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**Foreign  
Relations  
of the  
United  
States**



**1946**

**Volume III**

**PARIS PEACE  
CONFERENCE:  
PROCEEDINGS**

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of the  
United States  
1946

Volume III

Paris Peace Conference:  
Proceedings



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## PREFACE

This volume covering the proceedings of the Paris Peace Conference was prepared under the direct supervision of S. Everett Gleason, Chief of the Foreign Relations Division.

The compiler of the volume was Neal H. Petersen who was assisted by William Slany.

A companion volume to the present account of the proceedings covers the documentation generated by the Paris Peace Conference and appears as Volume IV in the "Foreign Relations" series for 1946.

WILLIAM M. FRANKLIN  
*Director, Historical Office  
Bureau of Public Affairs*

JANUARY 2, 1970

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### PRINCIPLES FOR THE COMPILATION AND EDITING OF "FOREIGN RELATIONS"

The principles which guide the compilation and editing of *Foreign Relations* are stated in Department of State Regulation 2 FAM 1350 of June 15, 1961, a revision of the order approved on March 26, 1925, by Mr. Frank B. Kellogg, then Secretary of State. The text of the regulation, as further amended, is printed below:

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- c. To preserve the confidence reposed in the Department by individuals and by foreign governments.
- d. To avoid giving needless offense to other nationalities or individuals.
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# INTRODUCTION

## SCOPE OF COVERAGE

This compilation presents documentation on the Paris Conference of twenty-one nations, convened in accordance with the decision made by the Council of Foreign Ministers (CFM) at Moscow, December 16–26, 1945, to provide the other Allied nations with an opportunity to express their views on the draft peace treaties for Italy, Rumania, Bulgaria, Hungary, and Finland. (For documentation on the Moscow Conference of Foreign Ministers, see *Foreign Relations*, 1945, volume II, pages 560 ff.) The Paris Conference, which opened on July 29, 1946, was charged with considering and recommending changes in the draft treaties which had been prepared by the Council of Foreign Ministers during its sessions at London and Paris, January 18–July 12, 1946. (For documentation on these sessions, see *Foreign Relations*, 1946, volume II.) The Paris Peace Conference completed its work on October 15, adopting 53 recommendations by votes of at least two-thirds and 41 by majority votes of less than two-thirds. The Council of Foreign Ministers adopted 47 of the former recommendations and 24 of the latter in its final drafting of the treaties at New York, November 4–December 12, 1946. (Documentation on the New York session is also printed in *Foreign Relations*, 1946, volume II.)

The papers published in this compilation concern the entire European treaty-making process during the period of the Paris Peace Conference, that is to say, the proceedings of the Council of Foreign Ministers and their Deputies from July 29 to October 15, as well as those of the Peace Conference itself. Matters considered by Secretary of State James F. Byrnes and his advisers while they were in Paris which were not directly related to the Peace Conference, are not dealt with here, but in the appropriate *Foreign Relations* volume according to subject.

The initial meetings of the Conference in plenary session were devoted to opening remarks by the various delegates. The articles of the five treaties were then distributed for detailed consideration to eight commissions which reported to the Plenary Conference, either approving each individual article as drafted by the Council of Foreign Ministers or proposing that changes be recommended. The Conference completed its work by considering the commission reports in plenary

session and drafting recommendations which were submitted to the Council of Foreign Ministers. During the period of the Conference, the Deputies of the Council met eleven times attempting to expedite proceedings by achieving Great Power harmony on amendments and other issues before they were debated publicly by the Conference. The Council itself met on six occasions to discuss broad lines of Conference activity and to coordinate the Conference schedule with the over-all treaty-making process and with the schedule of the United Nations.

#### ORGANIZATION OF THE COMPILATION

Volumes III and IV of *Foreign Relations* for 1946 contain documentation on the Paris Peace Conference exclusively. The present volume is limited to proceedings—accounts of the meetings of the various bodies of the Conference, of the Council of Foreign Ministers and their Deputies, and memoranda of conversations. Volume IV includes the draft treaties submitted to the Conference by the Council of Foreign Ministers, amendments proposed by delegations, written observations by ex-enemy states, certain administrative and procedural documentation, United States diplomatic correspondence and memoranda, commission reports, reports on Trieste by a special CFM commission and by the Conference Subcommittee on Trieste, and the final Conference recommendations.

The present volume is organized chronologically in order most clearly to present the day-by-day development of the interacting activities of the peace-making process during the Conference. The largest component element is the greater part of the United States Delegation Journal. The Journal consists of daily summaries circulated within the Delegation of the proceedings of all Conference bodies except the Political and Territorial Commission for Finland, in which the United States did not participate, and the Secretariat. Journal accounts of meetings of the Legal and Drafting Commission and of subcommissions are not printed here since they add little to the commission and subcommission reports printed in volume IV.

The editors have included verbatim records of the plenary meetings in which representatives of the twenty-one nations and the ex-enemy states made opening statements and of the final meetings in which the Conference voted on the treaty texts recommended by the commissions. Verbatim records or United States Delegation minutes of other Conference proceedings have been printed only in cases where the Journal insufficiently describes significant statements or developments.

Other documentation in this volume includes summary minutes of the informal meetings of the Council of Foreign Ministers during the Conference, extracts from the minutes of certain meetings of the CFM

Deputies, and memoranda of conversations between United States officials and representatives of other nations. Although Secretary Byrnes often met with various subordinates during morning hours, no records of these meetings are known to exist. The United States Delegation neither held formal meetings nor, aside from the dispatch of segments of the Journal at irregular intervals, reported to Washington in a systematic way. Therein lies the explanation for the absence from this compilation of records of Delegation deliberations and comprehensive reports to the Department of State.

The Department of State files contain a considerable volume of correspondence—principally telegraphic—between the Department and the Delegation on specific issues before the Conference. Although certain messages of this type have been included in Section VII (United States Delegation Papers) of volume IV, most of these telegrams dealt with subjects of too detailed a nature to warrant inclusion in this compilation.

Section V of volume IV contains C.P. (Gen.) Doc. 1, which includes all amendments to the draft treaties proposed prior to August 21. Section V also contains a selection of amendments presented after that date. Often, reference to the text of an amendment is prerequisite to understanding the proceedings of the Conference body which was considering it: Therefore, if the record of the proceedings of a meeting does not provide the document number of an amendment under consideration, the editors have provided it in brackets immediately following first mention of the amendment in each record, to facilitate the location of the text in Section V of volume IV.

Most of the documents printed here, or copies thereof, are found in Lot M-88 of the Department of State files. This lot contains almost all previously published Conference documents as well as minutes of Commission meetings, press releases and administrative files of the United States Delegation, country files, working files of American officials, and telegrams exchanged between the Department and the Delegation. Most of the other previously unpublished material contained in this compilation is located under Department of State central file numbers 740.00119 Council and 740.0011 European War (Peace).

#### PREVIOUSLY PUBLISHED DOCUMENTATION

The Paris Peace Conference presented an unusual situation for the editors because the proceedings of the Conference were public and most of its documents were unclassified. In these circumstances, it proved necessary to use certain previously published material to document United States participation, especially since neither of the sources from which a substantial amount of material has been reprinted has had wide distribution. *Paris Peace Conference, 1946: Selected Docu-*



*ments* (Washington, D.C.: Government Printing Office, 1947, Department of State Publication 2868), compiled by Velma H. Cassidy, contains the following material which appears in the present compilation: the draft treaties, commission reports, Conference recommendations, observations on the draft treaties by ex-enemy states, certain reports on Trieste, and a few selections from the United States Delegation Journal. Various memoranda submitted to the Conference by interested nations constitute the only major category of documentation contained in *Paris Peace Conference*, 1946, which is not printed here.

An extensive selection of public Conference documents exists in *Collection of Documents of the Paris Conference* (Paris: Imprimerie Nationale, 1947). This official record in four volumes is the most complete compilation of Conference papers published to date. It contains the verbatim records of all plenary meetings, records of decisions in commission proceedings, the draft treaties, commission reports, proposed amendments, and Conference recommendations. The present compilation includes all the above except commission records of decisions and most of the plenary verbatim records. The *Collection* has had extremely limited distribution in the United States.

# LIST OF THE UNITED STATES DELEGATION <sup>1</sup>

## *Delegate:*

The Honorable James F. Byrnes, Secretary of State

## *Assistants to the Delegate:*

R. Borden Reams, Office of the Secretary of State, Department of State

Miss Cassie Connor, Office of the Secretary of State, Department of State

## *Members of the Delegation:*

The Honorable Jefferson Caffery, Ambassador Extraordinary and Plenipotentiary, Paris

The Honorable William L. Clayton, Assistant Secretary of State for Economic Affairs

The Honorable Benjamin V. Cohen, Counselor, Department of State

The Honorable James Clement Dunn, Assistant Secretary of State

The Honorable W. Averell Harriman, Ambassador Extraordinary and Plenipotentiary, London

The Honorable Edwin W. Pauley, United States Representative on the Allied Commission for Reparations

The Honorable Walter Bedell Smith, Ambassador Extraordinary and Plenipotentiary, Moscow

The Honorable Willard L. Thorp, Deputy to the Assistant Secretary for Economic Affairs, Department of State

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Cavendish W. Cannon, First Secretary, American Embassy, Lisbon

Walter N. Walmsley, Jr., First Secretary, American Embassy, Paris

Theodore C. Achilles, Counselor, American Embassy, Brussels

J. Wesley Jones, First Secretary, American Embassy, Rome

John E. Utter, Attaché, American Legation, Cairo

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<sup>1</sup> United States Delegation Administrative Paper USD(PC)(ADM)-4, July 29, 1946 (CFM Files).

*Naval Advisers:*

Vice Admiral Richard L. Conolly, U.S.N., Deputy Chief of Naval Operations for Administration, Navy Department  
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Paul A. Borel, Commander, U.S.N.R., Office, Assistant Chief of Naval Operations for Politico-Military Affairs, Navy Department  
George S. Scherbatoff, Lieutenant Commander, U.S.N.R., Office, Assistant Chief of Naval Operations for Administration, Navy Department  
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*Military Advisers:*

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Brigadier General John K. Gerhart, Headquarters, Army Air Forces, Washington, D.C.  
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Colonel William H. Baumer, United States Forces, European Theatre  
Colonel William J. Bohnaker, War Department  
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Jacques J. Reinstein, Associate Chief, Division of Financial Affairs, Department of State  
Raymond Goldsmith, Director, General Economics and Planning Division, Civilian Production Administration  
Covey T. Oliver, Associate Chief, Division of German and Austrian Economic Affairs, Department of State  
Richard Spencer, Office of Military Government, United States, Berlin  
Leonard Unger, Divisional Assistant, Division of Southern European Affairs, Department of State

*Assistant Economic Advisers:*

Robert D. Baum, Office of the Assistant Secretary for Economic Affairs, Department of State  
Francis Boardman, Division of Commercial Policy, Department of State  
William H. Bray, Division of Europe, Near East, Africa Intelligence, Department of State  
Miss Barbara F. Hauer, Economic Information Officer, Office of Economic Security Policy, Department of State  
James H. Lewis, Foreign Affairs Specialist, Central Secretariat, Department of State  
Robert W. Tufts, Division of Commercial Policy, Department of State

*Geographer:*

Otto E. Guthe, Chief, Division of Map Intelligence and Cartography, Department of State

*Executive Secretary:*

Donald B. Eddy, Division of International Conferences, Department of State

*Assistant Executive Secretary:*

Walter W. Sohl, Jr., Division of International Conferences, Department of State

*Secretaries of the Delegation:*

John C. Campbell, Division of Southern European Affairs, Department of State

Raymond A. Hare, First Secretary, American Embassy, London

Frederick T. Merrill, United States Mission, Budapest

*Secretaries of the Delegation Assigned to the International Secretariat:*

Cloyce K. Huston, Counselor, American Embassy, Oslo

Edward Page, Jr., First Secretary, American Embassy, Rome

Richard Sears, American Foreign Service Officer

*Assistant Secretary:*

Miss Frances E. Pringle, Division of International Conferences, Department of State

*Archivist:*

Mrs. Leona B. Herman, Administrative Assistant, Foreign Service Auxiliary

[The portion of this document which lists administrative, stenographic, and clerical staff has been omitted.]



## LIST OF PERSONS

EDITOR'S NOTE.—This list includes individuals mentioned in volumes III and IV, whose identification significantly enhances understanding of the documentation of the Paris Peace Conference. Individuals identified in the List of the United States Delegation, *supra*, are not included. For a list of conference commissions and committees indicating officers, member countries, and United States participants, see USD(PC) (Adm)-13 (Revised), September 20, 1946, volume IV, page 867.

- ACCIOLY, Hildebrando Pompeu Pinto, Member of the Brazilian Delegation; Director of the Instituto Rio Branco
- ACHESON, Dean G., Under Secretary of State
- AGHNIDES, Thanassis P., Member of the Greek Delegation; Greek Ambassador in the United Kingdom
- AJMONE-CAT, General Mario, Military Adviser, Italian Delegation; Chief of Staff of the Italian Air Force
- AKLILOU, See Wold
- ALEXANDER, Albert V., Member of the British Delegation; First Lord of the Admiralty
- ALPHAND, Hervé, Member of the French Delegation; Director General for Economic, Financial, and Technical Affairs, French Ministry of Foreign Affairs
- ARGYROPOULOS, Alexander, Alternate Member of the Greek Delegation; Chief of the Greek Economic Mission in the United States
- ARUTYUNYAN, Amazasp Avakimovich, Expert, Soviet Delegation; Deputy Chief, Economic Affairs Division, Soviet Ministry of Foreign Affairs
- ATTLEE, Clement R., Chief of the British Delegation; British Prime Minister and Minister of Defense
- AUER, Pál, Member of the Hungarian Delegation; Hungarian Minister in France
- AUSTIN, Senator Warren R., United States Representative-Designate at the Seat of the United Nations
- AVILA Camacho, Manuel, President of Mexico
- BADOGGIO, Marshal Pietro, Italian Prime Minister, 1943-1944
- BALOGH, István, Under Secretary of State to the Hungarian Prime Minister
- BARANOVSKY, Anatoly Maximovich, Member of the Ukrainian Delegation
- BARNES, Maynard B., United States Representative in Bulgaria
- BARTOS, Dr. Milan, Adviser, Yugoslav Delegation
- BEASLEY, John A., Member of the Australian Delegation; High Commissioner for Australia in London
- BEBLER, Ales, Member of the Yugoslav Delegation; Deputy Minister for Foreign Affairs in Yugoslavia
- BEDE, Istvan, Hungarian Minister in London
- BENEŠ, Edvard, President of Czechoslovakia
- BENNETT, John C. Sterndale, Member of the British Delegation; Officer, Foreign Office
- BERNSTEIN, Bernard, Chairman, Working Committee of Jewish Organizations at the Paris Peace Conference; Financial Adviser to the Supreme Commander, Allied Forces in Europe (Eisenhower), for Civil Affairs and Military Government, 1944-1945

- BETTIOI, Giuseppe, Member of the Committee for International Treaties of the Italian Constituent Assembly
- BEVIN, Ernest, Member of the British Delegation; British Secretary of State for Foreign Affairs
- BHORE, Sir Joseph William, Member of Indian Delegation; Prime Minister and President of the State Council of Ministers, Bhopal
- BIDAULT, Georges, Chief of the French Delegation; President of the French Provisional Government and Minister for Foreign Affairs
- BOASE, Major General A. J., Military Adviser, Australian Delegation
- BOGOMOLOV, Alexander Yefremovich, Member of the Soviet Delegation; Soviet Ambassador in France
- BONDAR, A. G., Member of the Byelorussian Delegation
- BONOMI, Ivanoe, Member of the Italian Delegation; former Premier and Foreign Minister of Italy
- BOETZELAER, VAN OOSTERHOUT. See van Boetzelaelar van Oosterhout.
- BORIS III, King of Bulgaria, 1918-1943
- BORSODY, Stephen, Counselor, Hungarian Legation in the United States
- BOUTROS, Ghali, Wacyf, Pasha, Chief of the Egyptian Delegation; former Foreign Minister of Egypt
- BRAITHWAITE, Group Captain F. J. St. G., Air Adviser, British Delegation
- BUSMANN, Eduard Star, Member of Netherlands Delegation; Minister of the Netherlands in France
- CAMACHO. See Avila Camacho.
- CAT. See Ajmone-Cat.
- CATROUX, General Georges, Member of the French Delegation; French Ambassador in the Soviet Union
- CATUDAL, Honoré Marcel, Adviser, Division of Commercial Policy, Department of State
- CHANG, Dr. Henry K., Alternate Member of the Chinese Delegation; Chinese Minister in Portugal
- CHIJOV. See Chizhov.
- CHIZHOV, A. A., Member of the Byelorussian Delegation
- CHMIGOV. See Shmygov.
- CHURCHILL, Winston S., British Prime Minister 1940-1945; Leader of the Opposition in the House of Commons
- CLAXTON, Brooke, Member of the Canadian Delegation; Canadian Minister of National Health and Welfare
- CLÉMENTIN, Lieutenant Colonel, Military Adviser, French Delegation
- CLEMENTIS, Vlado, Co-Chairman of the Czechoslovak Delegation; State Secretary, Czechoslovak Ministry of Foreign Affairs
- CONNALLY, Senator Tom, Member of the United States Delegation (arrived on August 23); United States Senator from Texas, Chairman of the Senate Foreign Relations Committee
- CORBINO, Epicarmo, Economic Adviser, Italian Delegation; Minister of the Treasury of Italy
- COSTE, Brutus J., Representative of the Rumanian Opposition Group
- COSTELLO, P., Adviser, New Zealand Delegation
- COUVE DE MURVILLE, Maurice, Member of the French Delegation; Director General for Political Affairs, French Ministry of Foreign Affairs; Deputy to French Foreign Minister at Council of Foreign Ministers, 1945-1946
- DEAK, Francis, United States Civil Air Attaché for the Balkans
- DE AYALA, Hector, Chief of the Cuban Delegation; Cuban Minister in France

- DE BEAUMARCHAIS, Jacques Delarue Caron, Member of the Secretariat of the French Delegation; Officer, French Ministry of Foreign Affairs
- DE CARBONNEL, Eric, Advisor, French Delegation; Deputy Director, Office of Economic and Financial Affairs, French Ministry of Foreign Affairs
- DE COURCEL, Geoffroy Chodron, Adviser, French Delegation; Deputy Director Office of European Affairs, French Ministry of Foreign Affairs
- DE GASPERI, Dr. Alcide, Member of the Italian Delegation; Premier and Foreign Minister of Italy
- DE GRUBEN, Baron Hervé, Member of the Belgian Delegation; Deputy Director for Political Affairs, Belgian Ministry of Foreign Affairs
- DE REGO BARROS, Sebastiao, Member of the Brazilian Delegation
- DIAMANTOPOULOS, Kimon, Alternate Member of the Greek Delegation; Greek Ambassador in the United States
- DIAZ. See Rosenzweig-Diaz.
- DI STEFANO, Mario, Counselor, Italian Embassy in the United States
- DOVE, Brigadier Arthur J. H., Military Adviser, British Delegation; Deputy Director of Military Operations, War Office
- DOWLING, Walter C., Assistant Chief of the Division of Southern European Affairs, Department of State
- DRAGOUMIS, Philippe L., Member of the Greek Delegation; Greek Under Secretary of State for Foreign Affairs
- DUPARC. See Fouques-Duparc.
- EDEN, Anthony, British Secretary of State for Foreign Affairs, 1940-1945
- EGELAND, Lief, Member of the South African Delegation; South African Minister to Belgium and Holland
- EINAUDI, Luigi, Governor of the Bank of Italy
- ENCKELL, Carl, Vice-Chairman of the Finnish Delegation; Foreign Minister of Finland
- EVATT, Herbert Vere, Chief of the Australian Delegation; Australian Minister for External Affairs and Attorney General
- FAHY, Charles, Legal Adviser of the Department of State
- FERNANDES, Raúl, Member of the Brazilian Delegation; Member of the Brazilian Constituent Assembly
- FISA, Dr. Peregrin, Alternate Member of the Czechoslovak Delegation
- FONTOURA. See Neves da Fontoura.
- FOO Ping-sheung, Member of the Chinese Delegation; Chinese Ambassador in the Soviet Union
- FOUQUES-DUPARC, Jacques, Secretary General of the Paris Peace Conference; Director, Secretariat for International Conferences, French Ministry of Foreign Affairs
- FORRESTAL, James, Secretary of the Navy
- FRANÇOIS, Jean Pierre Adrien, Member of the Netherlands Delegation; Legal Adviser, Ministry of Foreign Affairs of the Netherlands
- GAFENCU, Dr. Grigore, Leader of Rumanian opposition group; Rumanian Minister for Foreign Affairs, 1938-1940
- GARNIER, Jean-Paul, Assistant Secretary General of the Paris Peace Conference
- GEORGIEV, Kimon, Chief of the Bulgarian Delegation; Premier of Bulgaria
- GERASHCHENKO, Vladimir Sergeyevich, Adviser, Soviet Delegation; Chief, Economic Affairs Division, Soviet Ministry of Foreign Affairs
- GHALI. See Boutros.
- GLENVIL Hall. See Hall.



- GRANT, Senator Donald McLennan, Adviser, Australian Delegation; Labor Member of the Australian Senate for New South Wales
- GRAZIANI, Marshal Rodolpho, Commander of the Italian Army in Libya, 1940-1941
- GREGORY, Henry Stanley, Member of the British Delegation; Commissioner of His Majesty's Customs and Excise, 1938-1946
- GRONCHI, Giovanni, Minister of Industry and Commerce of Italy
- GROS, Prof. André, Adviser, French Delegation; Legal Adviser, French Ministry of Foreign Affairs
- GRUBER, Karl, Chief of the Austrian Delegation; Austrian Minister for Foreign Affairs
- GUSEV, Fedor Tarasovich, Member of the Soviet Delegation; Soviet Ambassador in the United Kingdom
- GYÖNGYÖSI, János, Chief of the Hungarian Delegation; Hungarian Minister for Foreign Affairs
- HAJDU, Vavro, Member of the Czechoslovak Delegation; Member of the Staff, Czechoslovak Ministry of Foreign Affairs
- HALL, William Glenvil, Member of the British Delegation; Member of Parliament; Financial Secretary to the Treasury
- HAMBRO, Carl Joachim, Member of the Norwegian Delegation; President of the Odelsting
- HAMILTON, Maxwell McGaughey, United States Minister in Finland
- HARRISON, Leland, United States Minister in Switzerland
- HAYA-UD-DIN, Colonel, Adviser, Indian Delegation
- HENDERSON, Loy, Director of the Office of Near Eastern and African Affairs, Department of State
- HICKERSON, John Dewey, Deputy Director of the Office of European Affairs, Department of State
- HODGSON, William Roy, Member of the Australian Delegation; Australian Minister in France
- HOOD, Viscount Samuel, Member of the British Delegation; Foreign Office
- HORTHY, Admiral Miklos, Regent of Hungary, 1920-1944
- HOXHA, Colonel-General Enver, Chief of the Albanian Delegation; Premier and Foreign Minister of Albania
- HULL, Cordell, Secretary of State, 1933-1944
- JACOBS, Joseph Earle, United States Representative in Albania
- JEBB, Hubert Miles Gladwyn, Member of the British Delegation; Deputy to British Foreign Secretary at Council of Foreign Ministers; Counselor, Foreign Office
- JORDAAN, Jan Ruiter, Adviser, South African Delegation; Officer, South African Department of External Affairs
- JORDON, William Joseph, Member of the New Zealand Delegation; High Commissioner of New Zealand in London
- KARDELJ, Edvard, Chief of the Yugoslav Delegation; Vice Premier of Yugoslavia
- KAROLYI, Count Michael, Unofficial Adviser, Hungarian Delegation; Prime Minister of Hungary 1918-1919; President of the Hungarian People's Republic 1918-1919
- KARPUNIN, Rear Admiral V. P., Military Adviser, Soviet Delegation
- KEY, David McKendree, Counselor, United States Embassy in Italy
- KING, William Lyon MacKenzie, Chief of the Canadian Delegation; Prime Minister of Canada; Foreign Minister until September 4, 1946

- KISELEV, Kuzma Venedictovich, Chief of the Byelorussian Delegation; People's Commissar for Foreign Affairs, Byelorussian Soviet Socialist Republic
- KOKTOMOV, Nikolay Petrovich, Adviser, Soviet Delegation; First Secretary, Soviet Embassy in the United Kingdom
- KOLAROV, Vasil Petrov, Member of the Bulgarian Delegation; President of the Bulgarian National Assembly
- KOO, Dr. V. K. Wellington, Chinese Ambassador in the United States
- KORBEL, Dr. Joseph, Alternate Member, Czechoslovak Delegation; Czechoslovak Ambassador in Yugoslavia
- KOSANOVIĆ, Sava, Member of the Yugoslav Delegation; Minister without Portfolio, Federal Peoples Republic of Yugoslavia and Ambassador to the United States and Mexico
- KULICHEV, George, Member of the Bulgarian Delegation; Foreign Minister of Bulgaria
- KUUSINEN, Hertta, Leader of the Communist group in the Finnish Parliament; daughter of O. V. Kuusinen; wife of Yrjoe Leino
- KUUSINEN, Otto Vilhelmovich, Chairman of the Presidium of the Supreme Soviet of the Karelo-Finnish Soviet Socialist Republic; Member of the Central Committee of the Communist Party of the Soviet Union
- LALOEY, Jean, Member of the Secretariat, French Delegation; Member of the Office of European Affairs, French Ministry of Foreign Affairs
- LEBEL, Claude, Adviser, French Delegation; Member of the Office of Technical Agreements, French Ministry of Foreign Affairs
- LEINO, Yrjoe, Member of the Finnish Delegation; Minister of Interior of Finland
- LEONTIC, Dr. Ljubo, Member of the Yugoslav Delegation; Yugoslav Ambassador in the United Kingdom
- LIE, Trygve, Secretary-General of the United Nations
- LINCOLN, Brigadier General George A., Chief Strategy and Policy Group, Operations Division, War Department General Staff
- LIANG, Lone, Alternate Member of the Chinese Delegation; Chinese Minister in Switzerland
- LIPPMANN, Walter, American syndicated columnist and commentator on public and international affairs
- LOFTUS, John A., Chief of the Petroleum Division, Office of International Trade Policy, Department of State
- LYCHOWSKI, Tadeusz, Adviser, Polish Delegation; Adviser, Polish Ministry of Foreign Trade
- LYSICKY, Karel, Member of the Czechoslovak Delegation
- MACARTHUR, General of the Army Douglas, Commanding General, United States Armed Forces in the Pacific; Supreme Commander, Allied Powers in Japan
- MACKAY, Captain R. G., Naval Adviser, British Delegation
- MACKENZIE King. See King.
- MACVEAGH, Lincoln, United States Ambassador in Greece
- MAI, Prof. S. K., Adviser, Soviet Delegation
- MAITLAND Wilson. See Wilson.
- MANOLA, Rear Admiral Srećko, Member of the Yugoslav Delegation; Chief of Staff, Naval Section of the Yugoslav General Staff
- MANUILSKY, Dmitro Zakharovich, Chief of the Ukrainian Delegation; Deputy Chairman of the Council of People's Commissars and Commissar for Foreign Affairs of the Ukrainian Soviet Socialist Republic
- MARJORIBANKS, James Alexander Milne, Political Adviser, British Delegation to the Council of Foreign Ministers

- MARSHALL, General of the Army George C., Special United States Envoy to China with rank of Ambassador; Chief of Staff, United States Army, 1939-1945
- MASARYK, Jan, Co-chairman of the Czechoslovak Delegation; Foreign Minister of the Czechoslovak Republic
- MASON, Henry Greathead Rex, Chief of the New Zealand Delegation; Minister of Justice, Minister of Education, Attorney General and Native Minister of New Zealand
- McALPINE, R. D. C., Member of the British Delegation
- McINTOSH, Alister Donald, Member of the New Zealand Delegation; Secretary for External Affairs of New Zealand
- McNEIL, Sir Hector, Member of the British Delegation; Parliamentary Under Secretary of State for Foreign Affairs
- MEDHEN, Blatta Ephrem Tewelde, Member of the Ethiopian Delegation; Ethiopian Minister in the United Kingdom
- MESSERSMITH, George S., United States Ambassador in Mexico
- MICHAEL (Mihai) I, King of Rumania
- MIKOLAJCZYK, Stanisław, Deputy Prime Minister and Minister of Agriculture and Land Reform in the Polish Provisional Government; Chairman of the Executive Committee of the Polish Peasant Party
- MOLOTOV, Vyacheslav Mikhailovich, Chief of the Soviet Delegation; Minister for Foreign Affairs of the Soviet Union
- MOSSOR, General Stephan, Military Adviser, Polish Delegation
- MOUTET, Marius, Member of the French Delegation; French Minister of Overseas Territories
- MURPHY, Robert D., United States Political Advisor for Germany with the rank of Ambassador
- MURVILLE. See Couve de Murville.
- MUSSOLINI, Benito, Italian Prime Minister, 1922-1943
- NAGY, Ferenc Francis, Prime Minister of Hungary
- NASZKOWSKI, Colonel Marian, Military Adviser, Polish Delegation
- NENNI, Pietro, Minister without Portfolio in the Italian Government; Chairman of the Italian Socialist Party
- NEVES da Fontoura, João, Chief of the Brazilian Delegation; Minister of Foreign Affairs of Brazil
- NORSTAD, Major General Lauris, Director of Plans and Operations, War Department General Staff
- NOSEK, Jindrich, Member of the Czechoslovak Delegation; Czechoslovak Ambassador in France
- NOVIKOV, Kiril Vasilyevich, Member of the Soviet Delegation; Chief, Second European Division (United Kingdom), Ministry of Foreign Affairs of the Soviet Union
- NOVIKOV, Nikolay Vasilyevich, Member of the Soviet Delegation; Soviet Ambassador in the United States
- OFFICER, Frank Keith, Adviser, Australian Delegation; Australian Minister in the Netherlands
- PARK, Brigadier R. S., Adviser, New Zealand Delegation
- PARMINTER, William George Willoughby, Member of the South African Delegation; South African Chargé d'Affaires in France
- PATTERSON, Robert P., Secretary of War
- PAYLOV, Vladimir Nikolayevich, Adviser, Soviet Delegation; Personal Assistant and Translator for Foreign Minister Molotov
- PEKKALA, Mauno, Chief of the Finnish Delegation; Prime Minister of Finland

- PÉTAİN, Henri Philippe, Chief of State of France (Vichy Regime), 1940-1945
- PETROVSKY, Prof. Nikolas Neonovich, Member of the Ukrainian Delegation; Consultant to the People's Commissariat of Foreign Affairs, Ukrainian Soviet Socialist Republic
- PIJADE, Mosa, Assistant Chief of the Yugoslav Delegation; Vice President of the Presidium of the National Assembly of Yugoslavia
- PIKA, General Heliodor, Member of the Czechoslovak Delegation; Deputy Chief of the Czechoslovak General Staff
- PING-SHEUNG. See Foo Ping-sheung.
- PIPINELIS, Panayotis N., Member of the Greek Delegation; Political Adviser to George II, King of the Hellenes
- POLITIS, Jean, Member of the Greek Delegation; Member of the Greek Parliament, former Minister of Foreign Affairs
- POSWICK, Prosper, Secretary-General of the Belgian Delegation
- PRUNAS, Renato, Secretary-General of the Italian Foreign Office
- QUARONI, Pietro, Adviser, Italian Delegation; Italian Ambassador in the Soviet Union
- QUO TAI-CHI, Member of the Chinese Delegation; Chinese Representative at the United Nations Security Council
- RADIUS, Walter A., Deputy Director, Office of Transport and Communication, Department of State
- RAHNEMA, Zein Al-Abedine, Member of the Iranian Delegation
- RAILEY, Howard Barclay, Civil Air Attaché in the United States Embassy in France
- RÁKOSI, Matyás, Vice Premier of Hungary; Secretary-General of the Hungarian Communist Party
- RASOVIĆ, Milos, Member of the Yugoslav Delegation; Chairman of the Presidium of the National Assembly of Montenegro
- REBUFFEL, Rear Admiral Gabriel Laurent Joseph, Naval Adviser, French Delegation
- RENDIS, Constantine, Member of the Greek Delegation; Member of the Greek Parliament, former Minister of Foreign Affairs
- REWINKEL, Milton C., Member of the United States Mission in Bulgaria
- RISTIĆ, Marko, Member of the Yugoslav Delegation; Yugoslav Ambassador in France
- ROSENZWEIG-DIAZ, Alphonse, Chief of the Mexican Delegation; Mexican Ambassador in France
- ROTOMSKIS, P. I., Member of the Soviet Delegation; Lithuanian Minister of Foreign Affairs
- ROUX, Henri-Paul Jérôme, Member of the French Delegation; Deputy Director of the Office of Eastern European Affairs, French Ministry of Foreign Affairs
- RUEFF, Prof. Jacques, Member of the French Delegation; Professor of Economics, Ecole des Sciences politiques, Paris; Economic Adviser to the French Government
- RUNGANADHAN, Sir Samuel Ebenezer, Chief of the Indian Delegation; Indian High Commissioner in the United Kingdom
- RZYMOWSKI, Wincenty, Chief of the Polish Delegation; Minister for Foreign Affairs of Poland
- SARAGAT, Giuseppe, Member of the Italian Delegation; President of the Italian Constituent Assembly
- SCHOENFELD, H. Frederick Arthur, United States Minister in Hungary

