington, D.C.

Mrs. Charles E. Heming, National League of Women Voters, White Plains, N.Y.

Howard Hanson, President, National Music Council, Rochester, N.Y.

Burdley Acheson, National Publishers Association, Director, International Editions, *Reader's Digest*, Pleasantville, N.Y.

Delvey Bronk, Chairman, National Research Council, Washington, D.C.

Frank Weil, National Social Welfare Assembly, New York, N.Y.

Paul I. Homan, Social Science Research Council, Washington, D.C.

Donald M. Nelson, President, Society of Independent Motion Picture Producers, Hollywood, Calif.

Rabbi Herbert S. Goldstein, President, Synagogue Council of America, New York, N.Y.

[Released to the press September 19]

As of September 19, fifteen additional acceptances of membership on the National Commission had been received:

Federal Government Representatives

David E. Finley, Director, National Gallery of Art
Katherine F. Lenroot, Chief, Childrens Bureau, Federal Security Agency

James E. Murray, United States Senate

Chester E. Morrow, House of Representatives

Thomas Parran, Surgeon General, U. S. Public Health Service

Donald C. Stone, Assistant Director, Bureau of the Budget

Alexander Wetmore, Secretary, Smithsonian Institution

Members at Large

Charles S. Johnson, Director, Department of Social Sciences, Fisk University, Nashville, Tenn.

Henry A. Moe, Secretary, John Simon Guggenheim Foundation, New York, N. Y.

Mrs. Louise Wright, Executive Secretary, Chicago Council of Foreign Relations, Chicago, Ill.

Representatives from State and Local Governments

James Frank Dobbie, Professor of English, University of Texas, Austin, Tex.

Charney A. Dykstra, Provost, University of California, Los Angeles, Calif.

Reuben Gustavson, Chancellor, University of Nebraska, Lincoln, Nebr.

George Stoddard, President, University of Illinois, Urbana, Ill.

The Department

Appointment of Officers

William Benton, Assistant Secretary of State for public affairs, announced on September 17 that Oliver McKee has reported for duty as a special assistant in his office.

William P. Maddox has been appointed the new Chief of the Division of Training Services in the Office of the Foreign Service.

The Division of Training Services is the successor to the old Foreign Service Officers Training School and will, under the Foreign Service Act of 1946 recently signed by President Truman, eventuate into the Foreign Service Institute. The Division carries on broad and intensive training programs for all types of Foreign Service and Department of State personnel: orientation lectures, a training course for Foreign Service officers, preparation of specialists for foreign duty, training for clerical personnel, and language instruction.

It is also the purpose of the Division to establish training facilities and services designed to assist in the continuous development of the knowledge and skills of Foreign Service officers throughout their careers. In addition to basic work in Washington, arrangements will be made for specialized training at universities and for reacquainting returnees from abroad with the currents of life and enterprise throughout the United States.

Publications

Department of State

During the quarter beginning July 1, 1946, the following publications have been released by the Department:¹

2466. Papers Relating to the Foreign Relations of the United States, The Paris Peace Conference, 1919. Vol. VII, 985 pp. \$2.50 (backram).

2476. Papers Relating to the Foreign Relations of the United States, 1931. Vol. III, the Far East. cviii, 1091 pp. \$2.75 (backram).

2490. The United Nations Conference on International Organization, San Francisco, California, April 25 to June 26, 1945. Selected Documents. Conference Series 83. 992 pp. \$2.75 (backram).

2525. Fuel and Vegetable Oil: Agreement Between the United States of America and Argentina—Effectuated by exchange of notes signed at Buenos Aires May 9, 1945; effective May 9, 1945. Executive Agreement Series 495. 17 pp. 10c.

2528. Air Transport: Agreement and Exchange of Notes Between the United States of America and Portugal—Agreement signed at Lisbon December 6, 1945; effective December 6, 1945. Executive Agreement Series 500. 10 pp. 5c.

2529. Reciprocal Customs Privileges: Agreement Between the United States of America and Haiti—Effectuated by exchange of notes signed at Port-au-Prince August 14 and 24, 1945; effective August 24, 1945. Executive Agreement Series 503. 3 pp. 5c.

2532. Cooperative Education: Agreement Between the United States of America and Panama—Effectuated by exchange of notes signed at Panamá November 13 and 14, 1944. Executive Agreement Series 504. 3 pp. 5c.

2535. Interchange of Patent Rights, Information, Inventions, Designs, or Processes: Agreement Between the United States of America and the United Kingdom of Great Britain and Northern Ireland Amending the Agreement of August 24, 1942—Signed at Washington March 27, 1946; effective January 1, 1942. Treaties and Other International Acts Series 1519. 10 pp. 5c.

2539. European Central Inland Transport Organization: Agreement and Protocols Between the United States of America and Other Powers—Signed at London September 27, 1945; effective September 27, 1945. Executive Agreement Series 494. 64 pp. 15c.

2542. Transition from League of Nations to United Nations. By Henry Reiff, Department of State. United States—United Nations Information Series 5. 48 pp. 10c.

2545. Preparatory Commission for the United Nations Educational, Scientific and Cultural Organization: Agree-

ment Between the United States of America and the Other United Nations—Signed at London November 16, 1945; effective November 16, 1945. Executive Agreement Series 506. 16 pp. 5c.