- SEBESTYÉN, Pál, Member of the Hungarian Delegation ; Deputy Foreign Minister of Hungary
- SEKANINOVA, Gertrude, Assistant Secretary of the Czechoslovak Delegation
- SEYDOUX, François Fornier de Clausonne, Secretary-General of the French Delegation
- SHIH-CHIEH. See Wang Shih-chieh.
- SHMYGOV, Frol Porfirjevich, Member of the Byelorussian Delegation
- SHTYLLA, Behar, Member of the Albanian Delegation ; Secretary-General of the Albanian Ministry of Foreign Affairs
- SILBER, Belu, Member of the Rumanian Delegation ; Director of the State Statistical Bureau of Rumania
- SIMIĆ, Stanoje, Assistant Chief of the Yugoslav Delegation ; Minister for Foreign Affairs of Yugoslavia
- SKRZESZEWSKI, Stanisław, Member of the Polish Delegation ; Polish Ambassador in France
- SLAVIK, Juraj, Member of the Czechoslovak Delegation ; Czechoslovak Ambassador in the United States
- SLAVIN, Lieutenant General Nikolay Vasilyevich, Military Adviser, Soviet Delegation
- SMUTS, Field Marshal Jan Christiaan, Chief of the South African Delegation ; Prime Minister and Minister of Defense of the Union of South Africa
- SOBOLOV, Arkadiy Aleksandrovich, Assistant Secretary-General of the United Nations ; former Secretary-General of the Foreign Commissariat of the Soviet Union
- SPAACK, Paul-Henri, Chief of the Belgian Delegation ; Premier and Minister of Foreign Affairs of Belgium
- SPIROPOULOS, Jean, Legal Adviser, Greek Delegation ; Rector of the University of Athens
- STALIN, Generalissimo Joseph Vissarionovich, Chairman of the Council of Ministers of the Soviet Union
- STANKOVIĆ, Sinisa, Member of the Yugoslav Delegation ; Chairman of the Presidency of the National Assembly of Serbia
- STAR Busmann. See Busmann.
- STEPHANOU, Jean, Adviser Greek Delegation ; officer in the Greek Ministry of Foreign Affairs
- STERDALE Bennett. See Bennett.
- STETSENKO, Alexander Georgiyevich, Adviser, Soviet Delegation to Council of Foreign Ministers Meetings of 1946 ; First Secretary, Soviet Embassy in the United Kingdom
- STIMSON, Henry L., Secretary of War, 1940-1945
- STIRLING, Alfred T., Adviser, Australian Delegation ; High Commissioner in Canada
- STONE, Rear Admiral Ellery W., Deputy President and Chief Commissioner of the Allied Commission for Italy
- SZALASY, Ferenc, Leader of Hungary, 1944-1945 ; hanged as a war criminal, March 1946
- SZEGEDY-MASZÁK, Aladár, Adviser, Hungarian Delegation ; Hungarian Minister in the United States
- TAEZAZ, Mikael Mebrahtu Lorenzo, Member of the Ethiopian Delegation ; Ethiopian Ambassador in the Soviet Union
- TARASENKO, Vassili Akimovich, Member of the Ukrainian Delegation
- TARCHIANI, Alberto, Adviser, Italian Delegation ; Italian Ambassador in the United States

- TATARESCU, Dr. Gheorghe, Member of the Rumanian Delegation; Vice-Premier and Foreign Minister of Rumania
- TCHIJOV. See Chizhov.
- TSALDARIS, Constantine, Chief of the Greek Delegation; Premier and Foreign Minister of Greece
- THERON, Major General Frank H., Member of the South African Delegation; South African Minister, Mediterranean Area (Italy, Greece, Egypt)
- THOMPSON, Llewellyn E., Jr., Chief of the Division of Eastern European Affairs, Department of State
- TAI. See Tsien Tai.
- TAI-chi. See Quo Tai-chi.
- THURSTON, Walter, United States Ambassador in Mexico
- TOGLIATTI, Dr. Palmiro, Secretary-General of the Italian Communist Party; Leader of the Communist Party Group in the Italian Parliament
- TOYNBEE, Arnold J., Director of Research, British Foreign Office, 1943-1946; Adviser, British Delegation to the Second Session of the Council of Foreign Ministers, 1946; historian
- TREZZANI, General Claudio, Military Adviser, Italian Delegation; Italian Chief of Staff
- TROYANOVSKI, Oleg Alexandrovich, Translator, Soviet Delegation Staff; Attaché, Soviet Embassy in the United Kingdom
- TSIEN, Tai, Dr., Member of the Chinese Delegation; Chinese Ambassador in France
- VALERY, François, Adviser, French Delegation; Auditor, Accounting Office, French Ministry of Foreign Affairs
- VAN BOETZELAER VAN OOSTERHOUT, Baron C. G. W. H., Chief of the Netherlands Delegation; Foreign Minister of the Netherlands
- VANDENBERG, Senator Arthur H., Member of the United States Delegation (arrived on August 23); United States Senator from Michigan, ranking Republican on the Senate Foreign Relations Committee
- VAN STARKENBORGH STACHOUWER, Jonkheer A. W. L. Tjarda, Assistant Chief of the Netherlands Delegation; Ambassador of the Netherlands in France
- VAN TROOSTENBURG DE BRUYN, A. F. H., Member of the Netherlands Delegation; Chief of the Division of Economic Affairs, Netherlands Ministry of Foreign Affairs
- VILLARD, Henry S., Deputy Director of the Office of Near Eastern and African Affairs, Department of State
- VLAHOV, Dmitar, Member of the Yugoslav Delegation; Vice President of the Presidium of the Yugoslav National Assembly
- VOINA, Alexei D., Member of the Ukrainian Delegation
- VOROSHILOV, Kliment Efremovich, Marshal of the Soviet Union, Chairman Allied Control Commission for Hungary
- VYSHINSKY, Andrey Yanuaryevich, Member of the Soviet Delegation; Deputy Minister for Foreign Affairs of the Soviet Union
- WADIA, Sir Navroji Jehangir, Adviser, Indian Delegation; Judge, High Court, Bombay
- WALDOCK, C. H. M., Adviser, British Delegation to the Second Session of the Council of Foreign Ministers, 1946; Officer, Foreign Office
- WALEY, Sir David, Member of the British Delegation; British Under Secretary of State for the Treasury
- WALKER, Dr. E. R., Adviser, Australian Delegation
- WALLACE, Henry A., Vice President of the United States, 1941-1945; Secretary of Commerce March 1, 1945-September 20, 1946

- WANG Shih-chieh, Dr., Chief of the Chinese Delegation; Minister for Foreign Affairs of China
- WARNER, Christopher Frederick Ashton, Member of the British Delegation; Assistant Under Secretary of State, Foreign Office
- WAVELL, Field Marshal Archibald Percival, Commander, British Forces in the Middle East, 1939-1941; Viceroy of India, 1943-1947
- WIERBLOWSKI, Stefan, Assistant Chief of the Polish Delegation
- WILGESS, Leolyn Dana, Deputy Member of the Canadian Delegation; Canadian Ambassador in the Soviet Union
- WILSON, Field Marshal Sir Henry Maitland, Head of British Joint Staff Mission in the United States; Supreme Allied Commander, Mediterranean Theatre, 1944-1945
- WINIEWICZ, Jozef Maria, Member of the Polish Delegation; Chargé d' Affaires, Polish Embassy in the United Kingdom
- WOLD, Ato Aklilou Abte, Head of the Ethiopian Delegation; Deputy Minister of Foreign Affairs of Ethiopia
- WOLD, Terje, Member of the Norwegian Delegation; Member of the Norwegian Supreme Court; Chairman of the Foreign Affairs Committee of the Storting
- WOLFROM, Jean, Adviser, French Delegation; Deputy Director, Office of European Affairs (Southern Europe), French Ministry of Foreign Affairs
- YACHOUMOV, V. N., Adviser, Byelorussian Delegation
- ZADEIKIS, Pavilas, Lithuanian Minister in the United States
- ZILBER. See Silber.

## LIST OF ABBREVIATIONS

EDITOR'S NOTE:—This list does not include standard abbreviations in common usage; unusual abbreviations of rare occurrence which are clarified at appropriate points; and those abbreviations and contractions which, although uncommon, are understandable from the context.

**ACC**, Allied Control Commission  
**AFL**, American Federation of Labor  
**AIF**, Australian Imperial Force  
**AMG**, Allied Military Government  
**BMA**, British Military Authority  
**CFM**, Council of Foreign Ministers  
**Delsec**, Indicator for telegrams from the United States Delegations to the Paris Peace Conference and the Council of Foreign Ministers, at times headed by the Secretary of State  
**Deptel**, Department's telegram  
**EAM**, *Ethnikon Apeleftherotikon Metopon*, the Communist-dominated Greek National Liberation Front  
**ECITO**, European Central Inland Transport Organization  
**ECOSOC**, Economic and Social Council of the United Nations  
**Embtel**, Embassy's telegram  
**EUR**, Office of European Affairs, Department of State  
**Eximbank**, Export-Import Bank of the United States  
**FAO**, Food and Agriculture Organization  
**FonMin**, Foreign Minister  
**FonOff**, Foreign Office  
**GA**, The General Assembly of the United Nations  
**GHQ**, General Headquarters  
**IARA**, Inter-Allied Reparation Agency  
**IRO**, International Refugee Organization  
**JCS**, Joint Chiefs of Staff  
**MFN**, Most favored nation

**MTB**, Motor Torpedo Boat  
**Mytel**, My telegram  
**Niact**, Communications indicator requiring attention by the recipient at any time of the day or night  
**OCD**, Indicator for telegrams from military advisers, United States Delegations to the Paris Peace Conference and the Council of Foreign Ministers, to the War Department  
**PICAO**, Provisional International Civil Aviation Organization  
**PolAd**, Political Adviser  
**SC**, Security Council of the United Nations  
**Secdel**, Indicator for telegrams to the United States Delegations to the Paris Peace Conference and the Council of Foreign Ministers, at times headed by the Secretary of State  
**SSR**, Soviet Socialist Republic  
**SWNCC**, State-War-Navy Coordinating Committee  
**SYG**, Secretary General  
**UN**, United Nations  
**UNESCO**, United Nations Educational Scientific, and Cultural Organization  
**UNO**, United Nations Organization  
**UNRRA**, United Nations Relief and Rehabilitation Administration  
**USDel**, United States Delegation  
**USFET**, United States Forces, European Theatre  
**WDCSA**, War Department Chief of Staff, United States Army  
**WDGPO**, War Department, Office of Plans and Operations





## KEY TO DOCUMENT SYMBOLS

### A. PARIS PEACE CONFERENCE DOCUMENT SYMBOLS

C.P. . . . .	Conférence de Paris
C.P. (B & F/EC) . . . . .	Economic Commission for the Balkans and Finland (Documents and Records of Decisions)
C.P. (Bul/P) . . . . .	Political and Territorial Commission for Bulgaria (Documents and Records of Decisions)
C.P. (CR) . . . . .	Commission on Procedure (Documents and Records of Decisions)
C.P. (F/P) . . . . .	Political and Territorial Commission for Finland (Documents and Records of Decisions)
C.P. (Gen) . . . . .	General Commission (Documents)
C.P. (H/P) . . . . .	Political and Territorial Commission for Hungary (Documents and Records of Decisions)
C.P. (IT/EC). . . . .	Economic Commission for Italy (Docu- ments and Records of Decisions)
C.P. (IT/EC) R . . . . .	Sub-Commission on Reparations (Docu- ments and Records of Decisions)
C.P. (IT/P) . . . . .	Political and Territorial Commission for Italy (Documents and Records of Decisions)
C.P. (IT/P) (S/T) . . . . .	Sub-Commission on the Statute of the Free Territory of Trieste (Documents and Records of Decisions)
C.P. (JR) . . . . .	Legal and Drafting Commission (Docu- ments and Records of Decisions)
C.P. (JR) RED . . . . .	Sub-Commission on Drafting (Docu- ments and Records of Decisions)
C.P. (Mil) . . . . .	Military Commission (Documents and Records of Decisions)
C.P. (Plen). . . . .	Plenary Sessions (Documents and Verba- tim Records of Plenary Meetings)
C.P. (Rou/P). . . . .	Political and Territorial Commission for Rumania (Documents and Records of Decisions)
C.P. (Sec) N.S. . . . .	Secretariat (Notes of Service)
P.C. . . . .	Paris Conference

## B. UNITED STATES DELEGATION DOCUMENT SYMBOLS

USD . . . . .	United States Delegation
USD (Adm) . . . . .	Documents on Administrative Matters
USD (OD) . . . . .	Orders of the Day
USD (PR) . . . . .	Press Releases
USDel EC Minutes	
C.P. (B & F/EC) . . . . .	U.S. Minutes of the Meetings of the Economic Commission for the Balkans and Finland
USDel (PC) (Bul/P) . . . . .	U.S. Minutes of the Meetings of the Political and Territorial Commission for Bulgaria
USDel (PC) (H/P) . . . . .	U.S. Minutes of the Meetings of the Political and Territorial Commission for Hungary
USDel EC Minutes C.P. (IT/EC) .	U.S. Minutes of the Meetings of the Economic Commission for Italy
USDel EC Minutes C.P. (IT/EC) R . . . . .	U.S. Minutes of the Meetings of the Sub- Commission on Reparations of the Economic Commission for Italy
USDel (PC) (IT/P) . . . . .	U.S. Minutes of the Meetings of the Political and Territorial Commission for Italy
USDel (PC) (IT/P) (S/T) . . . . .	U.S. Minutes of the Meetings of the Political and Territorial Commission for Italy: Sub-Commission on the Statute of the Free Territory of Trieste
USDel (PC) (JR) . . . . .	U.S. Minutes of the Meetings of the Legal and Drafting Commission
USDel (PC) (Journal) . . . . .	Summary of Proceedings at Plenary Sessions and Meetings of the Various Commissions
USDel (PC) (Mil) . . . . .	U.S. Minutes of the Meetings of the Military Commission
USDel (PC) (Proc) . . . . .	U.S. Minutes of the Meetings of the Com- mission on Procedure
USDel (PC) (Rou/P) . . . . .	U.S. Minutes of the Meetings of the Political and Territorial Commission for Rumania

## I. PRE-CONFERENCE PAPERS

740.0011 EW (PEACE) /7-1646

### *Memorandum of Conversation, by the Secretary of State*

TOP SECRET

[WASHINGTON,] July 16, 1946.

The Chinese Ambassador, Dr. Wellington Koo, called to see the Secretary for the first time since taking up his duties in Washington. The Secretary said he was glad to welcome Dr. Koo, especially since their past association has been so pleasant, and he looked forward to working with him.

The Ambassador said he was glad to be back here to represent his country and he expressed the hope that he could always count upon the Secretary's cooperation. He said he wished to congratulate the Secretary upon the progress at the Paris Conference. He said it must have been a trying time, but the Secretary's patience and firmness had been effective.

The Secretary said it had been difficult. He told the Ambassador he had talked several times with his colleague in Paris and he presumed Dr. Koo had been informed of some of the difficulties with regard to China. He explained regarding the sending out of the invitations that he had insisted that China should be included as one of the inviting powers since according to the Potsdam Agreement there were five members of the Council.<sup>1</sup> Molotov's argument was that the treaties should be considered only by countries signatory to the Armistice terms, and China could not invite other governments to consider treaties she had not had anything to do with drafting.

The Ambassador inquired what was the real reason for wanting China excluded.

The Secretary said he could never get the real reason, but he had suggested that if there were a difference in interpretation of the Potsdam Agreement they should issue invitations in the name of the Council of Foreign Ministers, as the French had proposed in April when it was assumed the Peace Conference would be held May 1. It was finally agreed, after a great deal of discussion, that the invitation should be issued in the name of the Council, which would not exclude

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<sup>1</sup> For text of the Protocol of the Proceedings of the Berlin Conference, August 1, 1945, see *Foreign Relations*, The Conference of Berlin (The Potsdam Conference), 1945, vol. II, p. 1478.

China. The decision reached in the Council on July 4 would not govern, however, if any question should come up about this matter in the future, because the decision for the Council to call the Peace Conference was reached in Moscow; the decision of July 4 merely changed the date.<sup>2</sup> He said he believed China's position at the Peace Conference should be that she was attending in accordance with the Moscow Agreement and as a member of the Council of Foreign Ministers, set up as a result of the Potsdam Agreement. He said he thought it would be very unwise for China to stay away from the Conference. One man should not be allowed to eliminate China from the Council. Furthermore, the Chairmanship of the Conference is to be France, as the host nation, first, then in alphabetical order for a period of three days. This gives China Chairmanship ahead of the USSR. The Secretary said he had told the Chinese Ambassador in Paris he thought Mr. Molotov would be very glad if China stayed away, but he thought China should not give up her interest in world affairs by so doing.

The Ambassador inquired what would be the procedure after the recommendations of the Conference have been referred back to the Council.

The Secretary said he did not believe the Conference could get a two-thirds majority to recommend changes in the controversial issues such as Trieste and the Italian colonies decided upon by the four governments, and these four governments would certainly have to stand by their decisions. On other matters the four governments could take whatever position they wished.

The Ambassador inquired if the Secretary got an opportunity to discuss reparations in Manchuria.

The Secretary replied that no Pacific matters were taken up either in or out of the Council. He told the Ambassador he did talk with Mr. Pauley<sup>3</sup> who gave him an album of pictures of Manchuria which he wished the Ambassador to see. (It was found the album was left in Paris.)

The Ambassador then said it was good that they had been able to reach agreement on the important questions.

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<sup>2</sup>The decision of the Council of Foreign Ministers with respect to eligibility for participation in the Peace Conference was contained in the Communiqué on the Moscow Conference of the Three Foreign Ministers, December 16-26, 1945; for text, see telegram 4284, December 27, 1945, from Moscow, *Foreign Relations*, 1945, vol. II, p. 815.

Regarding the decision of July 4, 1946, see the United States Delegation Record and Record of Decisions of the 34th Meeting of the Council, vol. II, pp. 771 and 769 respectively.

<sup>3</sup>For Mr. Pauley's statement of July 23, 1946, on his survey of the industry and natural resources in Manchuria, see Department of State *Bulletin*, August 4, 1946, p. 233. For documentation regarding the question of Japanese reparations, see volume VIII.

The Secretary remarked that it was about the only solution they could arrive at.

The Ambassador inquired when the Secretary would return to Paris and the Secretary told him July 27. The Ambassador said he hoped to be able to see him again before his departure, regarding the situation in China.

The Secretary said he had been keeping in touch with the situation through General Marshall and from what he knew of it, the situation is bad. He said he would try to see the Ambassador if there was something urgent.

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740.00119 Council/7-1946: Telegram

*The Assistant Secretary of State (Dunn) to the Secretary of State*

SECRET

PARIS, July 19, 1946—noon.

URGENT

[Received July 20—12:34 p. m.]

3554. From Dunn Delsec 727. Fourth meeting of Trieste Commission July 18<sup>4</sup> devoted mainly to hearing the views of Yugoslavia represented by Bebler, and Italy, represented by Giuseppe Bettiol. Bebler read a 19 page exposition of Yugoslav views. He devoted 14 pages to proving that Trieste should become integral part of Yugoslavia but ended by offering to make "a last effort to avoid a failure of the Peace Conference" through presenting Yugoslav proposal for an internationalized Trieste. Yugoslav proposal summarized in separate telegram.<sup>5</sup>

In response to a Soviet question Bebler proposed that the provisional government for the Free Territory be formed from the liberation committees and certain other political groups, naming all the Yugoslav and pro-Yugoslav organizations in Zone A. Italian view was

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<sup>4</sup> A special commission consisting of representatives of the U.S., U.K., U.S.S.R., and France to examine the entire subject of the Free Territory of Trieste and to make preliminary suggestions to the Peace Conference was established in accordance with the decision of the Council of Foreign Ministers on July 3, 1946 (see the Record of Decisions of this meeting, vol. II, p. 751). The Council's decision on this matter was set forth in paragraph 3 of article 16 of the Draft Peace Treaty with Italy, vol. IV, p. 9.

The first meeting of the Special Commission on the Statute of the Free Territory of Trieste was held on July 15, 1946. The meetings of July 16 and 17 were devoted to a discussion of a British draft paper setting forth the decisions already taken by the Council of Foreign Ministers relative to Trieste and listing the main points for investigation by the Commission. At the insistence of the United States delegation, it was agreed that the list of decisions already taken should include the Council's decisions of July 3, 1946, and the Council's decision of September 19, 1945, concerning an international regime assuring equal use of port and transit facilities (see the Record of the 12th Meeting of the Council of Foreign Ministers, September 19, 1945, item 1, *Foreign Relations*, 1945, vol. II, p. 254).

<sup>5</sup> Telegram 3575 (Delsec 731), July 19, from Paris, not printed.

that institutions created in Zone A under AMG provide satisfactory basis for transitional regime. This gave Bebler opening for violent attacks on Italian liberation movement in Venezia Giulia and on AMG administration. US Delegate,<sup>8</sup> as chairman, reminded Bebler that his remarks went far beyond the subjects within Commission's competence. Italians complained of lack of time for preparation and devoted effort to refuting Yugoslav claims. They stated that Yugoslav project did not offer real autonomy for Trieste, but only autonomy within Yugoslavia. They urged that Italy represent the Free Territory and that Trieste should be in customs and monetary unions with Italy. They asked for guarantees against "artificial modification of ethnic character" of Free Territory and for guarantees for freedom of transit to countries normally served by Trieste.

Bebler raised question of further discussion between the Commission and Yugoslav representatives, claiming that yesterday's hearing did not constitute a genuine consultation as provided in CFM decision of July 3. During later discussion of this question by Commission alone, Soviet Delegate,<sup>9</sup> who had criticized Italians during hearing for failure to present positive proposals, urged that Italians and Yugoslavs be given until Saturday as a deadline for further consultation and then be told that consultation was over. This proposal was rejected by the Commission and the question of any further hearings was left open to be decided by the Commission either on basis of new request by Italy or Yugoslavia or in light of its own requirement for further information.

At close of meeting Soviet Delegate circulated drafts (1) for statute of Free Territory and (2) for free port convention. Summaries follow.<sup>10</sup> Commission meets Saturday<sup>11</sup> at eleven.

[DUNN]

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<sup>8</sup> Philip E. Mosely.

<sup>9</sup> V. S. Gerashchenko.

<sup>10</sup> The Soviet proposals for the Draft Statute and the Draft Regulations for the Free Port were set forth in documents C.F.M. (46) 233 and C.F.M. (46) 234, July 18, 1946, neither printed. Summaries of these proposals were transmitted to the Department in telegrams 3574 (Delsec 730), and 3573 (Delsec 729), July 19, from Paris, neither printed. For text of the revised Soviet proposal for the Draft Statute for Trieste, see vol. IV, p. 592.

<sup>11</sup> July 27.

740.00119 Council/7-1946 : Telegram

*The Assistant Secretary of State (Dunn) to the Secretary of State*

SECRET

PARIS, July 19, 1946—1 p. m.  
[Received July 20—1:23 p. m.]

3556. Delsec 728 From Dunn for the Secretary.

1. The Deputies approved last night the five draft treaties.<sup>12</sup> They were sent out late in the evening to the missions in Paris of the member states of the Peace Conference.

2. In the Deputies meeting Gusev strongly objected to the inclusion in the Hungarian treaty of the explanation of our reservation to article 21 on reparation.<sup>13</sup> He maintained that it constituted an expression of a general political nature which went beyond a statement of the position of a delegation on an un-agreed upon article and that as such it should not be included in the draft peace treaty. He insisted that our position be limited merely to stating that we reserved the right to reopen the question of reparation at the Peace Conference. In an endeavor to reach agreement the British Deputy suggested that the entire US statement be included in the English text of the Hungarian treaty and that the Russian text be limited to a statement that

<sup>12</sup> For texts of the five draft peace treaties, see vol. iv, pp. 1-116. Meetings 100-106 of the Deputies of the Council of Foreign Ministers took place during the period July 13-July 29. The Deputies were charged with the final preparations for the Peace Conference including final drafting of the draft peace treaties drawn up by the Council. CFM File, Lot M-88, Box 2066 contains records of decisions and United States delegation minutes of the Deputies' meetings; other documentation is found in file 740.00119 Council.

<sup>13</sup> On June 21, 1946, the United States delegation submitted to the Council of Foreign Ministers a memorandum (C.F.M.(46)126) which contained a complete draft treaty of peace with Hungary. The reparations article was the same as had been originally proposed by the Soviet Union, but a reservation and an explanation thereof was appended. The reservation and explanation read as follows:

"The U.S. Delegation reserves the right to reopen this question at the Peace Conference.

At the time of the signature of the Armistice Agreement with Hungary the United States Government reserved the right to reopen the question of the execution of Article 12 of that Agreement (which deals with reparation) if, in the light of later circumstances, it should be found that American interests were being unwarrantably prejudiced.

The United States Government has been concerned regarding general economic conditions in Hungary, which have deteriorated steadily and which are approaching the point of the complete collapse of the economy of the country. When it appeared that this deterioration, to which the heavy burden of the armistice requirements has contributed, was such as to jeopardize even minimum living standards for the people and to render them unable to play a useful part in world recovery, the United States Government on March 2, 1946, proposed to the other signatories of the Crimea Declaration on Liberated Europe that the situation in Hungary be studied with a view to devising a program which would not only arrest the economic disintegration but also provide a framework within which the rehabilitation of that country would be possible. The United States Government regards the economic collapse of any country as affecting American interests. It continues to believe that a study such as it has proposed should be undertaken by a commission composed of representatives of the powers concerned." (CFM Files)



we reserved the right to reopen the question. Gusev replied that if we insisted on including the entire statement the Soviet delegation would insist that a statement of the Soviet point of view on Hungarian reparation be included which would make mention of Hungarian gold and other assets held by the Allies. We replied that we would welcome such a statement. Gusev thereupon accepted the British compromise. The Hungarian treaty in the English and French texts, therefore, contains the full statement of our position on reparation, whereas, the Russian text merely states that we reserve the right to reopen this question at the Peace Conference.<sup>14</sup>

3. In our discussion on the issuance of the draft treaties to the ex-enemy states the British representative stated that his Government did not believe it appropriate that such states should be informed at this stage of those sections of the treaties in disagreement and of the position of the various delegations thereon. His Government would not object to the agreed upon articles going out to the ex-enemy states in 2 or 3 days after the entire drafts had been communicated to the member states. We stated that we preferred that the entire drafts be sent out but that if no agreement could be reached we would agree to the issuance of only the agreed upon articles. Gusev stated that he had no instructions to send out only the agreed texts. The British and Soviet Deputies agreed to communicate with their Governments on this question and to seek instructions.

[DUNN]

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740.0011EW/7-1946: Telegram

*The Minister in Finland (Hamilton) to the Secretary of State*

SECRET

HELSINKI, July 19, 1946—2 p. m.

[Received July 19—6:48 p. m.]

501. For Dunn. When Paris Peace Conference convenes question of Finnish peace treaty may come up in such a way that US delegation will have opportunity or will wish to express, by whatever method may be considered suitable, its views. Although Finnish Govt had not when I saw FonMin Enckell on July 16 received any information on Peace Conference or on draft of Finnish peace treaty except that derived from press and radio, President Paasikivi has returned to Helsinki from summer residence to consider with Cabinet

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<sup>14</sup> At the next meeting of the Deputies (104th) on July 27, 1946, the Soviet representative changed his position on this matter and declared that the Soviet Union could not agree to the inclusion of the American reservation and explanation in any printed draft of the treaty to be submitted to the Peace Conference. After a long but inconclusive discussion, the Deputies agreed to circulate the draft treaties with Italy, Rumania, Bulgaria, and Finland, but to hold up the draft treaty with Hungary until agreement could be reached. (CFM Files)

composition Finnish delegation to Peace Conference and Finnish Govt will probably present its comments on draft treaty to Conference if given opportunity. In an open forum for discussion, US delegation may desire to express views. With this in mind, I offer following comment.

It is of course to interest of USA that Finland continue as an independent sovereign country and retain and develop the progressive democratic political economic and social system which has characterized it for number of decades.

At present Finland is bearing burdens consequent on losing the war.<sup>15</sup> That is inescapable. It has lost substantial portion of its territory. Problem of finding farms and homes for 400,000 Karelians, over 10 percent Finland's population, is tremendous. It has heavy reparations load. To this is added burden of turning over to Soviet Govt German assets in Finland valued at about 6½ billion marks. This figure includes 3,700,000,000 marks representing value war supplies furnished Finland by Germany. At some time Soviet Govt is likely to insist that Finland pay this sum, perhaps in goods and possibly at 1938 valuations. If payment were demanded today, I question whether Finnish economy could stand it. I therefore do not expect early demand. It is more likely to be held in reserve for presentation when Finns could net [*meet*] it though only at continued sacrifices.

There is not conclusive evidence that Finns cannot pay reparations. They have paid to date. But payment places a really heavy burden on country. Soviet extension of payments period to 8 years was in my judgment recognition that burden is heaviest that traffic will bear. I seriously doubt whether they can make payments without additional foreign credits needed principally to purchase essential materials abroad and to bring industry from its present 50-60 percent capacity to full capacity. Food and supply situation in Finland is not good but people are not starving. They want to regain high standard of living which they had in decade before war. If they can see sound prospect of achieving that goal within reasonable period their political economic and social institutions can probably remain healthy. Without such prospect or if additional economic burdens are imposed situation will become fruitful for operation of sinister forces and impairing of democratic ways of life in which US believes.

When Finnish Prime Minister visited Moscow in April he put before Stalin question of possible changes in Finland's borders and reduction of reparations by 100 million dollars. Stalin said frontiers as fixed in armistice were final but question of reducing reparations

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<sup>15</sup> The Finnish Armistice was signed at Moscow September 19, 1944; for text, see *British and Foreign State Papers*, vol. CXLV, p. 513.

while difficult could be considered. Soviet Govt also said it would consider giving Finland transit rights through Saima Canal, historic water outlet for important eastern industrial region, and through Porkkala section of Finland's principal railway to Abo, outlet to Sweden and west.

I believe it would be to USA interest to take sympathetic attitude toward any Finnish request presented to peace conference for reducing its economic burden. This might take form of reducing reparations amount or changing basis of valuation from 1938 to later year when prices were higher. The inclusion by Soviet Govts in German assets payable by Finland of any item such as 3,700,000,000 marks for German war materials constitutes in fact addition to reparations amount. As country which has extended substantial credits to Finland (35-million from Eximbank<sup>16</sup> plus refunding of old debt, 15 million for purchase US army surplus stocks and 5 million for purchase cotton) US has legitimate interest in Finnish capacity to repay and in increasing of Finnish obligations since US credits were extended by adding item such as book value of German war materials received by Finland. Finnish transit rights through Saima Canal and Porkkala District would probably be helpful, especially during next few years.

I believe it would be to our interest to evidence at Paris Conference for interest in Finnish affairs. We naturally wish to have preserved in Finland equality of commercial opportunity including air rights.

I realize that Finland is only one aspect of vast and complicated picture of treaty making and I offer foregoing for whatever it may be worth to those studying our relations with Finland in their connection with Paris Conference.

Repeated to Paris for Dunn as my 14.

HAMILTON

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740.00119 EW/7-2346 : Telegram

*The Ambassador in the Soviet Union (Smith) to the Secretary of State*

TOP SECRET

Moscow, July 23, 1946—5 p. m.  
[Received July 23—2: 15 p. m.]

2254. For the eyes only of the Secretary and Matthews. Quaroni, Italian Ambassador, talked to me at length yesterday regarding Italian treaty and its implications. His opinion is worth careful consideration, as I am sure it represents the views of an important section of the Foreign Office and a part of Italian Government.

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<sup>16</sup> For documentation on the Export-Import Bank loan to Finland, see vol. vi, pp. 242 ff.

His opinion is that Italian treaty will come as a shock to people of Italy who have been led up the garden path by Italian Government on strength of indefinite statements by Western Allies prior to and following Italian surrender. (See my 2236 of July 20) He believes Italian people are resigned to territorial losses and expect a period of enforced disarmament and outside supervision, but that unless some definite limit is set to length of time when Italy, as a result of the treaty, will be relegated to status as defenseless and subordinate nation, the hopeless prospect which this situation will present to Italian people may result in local or even general upheaval and possibly a strong trend to left. His opinion is that Italian Government will sign treaty, but that it may be rejected by the Italian Parliament.

It is to be expected that Italian statesmen and diplomats will raise the boggy of communism in an effort to get the best support they can from the Western Democracies. However, other indications lead me to believe that Quaroni statements are not without foundation. For example, a recent article in *Pravda* placed considerable emphasis on necessity and desirability of Italy's shortly returning to its place among the Great Powers, and Quaroni told me, after enjoining the strictest confidence, that Molotov had summoned him to the Kremlin, and had stated this to him officially as a policy of Soviet Government.

Thus, it would seem that having sustained a political defeat in recent Italian elections, Soviet Government is now preparing, as we anticipated, to take a softer line toward Italy, and, if possible, to shift to the shoulders of the Western Nations much of the blame for an unpalatable peace treaty which, in its proposed form, will be a severe blow to Italian national pride.

If this opinion checks with Department's estimates, it would seem to me that our delegation at the Peace Conference should propose a time limitation on the rather drastic restrictions on sovereignty and armaments which will be placed on Italy by the treaty; or at least to propose and support a revision clause which will permit re-examination of treaty after lapse of sufficient time, say 15-20 years, to permit Italian people to demonstrate their conversion to democratic principles. Thus we would afford to a super-proud and hypersensitive nation some hope of again taking the place in the family of nations which it considers its right by reason of its history, location and associations while, at the same time, taking the initiative from Soviet delegation which is very likely to follow the above line in order to conciliate the large mass of non-affiliated voters in Italy whose trend from left to right or back again depends more on their own sentiments than on any party policy or platform.

SMITH

CFM Files

*Memorandum by the Hungarian Minister (Szegedy-Maszak)*

1). The forthcoming peace treaties will establish the framework within which the people of Eastern Europe shall live after the ordeal of World War II and the uncertainties of the armistice period. It is obvious that the peace will involve hardships for a conquered nation like Hungary, but in the interest of the peace itself these hardships must not be greater than those of the war or of the armistice period. A peace worthy of the name must differ from war and from the armistice period, the latter having been a simple continuation of the war by political, economic and sometimes even by military means. Otherwise peace will be just another word for conquest, and for the sake of peace it would perhaps be better to admit this.

The worst hardship—if the peace treaties would simply legalize the iron curtain and thus further consolidate the partition of Europe—would not be for Hungary alone but for all of Eastern Europe. If isolated economically, spiritually and politically from the rest of the world, Eastern Europe, exhausted by the war, crushed by the tremendous burden of two occupations and the actual fighting on its soil in the period in between, would soon become completely integrated into the Eastern system. This could happen in spite of its traditions and interests, and in the case of Hungary, in spite of its freely expressed will.

The equality of small nations, solemnly assured by many documents and public statements, cannot be boiled down to a consolidation of the status of satellite, with only a change in the imposed overlord. The punishment for having been a satellite—and an involuntary one—must not be a continuation of the condition of being a satellite. This would destroy the faith in principles and would justify all that has been said of the supremacy of force.

Eastern Europe is a vital part of the Old World. Two wars were begun in this area, and at least partially provoked by conditions prevailing there. The control of Eastern Europe has always been a very important factor in the attempt to control the whole of Europe and, in the light of the experiences of two wars, even a prerequisite thereto. Unfortunately, this importance of the region itself has never enabled its inhabitants to decide their own fate, for they have been divided among themselves and have had to face overwhelming force, to which they could not but succumb.

Europe is one entity, and therefore cannot be cut into two parts. The fate of Western Europe is closely connected with that of Eastern Europe, and what is happening on and to the Danube or the Vistula is at least likely to happen also to the Rhine. The iron curtain can

therefore not be regarded as a definite boundary. A similar boundary was once drawn to include the "lebensraum", but the line of Munich, while somewhat better than the line of Godesberg, was not definite either. Although the interests of its inhabitants and the character of Eastern Europe predestine it to be a connecting link, rather than a bulwark of the West or the East, the countries of Eastern Europe have occupied an advanced position between the two.

2). The compromise reached after the long negotiations in Paris, and embodied in the draft treaties, does not indicate that there will be a substantial change in the present situation of Eastern Europe. The positions gained or lost during the past eighteen months remain as they are. It must be said in all frankness that this is not an especially happy development, because it appears to vest with finality a situation which has been regarded as a transition period, after which the pledges of the Atlantic Charter, the Charter of the United Nations and the spirit of the Yalta Agreement would be implemented, and the nations concerned could restore their public and economic life along the lines which they desired. It looks, however, as if what was once the "lebensraum" would be continued as a sphere of influence, with all that this implies.

Unfortunately, it cannot be expected that the people of this region should live and act as if there was one world, when they actually are living and acting in another, separate world. The dominant factors in this world are the presence and continuous intervention of large occupying forces, and the presence and continuous pressure of the communists or the communist-dominated groups. The two-fold pressure is coordinated and directed toward the same goal: to expand and intensify the over-all influence of the occupying power; to expand and intensify the power of the minority groups; to restrict and ultimately exclude all kinds of influence by the rest of the world.

The veto power in the international councils gives an idea of the methods which the occupying power and the communist party are using in the Eastern European countries that are governed by Allied Control Commissions and coalition Governments. But the positional advantage of the Russians dealing with an occupied country and of the communist party dealing with the majority parties is quite different from that held in the Security Council or at the Conference of Foreign Ministers. One must have had experience in bargaining under duress, against overwhelming force, to realize how difficult, humiliating and hopeless this situation may be. And one cannot blame the statesmen of these occupied countries if they are not more successful in advancing their aims than were the Western Powers in the respective Allied Control Commissions or in their protests

against the Russian definition of German assets, under the Potsdam Agreement.

What has happened recently in Hungary is typical. The Prime Minister was able to resist the demands of the communist-dominated left wing parties, but when the Russians presented the same demands, he had to yield. In view of the experiences of the past eighteen months, Mr. Nagy had to arrive at the conclusion that the USSR is the dominant power in Eastern Europe, and on the eve of the peace treaties he could not take the risk of an open conflict with the USSR. He might have acted somewhat differently, but the main fact remains: he had to take into account the possibility of the two worlds, as they are now taking shape in the peace treaties.

The developments in the Polish situation are also very instructive. It was openly admitted that Mr. Mikolajczyk must not win the election, because Russia would not tolerate it. In Hungary, Mr. Nagy won the first free elections in the Russian zone. If it is more or less openly admitted by the Great Powers that nothing decisive can be done against Russian domination in Eastern Europe, how can the elected majorities and the Governments within the Russian zone itself accomplish anything about it?

3). The United States has thus far done the most to prevent the definite partition of Europe. The words and deeds of the Government of the United States have been a substantial contribution toward maintaining at least the hope of an eventual settlement on the basis of one world. In the case of Hungary, the granting of UNRRA relief and of a \$15 million surplus property loan, the release of Hungarian displaced property—these three most important factors in the economic rehabilitation of the country—are evidence of the sympathetic and understanding attitude of the United States.

Unfortunately, the draft of the peace treaty in its present form is not likely to provide effective safeguards against a complete integration into the Russian world. There still exist some possibilities of preventing the iron curtain from becoming total and exclusive,—of preventing the peace treaties from becoming a “Charter For The Iron Curtain”, as it was put in a weekly magazine. A few points were left open by the compromise in Paris and are to be settled by or after the 21-nations conference. If there is a proper settlement, i.e., if the views of the United States Government prevail in these matters, and the principles laid down eventually are implemented, Eastern Europe and Hungary will be able to find the road back to the community of free peoples.

The issues are as follows:

I. *Freedom of Navigation on the Danube.*

In this respect it should be pointed out that a simple statement of the principle itself or a mere recommendation to this effect will not

assure the actual freedom of this vital waterway, the gap between principles and their implementation being rather wide in Eastern Europe. In disposing of the question, it should be definitely stated how the principles are to be given effect, and a definite obligation should be imposed on the riparian states. It would seem to be desirable to take into consideration the 50-50 per cent navigation agreements between Russia on the one hand and Roumania and Hungary on the other, since these establish exclusive monopolies for port and other facilities. Incidentally, it must be observed that the Hungarian-Russian treaty of navigation is decisively affected by the definition of German assets under the Potsdam Agreement, inasmuch as the main Russian contribution to the joint enterprise is the coal mines and other properties of the Austrian Donau Dampfschiffahrtsgesellschaft which existed long before 1938.

#### II. *Freedom of Trade in the Danubian Countries.*

Under normal conditions, trade in this region was far more west-bound than eastbound. A shift to the east is possible, of course, and may even be desirable, but only on a commercial basis. The standard of living of these war and inflation-ridden populations can hardly be raised unless they are permitted to profit by their trade, that is to exchange their goods for commodities which they need or for a free currency with which to buy these commodities elsewhere. To its own disadvantage, Hungary has not been permitted thus far to grant landing rights to commercial air lines, other than those Russian-controlled. Equal opportunities for all nations should be provided for in the peace treaties.

#### III. *Reparations.*

The Hungarian economy is gravely suffering under the reparations as fixed in the armistice agreement and subsequent bilateral instruments. Reparations are indeed regarded as the paramount reason for Hungary's economic plight, as expressed in the unprecedented inflation. It is therefore questionable whether improvement can be achieved without a preliminary revision of the reparations obligations. The Government of the United States has long since recognized the necessity of a tripartite inquiry into the Hungarian economic situation, and Secretary Byrnes has reserved the right to discuss the total amount of the reparations. It is highly desirable, therefore, that reparations should be fixed in accordance with Hungary's productive capacity, and should not be used to exert both political and economic pressure.

#### IV. *Occupation.*

The occupying army in Hungary has been reduced during the last six months, but its presence still constitutes a heavy economic and political burden. Pending the evacuation of Austria, it would be possible to secure the lines of communication with an even more reduced army.

#### V. *Minorities in Czechoslovakia.*

It is understood that Mr. Molotov intends to raise the question of the forced transfer of Hungarians, as planned by Czechoslovakia. Czechoslovakia is a victorious state, one of the United Nations, but even this fortunate circumstance should not permit that country to expel hundreds of thousands of Hungarians, who have already been deprived of all of their human political rights. The United States



is opposed to harsh and vindictive treaties. But can there be anything more vindictive and more harsh than artificially to create hundreds of thousands of individual underdogs, and throw them into an already overcrowded and poor country? Neither should the unwritten most unfavored nations clause, prevailing in Eastern Europe, be forgotten. If the Hungarians in Czechoslovakia are to be expelled, the expulsion of Hungarians in Yugoslavia or Roumania may follow very soon. Safeguards of the elementary human rights, including the right to domicile and property, must be included in the peace treaties if unavoidable hardships are to be reduced to a minimum. Territory and the people who live on it belong together. If Czechoslovakia desires to keep the territory in question, it must also keep the inhabitants. But if Czechoslovakia wishes to get rid of the Hungarians at any cost, the territory necessary to their living should also be given up.

VI. *Rectification of the Hungarian Roumanian Border.* In spite of the extremely mixed character of the population of this area, a fair possibility exists of returning to Hungary a substantial number of Hungarians without including an equal number of aliens. The psychological effect of such a measure would be tremendous on the Hungarians, who again see themselves as the only underdog in Eastern Europe.

4). According to official statements, the Hungarian Delegation will be granted the right to state its case freely at the 21-nations conference. Unfortunately, however, this is not only a question of rules of procedure. In consequence of the conditions referred to above, the Hungarian Government is not a free agent. Its activities and decisions are limited beyond the terms of the armistice agreement, either by the direct intervention of the occupying power or by the steady and aggressive pressure of its Hungarian agents.

It is therefore doubtful whether the Hungarian Delegation in Paris will be permitted to state its own views and its own aims on fundamental issues which directly affect the basic policies of the occupying power. It may be recalled in this respect that the Hungarian Government delegation on its recent visit to Washington did not raise questions which were known to be controversial between the Great Powers. The interests of Hungary and those of Eastern Europe are identical with the principles and aims of the American Government. An open stand in favor of these principles, however, would be considered by Russia as an unfriendly, if not a hostile act, and Russia not only is on the spot but will probably stay there. Hungary is thwarted in her efforts to pierce the iron curtain, and Russia is in a position to make Hungary pay for such attempts, just as Russia has already collected a rather high price for the results of the free and unfettered elections.

The only remaining hope for Eastern Europe and Hungary is centered in the United States. The last opportunity to realize this

hope will be at the conference in Paris. But the representatives of the peoples directly involved will not be able to speak freely, since they must live in that other world, and their people must try to survive, even though the iron curtain should be finally closed down.

The issues could be settled according to the principles of American policy and in the genuine interest of Eastern Europe by the 21-nations conference, under the strong leadership of the United States. The firm voice and the firm attitude of America, backed by a majority of the twenty-one nations, can achieve a great act of liberation. Eastern Europe cannot achieve this by its own power, but will surely respond to such an act even if, as a consequence of the dire realities of power politics, it should be reduced to a farewell message to the small nations submerging into that other world.

WASHINGTON, July 23, 1946.

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CFM Files

*Memorandum by the Assistant Chief of the Division of Southern European Affairs (Dowling)*<sup>17</sup>

[WASHINGTON,] July 24, 1946.

I hope the suggestion contained in General Smith's telegram of a revision clause in the Italian treaty will be given the fullest consideration. While its practical value may be questioned, as any one power could presumably hold up a revision indefinitely, there can be no doubt that inclusion of the clause would make the treaty more palatable to the Italians. Even more encouraging to them would be the knowledge that it was being included at the initiative of the United States.

A recent military intelligence report quotes the Italian Communist leader, Togliatti, as saying that it will be almost impossible to eradicate the pro-American bias of the Italians. I believe he is right, and that the Italian Communists will have as little success in this direction as did the fascist regime. The present "anti-American" feeling among Italians is essentially a proof of their strong pro-American sentiments; it is not that the Italians blame us for what they consider unduly harsh peace terms, but that they are disappointed and perhaps a little angry at what they look upon as indifference to Italy on the part of the United States, whose friendship they most desire and in fact felt they had achieved. If we are willing to admit with them that perhaps the terms are a little harsh, even though they are the best they can expect under the circumstances, and will continue to give them evidence from time to time of our active interest in their future, then we need not worry about any "anti-American" feeling in Italy.

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<sup>17</sup> Addressed to Messrs. Hickerson and Cohen. Hickerson made the following marginal notation: "I know the difficulties, but I hope that serious consideration can be given to this."

On the other hand, if the Communists ever succeed in their present efforts to convince the Italians that the United States is indifferent to their fate, (and that anyway the USSR has the dominant voice in Europe) then it will be difficult if not impossible for them to oppose a gravitation to the Soviet orbit.

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740.0011 EW(PEACE)/7-2346

*The Department of State to the Egyptian Legation*

MEMORANDUM

The Department of State refers to various written and oral communications from the Egyptian Legation regarding the desire of the Egyptian Government to participate in the Peace Conference should the disposition of the former Italian Colonies be on the agenda.<sup>18</sup>

The Legation is informed that it is not planned to discuss the disposition of the Italian Colonies at the approaching Peace Conference. It has been agreed, however, that the Council of Foreign Ministers of the Governments of the United States, the United Kingdom, the U.S.S.R. and France will, within one year from the coming into force of the peace treaty with Italy, jointly determine the final disposition of Italy's territorial possessions in Africa, after they receive the recommendations of a special commission which will study the situation, taking into account the views of the inhabitants or of other interested governments.

It is suggested that the Egyptian Government may wish to make known to the Deputies of the Foreign Ministers its desire to submit its views to the Commission when it is set up, and later, if it so desires, to the Council of Foreign Ministers.

In general, this Government will be glad to support Egypt's desire to be heard at the appropriate time.

WASHINGTON, July 25, 1946.

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CFM Files : Telegram

*The Chargé in Italy (Key) to the Assistant Secretary of State  
(Dunn), at Paris*<sup>19</sup>

SECRET

ROME, July 25, 1946—12 p. m.

US URGENT

[Received July 29.]

467. For Dunn. Foreign Minister<sup>20</sup> states in note giving creditable source that it has been informed an agreement has been signed

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<sup>18</sup> See, for example, the note of June 18, 1946, from the Egyptian Minister to the Acting Secretary of State, vol. II, p. 536.

<sup>19</sup> Repeated to the Department as No. 3313.

<sup>20</sup> Alcide De Gasperi.

at Tirana between Albanian Government and Soviet Minister by which former will cede Island of Saseno to Russia.<sup>21</sup> Minister also states that it appears draft Peace Treaty for Italy (of which Italy has not been informed officially) contains clause contemplating Italy's renouncing possession of Saseno. Minister accordingly asks if Allied governments realize strategic implications for security and equilibrium of Adriatic that would arise from allowing any great power to place Italy at its complete mercy by controlling Adriatic through possession of Saseno.

Note points out that this particular question underlines again necessity of having problem of Italy's eastern frontier considered as a whole which would involve its Adriatic aspects.

Text follows.<sup>22</sup>

KEY

CFM Files

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*The Italian Ambassador (Tarchiani) to the Counselor of the  
Department of State (Cohen)*

[WASHINGTON,] July 25, 1946.

MY DEAR MR. COHEN: Following my previous communications on the subject of the problem of the Italian colonies, I wish to draw your kind attention to the following considerations which are prompted by the examination of the draft treaty article and the accompanying joint declaration regarding the subject.

You already know the stand taken by my country on the question; my Government has made it clearly known to the Conference of Foreign Ministers and separately to the four delegations. Premier De Gasperi has also made known repeatedly and publicly such Italian stand, which represents the unanimous feelings both of the Italian people and nation.

It is needless therefore that I dwell further on the subject, but I wish to invite your attention to certain aspects of the proposed draft, both from the formal and substantial point of view:

1. The proposed article expresses outright, without leaving any hope whatsoever, the exclusion of Italy from her African territory in so far as it concerns rights and titles as well as established interests and future prospects.

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<sup>21</sup> Colonel Bonesteel prepared a memorandum for Matthews, dated July 31, 1946, on the Saseno question. He cited Joint Chiefs of Staff documents which opposed "the legalized expansion of Russian control into the Mediterranean" as "inimical to the security interests of the United States." He suggested that the demilitarization of Saseno be proposed in an effort to reduce Russian interest in the island (CFM Files).

<sup>22</sup> Not printed.

2. Italy is entirely excluded from the provisional administration contemplated for one year, and from the commissions of inquiry.

3. The large Italian communities permanently settled in those territories, not only do not receive any protection, but are not even mentioned in the clause.

4. No guarantee or even hope is given to Italy as far as the final disposition of those territories is concerned, more so that the joint declaration provides that the matter shall be referred to the General Assembly of the United Nations only if the Four have not been able to agree within a year.

These are the four gravest points of the solution drafted in Paris which wound especially the Italian public opinion and which place the Government in a very serious situation.

The Italian Government has clearly and frankly expressed its stand on the question, as well as the motives which prompt it. And it places its hopes and its trust in the American delegation in order that in the forthcoming Paris Conference the United States back the removal of those provisions in the said draft of articles which are particularly unacceptable. In this connection, it must be duly borne in mind that for what concerns the African territory Italy has repeatedly stated to submit herself to the principles of the U.N.

Believe me [etc.]

ALBERTO TARCHIANI

740.00119 EW/7-2546 : Airgram

*The Chargé in Italy (Key) to the Secretary of State*

ROME, July 25, 1946.

[Received, July 31—10:39 a. m.]

A-772. In note from Italian Foreign Minister it is urgently requested that following communication (in translation) be transmitted to Department and to United States delegation at Paris:

"The Italian Government and people have learned with profound regret and with profound bitterness that the Council of the Four Foreign Ministers has decided to accept integrally all the claims presented by the French Government regarding our Western frontier.

"The Italian Government points out that it has had the opportunity to express before the Four Foreign Ministers its point of view in a limited manner only regarding the claims on Tenda and Briga on which the Commission of Allied experts sent to the region has pronounced itself in a manner that seems to have been disregarded by the Conference.

"The Italian Government had already previously and explicitly declared that the examination of the question of French claims, among which certain ones (Montcenis Valley) are of extreme importance and significance, should have been permitted to it in a general and organic manner and not piecemeal. The Italian Government has furthermore sought to demonstrate its understanding and good will by indicating

the sacrifices that it was voluntarily ready to make of territories that have belonged for centuries to the Italian family.

"The Italian Government is before its people duty-bound to declare that it considers questions relative to the Italian Western frontier still open; it reaffirms its conciliatory attitude in this regard together with its deep desire to reach a serious, honest, loyal agreement with France. It reserves the right to present on these bases before those committees that will be provided the terms of the solution which is the only one that can assure the free, orderly, progressive development of Italian and European democracy."

KEY

740.00119 Council/7-2646 : Telegram

*The Assistant Secretary of State (Dunn) to the Secretary of State*

SECRET

PARIS, July 26, 1946—1 a. m.

URGENT

[Received July 26—4: 50 p. m.]

3653. Delsec 740 from Dunn. Commission on Statute for Trieste-Free Territory met twice each day July 20, 22, 23 and 24. On July 20, Commission agreed to give Yugoslav delegation copy of Italian remarks of July 18 and to give Italian delegation copy of Bebler's statement of same date.<sup>23</sup> July 24 Italian delegation circulated proposals concerning (1) statute of free territory, (2) economic proposals relating to free territory, and (3) problem of electrical supply in connection with new Yugoslav-Italian frontier. Italian proposals summarized in separate telegram.<sup>24</sup>

Commission has before it Soviet, UK and US draft statutes for free territory. Soviet draft (CFM(46)233, July 18) summarized in Delsec 730, No. 3574 from Paris, July 19.<sup>25</sup> UK draft (CFM(46)235, July 19)<sup>26</sup> concentrates very wide powers in hands of Governor, giving him veto over all legislation and power to appoint one-half of Council of Government, also wide initiative with respect to legislation, particularly concerning citizenship and legal system.

US draft (CFM(46)240, July 23) incorporates very helpful comments transmitted in Department's 3528, July 19.<sup>27</sup> It omits pro-

<sup>23</sup> Regarding the statements made to the Commission on July 18 by the Italian and Yugoslav representatives, see telegram 3554 (Delsec 727), July 19, from Paris, p. 3.

<sup>24</sup> The Italian proposals under reference were reported upon and summarized in telegrams 3651 (Delsec 742) and 3652 (Delsec 741), July 26, from Paris, neither printed.

<sup>25</sup> Neither the Soviet proposal nor the telegram under reference is printed; for text of the Soviet proposals for a draft permanent statute as subsequently included in the Report of the Commission of August 9, 1946, see vol. iv, p. 593.

<sup>26</sup> The British draft under reference is not printed; for the text of the British proposals as subsequently included in the Report of the Commission, see *ibid.*, p. 599.

<sup>27</sup> Neither the United States draft nor the telegram under reference is printed; for text of the United States proposals as subsequently included in the Report of the Commission, see *ibid.*, p. 608.

visions relating to transitional or preparatory period for reasons given below. Sub-commission on Port Regime has been working separately, studying Soviet draft proposals (CFM(46)234, July 18); French draft (CFM(46)238, July 20); revised US draft, and UK draft.<sup>28</sup> Separate telegram follows concerning free port discussions.<sup>29</sup>

During discussions July 20-24, Commission has reviewed in detail Soviet and UK draft statutes, and begins discussion US draft July 25. Discussion shows Soviet delegation wishes to keep powers of Governor to a minimum and to place maximum power in local assembly. However Soviet delegate has referred to need of revising his draft and now admits need for wider powers for governor in order to enable him to meet his responsibilities to Security Council.

After reviewing US draft today, Commission will discuss whether it should now proceed to negotiate a single agreed draft statute for submission to the Conference.<sup>30</sup> US delegate will urge that this attempt be made, but is prepared submit a separate draft to Conference rather than sacrifice any essential element in the US draft statute. Soviet delegate shows keen interest in arrangements for transitional period which are key to stability and future character of free territory. US delegate will urge that Commission should first make every effort to work out a satisfactory permanent statute since planning for transitional period is dependent on the nature of the permanent arrangements to be set up. Soviet delegate has not set forth any concrete views regarding transitional period or means by which Security Council will give effect to its guarantee of free territory independence. In course of study of transitional arrangements, Colonel Bonesteel and Colonel Stilwell left today for visit Trieste area. Joseph M. Greene, Jr., recently PolAd Trieste, is working here on estimate of requirements for transitional or preparatory period.

[DUNN]

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<sup>28</sup> None printed; the United States draft proposal was set forth in document C.F.M. (46) 236, July 20, 1946.

On July 16, 1946, a special sub-commission of the Commission on the Statute of the Free Territory of Trieste began consideration of a regime for the Free Port of Trieste. On the basis of a report presented by this special sub-commission, the full Commission prepared a draft instrument for the Free Port of Trieste which was transmitted to the Peace Conference in document C.F.M. (46) 254, August 20, 1946, not printed.

<sup>29</sup> A subsequent telegram reporting on the free port discussions not found in Department files; presumably not sent.

<sup>30</sup> In the course of its later discussions, the Commission was unable to prepare a single agreed draft statute. In view of the differences that arose on a number of points, the Commission found it appropriate to submit to the Peace Conference four separate drafts of the permanent Statute of the Free Territory. For text of the Commission's Report to the Peace Conference, C.F.M. (46) 253, August 9, 1946, circulated at the Peace Conference as C.P. (IT/P) Doc. 40, September 13, see vol. iv, p. 592.

740.00119 EW/7-2646

*The Italian Ambassador (Tarchiani) to the Secretary of State*

WASHINGTON, July 26, 1946.

MY DEAR MR. SECRETARY, I take the liberty of addressing to you this letter bearing in mind the concern you expressed to me in our last talk about the reparations claims which Greece will advance against my Country in the forthcoming General Conference of Peace.

The Italian Government has deeply appreciated the strong effort made by you and by the American Government since Potsdam in order to affirm the principle that Italy owes no reparation whatever to any nation; such an American stand is fully valued by Italy.

Unfortunately, the unshakable Russian stand and demand for reparations and the acquiescence she finally won, justifies the fear that also Yugoslavia and Greece, in spite of the territorial gains deriving to them from the war, might have a stronger case at the next Conference.

You frankly told me that while resolved to insist at Paris on the old American stand you were particularly preoccupied by the Greek demands, owing to the smaller entity—as compared with Yugoslavia—of her territorial acquisitions.

In this regard, I wish to list here below a few facts and considerations which may be of help to the American Delegation in their endeavor to avert the Greek reparation claims against Italy.

1) The Dodecanese Islands, notwithstanding their little geographic extent, are very densely populated and constitute for Greece a considerable gain, both ethnically and economically. It must be kept in mind that those islands never belonged to Greece and that following to the war of 1911-12, they were taken over by Italy from Turkey who held them in her possession for centuries.

2) During the three decades of Italian administration, their population had a huge increase; the value of public and private wealth has enormously augmented, due to the vast expenditures made by Italy for the benefit and development of the islands and islanders.

In evaluating the economic contribution deriving to Greece from the acquisition of these islands, one must keep into due account the whole increase of wealth both in public and private hands.

3) The Dodecanese Islands constitute a notable source of foreign exchange income, as they were transformed into an important touristic center, attracting about 60.000 tourists yearly.

4) Regardless of what is stated above, the amount of property pertaining to the Italian Government is very large. As shown by detailed memoranda handed to the Four Ministers Conference at Paris, it amounts to about 176.060.122 dollars.



As concerns the heavy responsibilities deriving to Italy following to the treacherous surprise attack perpetrated by Mussolini and Mussolini alone, against the will and even the cognizance of the Italian people, be it far from me to underrate them. However, I wish to submit to you a few remarks which may help to a fairer appreciation of the whole situation :

a) Actual fighting between the two countries took place almost exclusively on Albanian soil. Consequently, hardly any damage was caused to Greece by Italian military action, except what resulted from sporadic bombings of the rear lines and equipment. No Greek cities were bombed by the aviation. The Italian troops entered Greek territory only as occupation troops, after the entire country had been occupied by the Germans. Italy did not participate in the bloody attack against Crete.

b) During the period of the joint Italo-German occupation of Greece the behaviour of the Italian troops and occupation authorities toward the Greek people was absolutely correct. Italy did her best to alleviate the occupation costs weighing upon the Greek people and to oppose the merciless German oppression of Greece. Both these points have been acknowledged to us.

Moreover, Italy, in spite of her very precarious food situation, has done what was in her power to meet the alimentary needs of the Greek population. An honest study of the behaviour of the occupation troops will show beyond any doubt that the responsibilities and the costs of the Italian occupation have been infinitely less heavy than those of the German occupation, though the latter was carried out with fewer armed forces.

It must be added that it was due to a large extent to the intervention of the Italian Authorities if the requisitions by the Germans were not as drastic as originally planned, while the Italian requisitions were kept down to a minimum; it was again due to Italy if in March 1942—following negotiations started by Germany in November 1941—the Nazis receded from the purpose of having all Greek food exported to Germany; moreover, it was the Italian Authorities who favored and aided the re-establishment of barter agreements with countries bordering Greece in order to improve the food situation of that country; also, it was due to them if steps were taken in order to resume, in a spirit of collaboration with the Greek authorities, a mutual control of food items which finally became a weapon in the hands both of the Italian and the Greek Authorities to check the German requisitions.

I apologize, dear Mr. Secretary of State, for having dwelt rather at length on the above remarks, but I believe that a careful examination of these facts and considerations, and, at the same time, of the very grave Italian economic situation, might induce the Paris Conference to recognize that Italy ought not to pay reparations to the Greek people.

And permit me to close recalling that the new democratic Italy pursues with sincerity the aim of a full reconciliation and close friendship with Greece. Such a close cooperation seems essential to the welfare of both countries as well as to the peace and tranquillity of that important sector of the Mediterranean. May no sequel of economic issues or reparation burdens stand in the way of this auspicated reconciliation.

I avail myself [etc.]

TARCHIANI

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740.00119 Council/7-2746 : Telegram

*The Acting Secretary of State to the United States Delegation at the Council of Foreign Ministers, at Paris*

SECRET

WASHINGTON, July 27, 1946—4 p. m.

3698. Secdel 530. For Matthews from Hickerson. Thompson drafted and I signed today the following memorandum to Cohen and the Secretary but they departed before it could be delivered.<sup>33</sup>

"The inclusion in the Soviet delegation to the Paris conference of the three Foreign Ministers of the Baltic States indicates that the question of the recognition of the absorption of these countries into the Soviet Union may be raised at the conference.<sup>34</sup>

"It appears inevitable that we must sooner or later recognize *de jure* this development which has long since been accomplished *de facto*. In view of the categoric and uncompromising statement made by the Secretary of State at the time the Baltic States were absorbed, it would be easier for us to go along with the states represented at a large international conference in recognizing this development than to do so by independent action on our part. If this should occur, it is suggested that the following points be considered in connection with any act of recognition:

"(1) We should avoid any action which would in any way furnish a basis for a claim to separate representation of the Baltic States in the United Nations or in any international conference.

"(2) It would be exceedingly helpful if at the time of recognition the Soviet Government could be persuaded to agree that nationals of the Baltic States outside the Soviet Union could be allowed freely to opt whether or not they desire to return to their homes.

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<sup>33</sup> Telegram 3692 (Delsec 754) indicated that Secretary Byrnes arrived in Paris on July 28 (740.00119 Council/7-2846).

<sup>34</sup> On July 9, 1946, John E. Utter reported in a memorandum to Matthews his conversation with Lithuanian exile leaders in Paris. They had expressed concern that during the Peace Conference the Soviet Union might attempt to extract some form of recognition of the absorption of the Baltic states. (C.F.M. Files) A memorandum of conversation, October 3, 1946, indicated that Hickerson assured the Lithuanian Minister (Zadeikis) that the inclusion of Baltic officials in the Soviet delegation "had not affected in any way the attitude and policy of the United States Government." (740.0011 EW Peace/10-346)

"(3) It would be helpful to accord recognition on the basis of determining European frontiers by international action. This might be tied in with the determination by a conference of Poland's eastern frontier. This would furnish a precedent for international action in later determining the western frontier of Poland.

"(4) Any act of recognition should be contingent upon the Soviet Union's agreement to compensate American citizens for their claims for property confiscated in the Baltic States since these states were absorbed into the Soviet Union.

"It would seem to be more logical and to our advantage to settle this whole question in connection with the conclusion of a peace treaty with Germany."

[Hickerson]  
[ACHESON]

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740.00119 Council/7-2846 : Telegram

*The Ambassador in France (Caffery) to the Secretary of State*

US URGENT  
NIACT

PARIS, July 28, 1946.  
[Received July 28—1:15 p. m.]

3690. Delsec 751. Upon Vyshinsky's initiative the Deputies again this afternoon discussed the publication of the draft treaties but no agreement was possible as both the Soviets and British maintained the positions described in Delsec 749 July 27.<sup>35</sup> Jebb has agreed to consult Attlee upon his arrival this evening and to inform the other Ministers whether full publication may be made making the release tomorrow evening for Tuesday morning's papers.

As a result of the Soviet's insistence the Deputies likewise agreed that the last two paragraphs of the US reservation in respect of Hungarian reparations<sup>36</sup> should be omitted from the published text as well as from the text to be communicated to the Hungarian Government agreement having been reached this afternoon to give the treaties to the ex-enemy states today.

In accepting the deletion of the last two paragraphs of the US reservation to article 21 of the Hungarian Treaty, we stated that it should be clearly understood that we were not withdrawing our reservation in any way and that the US reserved the right to communicate the statement of its position on that article to the other members of the Conference in any manner it may choose.

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<sup>35</sup> Not printed; it reported that the Deputies at their meeting on the evening of July 27 had not been able to reach agreement with regard to the publication of the texts of the draft treaties. The Soviet Union insisted that the entire drafts be made available to the press and the British maintained that only the agreed articles should be given out. (740.00119 Council/7-2746)

<sup>36</sup> For full text of the United States reservation with respect to Hungarian reparations, see footnote 13, p. 5.

If agreement is reached upon the release of the text tomorrow these two paragraphs should be omitted in the text given to the press in Washington.

We are continuing to send the agreed texts of the five treaties by teletype and will follow this with the texts of the unagreed articles to be inserted in their proper places in the treaties. As soon as final agreement is reached with respect to publication a further message will be sent today.<sup>37</sup>

CAFFERY

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<sup>37</sup> In telegram 3700 (Delsec 755) of July 29, Caffery reported that it had been decided to release the full texts of the five draft peace treaties including the agreed and unagreed articles. The texts would be given to the press on July 30, 12 noon, Paris time, for publication at midnight. (CFM Files) The Deputies' decision reflected correspondence between the Foreign Ministers, then in their respective capitals, from July 19 through July 28. The matter had been complicated by a leak which resulted in the publication of portions of the draft peace treaties in the American press on July 23. File 740.00119 Council contains documentation on the issue.

## II. OPENING REMARKS AND PROCEDURAL MATTERS, JULY 29–AUGUST 13

MONDAY, JULY 29, 1946

FIRST PLENARY MEETING, JULY 29, 1946, 4 P. M.<sup>1</sup>

CFM Files

### *Verbatim Record*

C.P.(Plen) 1

Temporary President: M. Georges Bidault

M. BIDAULT (France)—

On behalf of the French nation, the Government of the Republic extend a hearty welcome to the Delegations of the Allied and friendly nations who have come to Paris for the first major conference which is to discuss the settlement of the post-war world. They are happy to find that all these nations have accepted the invitations extended to them on behalf of the Council of Foreign Ministers, and they feel certain that the representatives of all our countries will work in joint agreement and a spirit of friendly co-operation on the important task devolving upon them.

For the second time in less than thirty years, France is the country in which the nations which have emerged victorious from terrible combats are meeting to endeavour to make the peace.

The French Government fully appreciate the honour done and the confidence shown by their partners and friends. They know that this honour is the result of the fate which for the second time has designed France to be in the forefront of the democratic nations against whom the attack was launched, and that on both occasions France has had a large share of the bereavement, the suffering and the destruction which were the price of the victory won.

The conferences which met after the 1914–1918 war proposed certain solutions to the world, and yet less than twenty-five years later a new war, longer and even more terrible, broke out. It would be far too easy to criticize the men or the policies responsible for those solutions. The verdict must be left to history. May I, however, venture to say that whatever the mistakes and the weakness revealed, the fundamental cause of their failure was the fact that two great powers

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<sup>1</sup> All formal meetings of bodies of the Paris Peace Conference were held in the Luxembourg Palace.

which had in turn played a decisive part in the struggle stood aloof from the peace.

That cause, which was certainly the real reason for the weakness displayed, does not exist to-day. All the democratic nations are taking part in the discussion. There is already an international concert of nations in existence, and the French Government is particularly anxious that it should speedily be completed by the admission of the nations which are absent, particularly in Europe, as soon as they live according to the principles of freedom.

The association of peace-loving nations inspired by one and the same ideal is at the root of the United Nations Organisation, the foundations of which were laid last year in San Francisco,<sup>2</sup> and which amid many difficulties, but confidently and hopefully, is entering on its first year of existence in 1946.

It is this same association of peace-loving nations that the Council of Foreign Ministers is inviting to take part in drawing up the peace settlement.

You are all aware, Gentlemen, of the procedure which has been adopted for the preparation and discussion of the treaties to be concluded with the European States which were during the whole or part of the war associated with Germany. There is no need to remind you of the meetings of the Council of Foreign Ministers held in London in September, 1945, and in Paris in May and later in June this year, at which the drafts laid before you to-day were prepared.<sup>3</sup>

I know that there have been criticisms expressed of the main lines on which this procedure has been devised. There have also been complaints regarding the slowness of the Council's work and the consequent delay in holding the necessary consultation with the other nations mainly concerned.

As the representative of the Government whose hospitality you have accepted, I should be the last to set myself up as a champion of the methods in question. Having, however, personally and directly participated in the work, I think I can say that the difficulties encountered were enormous, because the interests involved were hard to reconcile, and because it was essential to observe certain legal and moral principles which are as valid for international policy as for human behaviour.