2546. Mutual Aid: Agreement Between the United States of America and the Union of South Africa—Effectuated by exchange of notes signed at Washington April 17, 1945; effective April 17, 1945. Treaties and Other International Acts Series 1511. 4 pp. 5c.

2547. Post-War Economic Settlements: Agreement Between the United States of America and the Union of South Africa—Effectuated by exchange of notes signed at Washington April 17, 1945; effective April 17, 1945. Treaties and Other International Acts Series 1512. 3 pp. 5c.

2548. European Coal Organization: Agreement Between the United States of America and Other Powers—Signed at London January 4, 1946; effective January 1, 1946. Treaties and Other International Acts Series 1508. 9 pp. 5c.

2550. The Problem of German Political Revival. Article by Leon W. Fuller, Department of State. European Series 9. 22 pp. 5c.

2551. American Trade Proposals: A Series of Articles Looking Toward a World Conference on Trade. Commercial Policy Series 88. 23 pp. Free.

2552. The Department of State Bulletin, vol. XIV, no. 363, June 16, 1946. 34 pp. 10c.²

2553. Diplomatic List, June 1946. 148 pp. Subscription, \$2 a year; single copy 20c.

2554. The Russell Plan for the Organization of Positive Intelligence Research in the Department of State. 5 pp. Free.

2555. Parcel Post: Agreement Between the United States of America and Guatemala—Signed at Guatemala October 25, 1945 and at Washington November 30, 1945; effective August 1, 1945. Executive Agreement Series 499. 22 pp. 10c.

2556. Economic Manual: A Guide for Reporting Officers in the Foreign Service of the United States of America (Preliminary Edition). 449 pp., charts. Not available.

2557. The Department of State Bulletin, vol. XIV, no. 364, June 23, 1946. 44 pp. 10c.

2558. The Philippines Prepares for Independence. By Edward W. Mill, Department of State. Far Eastern Series 10. 5 pp. Free.

¹ Serial numbers which do not appear in this list have appeared previously or will appear in subsequent lists.

² Subscription, \$3.50 a year; trial subscription for 13 weeks, \$1 (renewal only on yearly basis).

2559. Mutual Aid Settlement: Agreements Between the United States of America and the United Kingdom of Great Britain and Northern Ireland Together With Joint Statement dated December 6, 1945—Agreements signed at Washington March 27, 1946. Treaties and Other International Acts Series 1509. 48 pp. 15c.
2560. United States Atomic Energy Proposals. Statement of U.S. Policy on Control of Atomic Energy as Presented by Bernard M. Baruch, Esq., to the United Nations Atomic Energy Commission June 14, 1946. The United States and the United Nations Report Series No. 2. 12 pp. Free.
2561. The Department of State Bulletin, vol. XIV, no. 365, June 30, 1946. 38 pp. 10c.
2562. Provisional Administration of Venezia Giulia: Agreement Between the United States of America, the United Kingdom of Great Britain and Northern Ireland, and Yugoslavia—Signed at Belgrade June 9, 1945. 2 pp. and map. 5c.
2563. The Department of State Bulletin, vol. XV, no. 366, July 7, 1946. 43 pp. 10c.
2564. Former Proclaimed List Nationals and American Foreign Trade. By George N. Monsma, Department of State. Commercial Policy Series 89. 6 pp. Free.
2565. Air Services Agreement Between the United States of America and the United Kingdom of Great Britain and Northern Ireland and Final Act of the Civil Aviation Conference held at Bermuda January 15 to February 11, 1946—Agreement signed at Bermuda February 11, 1946; effective February 11, 1946. Treaties and Other International Acts Series 1507. 20 pp. 10c.
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The Foreign Service

Consular Offices

The American Consulate in Tsingtao, China, has been raised to the status of Consulate General effective August 31, 1946.

Nazi Conspiracy and Aggression: Volume IV

Volume IV of *Nazi Conspiracy and Aggression*, second to be published of a series of eight volumes containing English translations of all the documentary evidence collected by the American and British prosecuting staffs for the recent trials of the major Nazi war criminals now awaiting the verdict at Nürnberg, has been released for publication by the Office of the United States Chief of Counsel for Prosecution of Axis Criminality, the War Department announced.¹

Documents telling of the detailed plan which sent men across the Caucasian frontier to assassinate Joseph Stalin, and of other equally sensational but frustrated plans of the Axis hierarchy, are in this volume.

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The first two volumes, yet to be published, will offer explanatory material in essay form, giving the background for and explaining the documents which occur in the rest of the series. The documents will cover the methods used by the Nazi conspirators to gain control of Germany, their political purge, destruction of unions, persecution of minorities, their collaboration with other aggressor nations, slave labor and concentration camps, and the plans of aggression and destruction which launched the past war.

The series, when completed, will stand in history as an eternal indictment against the war criminals who brought immeasurable horror to the world and its innocent peoples, and will stay with us as an everlasting reminder that such criminal aggressors of the future must be put down before they can become strong enough to bring similar horror to the world and threaten the rights of free men.

¹Vol. III was released in August; see BULLETIN of Aug. 25, 1946, p. 379.

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