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<sup>2</sup> For documentation on the United Nations Conference on International Organization, held at San Francisco April 25–June 26, 1945, see *Foreign Relations*, 1945, vol. I, p. 1 ff.

<sup>3</sup> For documentation on the meeting of the Council of Foreign Ministers in London, see *Foreign Relations*, 1945, vol. II, pp. 99 ff.; for documentation on the Paris meetings, see *ibid.*, 1946, vol. II, pp. 88 ff., and 493 ff.

Obviously excessive haste is not a charge that can be levelled at those who now submit for your consideration this important chapter of the European settlement formed by the draft treaties of peace with Italy, Hungary, Bulgaria, Roumania and Finland. They feel, however, that they have at least worked patiently and even tenaciously for such solutions as might meet with general agreement and constitute the basis of permanent settlements.

It is hardly the moment, on this opening day, to say whether they have succeeded in their undertaking. In their favour it must at least be said that they never claimed to impose final decisions without consulting the other parties concerned. It was provided from the outset that such decisions should be taken only after the problems had been discussed in a wider assembly where international public opinion could be freely heard. This is why the representatives of the United Nations who took an active part in the war with substantial military forces have met in Paris to-day.

Ample assurances have been given that the discussion at this Conference would be as broad and as thorough as possible and that the Peace Treaties would be finally drafted only after your recommendations had received full and complete consideration.

It is in this spirit, Gentlemen, that the Paris Conference has been convened and I have no doubt that you realize the importance of what you are called to do.

The French Government themselves have always maintained and always will maintain that a free discussion, at which every view can be expressed, is necessary. It is convinced that one of the basic rules of democracy is that no decision is of weight unless it has been previously openly discussed by the representatives of all the parties concerned and has the genuine support of those who have to assume the responsibility for its formulation and have to abide by its consequences.

The problems laid before you, which constitute only a part of the general Peace Settlement, are complex and difficult. They involve the essential interests of a large number of European nations. They give rise sometimes to powerful emotions. I am convinced that we will, all of us, tackle these questions with a sincere desire to find, if not ideal, at least reasonable solutions, not incompatible either with justice or honour and which will help to bring to this sorely stricken part of the world the pacifying factors that it desperately requires.

The French Government feel sure that the Paris Conference, fully conscious of its responsibility, will succeed in accomplishing its difficult task.

It is to us that the long-suffering, sorely-tried peoples of the world, the weak in their anxiety and the simple honest folk turn—to ask us

to-day to reject forever the evil forebodings lavished upon us by the prophets of ill and to set up in common accord, and in the service of justice and liberty, a world delivered from this scourge, which, unlike others, becomes more formidable as time passes—I mean the plague of War.

We have all suffered in waging it sufficiently to want to banish it. The time has now come to begin that consummation.

Gentlemen, I declare the Paris Conference open.

ELECTION OF PRESIDENT OF THE MEETING AND OF THE INTERIM  
SECRETARY-GENERAL

MR. BYRNES (United States of America)—Mr. Chairman, I feel certain that I voice the opinion of the members of all delegations when I say how greatly we appreciate the cordial words of welcome with which you have greeted us. We all share your hopes for the success of this conference.

As it is necessary for the members of the conference to appoint temporary officers to direct and regulate our work pending the adoption of standing orders and the election of office-bearers, I beg to propose M. Bidault as temporary President and M. Fouques Duparc of the French Delegation as interim Secretary-General. M. Bidault is a very modest man and that is why I take the liberty of making this proposal. I wish, however, to ask if there are any other proposals.

As no other proposals are forthcoming, I take it that M. Bidault is unanimously elected temporary President of the Conference. Mr. President, I have to inform you of your election.

M. BIDAULT (France)—Gentlemen, on behalf of my Government and my country I thank the Conference for the honour conferred on me. In particular, I want to thank the First Delegate of the United States of America for the terms, so flattering to me, in which his proposal was made. My modesty, to which he paid so kind a tribute, impels me to say, however, that he himself has just shown that he possesses, in addition, no doubt, to many others and to a much more marked degree than myself, those gifts which are essential to the office of chairman.

INVITATION TO THE SECRETARY-GENERAL OF THE UNITED NATIONS  
TO BE PRESENT AS AN OBSERVER

THE PRESIDENT—Gentlemen, I have to call the attention of the conference to the presence of M. Trygve Lie, Secretary-General of the United Nations, who is at present staying in Paris. I ask the Conference to approve the invitation addressed to him to be present



as a guest of honour and as an observer for the United Nations at plenary meetings of the conference.<sup>4</sup>

(The proposal was adopted)

#### ELECTION OF THE CREDENTIALS COMMISSION

THE PRESIDENT (Interpretation)—Gentlemen, custom and even necessity require every conference to set up a Credentials Commission. It is also customary to allow the President to propose the members of this Commission. I therefore suggest that it be composed of seven members who shall be the representatives of Australia, Byelorussia, Brazil, China, Czechoslovakia, Ethiopia and the Netherlands.

(The proposal was adopted)

#### ELECTION OF A COMMISSION ON PROCEDURE

THE PRESIDENT (Interpretation)—Gentlemen, the four Foreign Ministers have submitted to the twenty-one delegations proposals for the establishment of rules of procedure for this Conference. It goes without saying that these proposals must be approved by the Conference before they can be adopted as its rules of procedure. For this reason, it is necessary to set up a Commission on Procedure.

It would appear to be preferable not to postpone the drafting of these rules of procedure until the close of the public debate which we are shortly going to begin. The Commission on Procedure might, therefore, sit at the same time as the plenary meetings of the Conference, Governments being represented by a delegate who would not necessarily be their first delegate. This Commission should include all the Governments represented at the Conference, as the questions it will be called upon to handle are questions inseparable from the correct, orderly and normal working of the Conference itself.

MR. EVATT (Australia)—Mr. President, I beg to oppose the suggestion that the Commission on Procedure should meet simultaneously with the plenary meetings of the Conference, and I venture to hope you will not press your proposal.

My reason for opposing this suggestion is that the Commission on Procedure is not a commission on procedure in the usual sense of the term. It is a much more important commission, which will define the whole procedure of the Conference. For example, it will fix what majority will be required before the Conference of the twenty-one nations

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<sup>4</sup> In telegram 3494 (Delsec 718), July 17, from Paris, Dunn reported that the Acting Secretary General of the United Nations had inquired of the French Government whether the United Nations could be represented by an observer at the forthcoming Peace Conference. Byrnes replied in telegram 3503 (Secdel 484) the same day: "Please inform the French Government that I am agreeable to the Foreign Ministers suggesting to the Conference that an invitation be extended to the United Nations Organization to send an observer." (740.00119 COUNCIL/7-1746)

here assembled can send forward recommendations to the four or five Governments which form the Council of Foreign Ministers. Consequently, the work of the Commission on Procedure is of very great importance. Indeed the Government I represent here considers the questions which will be discussed by the Commission on Procedure to be so important that they affect the actual rules of the Conference and therefore Heads of Delegations themselves should be present at meetings of this Commission.

I would therefore ask you, Mr. Chairman, to arrange that the Commission on Procedure should meet immediately, for any delay in its work is clearly undesirable. The questions which this Commission will have to study are questions of principle which, as I said just now, affect the rules of the Conference itself, and are therefore of interest to countries here represented which are not members of the Council of Foreign Ministers.

It will be for the Commission on Procedure to discuss the other questions mentioned by the Chairman and, as I was saying, that Commission's programme will be much more than merely a programme of rules of procedure. It will have to decide what are the actual powers of this Conference of Twenty-One Nations in respect of the final Treaties of Peace.

We believe that all the countries represented at this meeting which were not members of the Council of Foreign Ministers have, as far as the peace is concerned, the same rights as the members of the Council themselves. This is a position which I have already taken, which I have publicly explained and by which I stand. However I do not wish to start a discussion on this point immediately, but I do believe that, sooner or later, it will be necessary to decide whether the proceedings of this Conference are to be governed by a simple or a conditional majority. Thus, the work of this Commission on Procedure will be extremely serious and important and some Heads of Delegations will want to attend its meetings in person. The Commission on Procedure, I think, might meet in the mornings and the Conference in the afternoons—or some other system might be adopted. We look to you, Mr. President, to direct our work up to the moment when the Rules of the Conference have been adopted and to conduct it in such a way as to safeguard the rights of all the nations represented at this Conference.

MR. BYRNES: I hope that the Conference will take the request of the Australian representative into consideration. I presume that members of other delegations will also wish to attend plenary meetings both of the Conference and of the Commission on Procedure. I suggest, therefore, that you fix the time for the first meeting of the latter, at which it will itself decide when it wishes to meet again.

**THE PRESIDENT:** The President has no objection to the convenience of the various delegations being considered; he is in fact here to see that this is done. My proposal was a mere suggestion; I have just heard another,—that the time of the meeting of the Commission on Procedure be fixed.

I suggest that it meet to-morrow at 10 a. m. and that, in accordance with the desire expressed by Mr. Byrnes on behalf of the United States Delegation, it decide itself the order and time-table of its proceedings.

Are there any remarks? If I have rightly understood the requests submitted, these imply that, to-morrow at any rate, the Plenary Conference will not meet at the same time as the Commission on Procedure. If there are no objections, all that remains to be done is to fix the agenda for the plenary meetings of the next few days.

#### AGENDA

**THE PRESIDENT:** Delegations will, I think, agree that the next plenary meetings should be devoted to the general discussion. I suggest that the various delegations send in the names of their speakers to the General Secretariat, speeches to be delivered in the order in which the names of speakers are registered.

No objection being raised, I take it that the Conference has decided that the Commission on Procedure will meet at 10 a. m. on the following day and the Commission on Credentials one hour before the next plenary meeting.

We have now to fix the time for the next plenary meeting. I propose that the Conference meet at 4 p. m. and the Commission on Credentials at 3 p. m.

Agreed.

I would remind delegates that credentials should be communicated to the General Secretariat.

I thank the Conference for its promptness in dealing with the agenda of this first meeting.

(The meeting rose at 5.20 p. m.)

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TUESDAY, JULY 30, 1946

FIRST MEETING OF THE COMMISSION ON PROCEDURE,  
JULY 30, 1946, 10 A. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)2

M. Fouques Duparc served as temporary Chairman of the Committee, M. Spaak (Belgium) and M. Kardelj (Yugoslavia) were nomi-

nated for the position of permanent Chairman. The Delegations supporting M. Spaak (Australia, Greece, Netherlands, and the United Kingdom) stressed his experience and ability. The Delegations supporting M. Kardelj (U.S.S.R., Ukraine and Poland) held the view that political considerations should be taken into account and that Yugoslavia's great contribution to the war made M. Kardelj a logical choice. A secret ballot was taken and M. Spaak was elected by 13 votes to 7 with 1 abstention. M. Kardelj was unanimously elected Vice Chairman.

Mr. Byrnes proposed that meetings of the Committee on Procedure be open to the press and that the Committee recommend to the Plenary Conference that its meetings and those of the commissions likewise be open to the press. The Soviet Delegation supported the proposal and it was unanimously accepted.<sup>5</sup>

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#### SECOND PLENARY MEETING, JULY 30, 1946, 4 P. M.

CFM Files

#### *Verbatim Record*

C.P.(Plen) 2

Chairman: M. Bidault (France)

**THE CHAIRMAN:** The list of speakers is as follows: the first Delegate of the United States of America, the first Delegate of the United Kingdom, and the first Delegate of the Republic of China. After that we shall hear the report of the Credentials Commission, drawn up by its Chairman, the representative of Ethiopia.

**MR. BYRNES (United States of America):** 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 sacrifices of our respective countries may have been, there is not a na-

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<sup>5</sup> The Commission also agreed to avoid holding plenary sessions of the Conference simultaneously with meetings of the Commission.

Procedural difficulties were encountered in electing a Chairman. Several delegates spoke at length repeatedly; the meeting lasted for nearly three and a half hours.

tion 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 goodwill can inspire goodwill.

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 the 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 paths 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 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 sizeable 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 and its committees will be public.

The very fact that the drafts which go before this conference have been prepared in advance ensures 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 they 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.

MR. ATTLEE (United Kingdom): Mr. President and fellow delegates: I would like at the outset to thank the French Government and the French people, our kind hosts, for the excellent arrangements they have made for our personal comfort and for doing our business here. When I was last here the enemy was still fighting. Paris was then just beginning to recover. I rejoice to see the progress made since then. It is a good omen. We are met together to take the first step in making peace. We are seeking to make a beginning in re-establishing the normal relationships between nations by bringing back into the European family circle five erring members.

They were not mainly responsible for the calamity which fell upon the world, but they have been accessories. With their support or acquiescence the Governments of these peoples joined in the attack on civilisation. To a greater or lessor degree in the later stages of the struggle these peoples have sought to make atonement.

By the treaties now submitted to you, we are endeavouring to open a new chapter in the history of Europe. I believe that we must approach the problems looking forward not backward, not dwelling so much on past failures as considering how best we can make a success of the future. We should not be devoting ourselves to examining

historical claims or the supposed interests of particular States. We should keep before our minds the simple objective of removing from the hearts of the common people in all lands the brooding fear of another war and of enabling them to live together as good citizens not only of their own States but of Europe and the world.

In my country, as in most of yours, the Government is dealing with the very difficult task of reconstruction. Homes have been destroyed, people have had to move from their accustomed dwelling places and have had to change their occupations while industry has been directed to war purposes. Now we are engaged in re-knitting the fabric of our national life.

But we are not trying to make our life exactly on the old pattern. Retaining the best of the past, we are weaving a new pattern.

In my view we are engaged in a comparable task in these peace treaties. We must seek to make a Europe in which the peoples will live more secure and happier lives in which the relationships of the members of the European families will be more neighbourly and friendly than ever before. This new Europe will have, I hope, the best of the old, but will discard much that was evil.

Our task is limited. The major task of dealing with Germany and the German people remains, but much will depend on how and in what spirit we manage the immediate business before us.

These treaties in themselves are only contributions to the ground plan of the city of European peace which we want to build. The life of the city will depend on the conduct of the inhabitants. But agreement on the plan is an essential first step.

Twice in my lifetime the world has experienced the horrors of a world war. The peoples of America, Asia, Africa and Australasia have been involved. The primary cause on each occasion has arisen from the failure of the people of Europe to dwell together in amity.

It is, therefore, right that those who live in other continents should join with the representatives of the European nations to seek to make an enduring settlement.

That after all is our primary task, the minor gains and losses, the short term advantages of particular provisions in these treaties are as nothing compared to the overriding interest of us all to make a peace that shall endure.

The greater part of the drafts before you have been agreed by the Four Powers. They are put forward as embodying the greatest measure of agreement. Having agreed to them ourselves we shall naturally support them at this Conference, but we are anxious to hear the opinion of the seventeen other States to whose judgment they are now submitted. Criticism, suggestions and recommendations made here must be given full consideration when the final drafts are framed.



The remaining articles which have not been agreed will come before you and I have no doubt that the discussions here will be powerful factors in resolving difficulties and promoting agreement.

The Four Powers should not and indeed cannot be irresponsive to the desires of the wider community of nations and equally of those nations who have made such significant contribution to victory.

Peacemakers may be blessed, but their way is hard. I think that whatever method had been adopted would have been open to criticism. The present procedure has certainly not passed unscathed, but whatever its defects it has in fact brought before the Conference definitive drafts which will serve to focus discussions and provide a basis for our work.

I have no doubt many will feel that the differences between the Four Powers have taken too long to resolve. But the main fact is that we have now found agreement on many important matters. This in itself is a matter for rejoicing and not an occasion for criticism. For, quite frankly, without such agreement, the chances of producing acceptable Peace Treaties would have been remote.

I think we sometimes tend to forget that, after such an unparalleled convulsion and a catastrophe as the last war, the nations who did the fighting (and that includes all those in this hall), are very tired indeed. They are greatly exercised by the domestic difficulties attending the aftermath of war; and for that reason we should all make quite exceptional efforts to see each other's point of view. As the war recedes there also recedes the stimulus of the common danger which brought us together. The enemy is broken and humble. As States, Germany and Japan can hardly be said to count at present; but let us never forget that they are still there and that their capacity for making trouble, if there is any disunion in the Allied ranks is still very real. Let us not forget either that what brought us together was not so much the aggressor himself as the spirit behind the aggression. This spirit of militant totalitarian nationalism, the spirit that animated Hitler, Mussolini and the Japanese warlords, has not yet been altogether killed. It is a virus which still remains and the culture in which it will breed is famine, disease and social disruption. Only by a great co-operative effort can we destroy this virus; and the putting of our hands to just Peace Treaties, jointly agreed by the community of nations, is only a first step on a long road.

My friends: I would like to end on this note. One of the chief characteristics of the Hitler regime was that it rejected all standards of conduct other than that dictated by its rulers. The Nuremberg trials have shown to what depth a supposedly civilised people could sink when there was no objective standard of conduct.

We are discussing these treaties freely and openly in public with the world as our audience. We can feel here the force of world public opinion. Let us keep our ears open to it, for no nation, no ruler can afford to disregard it. It is, indeed, the essence of the democratic principles for which we stand, that Governments should be responsible to the will of the people.

We are delegates from our particular countries, but collectively we are responsible to all the peoples of the world who long for peace and security. We are trustees for the unborn children of the future in all countries.

I can never forget a cartoon depicting a statement of the Versailles Treaty saying at the conclusion "I seem to hear a child cry". A baby labelled 1939 was in the background. The foreboding was justified. The child cried in the Second World War. Let it not cry again.

DR. WANG SHIH-CHIEH:

Mr. President and Gentlemen: The calling of this Peace Conference represents the first concrete step towards the liquidation of the war and the restoration of peace for which all mankind has been longing since the collapse of Germany and Japan. In the past few months, men everywhere have been looking for some sign that will give them relief from their anxiety about the future. Hopes have been alternating with doubts as to whether a peace conference would ever be held. The fact that the representatives of twenty-one nations are now sitting in this hall to discuss peace settlements is by itself affording some relief to the world. The choice of the Capital of France as the seat of this Conference is a happy one. Her traditional love of justice and liberty should not fail to be a source of inspiration to all the Delegations in the performance of their task. I wish to express the appreciation of the Chinese Delegation for the courtesies and facilities extended to us by the French Government.

The Chinese Delegation come to this conference with the earnest hope that it will succeed. China, as you all know, was the longest in the war; she was the first to take up arms to resist Axis aggression and among the very last to lay them down. Although she did not take a direct part in the military operations of the European theatre, she has had her full share in the global war. Her resistance for over eight long years, with loss of millions in lives, is no small sacrifice. Being convinced that peace, like war, is indivisible, she cannot but be concerned with the peace which the United Nations are making in any part of the world.

No doubt, the winning of the peace is no easier than the winning of the war. We all know that to impose terms on the vanquished is one thing, and to embody such terms in a treaty that will prove workable in the long run and make peace durable is entirely another. The

Chinese Delegation firmly believe that it will be most helpful if all suggestions and proposals, no matter by which Delegation they are presented should be heard and treated with such consideration as they merit. Moreover, we believe that complete frankness in our discussions and the consequent publicity given to them, will be most effective in promoting true understanding among nations.

As to the terms of peace, I have no intention at present to go into details. But I would like to lay stress on two points, because, in our view, they deserve particular attention if this and subsequent peace conferences are to succeed. The first one is that the victors must strictly abide by the pledges they have given and the principles they have proclaimed during the war. In dealing with conflicting territorial claims, for instance, we must not forget the words of the Atlantic Charter, or try to restrict their application. The other point is that the victors should not impose such terms as will only give a chance for the reactionary elements in the defeated countries to rise again, but deprive the democratic forces of any opportunity to survive or consolidate.

On the basis of the foregoing observations, I should like to make clear, briefly, the position of my Delegation on the draft treaties submitted for the consideration of this Conference:

1. *Regarding the Military Clauses*, I believe the drafts provide adequate safeguards for the United Nations and, at the same time, should not be considered as too severe by the defeated nations. Besides, in the case of Italy, the part she played in the final phase of the war has been given due recognition.

2. *As to the Territorial, Political and Economic Clauses*, I believe that the drafts deserve fuller discussion by this Conference, for the subject-matters dealt with therein will vitally affect the future stability of Europe. Reading the text of these draft treaties, one cannot deny that many of the agreements reached have been based on compromises. If we can find ways to improve upon some of these compromises—not in the narrow interest of any of the parties concerned but in the general interest of a just and lasting peace—much will be gained.

3. *With regards to the question of the Italian Colonies*, it must be admitted that the issue has been left unsolved. In the view of my Delegation, certain fundamental principles should be accepted by this Conference to guide us in finding an ultimate solution. One of those guiding principles, I submit, should be this:—Some of those Colonies should be either given immediate independence or, if that should not be feasible, be placed under the Trusteeship of the United Nations for a fixed period of time, during which preparations for self-government and independence should be completed. The effect of such a policy, Gentlemen, will not be confined to the peoples of the territories directly concerned, but will inspire hope and confidence in the hearts of millions of people elsewhere awaiting early and full realisation of their legitimate aspirations.

Gentlemen, differences of opinion there may be among us under this roof, but with the common people in all the countries we represent, there is certainly a unanimous desire that this conference should give them a real and durable peace. With them, there still seems to be a general apprehension that the Governments represented here may not co-operate as fully as they should in this historic task. In closing my remarks, may I express the hope that the Conference will, by its work, ultimately satisfy the general desire of the common people and remove their apprehension, so that the peace we are making will be a peace of the common people, and not merely a peace of government delegates as was the case with many of the peace settlements in the past.

#### REPORT OF THE CREDENTIALS COMMISSION

THE CHAIRMAN: I call upon Mr. Lorenzo Taezaz, a delegate of Ethiopia, to read the Report of the Credentials Commission.

MR. LORENZO TAEZAZ (Ethiopia): The Credentials Commission met on Tuesday, 30th July, at 3 p. m. The meeting was attended by:

Messrs. Lorenzo Taezaz (Ethiopia) Chairman, W. R. Hodgson (Australia), Kouzma Kisselev (Byelorussia), H. Accioly (Brazil), Lone Liang (China), Star Busmann (Netherlands), and Karel Lisicky (Czechoslovakia).

The Commission found that all the credentials had been drawn up in good and due form and that only one country had been unable to communicate full powers, due to material difficulties which will be overcome by to-morrow.

The Commission decided that those credentials should be regarded as valid for all discussions of the Conference. Nevertheless, they will be more closely scrutinised later, before signing the final acts of the Conference and any recommendations which may be made by the various Commissions.

THE CHAIRMAN: I should like to thank the *Rapporteur* for his report.

(The Report of the Credentials Commission was adopted).

#### PROCEDURE

THE CHAIRMAN: I would remind you that there will be a meeting of the Commission on Procedure at 10 o'clock to-morrow morning, to be followed by a plenary meeting of the Conference at 4 p. m. to continue the general discussion.

The following delegates will speak:

M. Molotov, on behalf of the U.S.S.R.;  
 Dr. Evatt, on behalf of Australia;  
 M. de Fontura, on behalf of Brazil;  
 M. Kisselev, on behalf of Byelorussia.

(The meeting rose at 6:05 p. m.)

## REINSTEIN-ZILBER CONVERSATION, JULY 30, 1946

CFM Files

*Memorandum of Conversation, by Mr. Jacques J. Reinstein of the  
United States Delegation*

SECRET

JULY 30, 1946.

Mr. Zilber is the second-ranking official of the Rumanian economic staff. He is a Communist. He called to discuss in general terms the economic provisions of the Rumanian Treaty.

Mr. Zilber asked for information on American claims against Rumania, with particular reference to provisions of Article 26 regarding Rumanian property in Allied countries. He was informed that the United States has until recently not solicited the filing of claims by American citizens and that we are not in a position to state at the present time how extensive these claims are. He was informed that they probably relate principally to American property in Rumania, although there might be some claims for personal injury suffered by American citizens.

Mr. Zilber thought that any claims of this character would not be likely to amount to more than \$5,000,000, as compared to the total of Rumanian assets in the United States of about \$20,000,000. He asked what would happen to Rumanian assets and was informed that any assets of Rumania after the satisfaction of American claims would be returned to Rumania. Mr. Zilber asked whether the assets taken for satisfaction of claims would be those of the Rumanian Government or Rumanian private individuals. He was informed that the United States Government would undoubtedly wish to obtain the views of the Rumanian Government regarding this subject and, in general, to work out the arrangements for the satisfaction of claims on some mutually agreeable basis within the framework of the Treaty to the greatest extent possible. It was explained to him that our principal interest is in obtaining satisfaction for the claims of private individuals, for settling the claims promptly and for obtaining some method of arbitration which would permit a fair and prompt resolution of the disputes.

Mr. Zilber indicated that this general approach was understood and appreciated by the Rumanian Government. He went on to say that the Rumanian Government considers the provisions of the American proposal regarding compensation for damage to Allied property as fair, with two exceptions. The first is that the Rumanian Government feels that any damage sustained by Allied nationals after the Rumanian armistice should be settled on the same basis as the war damage claims of Rumanian nationals. The second point relates to paragraph 4, D, of Article 24 of the Rumanian Treaty (U.S. pro-

posal). Mr. Zilber said that this provision, which defines the damages connected with the war for which compensation is to be made, goes much too far. He thought that it should include such matters as loss of profits and similar claims, some of which are included in the British annex on petroleum.

Mr. Zilber said that the Rumanian Government had in mind proposing a compromise between the United States and Soviet proposals which would adopt the United States proposal with the exception of the two points mentioned above. He asked whether the United States would give consideration to such a proposal. He was informed that, while we would of course give consideration to any proposal submitted to us, the draft provisions to which he had referred affected the interests of countries other than the United States and had been proposed in all of the treaties. They are not specifically directed at Rumania. He was informed that, in so far as his first point was concerned, the United States would find it difficult to make any distinction based upon the date of the armistice or which omitted damages which our property suffered under the armistice regime. With regard to the second point, he was told that, while subparagraph D of the American draft of Article 26, paragraph 4, is broadly phrased, we did not consider that it would place any unreasonable obligations on Rumania; in particular, we think it is entirely reasonable that injuries suffered by our property as a result of the action of the Rumanian Government should be compensated for and that the exact definition of what constitutes injury will necessarily have to be worked out in the application and interpretation of the Treaty provisions.

In the course of the discussion, reference was frequently made to the position of the oil companies. It was made clear to Mr. Zilber that the United States Government is not satisfied with the treatment which the Rumanian Government is according to the oil companies and that this matter would undoubtedly be taken into account in working out the disposition of Rumanian property in the United States. Mr. Zilber claimed that all measures which had been taken regarding the oil companies had been taken on a non-discriminatory basis as between foreign and domestic companies. He alleged that the American companies would have no further interest in Rumania and would not take any particular pains to maintain and develop their properties. He did not blame them for this, as he considered that the production of petroleum in Rumania is on the decline and has little future in the long run as compared with other areas.

There was a brief discussion of the question of the Rumanian bonded indebtedness in connection with Article 26 of the Treaty. Mr. Zilber was asked what the intentions of the Rumanian Govern-

ment are with respect to Rumanian bonded indebtedness. He said that the Rumanian Government would pay its obligations to American bond holders, if some arrangement could be worked out under which the obligations could be refunded. However, he said that the Rumanian Government would not wish to agree to any arrangements under which bonds held in other countries could be made eligible for such treatment. He was told that in so far as dollar bonds are concerned, any refunding arrangements would necessitate the taking of certain steps with the Securities and Exchange Commission and that it would be difficult to make any distinction in these arrangements on the basis of the nationality of the bond holder.

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### WEDNESDAY, JULY 31, 1946

#### SECOND MEETING OF THE COMMISSION ON PROCEDURE, JULY 31, 1946, 10 A. M.

CFM Files

#### *United States Delegation Journal*

#### USD1(PC) (Journal)3

The meeting was taken up with general discussion of the draft rules of procedure suggested to the Conference by the Council of Foreign Ministers.<sup>6</sup> The Yugoslav Delegation announced its support of those suggestions but wished to amend them by adding a provision that in cases where recommendations dealt with boundary questions, such recommendations would require the assent of the Allied state, ethnic or national portions of which were affected. The Yugoslav Delegation also suggested that Albania be invited to take part in the Conference.

The Delegations of the Netherlands and Australia emphasized the role of the smaller powers in making peace and indicated their view that the proposed rules of procedure did not take full account of that role. They referred particularly to the provision that a two-thirds majority vote of the Conference was required for recommendations to the Council of Foreign Ministers. The two-thirds vote was supported by the Soviet and Yugoslav Delegations.

The Greek Delegation put forward an amendment according to which the Conference would consider, together with the draft treaties, any cognate question which it may by simple majority have decided to place on its agenda at the request of one or more delegations.

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<sup>6</sup> For text of C.F.M.(46)204 (2nd Revision), July 9, 1946, the Rules of Procedure suggested by the Council of Foreign Ministers, see vol. II, p. 852. C.P. (Plen) Doc. 1, the Draft Rules of Procedure as submitted to the Conference by the Commission on Procedure on August 7, is printed in vol. IV, p. 796.

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*United States Delegation Minutes*

[Extract]

M. Molotov stated that he did not know the basis of Mr. Evatt's suggestions concerning voting. He did not know what groups of countries or Delegations Mr. Evatt had in mind. But certainly his proposals would have the effect of setting one bloc against another, a majority against a minority. Since he spoke of voting by a three-fifths majority, obviously he had in mind certain states. M. Molotov wondered whether the Allied countries were willing to have such a situation arise. There appeared to be certain calculations behind these proposals for a simple majority or for a three-fifths majority, calculations which were prompted by certain attempts to form blocs. This was not in keeping with the interest of the Conference and must have been prompted by the interests of some one group or some one Delegation. The Conference should take care not to permit playing with votes. It must take steps to assure the prestige of its own recommendations and the authority of the views expressed at the Conference itself. It must reject all attempts to set off twelve or thirteen votes against seven or eight.

M. Molotov continued that the Conference should concern itself above all with the question how best to promote the establishment of peace. That was the main objective. Of course, each Delegation had equal rights and could make proposals, but the rights of the Delegations and of the Conference could not be nullified by any playing with votes. The Soviet Delegation therefore was ready to give favorable consideration to the suggestions on procedure submitted by the Council of Foreign Ministers. All Delegations should be concerned with measures necessary to improve the organization of the Conference. Accordingly, it would be appropriate to repudiate decisively any attempts to play with votes and to make sure that the authority of the decisions of the Conference not be undermined. The prestige of the Conference must be enhanced and its views must be allowed to exercise the proper influence on the drafting of the peace treaties.



## BYRNES-NENNI CONVERSATION, JULY 31, 1946

CFM Files

*Memorandum of Conversation, by the Director of the Office of European Affairs (Matthews)*

PARIS, July 31, 1946.

Participants: Mr. Nenni, Italian Minister (without portfolio)  
 The Secretary  
 Mr. Matthews

Mr. Nenni called at his own request on the Secretary this morning. He said that in as much as he expected soon to take over the portfolio of Foreign Affairs in the Italian Government he was very anxious to make Mr. Byrnes' acquaintance. The first question he desired to raise was that of the extreme importance to Italy of receiving economic assistance from the United States. He would be very happy, he said, to visit Washington with some of his technicians to look into the whole question with the American authorities. The Secretary said that he felt it would be desirable to postpone his visit a little since a number of the high officials of our Government are absent from Washington at the present time but that he did think it would be useful for Mr. Nenni to talk to Mr. Clayton and Mr. Thorp, who are here at the Conference. Mr. Nenni said that he had not planned to go to Washington before October or November and that he would be very happy to see Mr. Clayton and Mr. Thorp if the Secretary would arrange it.

He then said that his policy would be to make every effort to improve relations between Italy and Yugoslavia but in this connection he wished to discuss the problem of Trieste. In the first place he wondered if it would not be possible to enlarge the Free Territory of Trieste to include, if possible, Pola. In fact, he hoped that the whole area west of the suggested American or British Lines would be included in the Free Territory.<sup>7</sup> The Secretary explained our long efforts to obtain Trieste for Italy and subsequently to increase the Free Territory area. He pointed out that Molotov had first insisted that the Free Territory be limited to an area around Trieste itself which did not even include all of the steetcar terminals.

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<sup>7</sup> The American and British Lines mentioned here refer to the Italo-Yugoslav frontier proposals submitted by the United States and the United Kingdom at the Council of Foreign Ministers. The lines proposed by the United States, United Kingdom, France, and the Soviet Union were originally described in Annexes to the Summary Minutes of the 73rd Meeting of the Commission on the Italo-Yugoslav Boundary, April 28, 1946, which are printed in vol. II, p. 148. The lines proposed are shown on the map facing p. 152. At its 33rd Meeting, July 3, the Council agreed upon the internationalization of Trieste. The "French Line" was approved as the boundary between Yugoslavia and the Free Territory and between Yugoslavia and Italy. For the United States Delegation Record and Record of Decisions of the 33rd Meeting, see *ibid.*, pp. 730 and 751, respectively. The decisions of the Council were incorporated in articles 3, 4, and 16 of the draft peace treaty for Italy, printed in vol. IV, p. 1.

The Secretary had felt the most important thing was to have the Free Territory contiguous with Italian territory but under Mr. Molotov's plan, in view of the fact that a small area north of Trieste has largely Slovene inhabitants down to the coast and that this be given to Yugoslavia, this would be prevented.<sup>8</sup> It was impossible to obtain both Pola and a contiguous frontier between the Free Territory and Italy and the Secretary had considered the latter more important. He also described the probable results of a failure to reach agreement and conclusion of separate peace treaties with Italy. He said that the American Government was obligated to support the agreed decisions on this point of the four Foreign Ministers. If any opportunity, however, arises where he can do something to help the Italian situation with regard to the area, he will be happy to do so. Mr. Nenni indicated that he would endeavor through other Delegations to have some changes made in the Free Territory area and the Secretary said that he certainly could not object to such efforts on Mr. Nenni's part.

As a second point with regard to the Free Territory, Mr. Nenni asked whether it could not be limited to a period of 10 years to be followed by a permanent decision with regard to the area. The Secretary explained that he had given much thought to this matter and that a number of people in the American Delegation felt that the lot of the Italian inhabitants of the area would be much happier if the Free Territory were set up permanently under the guarantee of the United Nations. He said that otherwise there would be constant agitation, border incidents, and attempts on the part of the Yugoslavs to indulge in large scale infiltration in order to obtain the required majority preparatory to a permanent territorial award at the end of 10 years. He, himself, felt that a 10-year limitation could only serve as an encouragement to instability and agitation as well as adversely to affect the economic situation of the area. Mr. Nenni appeared to understand the reasoning behind the decision but made no statement of concurrence.

Mr. Nenni then brought up the question of the Colonies in so far as the agreed formulas provide for complete renunciation of Italian rights and interests therein. He said that psychologically this was very wounding to the Italians and that it would greatly help if some modification could be introduced in the formula omitting the declaration of Italian renunciation and merely leaving the Colonies under the present administration for a period of one year and subsequent determination by the United Nations. The Secretary said that he was impressed with the reasonableness of this view and that he would undertake to see what could be done with regard thereto.

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<sup>8</sup> Molotov's proposal, document C.F.M.(46) 178, dated July 1, 1946, is printed in vol. II, p. 714.

Mr. Nenni then spoke of the severity of the military limitations upon Italy and inquired whether at least some time limit could not be placed thereon. It would be inconsistent, he felt, for Italy to be kept in a state of permanent and helpless disarmament after a period of time especially once she has been admitted to the United Nations. The Secretary said that he was in agreement with this view and was taking steps to see what could be done about it. Mr. Nenni expressed his appreciation.

Before leaving, Mr. Nenni reiterated his intention to do all that he possibly could to improve relations with Yugoslavia and likewise with France and Austria. He emphasized, however, that in order to be successful in this, Italy required economic help and the question which most interested his people at present was their need for materials and labor. The Secretary said that he would arrange for Mr. Nenni to talk to Mr. Clayton about this.

H. F. MATTHEWS

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THIRD PLENARY MEETING, JULY 31, 1946, 4 P. M.

CFM Files

*Verbatim Record*

C.P.(Plen) 3

President: M. Georges Bidault

THE PRESIDENT: I call on M. Molotov, First Delegate of the Union of Socialist Soviet Republics, to speak.

M. MOLOTOV (USSR): (Interpretation). Mr. President and fellow delegates, Permit me on behalf of the Soviet-Union to greet the Peace Conference and to bid the delegates of the Conference success in their great and responsible work. The Soviet delegation expressed its special gratitude to the hospitable French Government and the friendly people of France.

This Conference is destined to play an important part in the establishment of peace and security in Europe. It will have to express its views and make its recommendations on the draft treaties with Italy, Rumania, Bulgaria, Hungary and Finland. It may be said that the Paris Conference is called upon to perform the task of five peace conferences, which fact stresses the importance and complexity of its work. It is a question of five countries which entered the war as Germany's allies, as Hitler satellites but which, in the course of the war, broke off with Germany, overthrew their fascist rules and, as a rule, proceeded to take an active part on the side of democratic countries in the war to win victory over Hitlerite Germany. We all shall remember the course of the events as they developed before our eyes during the last war in Europe and this will make it easier for us to

find a correct reply to the question of safeguarding a just, durable and lasting peace for the future.

Justice demands above all that we have regard in practice for the interests of the countries which were attacked and suffered as a result of aggression. The Soviet-Union which itself was attacked from different directions and bore an exceptionally heavy burden of the invasion of the fascist hordes of Germany as well as Italy, Roumania, Hungary and Finland, deeply sympathizes with all peoples who suffered from aggression. The Soviet Union once more from this rostrum greets the peoples of the Allied countries who fought with self-denial against our common enemies, and expresses its firm determination to support them in their just demands for the punishment of war criminals, the indemnification of the damage caused to them, the establishment of a just peace. The Soviet Union cannot take a different view of its duties towards the Allies.

It must be clear to us that the attacking countries which went to war as Germany's allies should be held responsible for the crimes of their ruling circles. Aggression and invasion of foreign countries must not go unpunished if one is really anxious to prevent new aggressions and invasions. Impunity in such cases and refusal to defend the legitimate rights of the states which suffered from aggression have nothing in common with the interests of a just and lasting peace and can only play into the hands of those who are engaged in the preparation for fresh acts of aggressions in pursuit of their predatory and imperialistic ends.

The Soviet Union is one of those countries which are steadfastly fighting for the establishment of a durable peace and security of nations. This determines the attitude of the Soviet Government in the questions relating to the peace treaties with ex-satellites of Germany. The USSR is fully conscious of the fact that as a result of democratic reforms the countries which were allied to Hitlerite Germany took, in the last stage of the war, a new path, and, in certain cases, rendered the Allied states considerable assistance in the struggle for the complete liquidation of the German aggressor. It is precisely for this reason that the Soviet Union admits that these states should compensate for the damage caused to them not in full but in part in a definite and restricted measure. On the other hand, the Soviet Union is opposed to all attempts to impose on the ex-satellites of Germany all sorts of outside interference in their economic life and declines such demands on these countries and such pressure on these peoples as are incompatible with their state sovereignty and national dignity. It will not take much to see this when one becomes familiar with the texts of armistice for Roumania, Bulgaria, Hungary and Finland which were fully made public immediately after their signa-

ture.<sup>9</sup> Since then, on the initiative of the Soviet Government, a number of clauses laid down by the armistice agreements were lightened, which fact is to be accounted for by the desire to facilitate to these countries the transition to economic and general national revival after the war. It is also on this basis that peace treaties with these countries should be drawn up.

It is no accident that the countries of the fascist and semi-fascist type proved to be the ex-satellites of Germany. The Italy of Mussolini, as we know, was a part of the Hitler axis. Roumania and Bulgaria, Hungary and Finland found themselves in the grasp of Hitler agents who involved those states in the war against democratic countries. The second world war was unleashed by fascism and ended only when fascism was conquered and smashed. We know now that fascism and aggression go hand in hand in our time. This explains why all the peace treaties submitted to the Conference specially refer to the necessity to prevent the revival of fascism and to the necessity to consolidate the democratic foundations in the states—ex-satellites of Germany. In this respect peace treaties in our time substantially differ from the peace treaties concluded after the first world war, and this is quite natural. It is natural that the Declaration on Liberated Europe adopted at the Crimea Conference of the leaders of the three Allied Powers—Great Britain, the United States of America and the Soviet Union laid a special stress on the necessity “to destroy the last vestige of Nazism and Fascism” and to enable the liberated peoples to create democratic institutions of their own choice.<sup>10</sup> It will be impossible to safeguard a durable peace and security unless the last vestiges of Fascism which provoked the second world war have been destroyed. If, however, we have still to deal with the question of the Fascist regime in Spain then the time must not be too distant when democratic countries will be able to help the Spanish people who groan under Franco’s regime to put an end to this survival bred by Hitler and Mussolini which is dangerous to the cause of peace. At any rate the interests of all freedom-loving peoples demand that we bring to an end the fight against Fascism which is the most dangerous aggressor in our time.

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<sup>9</sup> For text of the armistice signed at Moscow by Rumania with the Soviet Union, the United States, and the United Kingdom on September 12, 1944, see Department of State Executive Agreement Series No. 490. For text of the armistice signed at Moscow by Bulgaria with the Soviet Union, the United States, and the United Kingdom on October 29, 1944, see Executive Agreement Series No. 437, or 58 Stat. (pt. 2) 1498. For text of the armistice signed at Moscow by Hungary with the Soviet Union, the United States, and the United Kingdom on January 20, 1945, see Executive Agreement Series, No. 456, or 59 Stat. (pt. 2) 1321. For text of the armistice signed at Moscow by Finland with the Soviet Union and the United Kingdom, September 19, 1944, see *British and Foreign State Papers*, vol. cxlv, p. 513.

<sup>10</sup> For text of the Declaration on Liberated Europe, see *Foreign Relations, The Conferences at Malta and Yalta, 1945*, p. 971.

Five draft peace treaties are submitted to this Conference. These drafts have been prepared by the Council of Foreign Ministers in conformity with the well-known special decision on this subject. As we know, the Council of Foreign Ministers was set up at the Berlin Conference last year.<sup>11</sup> This decision was adopted on the initiative of the United States of America. For its part the Soviet Government favoured this suggestion from the very outset. And the Soviet Government has always held that an unswerving and punctual implementation of this decision should not be merely a formal duty of appropriate governments but is a decisive prerequisite of the successful work of this Council. It is justly said that big states should not impose their will upon small countries. The case of Germany shows what threat harbours an unrestrained imperialist desire to domineer other peoples and to gain ascendancy over the world. On the other hand democratic countries are familiar with the methods of co-operation which produced positive results both during the war and in the period subsequent to it. The Council of Foreign Ministers was set up just so that the questions might be settled not in the manner of imposing upon some states the will of other states but in the manner of surviving at joint decisions and arrangements. The example of the drafting of peace treaties proves to us that certain positive results have been achieved by the Council of Foreign Ministers. We can claim this though we by no means feel that the just aspirations of the Allied peoples have found an adequate reflection in those drafts. But on the other hand we cannot overlook the fact that at present the decisions of the Council of Foreign Ministers are assailed by all sorts of reactionary elements who are stuffed with absurd anti-soviet prejudices and who base their calculations on the frustration of the cooperation among great powers. The draft peace treaties submitted to the Conference deal a new blow to the efforts of these gentlemen. It is sufficient to become familiar with the proposals contained in the draft peace treaties in order to see that the democratic countries which prepared them performed in this case a work which is in the main in keeping with the interests of countries, big and small, which are anxious to strengthen world peace and security of nations.

The Conference will be able to discuss at length all questions involved in the peace treaties. Our Conference is attended by the delegations, with equal rights, which represent 21 nations. Here everyone of us has the opportunity to state his views freely and to express his agreement or disagreement with this or that part of any peace

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<sup>11</sup> For text of the agreement establishing the Council of Foreign Ministers, see *Foreign Relations, The Conference of Berlin (The Potsdam Conference), 1945*, vol. II, p. 1500.

treaty. It has been assured here that any such view will be heard with due respect and that it may be of considerable value in the final consideration of the draft peace treaties. Here the views of the states ex-satellites of Germany will also be heard. The Soviet Delegation has no doubt that to the voice of these states, too, we shall listen with due attention. As a Soviet Delegate I have reason to say so because since the time they withdrew from the enemy's camp and went to war against Hitlerism and embarked upon the path of democratic and social reforms in the interests of the mass of the people the Soviet Union has come to establish friendly relations with those countries.

All this gives us reason to hope for the real success of the work of this Conference, which will thereby serve the interests of all peace-loving peoples.

DR. EVATT (Australia) : Mr. Chairman, Fellow Delegates, we meet here because we have been victorious comrades-in-arms. Together we have defeated the aggression of the Axis and their satellites. By united efforts and common sacrifices we have overthrown great tyrannies and won a new birth of liberty.

First of all, we do right to recall the great achievements of the leaders in the struggle—of the French to whom we pay special tribute at this centre of civilisation, of the British who stood so firm even when almost alone, of the Russians whose epic resistance to Hitler was a turning point in the European war, and of the peoples of the United States whose effort has been of supreme significance in the Far East as well as in Europe and last but not least of our Chinese allies who held fast against Japan during long years of indescribable suffering.

Our general standpoint as to the status of this Conference is clear and definite. Our object has been to make this, the first Peace Conference, a reality and not a mere formality, to do everything possible to ensure that at this meeting of 21 nations the peace to come is based upon the principles of justice and right and is attained by democratic methods.

The war we have fought was a peoples' war; we are here to advance a peoples' peace. We are only servants and ministers in the cause of peace and justice for all peoples.

I have referred to the deeds of the five major Powers. But the title of the other 16 countries to take part in the making of the peace settlements derives from the active part each has taken in the defeat of the enemy States in Europe.

#### *Australia's Title to Peace Making*

Australia's own efforts illustrate this fact and I cite them for that purpose. Twice in this generation Australia's sons crossed the world for the defence of freedom in Europe; twice they have taken a worthy

part in the defeat of those who set out to dominate Europe and the world. As we meet here, in company with the other nations who have shared the sacrifices and contributed substantially to our common victory, my thoughts turn to my own countrymen who fought and died so that we and not our enemies should make the peace. I think of the many thousands of Australian airmen who fought the enemy over Europe and the Middle East throughout the whole six years of the war. I think of the great campaigns waged by the A.I.F. in North Africa and the Mediterranean until the ferocious and decisive battle of El Alamein was fought and won. I think of the help given by the Australian Navy in delivering crippling blows at crucial moments against the Italian Fleet and of the heavy toll levied upon our sailors on nearly all the seven seas. As General MacArthur has said, Australia's war effort in the Pacific struggle against Japan was exceeded only by the massive effort of the United States forces in that vast theatre of the world war.

This is not even a bare outline of Australia's contribution. Yet that contribution is paralleled by the bitter sacrifices and supreme achievements of the other 16 countries to whom I have referred.

And so, in the name of Australia's fighting men who from beginning to end gave themselves without stint to the war in Europe and Africa, and to the war against Japan, I salute their comrades-in-arms represented here to-day. Australians will never forget those beside whom they have fought, whether it be those, like the Greeks, whose gallant resistance to overwhelming Axis forces they were privileged to share, or those who, from 1939 onwards, came across the seas with them from distant continents, from New Zealand, from India, from South Africa, from Canada, or those who carried on the desperate war of resistance in their own countries throughout the bitter years of enemy occupation, and rose in arms to throw off their Axis oppressors.

#### *Right of Participation by all Belligerents*

It is universally admitted that the contribution to victory made by the peoples represented here warrant their being consulted about the making of this Peace. The real question which has concerned us was whether consultation by the major Powers represented the full extent of our rights or whether active partners in the war should not also be entitled to active participation as partners in the making of the Peace.

Australian opinion on this point of fundamental principle was never in doubt. The right of making the Peace should belong to all those nations who have been partners in achieving the common victory.

It seemed at least to Australia doubtful whether the Potsdam Agreement<sup>13</sup> was clear enough to guarantee to the actual belligerents the

<sup>13</sup> For the text of the Communiqué issued at the conclusion of the Potsdam Conference, see *Foreign Relations, The Conference of Berlin (The Potsdam Conference)*, 1945, vol. II, p. 1499.



right of full participation in the peace making process. Accordingly I was deputed by the Australian Government to place the case before members of the Council of Foreign Ministers then meeting in London in September last.<sup>14</sup> There I urged that those countries which have made active and sustained contributions in the European sphere of war were clearly entitled to participate in the peace making; that a fair and democratic peace could be obtained only by fair and democratic procedures and that the justice of the peace settlements depended to a large extent upon the active participation of a wider group of belligerents than that of three or four or five major powers.

Australia was actively supported in its claims by all the other British Dominions, and also by the smaller European countries and our claims in no way detracted from the primary and necessary leadership of the major Powers. But we insisted that meantime belligerents were entitled not merely to the right of consultation, but to equal rights of actual participation in the peace making process.

I now quote a few sentences from Mr. Byrnes' broadcast address of October 5th 1945 after the requests of Australia (and other belligerents) had been made public:

"At Berlin", he said, "it certainly was never intended that the three powers present or the five powers constituting the Council should take unto themselves the making of the final peace. The Berlin declaration setting up the Council begins with the statement 'The Conference reached the following agreement for the establishment of a Council of Foreign Ministers to do the necessary preparatory work for the peace settlements'. The Council was not to make the peace settlements but to do the necessary preparatory work for the peace settlement."<sup>15</sup>

Mr. Byrnes' statement was completely satisfactory in principle. However, in the subsequent Moscow Agreement of December last the Council of Foreign Ministers was accorded a right not expressly given to it in the Potsdam Agreement, i.e. the right of final review of the Peace Conference's recommendation.<sup>16</sup>

However, it is certain that the Moscow Agreement intends at least that, as an essential condition of the concluding stages of making peace with the five enemy States, "recommendations" should proceed from this conference to the Council of Foreign Ministers. This intention should be carried out in the spirit as well as in the letter, other-

<sup>14</sup> Evatt addressed the 10th Meeting of the London session of the Council of Foreign Ministers, September 18, 1945; for the record of that meeting, see *Foreign Relations*, 1945, vol. II, p. 239.

<sup>15</sup> For complete text of the Secretary's address, see Department of State *Bulletin*, October 7, 1945, p. 507.

<sup>16</sup> See communiqué on the Moscow Conference of the three Foreign Ministers contained in telegram 4284, December 27, 1945, from Moscow, *Foreign Relations*, 1945, vol. II, p. 815.

wise what comes out of this conference will be imperfect and of small significance.

Other Declarations which have been made are also important.

Speaking in London at the end of the meeting of the Council of Foreign Ministers last year, M. Molotov said, in reference to the proposed Peace Conference, that such a conference "is convoked in order to name improvements or changes in the drafts; otherwise conferences are not necessary,"<sup>17</sup> and Mr. Byrnes, speaking after the Moscow meeting, said that the Moscow procedure "contemplates and requires" that the nations represented at the Conference

"formally and publicly make their recommendations. Certainly the United States would not agree to a final treaty which arbitrarily rejected such recommendations. Certainly the great Powers which drew up the draft Charter for the United Nations at Dumbarton Oaks did not ignore the changes suggested by the smaller Powers at San Francisco."<sup>18</sup>

And, speaking of the Peace Conference, Senator Vandenberg thus referred on the 21st May last to the American policy on the matter:—

"It is a policy which invites all of our partners in the war—instead of a closed corporation of big Powers—to have a proper voice in the making of the treaties and the writing of the Peace which result from the common victories which we all helped win."<sup>19</sup>

More recently in July last Senator Vandenberg said:—

"After the Peace Conference the 'last word' again reverts to the four great Powers in the Council of Foreign Ministers. But the conscience of the Allied World will have spoken in the interim, and it speaks with superlative authority."<sup>20</sup>

Without making any further analysis of the precise meaning of the Potsdam and Moscow Declarations, enough has been said to justify certain conclusions. Each of the 21 nations has equal rank and voice in this Conference. We have a big job to carry out and we should proceed to its performance with the utmost despatch. For it is absolutely clear that in these final stages of the peace making the greatest possible weight will be attached to the deliberations and recommendations of the nations which admittedly have 'actively

<sup>17</sup> The text of Molotov's press conference in London on October 3, 1945, was printed in *Izvestiya*, October 4, 1945, as well as in the volume *Vneshnyaya politika sovetskogo soyuza: 1945 god* (Moscow, 1949), p. 74. A translation of the press conference was transmitted to the Department with despatch 2168, October 4, 1945, from Moscow, not printed.

<sup>18</sup> For text of the report by Secretary Byrnes on the Moscow Meeting of Foreign Ministers, made as a radio address on December 30, 1945, see Department of State *Bulletin*, December 30, 1945, p. 1033.

<sup>19</sup> For complete text of Vandenberg's remarks in the Senate on May 21, see *Congressional Record*, vol. 92, pt. 4, p. 5325.

<sup>20</sup> For complete text of Vandenberg's remarks in the Senate on July 16, see *ibid.*, pt. 7, p. 9060.

waged war with substantial military force against European enemy States'. Much depends upon the question whether in practice the sponsoring Powers here will follow the example of San Francisco and be prepared to hear their co-belligerents not as suppliants or as advocates or as mere consultants, but as general partners who have proved their worth as partners in the great struggle against our enemies. The spirit which will animate this Conference is far more important than the mere literal adherence to declarations which have been made in the past.

### *Principles of Peace Making*

I therefore turn to consider what are the general principles which should govern the review of the draft treaties. First, we are not justified in imposing our common will upon the defeated enemy in any spirit of mere vindictiveness or caprice. Our aim is justice, looking to the future as well as to the past for we are, in a sense, the trustees of all the United Nations, of all the ordinary men and women throughout the world who look to us to give an enduring and a just peace to them and their children. However concerned we may be in the interests of our own countries, we must never lose sight of the fact that all the peoples of the world have a stake in this peace.

If we approach our task in this spirit we shall keep in mind certain fundamental principles:—

First—we should adhere to our solemn undertaking in the Atlantic Charter and the United Nations Charter and try to ensure that the principles set out in these Charters are given the fullest possible application in the peace treaties.

Second—we should ensure that our recommendations and decisions are based on an impartial and thorough examination of all the relevant facts affecting each of the questions raised.

Third—we should be careful not to impose such unjustifiable burdens and humiliations upon the peoples of the five states as will prevent the growth of genuine democratic forces or foster the resurgence of Fascism.

Fourth—our main objective should be the attainment of a just and durable overall peace structure and not merely the settlement one by one of a series of particular and isolated claims by individual nations against their neighbours.

### *Australian Proposals*

We fully appreciate the work already represented by the draft treaties which the Council of Foreign Ministers has prepared for our consideration. But, it is the obligation as well as the right of the nations which have not shared in the preparation of these drafts to analyze them in the light of sound general principles and to make such constructive criticisms and specific recommendations as are called for.

Accordingly the Australian delegation will, like the other delegations, draw attention to those provisions in the draft treaties which

can and should be improved. Wherever necessary we shall make suggestions for the inclusion of additional provisions on matters that have either escaped the attention of the drafting powers, or would appear to be necessary to give full effect to the principles of the Atlantic Charter and the principles of the United Nations Charter, principles which are binding on all represented at this conference.

Proposals and suggestions of the Australian Delegation will be made from time to time in the appropriate Commissions and Committees. Here I shall only refer to some of the main questions that in our opinion require examination, and indicate briefly our provisional point of view.

### *Territorial Provisions*

First, there are the territorial provisions of the treaties. The importance of territorial changes achieved by war has often been exaggerated. For many people in the frontier regions of this small, crowded continent, the question as to which side of a boundary they live on is really less pressing than that of how to make a reasonable living for themselves and their children. It is not surprising that many people are inclined to cry, bread before border, butter before guns.

So far as particular frontier adjustments are concerned, Australia adheres to the view we have consistently expressed in the United Nations Organisation that before a decision is reached, there should be a thorough examination of the relevant facts in each case. No doubt the Council of Foreign Ministers has had much material placed before it. There is every reason why this Conference should have access to this same material and any other new facts relevant to particular frontier changes. I would stress the fact that we are concerned not merely with the individual proposals considered in isolation from each other but also with the wider implications, political and economic, of the changes considered as a whole. The Australian Delegation will therefore favour where necessary the appointment of a special fact-finding committee, to prepare and report on material required by the several committees concerned with the frontier provisions of the various treaties.

### *Italian Colonies*

On the question of the Italian Colonies, the Australian Delegation consider that the making of decisions as to the future administration of the colonies, should rest not with the Foreign Ministers' Council as such, but with all those countries which, like Australia and the other British Dominions, have through their great losses and sacrifices in liberating such territories, earned a vital interest in their future disposal or administration.

*Trieste*

The main principle of the proposed settlement for Trieste is similar to that submitted by Australia and New Zealand to the Council of Foreign Ministers as long ago as September last. But some of the features of the solution may prove unworkable in practice. It seems too that we shall be brought face to face again with the further difficulty that it is proposed to give the Security Council important discretionary powers in relation to Trieste, and that under the Charter of the United Nations Organisation any proposed decision of the Security Council may be blocked by the veto of any one permanent member of the Council.

For these reasons it seems essential that the Trieste proposal should receive the closest scrutiny from this Conference.

*Reparation Questions*

I now mention the economic and financial aspects of the treaty, including the reparations proposals. I submit that these aspects require close review before the treaties will be satisfactory from the point of view of a just overall settlement.

One overriding principle of the settlement should be to ensure economic co-operation between the five countries and their neighbours.

We feel that the Council of Foreign Ministers has, not un-naturally concentrated its main attention upon political and territorial problems rather than upon economic and social arrangements.

It is our hope that all the members of the Council of Foreign Ministers will welcome a strengthening of the treaties in their economic and social aspects.

The Reparations provisions of the treaties are admittedly incomplete and important questions are left unanswered. Article 64 of the draft treaty with Italy certainly gives an impression that the U.S.S.R. is to be given some degree of precedence over other claimants who suffered heavily at Italy's hands. It may be too that several of the proposals would tend to assure to the U.S.S.R. a privileged position in the future direction of the trade and economic life of all the countries contributing reparations. These reparations provisions need precise clarification. For that purpose the Conference is entitled to receive the fullest information as to all the facts and reports on reparations placed before the Council of Foreign Ministers. In the absence of that information, a fair and impartial review of the treaties is obviously impossible.

Speaking more generally, the Australian Delegation takes the realistic view that if reparations are exacted to a point which seriously retards the economic rehabilitation of the nations paying them the general level of trade and living standards of other countries and

peoples will be endangered. In principle the exaction of properly assessed reparations is reasonable and just. But the treaty should provide assurance that reparations now exacted will not create a situation of serious economic concern to European countries.

In considering the problem of reparations, it is important to keep in mind that some of the countries with which we are to make peace have for a long period been subject to economic domination by Germany. In such cases their economic structures, including their industrial development and distribution of resources, have been distorted by the practical compulsion which required them to fit into the economic needs of Germany. The readjustments now to be imposed are of such a character that a major re-orientation of their economic structures may prove to be beyond their slender resources. This inter-dependence in the economy of European countries illustrates the principle that reparation claims should be dealt with as an integrated whole and not in isolation from each other, or in a way which will once again establish economic subservience on the part of the contributing country.

#### *European Economic Organisation*

The economic questions are so important that the peace treaties could usefully include provision for closer economic co-operation between European States. Agriculture, steel, coal, hydro-electric power, and all the major resources of Europe wherever situated, should become available to all the peoples of Europe. While the federation of European States may not be practicable, some of the benefits of such a system could be achieved by encouraging the establishment of economic organisations on a European or regional basis. This would not prejudice the real autonomy of each national unit.

It again would be of practical value if all the European countries affected by the proposed treaties became members of the Food and Agricultural Organisation, the International Wheat Council, the International Labour Office and other organisations designed to promote the twin objectives of full employment and higher living standards.

It is by such practical measures of economic co-operation that the gaping wounds of Europe may gradually be healed. We must do our utmost to promote such economic arrangements that full employment and high living standards may ultimately be secured for all European peoples.

Through-out international discussions on economic policy Australia fought successfully for one principle of full employment, not only for domestic but for international reasons in the realisation that a low level of employment in any part of the world inevitably threatens employment standards elsewhere. Nothing can be more disastrous

or more likely to lead to a resurgence of war and Fascist aggression than unemployment, poverty and low standards of life. Poverty and depression in Europe menace peace and prosperity, not only there but throughout the world.

### *A Positive Peace*

The task in which we are engaged is not the mere perpetuation of armistice terms, not the mere cessation of a period of armed conflict, not the mere preparation for another interval between European wars. True peace is not the mere absence of war but a positive and actively beneficial state of affairs. And so the ultimate task before us is nothing less than creating the framework for a renewal of European civilisation, but civilisation in "larger freedom". That is a noble enterprise. It is fitting that countries like Australia should make their contribution to this great objective. In the Pacific we are inheritors of European civilisation and in a sense trustees for it. In the field of arms we have twice come to Europe to redress a balance heavily tilted in favour of tyranny; our contribution in the field of social and economic well-being may equally help to prevent the utter disaster of another European war.

We cannot accept the cynical view that history must, of necessity, repeat itself. The fact that the war chapters of history have been repeated in the past is largely due to the lack of foresight on the part of some of those who imposed the peace. The peoples of the world look to this Conference to help substantially in framing a peace based on social justice and economic betterment. Only by such a peace can freedom from fear and freedom from want be ultimately assured to the men and women and particularly to the children, of this continent.

M. FONTURA (Brazil) (Interpretation): Mr. Chairman, For the second time, Brazil finds herself in this glorious land of France for the purpose of participating in a Peace Conference. During the years between the two wars, we remained faithful to our principles of political development and to our diplomatic traditions, tested over long periods during the struggles in which we had been compelled to engage, even before political emancipation was achieved, since for many years previous to that event, the seat of the Kingdom of Portugal had been transferred from the banks of the Tagus to Brazil.

At all times and throughout the vicissitudes of our history, our peaceful sentiments, our partiality for conciliation and our dislike of aggressive imperialism have been clearly demonstrated. We have, of course, more than once been involved in armed conflicts, but in every case as a result of unprovoked acts of aggression. For more than three-quarters of a century, the Monarchy laid down the foundations of our foreign policy, which were subsequently consolidated and ex-

tended by the Republic, so that we have been able, by friendly negotiation, to define the frontiers between our country and its various neighbours.

As ideological precursors of Pan-Americanism, we have sought with unflinching loyalty to respect the international undertakings into which we had entered, and to develop friendly and cordial relations with all the nations of the world. At the outbreak of the second World War we found ourselves entirely unconnected with the conflict which had arisen, and with its avowed or hidden causes—it is certain, however, that the sympathies of the Brazilian nation have never ceased to be with the cause of the democracies. Nevertheless, our country continued to maintain the strictest neutrality until the conflagration spread to the shores of the American continent. It would have been impossible then to remain indifferent to the brutal and premeditated aggression against a sister nation to whom we are bound by ties of the closest friendship dating from that already distant time when our political independence was proclaimed, and which, since then, have never been broken. On the other hand, it was incumbent on us strictly to fulfil the engagements we had undertaken for the defence of the American Continent in the event of foreign aggression, so as to honour our signature to the Panama and Havana Resolutions.<sup>21</sup> Even for this purpose, however, our action was at first confined to breaking off diplomatic relations with the governments of the aggressor States, in conformity with the recommendation of the Third Consultative Meeting of Foreign Ministers of the American Republics, held at Rio de Janeiro early in 1942.<sup>22</sup>

The cowardly torpedoing of several of our coastal vessels in our own territorial waters, however, forced us into the conflict, and we were impelled to take part in it, not so much by the material loss of these vessels engaged in transport duties off our shores, but rather by the murder of several hundreds of our fellow countrymen—amongst them women and children.

Our co-operation in the victory won was evidenced in the first instance in Brazilian skies and the southern Atlantic, and later, in the fields and skies of Italy. In August 1942, at a time when our enemies, already masters of almost all western Europe, were advancing on

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<sup>21</sup> See text of the Declaration of Panamá, approved by the Foreign Ministers of the American Republics October 3, 1939, *Foreign Relations*, 1939, vol. v, p. 36; text of the "Convention on the Provisional Administration of European Colonies and Possessions in the Americas," signed at Havana July 30, 1940, Department of State Treaty Series No. 977, or 56 Stat. (pt. 2) 1273; and text of the "Act of Havana," which is included in the Final Act of the Conference, also signed July 30, 1940, Department of State Executive Agreement Series No. 199, or 54 Stat. (pt. 2) 2491.

<sup>22</sup> See text of the Final Act of this meeting, held at Rio de Janeiro, January 15-28, 1942, Department of State *Bulletin*, February 7, 1942, p. 117.



Alexandria, intensifying their submarine warfare on all seas and, in the East, were threatening the continent of Australia itself, the blood of our soldiers, airmen and sailors was generally shed in the defence of the cause we had taken up. Brazil did not associate herself with the victorious nations, but linked her fate, her future and the destiny of upwards of 40 million souls to the fate, future and destiny of great peoples, faced at that juncture with almost insuperable difficulties. We had, however, with these peoples, spiritual affinities concerning the conception of individual freedom and all that goes to constitute the ideal of a democratic organisation. Although we did not enter the struggle with any thought of possible gain, we set no limits to our co-operation and gave all we had. Many raw materials indispensable for the victorious continuation of the war were generally supplied to our Allies. Our air and naval bases were essential springboards for the landings in North Africa and the successful conclusion of the campaign which followed. On accepting the title of belligerent, with all its duties and responsibilities, we threw into action first our Navy and our Air Force and later an expeditionary force which for over a year held a sector of the Italian front, previously gallantly defended by French troops.

It is not in any spirit of vainglory, which would be out of place in respect of nations which have made such heavy sacrifices in this war, but merely in order to justify our position and our rights at this Assembly that we would recall at this point the comments made on our war effort by Mr. Cordell Hull, then U.S. Secretary of State, on the eve of victory: "The plain truth is that, without this brilliant co-operation, the course of the war in highly essential strategic areas might have been different. For example, consider the situation in the Near East. When Rommel was hammering at the gates of Egypt, it was planes and light tank munitions ferried across North-Eastern Brazil that helped to turn the tide. The value to our cause of the use of these Brazilian airports, and the co-operation of the Brazilian Army and Navy cannot be overstated."

Brazil is the only Latin-American Republic to sit in this Assembly and to have the right, expressly conferred on her, to voice the aspirations of the toiling masses who transplanted to the New World the roots of Iberian civilization, and Brazil has no other ambition than to further the establishment of a just peace, in which the nations will re-lay the foundations of mutual trust, loyalty and respect as between peoples, while making no special differences between large and small nations. One of the most odious features of the Nazi creed was indeed the distinction made between master and slave nations, between those entitled to rule and those condemned to slavery.

Brazil is a young force in a world which is itself still young. Yet, in the course of her history Brazil has managed, in her relations with other peoples, carefully to foster those principles which are the guiding lines of her foreign policy, established under the Monarchy and maintained for half a century of republican rule. We shall never be false to those principles; on the contrary, we would proclaim them here as evidence of our faith in the building of a freer, happier and kinder world. We continue to defend the principle that a democratic association of nations must be based solely on recognition of the strict legal equality of States—a principle we already advocated strongly at The Hague Conference in 1907, through the medium of Ruy Barbosa. In virtue of its own sovereignty, any one State should be the equal of any other State and, as such, subject to the same commitments and entitled to the same prerogatives. The natural outcome of this principle of equality is that no State should interfere in the domestic or foreign affairs of another. Repudiating as we do, the spirit of aggression and conquest, together with all forms of, or pretexts for, territorial violation against another State, and resorting to arbitration for the solution of international disputes—as Brazil has done on several occasions—we show our full appreciation of the importance of this gathering, which is based on equal and democratic suffrage, without distinction between the stronger and the weaker, the richer and the poorer. We have come here without any commitments other than those inherent in our political, historical, juridical and spiritual structure and those which may be dictated to us by the general interests of our country.

None the less, we shall never overlook our responsibilities as an integral part of the new Spanish-American continent, and we speak for many of its peoples in advocating a peace not inspired by hatred or revenge but designed to promote moral disarmament throughout the world.

Thus, we will ever be influenced by the spirit of our hemisphere where the common feeling of nations for one another has already found concrete expression during the last war. We belong to a regional system of free peoples who seek to subordinate selfish interests to the aspirations of peace and justice—a fact which is perhaps attributable to the close affinities existing between its members.

This system, for which the United Nations constitutes an ideal frame, will undoubtedly play an outstanding part in the maintenance of peace, actuated as it is solely by considerations of general harmony and of fidelity to the principles of *[of]* right, and international justice.

Nevertheless, we realise to what an extent the entire structure of peace between men depends on the United Nations. That Organisation is the ultimate key to security for all. There may have been and

perhaps there still are some flaws in its statute. Time and experience will show what changes are needed, but it already provides the necessary elements and conditions for preventing future aggression, settling disputes, and avoiding conflict. It will suffice if the United Nations discharges its duties impartially, and if it is not wanting in goodwill and sincerity.

On this sincerity will mainly depend the restoration of mutual trust between nations.

Let us hope that the same spirit may animate all those who have come to this Assembly, and that, with God's help, we may devote our efforts to obtaining a result which will augur well for the peace of the world and of a glorious, though ravaged Europe.

It is in a spirit of optimism that we enter these precincts. Provided we speak our minds plainly, suspicion between nations, like distrust among men, will vanish.

#### REPORT OF THE CREDENTIALS COMMISSION

*The Chairman:* I call upon M. Lorenzo Taezaz, Delegate of Ethiopia and Chairman of the Credentials Commission, who wishes to make a communication.

*M. Lorenzo Taezaz (Ethiopia):* I had the honour to inform the Conference yesterday that the Credentials Commission had found in good and due form all the credentials handed in by the various Delegations.

One Delegation alone had been unable to communicate full powers in time, owing to material difficulties.

I wish to state that the credentials which had not arrived yesterday were handed in this morning.

*The Chairman:* The meeting duly notes the information just received and thanks the Credentials Commission for having accomplished its task.

#### PROCEDURE

*The Chairman:* The Commission on Procedure will meet at 10 a. m. tomorrow (Thursday).

There will be a plenary meeting of the Conference at 4 p. m.

The list of speakers is as follows:—

Baron van Boetzelaer van Oosterhooft,  
First Delegate of the Netherlands;  
M. Kardelj,  
First delegate of Yugoslavia;  
Rt. Hon. H.D.R. Mason,  
First Delegate of New Zealand;  
Mr. Halvard Lange,  
First Delegate of Norway.

The meeting rose at 7 p. m.

THURSDAY, AUGUST 1, 1946

THIRD MEETING OF THE COMMISSION ON PROCEDURE,  
AUGUST 1, 1946, 10 A.M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)4

A discussion took place on the Greek amendment to the proposed rules of procedure. It was objected to by the Yugoslav, Ukrainian and Soviet Delegations principally because of the reference to voting contained in it. M. Molotov proposed that it be amended to read as follows: "The Conference may place on its agenda at the request of one or more of the delegations any question connected with the draft peace treaties." The proposal as amended was unanimously adopted.

The proposal of the Council of Foreign Ministers concerning the General Commission was adopted.<sup>23</sup>

The Netherlands Delegation proposed that all states represented at the Conference participate in the work of all the commissions. This amendment was opposed by the U.K. and French Delegations on the ground that the procedure proposed by the Council of Foreign Ministers offered a more efficient way of accomplishing the work of the Conference without prejudicing the rights of any of the members. The Soviet Delegation opposed it on the grounds that states not at war with the enemy states in question were not sufficiently concerned with the respective peace treaties to be represented on the commissions. Dr. Evatt (Australia) supported the Netherlands amendment. A roll-call vote was taken and the following delegations voted for the amendment: Australia, Belgium, Brazil, Canada, China, Ethiopia, Greece, Netherlands and the Union of South Africa. The following delegations voted against the amendment: Byelorussia, France, Great Britain, India, Norway, New Zealand, Poland, Czechoslovakia, Ukraine, U.S.S.R., and Yugoslavia. The United States abstained. The amendment was defeated by 11 votes to 9. A compromise proposal of the Soviet Delegation amended by the U.K. Delegation and reading as follows: "The representatives of any states members of the Conference may be heard by any commission if they so notify the chairman of the commission concerned" was unanimously adopted.

The Polish Delegation proposed that Poland be admitted to membership on the Balkan Economic Commission on the grounds that Poland had been in a *de facto* state of war with Hungary. This proposal was supported by the Czechoslovak Delegation. Consideration of this proposal was deferred until the next meeting.

<sup>23</sup> Part I, paragraph 2 of the Rules of Procedure vol. iv, p. 796.

## BYRNES-NEVES DA FONTOURA CONVERSATION, AUGUST 1, 1946, A.M.

740.0011 EW(Peace)/8-146

*Memorandum of Conversation, by the Director of the Office of European Affairs (Matthews)*

PARIS, August 1, 1946.

Participants: Mr. Joao Neves da Fontoura, Brazilian Foreign Minister  
The Secretary  
Mr. Matthews

The Brazilian Foreign Minister called at his own request on the Secretary this morning. He said that there was great sympathy within Brazil for Italy and he was under instructions to do all he could to obtain a just and fair peace for Italy. He said that he believed he knew American opinion well enough to feel that the United States similarly wanted such a peace for Italy. The Secretary agreed and said that the question is what constitutes a just peace. Mr. Neves da Fontoura then talked of the proposed Trieste settlement and his belief that the Free Territory should be extended to include Pola. The Secretary outlined at some length his 10 months' effort to obtain Trieste for Italy and his subsequent endeavors to extend the Free Territory area. He referred to Mr. Molotov's proposal that the Free Territory include only the city of Trieste and did not even extend as far as the end of the streetcar lines. He said that it was, in his opinion, more important to obtain a contiguous frontier for the Free Territory with Italy than to obtain Pola and that it was impossible to obtain both. He said that the alternative to agreement on Trieste would have been separate treaties of peace with Italy and the possibility that if Italy did not accept the draft proposed by Russia and Yugoslavia which would have given the whole territory to the latter, one week after the withdrawal of American and British troops the Yugoslavs would have marched in. The Brazilian Foreign Minister said that the Italians claimed that most of the population of the Istrian Peninsula was Italian and that therefore it would be wiser to hold a plebiscite. The Secretary explained that he had proposed a plebiscite for the western area, which was predominantly Italian, but contrary to the Brazilian Foreign Minister's belief the majority of the whole Peninsula was Slavic. He explained how Molotov had readily accepted the plebiscite idea but had insisted that it must apply to the whole Peninsula. This was not, of course, satisfactory and would have given the whole area to Yugoslavia. The Secretary had therefore been compelled to drop the proposal.

The Brazilian Foreign Minister then brought up the question of the Italian Colonies with particular reference to the renunciation of

all rights therein by Italy. The Secretary indicated that he agreed that that provision should, if possible, be omitted and that he was taking steps to consult the other members of the Council of Foreign Ministers. He said that he hoped Mr. Molotov would go along with that and he understood that the French were agreeable. Mr. Neves da Fontoura asked what the British attitude would be and the Secretary said that he had not yet ascertained. The Brazilian Foreign Minister said he himself would like to propose at some stage the omission of the renunciation provision. The Secretary said this was agreeable to him and that he would continue his own efforts in this direction.

The Foreign Minister then said he did not wish to take any more of the Secretary's time at this interview but there were two other points he would like to raise briefly. One was the question of the exclusion of Brazil from participation in the allocation of German reparations. He said that this psychologically gravely injured Brazilian opinion as Brazil was the one country which had contributed substantially to the war effort, yet was excluded from participation in the German reparations allocation. He referred to the value of Brazil's aid when air bases were so badly needed in Brazil and the Brazilian Expeditionary Force in Italy. The Secretary said that he was not familiar with the question but was inclined to agree with the Minister as a first reaction. He promised to look into the matter and said that he imagined the real reason why Brazil had not been included was the feeling that she would get more reparations through seizure of German assets in Brazil than through any other system of allocation. The Foreign Minister denied that this was correct and emphasized the psychological and political effect from his point of view of Brazil's exclusion. He said that his President had written President Truman and he was raising the matter with the Secretary under instructions.<sup>24</sup>

The other question he raised was that of the holding of the Rio de Janeiro Conference and he asked the Secretary's views. The Secretary referred to our difficulties with Perón and the fact that only several weeks ago Perón had said that Argentina had not legally ratified the United Nations Charter or the Act of Chapultepec. The Secretary pointed out that if plans were now made for the Rio Conference and subsequently Perón took the line that his Government was not bound by the United Nations Charter or the Act of Chapultepec a very difficult situation would arise. Perón had said, he under-

<sup>24</sup> A memorandum drafted by Oliver for Matthews, dated August 3, 1946, explained that had Brazil attended the Paris Reparations Conference of 1945, she would probably have been allocated an amount inferior to the German assets she had seized. Brazil would have had to make payments to help satisfy the claims of other nations. Moreover, Brazil could not have been invited without inviting Mexico and Cuba, which countries would have faced similar difficulties. (740.0011EW (Peace)/8-346).

stood, that he was asking for Argentina's ratification and that while the Secretary knew, if he really wished to, he could obtain it in one day this had not yet taken place. As soon as such ratification does take place he will be glad to talk to the Brazilian Foreign Minister about plans for the Rio Conference. Mr. Neves da Fontoura remarked that Perón was keeping one eye on Moscow and one eye on Washington and trying to get the most out of it, but he felt something must be done soon with regard to the Rio Conference. As the Secretary had to leave for a meeting, he said that he would like to talk to him again about it some time.<sup>25</sup>

In conclusion he emphasized Brazil's great friendship for the United States and his desire fully to support American policy except on occasional minor points.

H. FREEMAN MATTHEWS

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FOURTH PLENARY MEETING, AUGUST 1, 1946, 4 P. M.

CFM Files

*Verbatim Record*

C.P. (Plen) 4

President: M. Bidault

THE PRESIDENT: I call on Baron van Boetzalaer van Oosterhout, First Delegate of the Netherlands.

BARON VAN BOETZALAER VAN OOSTERHOUT (Netherlands) (Interpretation): The Netherlands Delegation would first like to associate itself with the tributes paid to the French Government for the hospitality which it has so generously extended. My Government accepted the French Government's invitation in the firm belief that, notwithstanding the major difficulties which we shall certainly encounter, it will be possible to overcome them if we direct all our efforts to a common end.

We live in a world which has been smitten by a scourge unparalleled in history. All our Governments are preoccupied with the overwhelming task of national reconstruction. It is, however, certain that real improvement at home will depend on a satisfactory solution of international problems.

This Conference will be considering treaties of peace with countries which have not committed acts of direct aggression against Netherlands territory; they have, on the other hand, been associated with

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<sup>25</sup> For documentation concerning United States policy toward Argentina, Brazil, and the proposed Inter-American Conference at Rio de Janeiro, see volume XI.

the invaders of our country and have thus given them substantial support.

While we insist that the nations which have caused so much suffering to the human race should accept responsibility therefor, we are not animated by any spirit of vengeance: we only insist on justice being done and we are ardently anxious to preserve the future. May I, in this connection, be allowed to quote the words of Haricourt: "Only God is entitled to punish; we do not mete out punishment, we save the future".

The people of the Netherlands are not easily carried away by their feelings. We are regarded as people of moderation and good sense. It is, however, precisely this objectivity, together with an acute sense of justice, as evidenced through our country's history by many of its prominent men, which objects to resuming international relations, once the criminal attack has been repulsed, as if nothing had happened.

We realise that those at present in power in the countries concerned were not themselves the initiators of these acts of aggression. We know that the people of those countries now disapprove, at least to some extent, the policy which they followed for so long. Such a change of attitude, though, cannot be alleged by them as an excuse for evading responsibility for the injustice done. Every nation must answer for the consequences of its rulers' actions, particularly when its people acclaimed their policy just as long as they hoped it would be profitable to them. It is to be hoped that the nations which now realise how criminal was the policy formerly followed will have enough sense of justice to be prepared to make good as far as possible the wrongs which were committed.

To prevent catastrophes such as have been experienced in the past, however, it is not sufficient for the vanquished to exhibit a change of mind; the victors too must refrain from a policy of intimidation, egoism and intolerance. In the course of history great as well as small Powers have sinned in this respect; but the consequences are more disastrous in the case of great Powers. Admittedly, the present situation is not very reassuring. The way in which the great Powers have secured a privileged position in the United Nations does not augur well for the future development of that institution, and the use to which it has been put has certainly not allayed those apprehensions. The procedure suggested for the present Conference on the bases of the Moscow Declaration is rather of a nature to maintain them.

We certainly do not underrate the necessity that the great Powers should occupy a special place in the family of nations. We are fully conscious of the fact that a greater burden of responsibility for world security falls on them and that they are entitled to exercise a corresponding influence in international affairs. But we cannot agree



that the great Powers should dictate their will to others or claim for themselves a monopoly of wisdom in the international sphere. We are not stubborn defenders of equality of States at all costs. We do not adopt the narrow view of absolute sovereignty which would require, in all circumstance, the same treatment for all; but we are of opinion that inequality of treatment should not go beyond certain limits.

As far as concerns the organisation of the present Conference, I have already had the honour to set forth more fully the point of view of the Netherlands Government during the general discussion in the Commission on Procedure.

Gentlemen, if our meeting is to lead to the results which the world expects from it, we must realise that any system which does not serve the interests of all, and reduces the position of medium and small powers must be prejudicial to the peaceful development of the international community.

In making these few observations, the Netherlands Delegation is impelled solely by the desire to co-operate in a constructive way in the task before us. We have, indeed, no other aim than to contribute our assistance in the drawing up of peace treaties that shall be just and lasting and that shall not contain the germs of future conflicts.

M. KARDELJ (Yugoslavia) (Interpretation)

Mr. President, Gentlemen, At the present moment, millions of people throughout the world are looking towards Paris in the hope that, at this first general Peace Conference, the responsible representatives of The Allied and Associated States may reach conclusions which, along with those that will follow them, may lay the firm foundation of a lasting peace.

The Delegation of the Federal People's Republic of Yugoslavia wishes first to thank the heroic and suffering nation of France for a hospitality which has largely facilitated the work of the Conference. On behalf of the Yugoslav nation the Yugoslav Delegation also greets the Allied peoples and their representatives who have met here to deal with this responsible task and with the hope that in a spirit of mutual comprehension all our efforts will be directed toward enabling this Conference to achieve its lofty aim with the utmost possible success.

Modern history is a record of numerous wars and numerous peace conferences. Many of these latter have been accused of having acted blindly, guided exclusively by the victor's feelings of hate or violence, or shortsightedly of having done things by halves and failing to destroy the basic causes of war. Mistakes like these have led to further aggression and new wars. In the treaties of peace which we are now called upon to draw up, such errors must be avoided. Tomorrow, the pitiless light of history will be brought to bear upon any

line of action that is adopted at this Conference. Such action, too, will be judged not by the words in which they are expressed but by their real objectives and the consequences to which they lead. We should merit the severest judgment of humanity if, at least within the limits provided by the peace treaties which we are about to discuss, we did not sincerely endeavour to strike aggression a decisive blow and thus save coming generations from the sufferings and the tortures which war brings in its train.

When we, in Yugoslavia, found ourselves treacherously attacked by the German-Italian invaders and subjected to an occupation which by its mass persecutions decimated the population, we transformed our whole country into a battlefield, where no distinction was made between front and rear, between soldiers, and civilians, where mothers, young girls and children took up arms and where whole regions were devastated. That is why we will never forget what aggression and war means. We should fail in our undertaking if we were to decide that the peace treaties in themselves could suffice to prevent war. Our task is sufficiently hard without cherishing such illusions. But what we can do here is to say to those millions who have sacrificed their all, convinced they were fighting for a truly righteous cause: Our object is to work for human progress, for the happiness of the individual, with our very best will, whatever the nation to which he may belong.

What is necessary is to eliminate the causes of such aggression as that with which we have had to cope and to raze to the ground the system built up by the aggressors of the past.

We would of course be excessively over-estimating our powers if we said that the present Peace Conference would succeed in abolishing wars once and for all. What we will be able to achieve here, however, and what we are bound to do here in view of the millions of victims who have given their lives in the conviction that they were fighting for a truly just cause; what we are bound to achieve for the sake of human progress and the happiness of each individual, is to endeavour on the one hand to be just and fair to the nations and peoples, irrespective of the State or country to which they belong and, on the other hand and for that very reason, to be resolute to the utmost when it is a question of destroying the sources of aggression against which we were until recently fighting and when it is a question of overthrowing to its very foundations the whole structure erected by the forces of the aggressors of yesterday. Some people assume that the parties guilty of launching this war are merely individual personalities from the higher ranks of Fascist aggressor states of yesterday. This Conference however could not seriously strike at the roots of aggression and war if it were to adopt such a standpoint. The roots of aggression lie much deeper

and, just as it would be unjust to accuse a whole people indiscriminately, so it would be equally unjust to discern the roots of evil merely in the ideology of a few individuals. I do not propose to undertake any kind of analysis but we are all aware that it was not the people who put forward Hitler and Mussolini but primarily the banks, trusts and cartels and I feel it essential to emphasise that, both before Hitler and under Hitler, the fundamental manifestations of aggressive tendencies took the form of an unceasing and more or less violent trend towards the seizure of foreign territory and their gradual economic and political enslavement, the destruction of the freedom and independence of peoples, the development of economic expansion, the creation of semi-dependent vassal states with anti-democratic regimes etc. What does all this lead to? The Yugoslav Delegation considers that, as a principal factor for the present Conference, it implies that the Conference should strike precisely against this basic manifestation of aggression. Consequently, if the present Conference really wishes to create a firm and permanent basis for international peace, it must in the first place completely destroy all remnants of the domination of Germany, Italy and their vassals and resolutely eradicate not only the relics of their domination in this war but also of their earlier encroachments. The Conference must make it possible for those peoples who were rent to pieces between the various former aggressor states to come together finally and become free. It must do all this in order to ensure peace on their borders. The Conference must further bear in mind that the liberated peoples must be really freed from all economic and political pressure from outside and from all interference in their internal affairs. Further the countries which have been subjected to war and enemy occupation with all the terror and destruction must be given corresponding compensation by the aggressor who devastated them, as otherwise they themselves will be unable to recover. In the view of the Yugoslav Delegation this is the only proper path to follow if the Conference wishes to achieve success. Only thus will aggression be justly punished.

There are some who suggest a different, and in the Yugoslav view, a very dangerous method. They reject objective considerations and suggest that the sole criterion should be merely what part has any specific aggressive state taken in the war. Starting from this standpoint some people, for instance, ask for conciliatory decisions to be adopted in the case of Italy, the practical expression of which would be to give Italy part of Venezia Julia. The Yugoslav Delegation also considers that in concluding a peace consideration should be given to the part played by the individual aggressor state in the war. Further the delegation desires and will itself endeavor to see that the Peace Treaties should afford those states, as soon as possible, conditions favouring a normal existence and reconstruction and should guarantee

the peoples and individual persons national and democratic rights. If however there is to be conciliation and concessions, these can only and should only be accorded within the frame-work of the rights and just requirements of those states and peoples; there should be no tolerance in regard to the aggressive and greedy demands proffered at the expense of other peoples. The Yugoslav Delegation considers that no tolerance whatsoever can be shown to aggression or aggressive imperialism.

The Yugoslav Delegation agreed with the speakers who declared that good will should be manifested towards the peoples of the former aggressor countries so as to give them an opportunity for a democratic rebirth. This good will however should manifest itself in respect of the democratic and natural rights of the individual and the race but should not take the form of conciliating an ex enemy in the place where he committed and still continues to commit acts of violence against other peoples. Good will should be directed towards enabling the broad popular masses of the former aggressor countries to live a normal existence and enjoy every form of personal happiness and progress and also to ensure respect for their national rights—such rights as that of taking their own decisions in their own country. It would however be quite erroneous to think that the former aggressor countries can be brought to follow the path of good will, peace and democratic co-operation by leaving them part of the booty in the form of other peoples national territory which they had previously wrongly obtained. Such action would encourage the forces of aggression and strengthen their belief that violence can prove a successful form of aggressive policy. First condition of peace is that the aggressor and the invader should leave the territories which they have wrongly seized and go back to their own racial frontiers. If this Conference fails to achieve this it will have failed to convince the powers of aggression that right is more powerful than wrong and it will therefore be unable to prevent a fresh aggression.

That is the point of view of the Yugoslav Delegation regarding the principles which above all must form the foundation of the work of the present Conference.

We must pay due tribute to the Ministers of Foreign Affairs of the U.S.A., the U.S.S.R., Great Britain and France, who, in preparing the Peace Treaty, carried out a difficult but an important task. In many cases they made objective and just proposals which could, in actual practice, form the basis of a stable peace.

But not every one of their decisions is of this nature. Among them there are decisions which directly contradict the principles to which I have already referred. The Yugoslav Delegation stresses this point because it is a matter of a fundamental principle and because it intimately concerns the national rights of Yugoslavia. In our opinion

such decisions could in the first instance have only arisen because neither in all circumstances, nor in every Allied country are the rights and interests of certain small and medium Allied nations or of their governments taken into account. It would be fatal to the Conference to allow the individual interests of separate Allied countries to prevail against objective criteria. It is obvious that under such circumstances a just peace could not be obtained.

Thus, in the case of the frontier between Yugoslavia and Italy, the Draft Peace Treaty with Italy, as proposed by the Council of Foreign Ministers, is in the main based on the so-called French Line.<sup>26</sup> The French Line has exchanged an ethnic frontier for a so-called ethnic balance. The French Line stands for the negation of what is most fundamental, in that our nations were fighting for in the universal struggle with Fascism, Aggression and Imperialist subjection. The French Line deprives the Slovene and Croat nations of the opportunity to be reunited in their own national state within the framework of the Federal People's Republic of Yugoslavia and exposes large numbers of them to a new subjection to the Italian Imperialism. Furthermore the draft Peace Treaty has severed Trieste from its Yugoslav hinterland. By taking Trieste from Yugoslavia the draft Peace Treaty commits a further injustice. It establishes between Trieste and Italy a corridor carved of an ethnically absolutely pure Slovene territory. In addition it takes away from Yugoslavia a considerable portion of Istria which is also mainly inhabited by a Yugoslav population.

So much for ethnic and territorial problems. In the economic sphere the draft Peace Treaty fails to offer to Yugoslavia any guarantee of compensation for a more or less reasonable proportion of the enormous losses inflicted on it in the course of the war by the Italian Fascism and Imperialism when it occupied one-third of the entire territory of Yugoslavia for two and a half years. All this it is the more difficult to understand if it is borne in mind that in the course of the war with Italy alone Yugoslavia lost over 400,000 lives. It is obvious that a country which sacrificed so much in the struggle with the Fascist oppressors cannot accept any such conditions.

Despite its mainly consultative character, this Conference can greatly assist in the course of the preparation of the Peace Treaty the furthering of the case and efficacy of objectivity against prevailing subjective criteria. Provided a sincere desire prevails at this Conference to arrive at a completely satisfactory agreement with the countries which are immediately concerned with certain articles of the peace treaties: provided the decisions at this Conference are not

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<sup>26</sup> For identification of the "French Line", see footnote 7, p. 46.

made formally, by a simple majority which in some cases may prove to result in a simple imposition on the directly interested countries of conditions which they cannot accept: provided lastly that every delegation lends a sympathetic ear to, and accepts in a spirit of goodwill any truly objective argument, then I have no doubt that the present Conference can play an important part in the final formulation of a Peace Treaty which will be just to all concerned to the greatest possible extent. It is for this reason that Yugoslavia cannot deem it proper that decisions concerning her own people and territories which were liberated by Yugoslavia and her people inhabiting these territories or that decisions in other vital questions connected with the Peace Treaty with Italy should be taken without her agreement. Far be it from Yugoslavia to desire to impose her will. She has so far proved this in all her actions. Therefore the Yugoslav Delegation today once more declares that her only aim is to reach a just agreement with her Allies of the late war in the matter of the peace with Italy.

In this spirit the Yugoslav Delegation considers that the fundamental task of the present Conference is to make possible a full discussion of any arguments put forward by the Allied countries concerned so that an agreement is reached with these directly interested countries. Only under such conditions could any recommendation made by the present Conference be of real value in the preparation of the peace treaties. Remembering the one million seven hundred thousand sons and daughters of their country who fell in Yugoslavia's war with the Berlin-Rome Axis, the Yugoslav Government and all Yugoslav peoples consider that it is their duty to adopt this attitude. While fighting the enemy, her valiant soldiers were dying inspired with steadfast belief that they were engaged in a fight for the final liberation of all their nations, which means that they were fighting for the principle proclaimed by all the Allied nations in their declarations during the war.

In this spirit I once more express the ardent desire of the Yugoslav Delegation for a successful completion of the work of the present Conference. This would constitute yet another great and decisive victory for the Allied peoples, a triumph of peace and cooperation between the nations over the surviving aggression which attempts to sew discord between the forces which have successfully defended the world against Fascist barbarity.

MR. MASON (New Zealand):

Mr. President, and fellow delegates, I join with other speakers in expressing to the Government of France, and to the people of this most beautiful and historic city, the warmest appreciation for the hospitable and manifold arrangements, which have been made for the delegations attending this Conference.

I represent the country farthest removed in distance from the conflict in Europe, but one which did not hesitate for an instant to join the resistance to aggression in September, 1939. Twice in one generation our men have poured forth their blood in heavy measure; without stint New Zealanders have devoted their whole productive effort to the needs of war.

I cite this fact of the remoteness of New Zealand from the European theatres of war to stress the importance we attach to the well-known observation that peace, like war, is indivisible. An act of aggression in Abyssinia, or in Danzig, or in China, is but the stone cast into the world's waters causing the ripples which touch with fatal impact the shores of every country of the world.

We knew that remoteness provided no safeguard, and that failure to resist aggression would mean the loss of the liberties and principles of justice upon which we had built our way of life. We are no less determined to preserve those principles in this making of the peace.

For six years our men fought continuously, proud to fight alongside those armies of free men whose representatives are seated here to-day in this hall of victory. They fought in Greece and Crete, then in North Africa, and later, through the whole length of Italy. They fought against the Japanese in the Pacific when our own homeland was threatened. Our sailors fought on every sea, and our airmen brought war to every enemy of the United Nations.

I recall the heavy sacrifices of my country in the cause of democratic freedom, to emphasize our direct interest in the peace—in the settlement—and in the maintenance—of which we are as willing to take as full a share of responsibility as we did in the conduct of the war.

In view of the wide scope of previous speeches, I have no desire to repeat the sound and excellent principles ably expressed by the most distinguished speakers who have preceded me. I should like, however, to express appreciation of the speech by Mr. Byrnes, the first I heard, having arrived late at this Conference. It was worthy of the greatness of America, and it must give encouragement and hope to all peoples to hear such truths and ideals set forth as the practical basis of the policy of a nation of such strength and power as the United States. I warmly uphold, also, the principles of peacemaking enunciated with such vigour by my colleague from Australia—Dr. Evatt—and also those of his proposals regarding the economic aspects of the peace settlement—proposals which mean so much to the ordinary men and women we represent.

For my own part I am deeply conscious that we are dealing primarily with human beings. We must not yield to the temptation to reward this nation, or to punish that, by giving to the one, and taking

from the other, some territory so easily marked on a map. We are dealing not with maps—or abstractions. We are dealing with living men and women, their homes and families—with their lives, their hopes. Human beings are not fit subjects to serve as prizes and rewards.

The New Zealand Delegation endorses what previous speakers have stressed regarding the positive task of peacemaking—the creation of goodwill and good-neighbourliness, and the avoidance of perpetuation of old antagonisms. Though we do not forget the baseness with which some of the now defeated enemies struck at us when our fortunes were at the lowest ebb, we are none of us actuated by the spirit of revenge at the Conference. We know, full well, that there can be no lasting advantage to be gained from a policy actuated by revenge. What we seek above all is a settlement that will avoid the recurrence of war.

In defeating aggression we hoped to see established an international order which would provide the maximum discouragement to aggression in the future. The war was not fought to aggrandize any one of the victors. Such purpose is expressly disowned in the Atlantic Charter. While we do not object to the punishment of the aggressor powers, the effects of punishment must clearly be such as to promote the security of the United Nations.

The peace at which we aim must not only be based on justice, but it must also appear just to those who come after us. Let us therefore see to it that our conception of justice to-day is farsighted and thus avoid those elements of instability that will disrupt our settlement.

In our approach to the Peace the New Zealand Delegation consider that the Atlantic Charter, as a statement of principles and pledge of common faith by the United Nations, is of full effect. In particular, territorial changes should not, we think, be adopted unless a very strong case has been presented, and certainly not until the wishes of the inhabitants of the territories concerned have been clearly ascertained. We believe that the beneficiaries of such changes should give effective guarantees as regards the protection of human rights and economic collaboration.

In many cases we shall have no alternative but to accept compromises reached by the Great Powers; let us, however, have a clear guarantee that the Great Powers regard these compromises as something more than temporary reconciliation of divergent interests and hopes.

New Zealand would welcome, in certain instances, the establishment of international control of areas which involve the economy of more than one country, or of territories whose people would not otherwise be able to maintain their political or cultural independence.



But we consider that the Great Powers should not take the responsibility of proposing an international solution of such problems, unless they are unitedly resolved to uphold that solution as a permanent settlement, and that they should make it fully clear to the Conference that this is their resolve. Given such conditions we believe that international solutions can be workable.

We trust that the various settlements will be such as to commend themselves to the United Nations Organisation, which is charged with the responsibility of preserving world peace. The areas dealt with in the Peace Treaties may be the sore spots and trouble centres which will occupy the attention of the United Nations. In this connection we would like to remind this Conference that we cannot bind that Organisation, which is bound only by its Charter, and that before any tasks proposed for the United Nations in the Treaties become effective, they must be fully accepted by the United Nations itself, acting through its organs.

In conclusion, Mr. Chairman, I would like to state that the New Zealand Delegation reserves for the work of the Commissions its detailed proposals affecting the draft treaties. On this occasion I will say no more beyond expressing the earnest hope that we, in common with other nations represented here, may have the wisdom and breadth of vision to devise a peace that will be as just as humanly possible—a peace that will endure, and one which our children—less deeply involved and with less vivid memories than ourselves—will consider it worth maintaining; and, not of least importance, a peace that the Powers—Great and Small—will unite in upholding.

MR. LANGE (Norway) (Interpretation) : Mr. President. My Government was very glad on behalf of the Norwegian people to accept the invitation of the Council of Foreign Ministers to the Conference of Paris and it is with the keenest interest that we are participating in its work. From many points of view this Conference will certainly create precedents in regard to the settlement of the German problem and also the conditions of peace to be formulated for Japan. The essential feature, from our point of view, is to be found, however, in the importance, not only for the future of Europe, but for the future of the whole world that will be assumed by the principles on which the Conference will base its work. It cannot be too frequently repeated that peace is one and indivisible. The peace treaties with the ex-enemy countries of southern and eastern Europe will directly or indirectly have inevitable repercussions on the political, economic and social evolution of the whole world. Moreover, the principles by which we shall be guided will exercise a powerful influence over public opinion in all free countries.

For many years past Norway has taken an active part in every effort directed towards the establishment of peaceful relations and co-operation between nations. In particular, there exists in my country a long tradition in the matter of the peaceful settlement of international disputes. The people of my country hope that the peace, of which we are here to lay the first and partial bases, will be inspired by the ideas and conceptions which govern relations between the citizens of democratic countries. Like all the other Allied Governments, the Norwegian Government during the war constantly expressed the hope that the peace would be a peace of peoples, safeguarding all men in the future against poverty and against oppression. For long years we have struggled against the scourge of Nazism and Fascism. We have won the victory. But we must see to it that those forces of evil which are not yet everywhere vanquished are made powerless to endanger the peace of mankind and to oppress peoples as they are still doing to-day in certain countries.

Here at this Conference, however, we find ourselves faced by a task that is delimited and concrete. We have to discuss the draft peace treaties with those countries known as "vassals" or "satellites" of Hitlerite Germany. What line of conduct should be adopted so as in this particular case to arrive at a just and lasting peace? The Governments of those States have all collaborated and have voluntarily subjected themselves to the demands and direction of Hitlerite Germany. They are, therefore, in different degree, it is true, all accomplices in those crimes. The countries which have been attacked, pillaged, exploited and tortured are in the very first place entitled to demand that the indispensable military and political precautions should be taken to guarantee them against fresh aggression. And then they are entitled also to demand that the aggressor States, within the limits of their possibilities, should contribute towards reconstructing what they have destroyed.

Finally, and this is a question of principle and of morality, it is of the greatest importance to demonstrate and to make all the peoples understand that a war of aggression does not pay, that it is a crime which entails grave responsibilities for those States which launched it. This is of capital importance for small nations which, in general, having regard to their population and their resources, will be the most seriously affected and will have the least possibility to defend themselves against aggression.

There are no divergences of opinion amongst us on these points. It is understood that these considerations must play a predominant part in the drawing up of treaties of peace with ex-enemy states. This does not mean that the United Nations desire a peace of vengeance. Our essential object must be by laying the foundations of a lasting

peace, to create conditions favourable to the development of world-wide co-operation. For this reason the ex-enemy countries must be put in a position to participate, as soon as possible after the signature of the peace treaties, in the life and in the common efforts of the democratic nations and to be admitted to the United Nations. The condition precedent for such admission will be the establishment in those States of a stable system of government built up on the principles of democracy and the rights of man.

The Allies realise also that the conditions of peace must not be of such a nature as to render impossible the democratic development of the ex-enemy States. It must not be forgotten that in those countries there arose, particularly during the latter part of the war, movements of opposition to the pro-Hitlerite régime. The existence of these elements, which are now playing an important part in the governments of ex-enemy countries, allows us to hope that those countries will set their feet on the path of human progress. The countries attacked and despoiled are fully entitled to demand priority as regards the apportionment of the limited resources which remain available in a world impoverished by six years of war. An effort must, however, be made to prevent, as far as possible, sapping the economic foundations which are necessary to the restoration of ex-enemy countries, for that would have the result of plunging them into chaos. It will be difficult to settle territorial problems. Many factors must be taken into consideration and no one principle can be exclusively pushed to its utmost limits. Economic and strategic necessities must be taken into account, but it may be advisable to stress the fact that a high degree of importance must be attributed to the nationality of those populations whose fate is at stake. We know the harmful effects on the peace of Europe and the world that have followed in the past from national claims. There is no reason, in connection with the questions that we have to settle, to create any antagonism between great and small nations.

It is practical and reasonable that the great Powers should first of all discuss problems among themselves and subsequently submit the results of their deliberations to the other Allied nations which have taken an active part in the war.

In the present case there is every reason to be unreservedly glad that the Council of Foreign Ministers has succeeded in reaching agreement beforehand on some of the most important questions. We all recognize that understanding and collaboration between the great Powers constitute a necessary condition if it is to be possible to draw up peace treaties with ex-enemy States.

That does not mean that certain decisions cannot be modified as a result of discussions with the other nations assembled here. If we

agree to the suggestions put forward by the four Powers, this Conference can only pass recommendations, and the terms of the treaties of peace must be determined by the inviting Powers. True, the other Allied States would naturally have liked to be able to take part in the final decisions, but we confidently hope that the Great Powers will take into consideration the recommendations of the Conference and the views put forward here by the other Allied nations. We have noted with great satisfaction the statements made in this sense during our discussions.

All nations, great or small, must work together to bring about a peace that shall be lasting and just, that shall make it possible to reconstruct European civilisation on newer and broader foundations than in the past. In this task we may draw inspiration from the glorious traditions of this great capital whose guests we are, from this city which reminds us at every street corner of the struggle that they waged for freedom and civilisation in the old days and also in our own times.

#### PROCEDURE

THE PRESIDENT: The Commission on Procedure will meet tomorrow at 10 a. m.

The Plenary Conference will meet at 4 p. m. to continue the general discussion. The following delegates have expressed a desire to speak:

M. Masaryk (Czechoslovakia).  
M. Aklilou (Ethiopia).  
M. Rzymowski (Poland).  
Mr. Mackenzie King (Canada).  
M. Kiselev (Byelorussia).

(The meeting rose at 6:40 p. m.)

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#### MERRILL-AUER CONVERSATION, AUGUST 1, 1946

CFM Files

*Memorandum of Conversation, by Frederick T. Merrill of the United States Delegation*

SECRET

PARIS, August 2, 1946.

In a conversation yesterday, the Hungarian Minister in Paris, Paul Auer, discussed at some length his personal views on the draft treaty for Hungary and also gave some indication of the official position the Hungarian Delegation will take in presenting the Hungarian case to the Conference. Some of his opinions are expressed in an

open letter addressed to Walter Lippmann, published in the *Paris Herald-Tribune* of July 21 (attached). Auer made the following points:

1. Hungary will endeavor to rebut Molotov's recent intimation that Hungary took little or no part in the final defeat of Germany and will recall previous statements made to the Hungarian Government by Marshal Voroshilov in Budapest to the contrary. The Hungarian Delegation may indirectly suggest that certain countries equally culpable (i.e., Slovakia) are now sitting in judgment on Hungary.

2. Fearing Soviet displeasure, the Hungarian Foreign Minister may be hesitant to question directly the territorial decisions of the CFM. The Hungarian documentation of claims for territory in Transylvania and for protection of the Hungarian minority in Slovakia will probably be tabled without a direct request that the territorial question be reopened. It is Auer's belief that since nothing will be gained in this respect, the Hungarians must now ask for a one year "cooling off period" before the Hungarian frontiers are finally defined. He said he has already discussed with Australian and Canadian delegates the possibility of inserting a proviso in the territorial articles of the treaty to this effect and is hoping for their support and the support of the French with whom he is apparently on very close terms. Should he be able to persuade his own Foreign Minister to accept this view, he hopes that the Canadian or Australian delegate will sponsor this proposal in the Commission for Hungary. Auer argues that a proviso in the territorial clauses to the effect that the delineation of the frontiers be further examined and that no final decision be taken for a year will

(a) enable Hungary to negotiate bilateral agreements with the two countries concerned which would be impossible unless permanent territorial settlements are postponed. When international tensions are lessened and the atmosphere more favorable (i.e., after Rumanian elections) there might be some hope of success for such negotiations.

(b) avoid a territorial decision which world opinion could castigate and which would be recognized as not in accord with America's frequently expressed ethnic and humane principles, etc.

(c) prevent an internal political crisis in Hungary in which the Smallholders would probably have to resign from the Government. According to Auer, Nagy could not be expected to survive as Prime Minister should his government accept the territorial clauses as they now stand. If such a political crisis is precipitated prior to the withdrawal of the Soviet occupying forces, it might align the rightwing Smallholders and Catholic conservatives, which groups now include many real reactionaries and Soviet-haters against the Communist-controlled left parties. According to Auer in any such open conflict,

the Communist Party, backed as it is by the Soviets, would be likely to come to power.<sup>27</sup>

In opposition to his own arguments, Auer recognizes the validity of two:

(a) In the interim period some Hungarian politicians might well employ for their own political ends unsettled territorial questions and reawakened revisionism among the people.

(b) The Soviets might use the opportunity to blow hot or cold on the countries concerned. (He believes this would not affect the Hungarians since they now have no illusions regarding Soviet policies.)

Auer is convinced that in a less heated atmosphere than now prevails the Czechs would be willing to settle bilaterally their outstanding problems with the Hungarians. He would therefore like to see the Conference recommend suspension of the deportations of Hungarians from Slovakia in the interim period while an allied commission investigated the situation and made recommendations, possibly to UN.<sup>28</sup>

3. The Hungarian Delegation will probably raise the reparations question in connection with other Allied claims on Hungary. (The recent adjustments in reparations conceded by the Soviets (Budapest's 1390 July 29)<sup>29</sup> is presumably an effort by them to forestall any such complaint). Hungary will attempt to demonstrate its inability to meet all its obligations, which will imply the necessity of scaling down all claims, particularly reparations. The Conference might then feel it necessary to create an economic Commission to determine Hungary's capacity to pay. This the Hungarians strongly favor, all except, of course, the Communists.

4. Auer expressed grave doubts regarding the article which provides for the evacuation of occupational forces 90 days after ratification of the treaty, since he fears the Soviets will ratify only when it suits them. He would therefore like to see a maximum time limit set for ratification, as well as a maximum limit on the number of Red Army troops which will then remain in Hungary to safeguard Soviet communication lines into Austria after withdrawal of the occupational forces. The Hungarian Minister was not particularly optimistic that any such limitations on Soviet action could be included in the treaty.

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<sup>27</sup> For documentation on United States efforts to assist in the maintenance of democratic government in Hungary, see vol. vi, pp. 250 ff.

<sup>28</sup> At this point Reber made the following marginal comment: "This would be in line with the position taken by the Secretary on previous occasions." For documentation on the concern of the United States over the Hungarian-Czechoslovak dispute regarding the exchange of populations and revision of frontiers, see *ibid.*, pp. 361 ff.

<sup>29</sup> Not printed.

5. Auer expressed also a fear that any customs union proposals growing out of the treaty would result only in a Danubian *zollverein*, which would sooner than later be dominated by the U.S.S.R. Auer foresaw in such moves the possibility of an eventual Hungarian-U.S.S.R. Customs Union, which would complete the Soviet economic penetration of Hungary and effectively prevent trade with Western Europe. Auer stated that he will attempt to head off any plans for customs unions with Yugoslavia and Rumania by counter proposals for a "European Customs Union". He said he had already interested certain French officials in this.

6. According to latest reports from Budapest, Elek Bolgar, the Communist Deputy Foreign Minister, will not accompany the Delegation to Paris because of illness. Auer believes this to be a diplomatic illness and contends it is evidence that it is now Communist policy not to participate in presenting the Hungarian case to the Conference. He told me he had wired the Prime Minister recommending that a leader of the Communist Party be included in the Delegation in order that all members of the coalition and not the Smallholders Party alone should bear the onus of a failure to modify a proposed treaty now considered by most all Hungarians as little less than catastrophic.

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### FRIDAY, AUGUST 2, 1946

#### FOURTH MEETING OF THE COMMISSION ON PROCEDURE, AUGUST 2, 1946, 10 A. M.

CFM Files

#### *United States Delegation Journal*

#### USDel (PC) (Journal) 5

The Polish proposal that Poland should be represented on the Balkan Economic Commission was opposed by the Australian, U.S., U.K., South African and Netherlands Delegations on the grounds that the matter had been settled by the decision of the previous day on representation in the commissions. The Polish Delegation withdrew its proposal.

The New Zealand Delegation proposed the following amendment to the suggested rules of procedure: "The chairmanship of the Conference will be held by the representative of the host government." Similar amendments were submitted by the Brazilian and Netherlands Delegations. M. Vyshinsky (U.S.S.R.) favored acceptance of the original proposal for rotating chairmanship. He was supported by M. Lange (Norway) and M. Pijade (Yugoslavia). Mr. McNeil

(U.K.) proposed the personal nomination of M. Bidault as Chairman. M. Couve de Murville (France) said that the important factor was to have a Chairman elected unanimously. He recommended that the amendments be withdrawn and the original proposal of the Council of Foreign Ministers be accepted. It was decided to defer further consideration of the matter until M. Bidault might be consulted.

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CFM Files

*United States Delegation Minutes*

[Extract]

[MR. BYRNES:] "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 motion."



## FIFTH PLENARY MEETING, AUGUST 2, 1946, 4 P. M.

CFM Files

*Verbatim Record*

C.P. (Plen) 5

President: M. Bidault

THE PRESIDENT: I call on M. Masaryk, First Delegate of Czechoslovakia.

M. MASARYK (Czechoslovakia)—Mr. President and fellow delegates, at the beginning of my very short speech, I wish to pay a tribute to our generous hostess—France. France has been the western neighbour of many Germanys, who periodically behaved in the same uncivilised Teutonic manner towards us. Bohemia, later known as Czechoslovakia, has been the eastern neighbour from time immemorial. The western and eastern neighbours should be made secure in order to keep a continuous watch for many years to come, no dozing, no appeasement and not too many illusions. So I pay my modest tribute to the past and future greatness of France in three words: “La France éternelle”.

The Delegations assembled in this historic Palais du Luxembourg are studying the drafts presented by the Foreign Ministers of the Great Powers—drafts of peace treaties with countries whose Governments, some for a longer, some for a shorter time, but all of them long enough, affectionately held Hitler’s hand during that unspeakable period when Nazism became the government of the so-called Third Reich and the second World War in our generation was unleashed.

The Czechoslovak Delegation is going to have something to say on some of these points. We realise full well that they are the result of long and sometimes difficult negotiations. They are a compromise between different points of view, and we shall respect that fact when we take part in the ensuing conversations.

One fact though, I wish to bring to the attention of this plenary session of the Paris Conference at this very time. It would be most especially difficult to persuade the people of Czechoslovakia to consider the idea of reverting to minority treaties such as we had between 1919 and 1938. A Czechoslovak Government which tried to do so would most likely be overthrown. Czechoslovakia lived up to those treaties as well as any one in Europe—maybe a little better. What happened to Bohemia as the result of her western neighbour and her German minority running amok, you know full well. What happened to Slovakia as the result of the most ardent and utterly satellite behaviour of her south eastern neighbour, Hungary, is also a well established historic fact. We in Czechoslovakia, fellow delegates, have had much more than our portion of scheming minorities.

Among others I also speak to you as the representative of a small country, small in size, thickly populated for its size, but not quite so small in tradition in making European history and in its contributions to European culture. We have no great open spaces and it is well known that we have no sea. A small country, a rather lovely one, land-locked, in the very heart of Europe, such is our proud and difficult heritage.

From Prague I can motor in less than half an hour to the sacred site of that erased village Lidice. In just over an hour, I can take you to the concentration camp of Terezin where I went the other day for a little silent prayer before hundreds and hundreds of graves of our beloved martyrs,—Jews and Christians; their graves are not identified, all heaped together are our unknown soldiers.

Munich and Nuremberg are not very far from Prague either. So, although I am not assuming to be the champion of small countries, I most assuredly speak for one. When Czechoslovakia was attacked, she was in excellent company. Great, brave, unconquerable China came first, valiant Abyssinia next and then Czechoslovakia, the first one in Europe. It has been said here and repeated here that we should not seek revenge but justice. I heartily agree with that, but Czechoslovakia has not forgotten, not yet. We know our Central Europe, the causes and roots of the two world wars. We hope that our voice is going to be listened to by our twenty co-belligerents. We are going to tell you that where old methods have failed, and failed most lamentably, new ones and, so far as Czechoslovakia is concerned, permanent new methods should be tried. What we want is a peaceful, progressive, democracy of Czechoslovakia and Slovakia. We wish to achieve this by open methods compatible with the Charter of the United Nations, and we believe, that by so doing, a source of conflicts irredentism and, if I may say so, bilateral excitement would be eliminated. Sometimes, I even make bold to hope and think that perhaps we could be given a slight benefit of the doubt, but I must not pursue the point. Czechoslovakia, loyal to her allies, is very proud to be a Slav country, proud that her sons fought in the Ukraine and entered Prague with the victorious liberating Red Army, that her boys took part in the Battle of Britain and fought at Tobruk, that her brigade besieged and delivered Dunkirk, proud to have fought alongside the victorious great armies of the great United States of America and alongside the armies of the other Allies who are assembled in this hall, and, remembering the Slovak uprising behind the lines of the German army, barricades of Prague and the wonderful, magnificent behaviour of her population during seven endless years of Hitler's inferno. Czechoslovakia is looking forward with reasonable, realistic

optimism to the ultimate result of this and the following peace meetings. We all want peace. We all need peace. We all really must have peace. Otherwise,—well—I am not going to finish that sentence. Foolish or very naughty people who speak glibly of the next war are doing an outstanding dis-service to their unborn grandsons. Imagine, fellow delegates, a long, long peace, maybe even permanent peace—wouldn't that be wonderful!

MR. MACKENZIE KING (Canada)

Mr. President and fellow delegates: The nations represented at this Conference have willingly accepted the invitation of the great Powers to be associated with them in the task of making peace with Italy and the Eastern European belligerents. It was with particular pleasure that the Government of Canada received this invitation at the hands of the Government of France. The special ties between Canada and France reach back for more than four hundred years. During two centuries our countries shared a common history. Twice in the past thirty years, in the defence of civilisation, French and Canadian fighting men have been valiant comrades on the battle-fields of Europe. Canada is happy to-day to be associated with France in rebuilding the peace in Europe.

Canada's interest in the successful outcome of the deliberations of this Conference is obviously less immediate and direct than that of some of the participating countries. Clearly there are many countries represented here that will be more closely and directly concerned with the specific solutions of questions of territorial boundaries, population transfers, war damage indemnities and so on. I can truly say that Canada has no specific national interest in the adoption of any particular formula for the solution of individual conflicts and differences which, in the aggregate, will constitute the general settlement. But we have a vital and compelling interest in the kind of settlement that results from these deliberations. Our principal duty and interest lies, it seems to me, in helping the countries more directly concerned to work out agreed solutions which are fair and likely to endure. Our concern as a nation is to see that as far as we can help to make them so, the peace treaties will be based upon broad and enduring principles of justice and equality. Canada seeks no territory, no reparation, no special concessions of any kind, but we do seek to build a lasting peace. Canada's interest in the peace springs from deep within the heart of Canada's nationhood. It might be thought, from our geographical position, that we were remote from and had no concern with central Europe. But the fact that we were early in the struggle and that Canada entered the war by the deliberate decision of the Canadian Parliament was evidence of our immediate realization that the peace of the world is one and indivisible. If the

peace and security of Europe were threatened, so also were the peace and security of Canada. No one could say where the aggressor might strike.

The war effort of Canada was an all-out effort. It was planned and carried out to the limit of our ability for two main reasons. We wanted to help to bring the war to a victorious close at the earliest possible day. We also wanted Canada's contribution to be of an order which would entitle us to share effectively in the making of peace.

May I say a word in reference to those nations of Europe against which Canada, in common with her Allies, declared the existence of a state of war, and with whose future the present Conference is immediately concerned.

Italy and Finland, Hungary and Roumania, have, like other nations of Europe, each made their contribution to the upbuilding of the Canadian people. Many thousands of our citizens, whose parents came to Canada as humble immigrants not so very long ago, returned to fight in Europe as Canadian soldiers, volunteers in the war to preserve democracy from Fascist aggression. We welcome the opportunity, which the making of peace affords, for the emergence, in the lands of their forefathers, of new governments and institutions dedicated to the realization of those ideals of right and justice for which we believe the war was fought. Of the countries in the world taking part in this Conference, Canada has, from these close associations of blood and history, a particular interest in hoping that out of the peace treaties will come settlements which will be definitive, because they will be recognized as fair and just.

The process of peacemaking is seldom an easy process. Let us frankly admit that the course which has been followed has not in all respects been that which some of us have hoped for. This perhaps may be said of all countries represented here.

We in Canada felt that the measure of our participation in the war against aggression would have warranted a similar measure of participation in the decisions of peace. In the event, these hopes are not being realized. We have, however, the limited opportunity afforded by our participation in this Conference not only to assist in shaping the first of the peace treaties, but also to make known our views on certain instalments of the general peace settlement.

We all have a stake in helping as best we can to bring about wise and agreed solutions to the problems the war has left in its wake. If our opportunity to shape decisions is limited, we cannot, if peace should not be secured, place a similar limit on our liabilities. For this reason I hope that the Conference arrangements will permit of each nation making its maximum contribution to the solution of the problems confronting us.

It would be unfortunate if, in this Conference, the real issues were to be obscured by any false antithesis between the interests of the larger and smaller nations.

The determining factor in the making of peace should not be the size or power of the participants, nor of their relative contribution to victory. The final test is what is right and what is just.

Already difficulties have arisen and divisions have appeared in relation to procedure. Views strongly held have given emphatic expression, within these walls and without, in opposition to and in support of some of the proposals of the Council of Foreign Ministers.

I have been in public life a long time, perhaps longer than anyone here. It certainly cannot be said of me that I under-estimate the importance of being in the majority. It has not, therefore, been difficult for me to sympathize with the positions stated by both Dr. Evatt and Mr. Molotov. I have learned, however, that even better than a majority is unanimity and common consent.

With this in mind I would like the four great Powers willing to consider and consider promptly, any changes in the Foreign Ministers' proposals which are seriously suggested and supported by strong argument. I should like to see any suggested changes considered by them before a vote is taken. In other words, I would venture to suggest, and I believe the suggestion to be important, that the Council of Foreign Ministers should not wait until the Conference has ended to examine recommendations. I would suggest that the Council of Foreign Ministers, all of whom will be attending the Conference, should meet from time to time during the Conference to review and discuss proposals as they arise out of our deliberations. This course would facilitate the immediate acceptance of any agreed modifications of the draft treaties. It would tend to avoid the necessity of voting and divisions, and in saying that it is of the highest importance at this time to do everything possible to minimize divisions, I think I can speak for everyone here, indeed, for the people of an anxious world.

Then there is the question of time. For many reasons, it would be unfortunate were the Conference to be unduly prolonged. It is certainly our duty to see that our work is done thoroughly. It is of almost equal importance that it be done quickly.

Were the Council of Foreign Ministers to meet, during the Conference, in the way I have suggested, it would require no changes in the formal position. The final stage provided for under the Moscow Agreement would still take place and the Foreign Ministers would convene for the purpose of approving the final draft treaties. But if there is merit in this proposal, they would, I believe, find at that time, that many problems of the final stage had been resolved.

Indeed, it might not be too much to hope that final agreement would rapidly ensue. Furthermore, this course would have the advantage of emphasizing our common partnership in the making of peace.

Too great significance cannot be attached to the present Conference; if for no reason other than that it is the first of the Conferences concerned with the treaties of peace, it must pave the way for future conferences. If it succeeds, the success of future conferences will be commensurately ensured. Should it fail, what hope would be left of future success in the making of peace?

If we succeed, we shall immediately remove one burden from the shoulders of mankind. We shall lighten humanity's load as it seeks to be relieved of its heaviest burdens. To lighten a man's spirit by giving him fresh hope, is to give him fresh strength and ability to pursue his way. It is the same with nations as with men. To fail to bring this Conference to a successful conclusion, or to prolong it indefinitely, would be to discourage the nations, and to hold them back in their onward march.

I would be untrue to my deepest convictions were I not to give to the Conference a statement of the magnitude of the task with which, as I see it, our world is faced. Fortunately, for what I have to say, I have high scientific authority. Ours is an age in which there has been much of scientific progress, and in which great store is placed upon scientific discovery. High honour is paid to science itself.

Of her many contributions to the advancement of science and to the betterment of the human race, France has bestowed no gift comparable to that of the research of her great scientist, Louis Pasteur. On the inauguration of the Pasteur Institute, in the City in which we are assembled to-day, Louis Pasteur, in whose honour the Institute was founded, enlarged upon the significance of scientific research. Overcome at the reception accorded him by the scholars and statesmen of France, this great benefactor of mankind asked his son to read for him from the manuscript he had prepared. In that notable document there appeared the following epoch-making paragraph:

"Two contrary laws seem to be wrestling with each other nowadays; the one, a law of blood and of death, ever imagining new means of destruction, and forcing nations to be constantly ready for the battlefield, the other a law of peace, work and health, ever evolving new means of delivering man from the scourges which beset him. The one seeks violent conquest, the other the relief of Humanity. The latter places one human life above any victory, while the former would sacrifice hundreds of thousands of lives to the ambition of one."

This profound analysis of the nature of international conflict was made a little over half a century ago. It has not yet received the attention it merits. We would do well to recognize that beneath all else,

and stronger than all else, are unseen forces which are very powerful and which have operated, not in our day only, but from the beginning of recorded time. The wars the world has witnessed have been no matter of chance or circumstance. They are the hideous manifestations of contrary laws wrestling in human society—their work the destruction of civilisation from within.

The years of war have surely taught us that no man liveth to himself, and that no nation liveth to itself. We are all members one of another. Henceforth, in the interests of its people, no nation can afford to serve selfish, nationalistic ends, and whether these be isolated self-defence or world domination, it is for every nation to remember that over all nations is humanity. We have had enough of the mailed fist. What our world needs to-day is the hand of the Physician. By blood and by death forces of aggression have sought to extend the frontiers of their already vast domains. By peace, work and health, obeying the laws of humanity, we, in the words of Louis Pasteur, shall seek, with the aid of science, to extend the frontiers of life.

M. WINCENTY RZYMOWSKI (Poland) (interpretation): Mr. President, Gentlemen, We welcome the Peace Conference as the concrete expression of an effort to bring the world back to normal conditions. Our discussions must succeed in finally normalising post-war conditions in one of the most important sectors of the European political field. Various voices have been heard, even before we met here, endeavouring to minimize the significance of this Conference and emphasizing that the only important problem for the peace of the world is the problem of Germany.

Our country was the victim which suffered most from the Nazis. We lost about six million inhabitants. Our capital, Warsaw, is now only a heap of ruins, evidence of deep-rooted and savage barbarism, the sole example in modern history of such an attack on the capital of a country. For that reason we realize, perhaps better than any other nation in the world, the importance of the German problem. When the time comes, we shall take an active part in the lasting settlement of the fate of vanquished Germany. We consider, however, that, at the present moment, the transformations which the German nation has undergone are not sufficient to enable us to take up hastily the solution of that problem.

Italy, Hungary, Bulgaria, Roumania and Finland, on the other hand, have undergone such far-reaching changes that questions relating to them are ripe for a final and lasting solution. It is our duty therefore by means of adequate peace treaties to restore normal conditions of existence in those countries as soon as possible, and to permit them to enter the community of peace-loving nations. We should hold out our hands to these nations and allow them to build up

a new future on new bases—a future that shall be free from the vices of Fascism. We shall remain faithful to this line of conduct towards each nation. We shall support the aspirations of free Spain and we shall support the aspirations of liberty and real democracy of all peoples.

I have said that the questions submitted to the present Conference concern one of the most important sectors of European policy. I should like to explain briefly my Government's point of view. The ferocious war which broke out seven years ago was prepared in a new spirit of determined savagery but it followed the old traditional path of German policy. The war, which according to the plans of Berlin, was to result in the extermination of many countries, was not prepared by the efforts of German diplomacy alone. Before deciding to unleash the tempest, Hitler and his clique of collaborators did everything in their power to seize certain territories politically. In many cases, this was rendered possible only by economic conquest. The Danube basin and the Balkans constituted one of the most important fields for that German economic expansion which opened the way to political conquest.

In the past, the world looked with an indifferent eye on the German efforts directed towards the Berlin-Baghdad axis. In some quarters, where the objects of the economic policy of Germany were beginning to be realised, this indifference gave place to a feeling of profound impotence. Consequently the Germans were able to carry out their plans without encountering any obstacles. German exports to these territories were followed by an ideological expansion. In the train of machine-tools, motor-cars, watches and other merchandise there was a penetration by agents responsible for propagating the Fascist and Nazi ideology. Thus the Danube basin and the Balkans became not only an outlet for German goods but a propaganda zone in which doctrines of the Third Reich took root. The nation which submitted to this acquired in Germany an outlet for its raw materials. The Third Reich became the master of the existence and of the economic development of such countries. The Germans tried the same methods in the Baltic. In this way, Finland, Hungary, Roumania and Bulgaria were dragged into the orbit of German economy and policy. The success of this method enabled Germany to create the economic and political bases of conquest. The alliance with Fascist Italy opened to Hitler the Mediterranean, the zone in which Powers possessing interests in Asia and Africa were to clash.

Poland considers that the work of the present Peace Conference constitutes an important stage in the preparation for future decisions concerning Germany. As we wish for peace, we can never again allow Germany to play a preponderant part in the Danube basin, the



Balkans and the Baltic. In no case can we permit Italy to fall once more within the sphere of German influence. The conquest of Poland by Germany in 1939 was made possible, in the first place, by the fact that some of our neighbours to the north and south were under the orders of Berlin.

I wish to recall the fact that at the time when the Polish armies were struggling for freedom—one being reborn in the Soviet Union and fighting side by side with the Red Army and the other, in the west, helping to crush the Germans in North Africa and in all the battlefields of Europe side by side with their British, American, Canadian, Australian, New Zealand and French comrades—in Poland, the Hungarian troops were taking part in the occupation of our country by Germany and in the destruction of Poland's heritage. It is, therefore, not only the general decisions of this Conference which affect us but also the details of the peace treaties with Italy and Hungary.

Concern for our own interests, however, does not lead us to forget that the fate of millions of people to the north and to the south of our frontiers depends on our decisions. We know that our work must create conditions favourable to the development of our Czech and Yugoslav friends. We know, too, that we are concerned with the fate of nations which have fought in the enemy camp, but which, as soon as warlike operations ended, proved that they had been able to rid themselves of Fascist and Nazi influences.

In our desire to co-operate sincerely with all those who are taking part in this Conference and who wish justice to put an end to past events and desire that a wise circumspection should govern the establishment of a lasting peace, we approve the latest results of the Conference of the Four Ministers for Foreign Affairs, who have devoted to the preparation of our Conference long and sometimes difficult discussions. I am happy to pay a tribute here to the part played by our host, the Prime Minister of France, M. Bidault. It is thanks to his political wisdom and his good counsel that it was possible to reach an agreement on various problems of a general and of a special nature, although certain prophets of ill had already said that there was no possibility whatsoever of any agreement being reached.

We desire that our work should not be prolonged for weeks but should be concluded as soon as possible, so that, behind the decisions of this Conference, the whole world may see the outlines of peace taking shape.

If the Peace Conference has been able to start its work, this is thanks to the collaboration of four Powers. It is they, let us remember, who are ultimately, and in a decisive way, responsible for the settlement

of relations between the countries of the world and for the fate of peace. It is in their close collaboration that we see the strongest and perhaps the only basis for a lasting peace. Accordingly, on behalf of the Polish Delegation, I would venture to assert that we shall be serving our cause well if, through our deliberations, we confirm the results obtained by the Four Powers.

In this hall, there are assembled the representatives of all the nations which made an effective contribution to the victory. We have been able to meet here owing to the tragic sacrifice of millions of our brothers who have fallen for freedom. Let us prove to all that the victory gained through unity in the war effort will be perpetuated through unity in peaceful co-operation. The world, at present, wants no further manifestations of divergences of opinion. The world needs unity of action. The Polish Delegation desires to contribute to the realisation of that unity, which must be an essential object of the Peace Conference.

M. AKILLOU (Ethiopia) (Translation)

Mr. President: It is with profound emotion that I address you who are assembled to work out the treaties of peace after a war which lasted, for Ethiopia, longer than for any other country called upon to defend itself against Fascist aggression. It was only after a bitter and prolonged struggle that Ethiopia, with the help of her valiant Allies, was at last victorious over her enemies and was the first country to be liberated.

May I be permitted here, in the name of my country, to render a tribute to all those, great and small, who, through steadfast resistance to aggression and through their immense sacrifices, were the artisans of the victory which should assure to the people of the world peace in justice.

I wish also to associate myself with other delegations in expressing my gratitude for the generous hospitality extended to us by the French Government. Ethiopia's perseverance in war for ten years has borne fruit by the liberation of her soil, and gives her also the right to affirm before the Conference the principles of collective security for which we have all made great sacrifices. Ethiopia is convinced that by the effort of the United Nations the peril of war will be abolished. Yet these efforts will be ineffective unless the peace is founded on justice. The necessity of preventing the causes of war has become now, more than ever, after the loss of millions of lives and unspeakable suffering, a sacred and imperative duty. We must never forget that the causes of war go back much further than the occasions of war. The causes are often clear; and to ensure their removal we must face up to them and expose them frankly.

As regards the causes of aggression against Ethiopia, it is manifest that they long preceded the Fascist régime. Just as France had to endure the invasion of one State three times within a century, so Ethiopia had to face invasion three times within half a century from one enemy. Ethiopia is, therefore, concerned not merely with the question of getting rid of the menace of the Fascist régime, but with securing positive assurance that she will not any longer be exposed to continual invasions, as in the past. After three wars which were forced upon her, she cannot allow Italy to have control in any form whatsoever, over those territories from which Italy launched her aggression.

These invasions entailed immense sacrifices on the part of Ethiopia, because she had to face an infinitely more powerful foe.

Ethiopia asks that justice should be done to her. It is just that she should be able, at last, to live in peace, free from fear of fresh invasion. It is just that the losses caused by past invasions should be repaired.

It is unjust that her children, torn from her by Italian aggression, should be separated from her any longer. Finally, it is just that Ethiopia should no longer be deprived of the right, enjoyed by every independent State, of direct access to world markets.

It is not for her to speak about the other Italian colonies, but Ethiopia asks that the question of the colonies of East Africa which has greatly troubled this region, shall be considered by the Conference. She does so because we think, we are convinced, that the solution of the problem is clear and simple. It must not be forgotten that the territories which she claims have been, for ages, an integral part of the empire with which they have ties of history, culture, economy and geography; and these ties have prevailed over fifty years of Italian oppression.

Any proposal that this territory should remain separated from Ethiopia would not only be a great injustice to the peoples concerned, but would not yield a workable solution. It is impossible for poor countries, which are simply outlets for the rich hinterland of Ethiopia, to live in separate units, cut off from the empire which sustains them.

It is only in Ethiopia that the products and the means are available which are necessary for the life of the populations of these territories, and those populations can never enjoy true independence outside Ethiopia. Thanks to her unexpectedly rapid recovery Ethiopia is able to undertake these responsibilities. The best way of assuring liberty to these peoples, who have suffered long from Italian oppression, is to reintegrate them in the Empire to which they are attached by many ties.

We speak of the recovery of Ethiopia after the dire sufferings of the Italian invasion. Through the terrible war which has just ended,

we have been able to regain our liberty, but at the price of immense losses and sacrifices which have been, and still are, a heavy burden on our efforts towards recovery. It is just and indispensable that the burden be lightened. According to official statements, 750,000 persons, 7 per cent. of the total population, were killed. Five hundred thousand homes, 2,000 churches were destroyed, and 14,000,000 farm animals were killed. These figures do not give the full measure of the loss. They do not reveal the tragic fact that the victims include more than three-quarters of the educated Ethiopians. For the same destructive purpose, the Italian invader systematically suppressed all the Ethiopian schools. Italy makes much of the material contribution which she brought to the country, as if that could compensate for thousands of lives and unspeakable sufferings. Moreover, of the material goods, which might have been useful at the time to the country, a very great part, and, in the case of military supplies, the whole, was destroyed in the war, or transferred to other theatres of war as a contribution to the combined effort of the Allies.

The war cost us all our resources. It was a total war. To aid in the recovery of the country we ask, in justice, that Italy should be required to make reparation, at least for some of the injuries inflicted on the first victim of her aggression.

Ethiopia seeks, not a peace of revenge, but a just peace, which will enable her to live in peace with her former enemies. She did not hesitate to support the granting of help to Italy for her reconstruction by the United Nations Rehabilitation Administration. But Italy must show sincere repentance for the wrongs she committed and must make a serious effort to repair them.

The united efforts of all nations are necessary to lead the world back on to the road of peace. Ethiopia undertakes to make her modest, but sincere, contribution.

M. KISELEV (Byelorussia) (own interpretation): Mr. President, Fellow Delegates, More than a year has already passed since the cessation of hostilities in Europe. Our generation has twice experienced all horrors of world war. As a result of the second world war people have endured incalculable calamities and privations, they have paid millions of human lives for the lack of timely measures to liquidate aggression in its very conception.

The people of Poland, Czechoslovakia, France, Yugoslavia and the other countries who were the first to be treacherously attacked by Hitlerite Germany and her satellites have endured colossal sufferings and privations. Those sufferings are especially familiar and understandable to us because the peoples of the Soviet Union have borne the main burden of the war.

During this war the Byelorussian people underwent exceptional calamities caused by the invasion of their territory by enemy armies,

but they did not lose their spirit or fall on their knees at the feet of the fascist aggressor. They selflessly fought defending every inch of their native land and their national independence.

Throughout the country the Byelorussian people abandoned themselves to a selfless fight against the fascist invaders. Over a million Byelorussian soldiers and officers fought in the ranks of the Red Army, and 300,000 armed partisans, actively supported by the entire Byelorussian nation, fought behind the enemy's lines.

This contribution to the cause of the victory over fascist Germany and her satellites cost the Byelorussian people enormous human sacrifices and unprecedented destructions. Suffice it to say that the total damage caused to the Byelorussian public constitutes half of her national wealth.

As a result of the enormous exertion and war efforts of the Red Army, the armies of Great Britain, the United States of America and other Allies of the anti-Hitlerite coalition, the armed forces of Germany and her satellites were routed on the battle fields, they surrendered and at last the long awaited peace has come.

The Governments and peoples of 21 states have sent their delegates to this Conference to consider and sign the peace treaties with Italy, Roumania, Bulgaria, Hungaria and Finland who, through the fault of their former reactionary Governments, were involved in the second world war, and whose armies had fought on the side of Hitlerite Germany against the freedom-loving peoples of the world.

In the course of the war itself there was established a powerful Anti-Hitlerite coalition consisting of the Soviet Union, Great Britain, the United States of America and of other democratic states uniting all the progressive forces of mankind into a single anti-fascist bloc, with the result that the people of the world were saved from Hitlerite enslavement.

The experiences of the Second World War has shown that the Governments of democratic countries, carrying out the will of their peoples, could successfully agree on, and solve the most complicated political, economic and military question arising in the course of the war. This unity in the long run has ensured a complete victory over fascist Germany and her satellites whose mad dream was to secure world domination.

The wartime co-operation can and must be extended into peacetime conditions. The democratic countries are, in the interests of the strengthening and maintenance of peace and security, called upon to solve peacefully all problems of a political or economic nature which face them.

The peoples of the whole world expect from us, a just and wise settlement of all questions placed for the consideration of the present Peace Conference.

Italy, Roumania, Bulgaria, Hungary and Finland, because of the activities of their Governments, must bare the responsibility for being partners of plundering Hitlerite Germany. They must be held responsible for the misery, ruination and crimes which their armies inflicted on peace-loving peoples. But we do not harbour vengeance in our hearts. The peoples of these countries have learned much in this war. They have become aware of the great dangers represented by Fascism. It is for this reason that, honouring the sovereignty and national feelings of Italy, Roumania, Bulgaria, Hungary and Finland, we must help the peoples of these countries to rid themselves forever of the shameful blot of having participated in Fascist aggression. We must welcome and fortify by all available means such democratic changes as have taken place in these countries to date.

The Byelorussian Delegation feels that the Council of Foreign Ministers have accomplished a great task in preparing drafts of peace treaties. This will aid us immeasurably in the work of this Conference.

We agree with the draft Peace treaties for Italy, Hungary, Bulgaria, Roumania and Finland, and we are in accord with the decisions of the Council of Foreign Ministers. However, the Byelorussian Delegation finds it necessary to make a few comments and to propose some amendments.

Article 17, Section III, of the draft peace treaty with Italy,<sup>30</sup> as presented to us by the Council of Foreign Ministers, notes the fact that Italy will relinquish all rights to its territorial possessions in Lybia, Eritrea and Italian Somaliland.

The same draft notes that the disposition with regard to these territories will be finalised by the Four Foreign Ministers within one year from the effective date of the treaty with Italy.

For the time being the above territories will remain under their present administration.

Such a solution cannot be said to be a proper one. Any further presence of British troops in these Italian colonies is being interpreted by public opinion as an attempt by England to occupy these territories.

In the opinion of the Byelorussian Delegation, the Council of Foreign Ministers must expedite a final solution of this problem.

These former Italian colonies in Africa must be accorded full opportunity for full political, social and economic progress of their peoples, progress in education and in the direction of national self-determination.

The next question to which I would like to draw your attention concerns the Julian March and Trieste. Everybody knows that the Yugoslav people, by their heroic fight against the Fascist invaders, made

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<sup>30</sup> For text of treaty, see vol. iv, p. 1.

an invaluable contribution to the common cause of the United Nations. Hundreds of thousands of the best sons and daughters of the Yugoslav people gave their lives to defend their national independence, to save humanity from Fascist tyranny. The peoples of Federated Yugoslavia have the right to expect from us a just solution of the question which is of such importance to them.

After the first World War, Trieste, Istria, and the Dalmatian Coast were given to Italy under the terms of the Treaty of St. Germain, as a reward. Historically this action was not correct and the Yugoslav people could not agree to such an encroachment upon their national rights and privileges.

The Byelorussian Delegation hopes that the national aspirations and prayers of the Yugoslav people will find support among the members of this Conference.

The Byelorussian Delegation supports the decision of the Council of Foreign Ministers in regard to the organization of a Free Territory of Trieste. But we feel it essential that a solution of this problem should take into account the political and economic interests of that city.

During the last twenty years, when Trieste was in the hands of Italy, that city remained in a condition of economic depression. The only country which can fulfil the conditions necessary for an economic rehabilitation of Trieste is Yugoslavia. It is from Yugoslavia that Trieste is in a position to receive the raw materials, food, and labour needed for its industries. On the other hand, Trieste is a natural seaport, accessible from all parts of Yugoslavia, with which country it is closely linked both ethnically and from an economic standpoint. All of these factors must be taken into consideration when the final statutes of the Free Territory of Trieste are worked out. The Byelorussian Delegation hopes that the rightful demands of the people of Yugoslavia will be ratified in the present Conference.

Fellow Delegates, the Byelorussian people desire to see the conclusion of such treaties as will ensure the security of all peoples. We must take into consideration the fact that Italy, Roumania, Bulgaria, Hungary and Finland while they entered the war on the side of Hitlerite Germany, did, during the course of the war, break with Fascism and become democratic States.

It is for this reason that the peace treaties with Italy, Bulgaria, Roumania, Hungary and Finland must be such as to ensure the economic revival of these countries, their progress and a betterment of the standard of living of their peoples.

The Byelorussian Delegation is certain that the problems confronting this Conference will receive a just and equitable solution.

## PROCEDURE

THE PRESIDENT—I remind you that the Commission on Procedure will meet tomorrow Saturday, 3 August, at 10 a. m.

The Plenary Conference will meet at 4 p. m.

The following speakers will take part in the discussion :

Sir Samuel Runganadhan, first Delegate of India,  
Mr. Tsaldaris, first Delegate of Greece,  
Mr. Manuilski, first Delegate of the Ukrainian S.S.R.,  
Mr. Spaak, first Delegate of Belgium,  
Mr. Theron, first Delegate of the Union of South Africa.

(The meeting adjourned at 7 p. m.)

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BYRNES-TSALDARIS CONVERSATION, AUGUST 2, 1946

740.00119 Council/8-246

*Memorandum of Conversation, by the Director of the Office of European Affairs (Matthews)*

PARIS, August 2, 1946.

Participants: Mr. Tsaldaris, Greek Prime Minister  
Mr. Aghnides, Greek Ambassador to London  
The Secretary  
Mr. Matthews

Mr. Tsaldaris asked for an appointment with the Secretary and immediately raised the question of Greek territorial claims against Albania.<sup>31</sup> He said that the amendment which had been adopted by the Conference Commission on Rules of Procedure permitted the introduction of any question related to the treaties under discussion. He pointed out that Articles 21 and following of the Draft Treaty with Italy concerned Albania and therefore he felt that he could properly raise the question of Greek claims against Albania. He emphasized that Greece considers herself legally at war with Albania and in response to the Secretary's questions said that this was based on official publication in the Albanian *Gazette* of a declaration of war and in similar action on the part of Greece.<sup>32</sup> There followed some discussion as to the status of the then Albanian regime in view of Albania's occupation by Italy dating from April 1939. Mr. Tsaldaris made much of some alleged Albanian official act in transferring the "Albanian crown" to the King of Italy and the formation of a

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<sup>31</sup> For documentation on Greek territorial claims against Albania, see volume VII.

<sup>32</sup> Regarding the Greek contention that Albania was an ex-enemy state, see memorandum by Matthews of the Byrnes-Tsaldaris conversation of August 19 and footnote 25, p. 256.



"personal union" between the two countries. He said that he was not insistent upon any specific procedure but that he would like to get the Secretary's views on how Greece should proceed to arrive at a settlement. He seemed to feel Greece, for internal political reasons, could not sign a treaty with Italy recognizing Albanian independence without getting some settlement of Greek war status with Albania. The Secretary said he saw no embarrassment to Greece in signing the Italian treaty. Mr. Tsaldaris referred in this connection to the recent Senate Resolution in favor of the award of the Dodecanese to Greece and of Greek claims against Albania.<sup>33</sup> The Secretary gave him some of the background with regard to the Resolution in question upon which he had been consulted. Mr. Tsaldaris said that Albania's application for membership in the United Nations was pending and would probably be approved in September. He felt that this might prevent Greece from ever pressing its claims against that country which had invaded her since the Charter guaranteed the territorial integrity of all members.

In reply, the Secretary, with reference to this last point, read from the Charter Paragraphs 3 and 4 of Article II and explained that while all members were obligated to refrain from the threat or use of force against the territorial integrity of any State, they were in no way precluded from raising the issue of territorial adjustments by peaceful means. He further stated that the Charter was not designed to freeze the *status quo*. As to the presentation of Greek claims against Albania at the present Conference, the Secretary explained the fact that the Conference had been called specifically to deal with five specified treaties and that the Greek-Albanian Peace Treaty was not so specified. He reviewed his difficulties with the Soviet Government and lack of success in spite of all insistence in obtaining consideration of Austrian and German problems since the Potsdam and Moscow reports specified that the five satellite treaties should be considered first. He felt, therefore, that Greece would have little chance of having this Conference consider the Greek-Albanian treaty.

After some discussion Mr. Tsaldaris indicated his intention of proposing that this Conference adopt a resolution requesting the Council of Foreign Ministers to consider a Greek-Albanian Peace Treaty at an early date. The Secretary said that he would go along with this proposal.

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<sup>33</sup> Senate Resolution 82, approved July 29, is as follows: "That it is the sense of the Senate that Northern Epirus (including Corytsa) and the 12 islands of the Aegean Sea, known as the Dodecanese Islands, where a strong Greek population predominates, should be awarded by the peace conference to Greece and become incorporated in the territory of Greece" (*Congressional Record*, vol. 92, pt. 8, p. 10336). See also telegram 76, May 8, 1946, to Tirana, vol. vi, p. 20.

The Greek Prime Minister then raised the question of Greek territorial claims against Bulgaria and asked what the Secretary's views were. The Secretary said that he was entirely open-minded and would reach his conclusions only after hearing the arguments advanced. Mr. Tsaldaris said that his country's claims—and he emphasized that on this and on the Albanian question all Greeks are united—were based on strategic consideration. They wanted the frontier moved to the mountain tops rather than retained in the valley in order to make Greek territory more defensible against any possible new invasion. The Secretary inquired as to the number of inhabitants in the territory the Greeks desired to transfer from Bulgaria to Greece and as to their racial character. Mr. Tsaldaris said that there were about 400,000 people involved, who were nomads, spending part of the time in the mountains and part in the valleys. In reply to the Secretary's question he admitted that none of them were Greeks. The Secretary spoke of the general undesirability of mass transfer of populations from the social and humanitarian aspect but said that he would listen to the Greek claims with a completely open mind.

Mr. Tsaldaris then said that he hoped the Greco-Bulgarian frontier question would be referred to the Military Commission rather than to the Political and Territorial Commission since Greek claims are based entirely on military security consideration. The Secretary pointed out that the title of the Political Commission is "Political and Territorial" and that it would be difficult to refer to the Military Commission a possible transfer of territory. It might be possible, however, that observers from the Military Commission could sit in on the discussions.

A third question which Mr. Tsaldaris raised concerned reports in the American Press of Soviet activities in fortifying the Island of Saseno as well as other areas in Albania.<sup>34</sup> Mr. Tsaldaris said that his own sources of information fully confirmed these reports and they were causing consideration anxiety in his country. He asked what the United States thought should be done about it. The Secretary said that he had seen the reports and that the question was one that required careful study and to which we are giving current consideration.

As to membership of Albania in the United Nations, the Secretary explained that this was bound up with the candidacy of other countries and that he would telegraph Washington to find out just what the present status of applications is and the outlook for United Nations decision in regard thereto.<sup>35</sup>

H. FREEMAN MATTHEWS

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<sup>34</sup> See telegram 467, July 25, from Rome, p. 16.

<sup>35</sup> For documentation concerning the membership of the United Nations, see volume I.

SATURDAY, AUGUST 3, 1946

FIFTH MEETING OF THE COMMISSION ON PROCEDURE,  
AUGUST 3, 1946, 10 A. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 6

The Netherlands Delegation withdrew its amendment providing for the election of the representative of the host government as Chairman and substituted the following: "The Conference will elect its Chairman." Mr. Mason (New Zealand) withdrew his amendment and supported the one submitted by the Netherlands. It was supported also by the Belgian, Brazilian and Australian Delegations. M. Molotov (U.S.S.R.) strongly endorsed the original proposal of the Council of Foreign Ministers on the grounds that any other decision would hamper the work of the Conference. Mr. Byrnes, while pointing out that the United States Delegation was entirely free to accept or reject any amendment on its merits, preferred to support the original proposal of the Council of Foreign Ministers.<sup>36</sup> The Canadian Delegation favored the Netherlands amendment in principle but supported on practical grounds the original proposal. The Chinese Delegation took the same position. The amendment was defeated by 12 votes to 8 with 1 abstention. The following Delegations voted in favor of the amendment: Australia, Belgium, Brazil, Greece, India, New Zealand, the Netherlands, Union of South Africa. The following Delegations voted against it: U.S.A., Byelorussia, Canada, China, France, U.K., Norway, Poland, Czechoslovakia, Ukraine, U.S.S.R., Yugoslavia. The Ethiopian Delegation abstained.

Articles III (Invitations to other States), IV (Official and Working Languages), and V (Secretariat) of the suggested rules of procedure were adopted unanimously. When discussion opened on Article VI (Voting on Recommendations of the Conference) Mr. Egeland (South Africa) spoke strongly in favor of the rule by which recommendations of the Conference to the Council of Foreign Ministers would be adopted by simple majority vote. He felt that the adoption of the two-thirds rule would make it difficult for the Conference to make any recommendations at all amending the agreed clauses of the draft peace treaties since a small minority could block any such recommendation. He believed the matter to be of such importance that it could not be the subject of compromise. Should, however, the Committee not be in favor of the simple majority

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<sup>36</sup> For text of Byrnes' remarks, see Department of State *Bulletin*, August 18, 1946, p. 313.

rule as proposed in the Netherlands amendment, South Africa would support the U.K. amendment providing for two types of recommendations.<sup>37</sup>

CFM Files

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*United States Delegation Minutes*

[Extract]

USDel(PC) (PROC)5

[DR. EVATT:] "The Committee could not advance a step if every time a proposal was made by one of the seventeen non-inviting nations their motives were questioned. The question of principle involved was the right of the Conference to select its own Chairman. M. Molotov had said that those who supported this principle were attempting to find a rift among the members of the Council of Foreign Ministers and to break down their decisions. Nothing of the kind was true. It was simply an attempt by the Conference to find its own expression and its own autonomy without being controlled in advance. The implications of M. Molotov's statement should be recognized. His argument applied to every decision of the Council of Foreign Ministers. The other seventeen nations had come here to look at these treaties, not to act as rubber stamps. Would every proposal they made be denounced as an attempt to break the unity of the Four Great Powers? This Conference must retain its own dignity and exercise its own rights."

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**SIXTH PLENARY MEETING, AUGUST 3, 1946, 4 P. M.**

CFM Files

*Verbatim Record*

C.P.(Plen) 6

President: M. Bidault

THE PRESIDENT: I call on Sir Samuel Runganadhan, First Delegate of India.

SIR SAMUEL RUNGANADHAN (India):

Mr. President: I wish, first of all, to thank you and the Government of the French Republic for the welcome which you have given to us all. There is no doubt that the setting of an international conference has a great effect upon its progress. We have been able to see from the first how well the French Government has used its unrivalled

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<sup>37</sup> For text of the British proposal, which was originally circulated as an annex to the Record of Decisions of the Fourth Meeting, see article VI, paragraph *a* of C.P. (Plen.) Doc. 1, the Draft Rules of Procedure ultimately submitted to the Conference by the Commission, vol. iv, p. 796.

experience in the art of staging an international gathering and its unrivalled gift for hospitality.

I have had experience of this recently, as I came as a delegate to the International Labour Conference, which was held in Paris in October, 1945 at the invitation of the French Government, and I know how, in spite of incredible difficulties, the French Government made the most excellent arrangements for the Conference and extended the most lavish hospitality to its members.

I have listened with great interest to the speeches of the heads of Delegations which have already been delivered before the Conference. We have already heard the clear expression of the principles which underlie the summoning of the Conference and of the ideals and hopes which animate many of the participants in it. The procedure for drafting the treaties already adopted has been attacked and defended, and the views of some Delegations are now known on many of the specific points which will arise. Though there will be important differences of opinion which may be unresolved, and much argument by the way, it is apparent that all Delegations have come to the Conference with the same fundamental determination to shake off the legacy of six terrible years of war and to create the conditions which are most favourable to the maintenance of an enduring peace. This is only the first instalment of peace making. We all have in our minds that we have yet to come to final settlement in regard to Germany, Austria and Japan. Though the time for discussions of these principles has not yet arrived, the way in which this Conference proceeds and the matter of its decisions will have a profound effect on the final and complex processes of liquidation of the Second World War.

It seems to me that the task of the Conference is clear and specific. It has to determine what just compensation shall be paid to those countries and persons who have suffered loss, what territorial changes are required, and what precautions are necessary to prevent a renewal of aggression. We cannot lose sight of the plain fact that the former Governments of the people with whom we are concluding treaties were our enemies and wantonly attacked us, causing us great suffering and great loss. But we must take into account the services rendered to the Allies during the later stages of the war by the people of these countries who threw off the yoke of the rulers who had led them into aggression.

The people of India are not vindictive, and provided that just compensation is made for losses suffered, do not desire to make demands which would prevent impoverished countries from making reasonable economic recovery, and from thereby contributing indirectly to the prosperity of every nation. For the economic condition of every country is interdependent, and poverty or economic dislocation in any

one country reacts adversely upon us all. Every sensible man is thinking of this Conference in terms of the future. Though the immediate task is to liquidate the events of the past seven years, the Conference can help materially towards what must be our ultimate goal, namely the co-operation of every country without exception in the paramount task of jointly ensuring the peace of the world.

India does not expect this Conference, with its limited objectives, to produce a blue-print for post-war Europe, nor to compensate the Allied Nations for all the wrongs which they have suffered during the years of war. We, the members of the Indian Delegation, have come to it in a spirit of realistic co-operation, looking directly towards the practical end to be achieved, namely the speedy construction of treaties that will represent the maximum area of agreement among the twenty-one nations deliberating here on an equal footing. Like many of the seventeen nations outside the big four, we cannot entirely approve the methods adopted in drafting the treaties, but such criticisms will largely lose their validity if real weight is given in this Conference, and after its conclusion, to the opinions of the seventeen nations other than the big four. We are as anxious as any Delegation that the expressions of the equality of the twenty-one nations in the making of the treaties which we have heard in this hall should be given practical effect. If this is the policy of all the four great Powers, the other seventeen nations, all of which fought by the side of these Powers to defeat the common enemy, will feel that they have been called to this Conference with the sincere intention that, as Mr. Byrnes, the distinguished representative of the United States of America, has said, those who fought the war should make the peace.

On this principle, India has a very special claim to participate in this Conference. Her armed forces, which before the end of the war amounted to nearly two-and-a-half million men, fought from the first to the last shot in the war in the Mediterranean, by the side of the forces of her Allies. In the early years of supreme difficulty and danger, the Indian Army guarded the frontier of Egypt, it fought desperately in the delaying actions in Greece, and it took a substantial part in the overwhelming defeat of vastly superior enemy forces in Libya and the Italian territories in Africa and in Abyssinia. When the tide began to turn, the Indian Army was in the forefront of the attack from El Alamein, through the campaigns of Libya, Tunisia, Sicily and Italy up to Venice, at a time when India was already fully engaged in the defence of its homeland against the invasion of the Japanese forces.

We are proud of our record in the war and we are fully determined to be as active in the cause of peace as in the cause of victory.

It is natural that each country should consider the treaties from two aspects, for we are all equally interested in securing the general peace, and in each treaty there are many aspects which will affect the whole world, irrespective of geography. Those of us, however, who have special ties with the regions affected must also consider with particular care the regional aspects of the treaties. India has had age-long ties, both economic and cultural, with the East African coast. She is vitally interested in the stability of the Mediterranean and Red Sea area and in the disposition of the Italian Colonies. The lives of many of her citizens have been lost on the soil of Africa in this war. The feeling of the people of India is strongly against the continuance of any form of colonial exploitation, and it would be a bitter blow to them if the arrangements made for the disposition of the territories formerly under Italian rule were not such as they believed to be in accord with justice and human rights, and with the mutual interests of all countries in the region and the countries having close ties with it. India expects that the decision will reflect the real wishes of the people living in these territories, and the commissions to be set up to ascertain those wishes must undertake their task with thoroughness and complete impartiality. Real stability and real prosperity can only be assured in North and East Africa by the establishment of a system which will lead to the earliest possible grant of self-government to these peoples and to the development of their resources for their own defence and their own well-being. Though the means for the establishment of the conditions of peace in each separate area must be considered in relation to the situation of that area, India can never lose sight of the fact that under modern conditions both peace and war are indivisible. Our main object must be to work for a global peace and for the maintenance of the world in equilibrium.

India has, and will always have, a strongly internationalist outlook. Her population and resources, her great size and her strategic position at the crossroads of Asia will always impose upon her a great responsibility for the maintenance of peace. That responsibility she will discharge actively and sincerely, in the interests of the peace of the world. I have myself no doubt that the Conference will achieve success in spite of the many complex and controversial subjects with which it has to deal. The world, which is listening to every word spoken in Conference and Commission, expects much of us. May we justify the trust placed in us by all classes of all peoples, and lay the foundations of a lasting peace.

M. C. TSALDARIS (Greece)—Interpretation—I am happy to be able to convey to the eminent representatives of the twenty-one nations that have been invited to take part in the work of this conference, the cordial greetings of the Government and of the people of Greece.

The holding of this assembly in Paris gives us particular grounds for confidence and hope. In this, the capital of a great and noble country, whose friendship has become for Greece a genuine tradition, we have all learned to find the home of every generous ideal, and I have no doubt that this influence will make itself felt in the conduct of our work.

Shaken to her foundations by the terrible tempest which struck the world, Greece is fully aware of the advantages to be gained by a speedy re-establishment of peace. Her economic restoration depends on it to a very great extent. Similarly, a return to normal conditions in the social, political and moral order is possible only within the framework of a general pacification. I can, therefore, give you here the assurance that Greece will lend her fullest support to ensure the success of this conference and will consider it a particular honour to contribute to this end to the limit of her powers.

At the meetings of the committees to which the various sections of the Peace Treaties have been referred, the Greek Delegation will formulate its observations in a constructive spirit, in the hope that it will, while defending its own national interests, be able to contribute at the same time the re-establishment of an equitable and, for that very reason, lasting peace.

I will, therefore, restrict myself today to describing in outline the general position of my country in relation to the different problems raised by the draft treaties submitted for our examination.

A general review of these extraordinarily complex problems is necessary not only for the sake of clarity and logic, but also and above all because of the interdependence of the questions with which we shall have to deal and because of our legitimate concern to assure to our countries respect for their vital interests.

Before the problem of Bulgaria and Italy, there is for us the problem of Greece. It is to this that, before entering upon the examination of the draft treaties, we consider it our duty to draw your attention.

During the conflict just ended, Greece is conscious of having done her duty to the full. Without hesitating, she repulsed with indignation the Italian and Albanian aggressors, even though the invasion was launched at a time when the military situation appeared to justify the hopes of the Axis. Six months later, after a grim struggle against an infinitely more powerful enemy, she just as unflinchingly opposed the Germans and the Bulgars who had come to join the Italians and Albanians. The struggle seemed hopeless; yet, true to the dictates of honour, we accepted it in the hope that we were contributing to the final triumph of the cause of the United Nations. May I be allowed to recall here the magnificent feats of arms of the



valiant British, Australian, New Zealand and Indian forces who shed their blood at our side. The memory of these brave men will for ever be engraved in the hearts of the Greek people.

You now know, after all that has since come to light, how much our resistance contributed to the issue of the great battles in Russia and the Near East, which at that time were deciding the destinies of the world. And, when military operations proper came to an end, we continued the struggle in the occupied towns and in the free mountains, thus exposing our people to the most hideous reprisals by the enemy and to unavoidable internal repercussions which this struggle inevitably entailed.

By offering up our country, however, as a sacrifice to the success of the cause of the United Nations, we accepted in advance one of the most appalling catastrophes which have befallen the Greek nation in the course of its history. Nowhere else did the results of military operations and of enemy occupation affect in so large a measure a country's existence. Our economy, already deficient before the war because of its peculiar structure, the country's demographic situation and the effects of four previous wars within one generation, did not possess material reserves to enable it to meet this new conflict. Seven months' desperate struggle against enemy aggression ended by totally exhausting it. Thus, contrary to what happened to other more fortunate countries, the occupation and the drainage of national resources were imposed upon a country already bled white by the cumulative effect of these circumstances peculiar to Greece. But the evil did not end there. Greece was in fact the only occupied country whose sad distinction it was to be exploited by the occupying powers without regard to any economic principle. She was not considered worthy of rational exploitation. She was not only looted of the product of her labour; she was above all ruined in her resources, and no attempt was made to maintain her productive capacity. A variety of reasons explains this attitude on the part of the enemy: the poverty of the economic equipment of the country, her geographic position and the maintenance of large forces of occupation, guerrilla resistance and the fact, finally, of having been the last country to be occupied in its entirety, at a time when the lack of technical personnel was already making itself felt on the enemy. To all this, were added the effects of an occupation by four enemies which economically dislocated the country by depriving it for four years of its markets and sources of internal supply.

Thus, without any regard for the maintenance of Greece's economic life, the conquerors adopted a programme of unbounded inflation as a means of spoliation. While, between the years 1939 and 1944, the monetary circulation in Belgium, France, Denmark, Czechoslovakia

and other occupied countries, reached double or treble the pre-war level, Greece during this same period witnessed an increase 360 times its pre-war standard.

Greece is one of the countries which sustained the greatest losses in relation to their national revenue. The loss in human life, amounting to 558,000 dead out of 7 million inhabitants, is also one of the greatest suffered by any member of the United Nations. The younger generation was decimated, and the very existence of the Greek Nation was threatened. The Greek nation would have perished but for the assistance we received from our allies and friends and particularly from Canada, which was made possible thanks to the relaxation of the blockade regulations in favour of Greece.

After having gone through these frightful sacrifices and trials, few of you could reproach us for allowing ourselves to be influenced by feelings of bitterness. Having witnessed in the course of our recent history the weakness inherent in extremist solutions as well as the dreadful turns of fortune for those guilty of having asked for too much and of having obtained too much, we reject this transient glory. We would not be true representatives of the Greek nation here, if we had not drawn inspiration from the eternal wisdom which the Athenians claimed to be theirs, when, through their ambassadors, they informed Sparta that they were ready "to show themselves more generous than the forces they had at their disposal permitted them to be".

Our claim will consequently not be formulated in a spirit of harshness or revengefulness. What we ask of you is dictated solely by a sense of justice, which we could not ignore without belying the principles for which we have all fought and without compromising the fundamental interests of our countries.

It is solely on these grounds that Greece submits the following demands:

Reparation of the material damage inflicted upon the country by her invaders. An eternal principle of Law is here involved. But it is also unfortunately certain that, after having had her economy totally destroyed, Greece cannot for the present undertake by her own efforts the rehabilitation of her productive capacity. The help so generously provided by the United Nations through U.N.R.R.A., substantial though it has been, unfortunately represents only temporary emergency aid. It has given life and hope to millions of human beings, and as such it has been gratefully welcomed by all our people. But it affects only to a very small degree the programme of economic reconstruction that will allow us to restore by our own efforts the economic stability of our country. It would be entirely inadmissible for Greece to be left at the end of this war, crippled and ruined, with her productive powers completely dislocated and dependent upon the support

of her allies, while former enemies, such as Bulgaria or Italy, retain in great measure their industrial, agricultural and maritime equipment, thanks to which they are re-establishing their economic systems.

Greece asks that the terms of the Peace Treaties should impose jointly upon these two countries, as well as upon Germany, the obligation to help, by contributions of capital and services and other economic facilities, in the restoration of Greece to her pre-war status.

Greece also asks that her territorial security be assured in the future by the incorporation in her territory of Northern Epirus and by a rectification of her frontier with Bulgaria. After the three consecutive aggressions that she has suffered in one generation, she feels justified in claiming these territorial guarantees. They are essential if her people's feeling of insecurity prompted by the painful memories of the last thirty years, is to be allayed, and if she is to resume her peace-time occupations, confident that she will not be exposed anew to a sudden move by her neighbours. It will not be difficult, I believe, to convince the delegates of the countries represented here, most of which have similar problems to face with regard to Germany and Italy, that our people are living today and will for long continue to live in terror of a new aggression from the northwest and northeast. An odious past for which we certainly are not responsible, will, by the force of circumstances, cast its shadow over the future for many years to come. Germany for the moment does not count; Mussolini's Empire no longer exists. But, who can foretell today the obscure reactions of the masses in countries which have cherished the illusion of unrestricted power too long to be able to abandon it permanently?

Is it not out of this same concern for security that territorial changes much more far reaching than those claimed by Greece have been accepted in other parts of the Continent? The organisation of collective security, on which just as in 1919, we place our greatest hopes, did not prevent the successive aggressions which we have experienced since 1933, and which brought about the blotting out of entire populations within the space of a few hours.

The progress made by military science, on the other hand, affecting the relative preponderance of defence over attack and vice-versa, has, unfortunately, not yet added to our means of defence a more effective guarantee than that provided by the nature of the terrain. The leaders of many European countries have, since the end of the war, sought such territorial guarantees, which have been granted to them most generously. Greece, for her part, does not demand the annexation of vast territories.

Special reasons support such modest frontier rectifications as Greece claims. Regarding her frontier with Bulgaria, one has only to glance at the map to be convinced of the extreme precariousness of Greece's

position in that region. No serious defence is possible in this part of our national frontier. "It will be obvious", states Field Marshal Wavell in his official report on operations in Greece, "that against a German attack through Bulgaria, the long narrow strip of Macedonia and Western Thrace would be, in spite of the limited approaches through the mountain ranges to the north, extremely difficult to defend owing to the lack of depth." The plan of military operations in Greece, worked out by the British G.H.Q., envisaged the establishment of a line of defence much further west of Salonika, along the River Aliakmon. Thus, two of the richest and most thickly populated areas of Greece,—Central and Eastern Macedonia and Greek Thrace,—were to be abandoned to invasion without a blow being struck against the enemy. The course of military operations on the northern borders of Greece in the course of the unforgettable weeks in April 1941 might well have been different, had the Greek troops, instead of defending the southern slopes of the Rhodope ridge, been firmly established only a few miles further north, on the Kresna or the Karlek-Balkan Pass.

Greece finally asks that her north-western frontier, so disgracefully violated during the last war, be made more secure. In doing this, Greece is at the same time seeking redress for an injustice done to her in the past when the Concert of Europe, yielding to the insistence of Austria-Hungary and Italy, ceded Northern Epirus, a province predominantly Greek, to Albania.

This province has been recognised as Greek in character from remote antiquity to the end of the 19th century. This is not the time to lay before you the "dossier" of historical and ethnographic evidence that proves the Greek character of this region since time immemorial. It is sufficient for me to remind you that, as recently as 1907, Ismail Kemal Bey, the leader of resurgent Albanian nationalism and, shortly afterwards, first premier of independent Albania, recognised in a treaty, signed with G. Theotokis, the prime minister of Greece that the ethnic frontier between Greece and Albania should follow a line beginning west of Monastir and continuing as far as the coast, to the north of Corfu, leaving the whole of Northern Epirus to Greece.

Less than a week ago the Senate of the U.S.A., by a unanimous vote, recognised the Greek character of Northern Epirus and recommended its incorporation in Greece.<sup>39</sup>

Yet, a policy of denationalisation was systematically carried out. It remains no less true that, immediately after the Balkan Wars, and again when the Peace Treaties of 1919 were being discussed, a series of international acts recognised that Northern Epirus should belong to Greece. Europe at that time yielded, not without regret, first to

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<sup>39</sup> Senate Resolution 82, approved July 29, 1946; for text, see footnote 33, p. 102.

Austrian and later to Italian pressure, and committed an injustice against an allied country. Greece paid dearly for this injustice. Only yesterday she saw fourteen Albanian battalions ranged against her at the side of the Italian divisions. She saw a contingent of the Albanian Army march past in Athens in the aggressors' victory parade. She was forced to pay reparations to Albania. I refuse to believe that to-day, after all that has passed on the very borders of Greece and Albania, after so much Greek blood has been shed on this soil, which has for centuries been a cradle of Hellenism, that our allies would wish to confirm this injustice by giving legal recognition to the deeds of oppression and systematic denationalisation pursued by the Albanian leaders.

Greece insists that her claims on this subject be heard. At the appropriate moment, the Greek Delegation will present before the competent committees the arguments advocating an equitable settlement of a question that cannot continue to remain in abeyance. We all are determined to reestablish peace in a region so sadly afflicted. The state of war existing between Albania and ourselves must come to a natural and just end through the cession of Northern Epirus to Greece.

The war, as I mentioned previously, has not given us a legal title to oppress other peoples. But it has certainly given us all a right to be accorded the justice that is our due, in the widest and deepest sense of that word. And, if this word has a meaning that makes it of capital importance in the lives of peoples, this meaning consists above all in the recognition of a place of honour for those who, in defending the cause of right, have not failed in their duty.

But what a sad travesty of the ideals of justice it would be to grant the advantages of certain rules of diplomatic procedure and their tardy rallying to the cause of Justice to nations guilty of aggression, and so to end by ignoring the legitimate aspirations of their victims.

On the borders of Northern Epirus a wonderful page in the history of the war has been written. The Greek people have sealed the destiny of this region with their blood. By their victories—the first in this long war—they cast the first rays of hope upon a humanity in distress. Is it possible to recognise to-day on some flimsy pretext, the legality of Austrian and Italian diplomatic infiltration towards the Straits of Otranto?

Greece demands the revision of this series of injustices and the incorporation of Northern Epirus into the Mother Country. The restoration of the Dodecanese, decided by the Council of Foreign Ministers, must also be ratified by this conference. The inhabitants of these islands, Greek since most distant times, look forward to their definite union with Greece. The Greek nation demands unity as well as

security. At no other period in its history has it awaited with greater confidence the decisions of its Allies. The Greeks are an ancient people, established since remotest antiquity upon the shores of the Aegean and Ionian Seas, which, as has often been said, are much more like a sea surrounded by coasts than a coast surrounded by seas. This people has succeeded in retaining its moral characteristics and its spiritual integrity, in spite of its country's extremely precarious geographical position.

After having proved, during the decisive years of the war, that she has within herself the dynamic qualities of determination and self-sacrifice, which make nations worthy of their independence, Greece comes to ask you for the means to consolidate this independence and to make her homeland permanently secure. By placing your confidence in the peoples who have justified your hopes during the decisive moments of this struggle, you are building the peace of the world upon the most solid foundations. For, it is precisely those who have known how to sacrifice all for the success of our struggle that are the best qualified to respect the independence and the right of others. Greece, made strong and contented, will become one of the stoutest bastions of peace, on whom you will be able to count in moments of danger.

I am confident that you will justify these hopes. Because, upon the manner in which Greece emerges from this conference, a great part of our common ideal will depend.

M. MANUILSKY (Ukraine) (Interpreted into English from the French interpretation)

Mr. President: I take this opportunity to offer sincere thanks to the French people and the French Government, and to you personally, Mr. President, for the hospitality that has been so generously extended to this Conference.

Since the opening of this Conference the various Delegates of all countries, be they great or small, have had opportunities to state the views of their Governments regarding the peace. And that, Sir, is a question on which the Ukrainian Delegation could say a great deal. We feel that the various latent wars which still prevail in various quarters, those latent wars that can be detected in various parts of the world, are not contributing towards the establishment of peace. And all the massive concentration of those who fought against the United Nations, their massive concentration in certain places, is also not a factor calculated to contribute to peace. The resurgence of Fascism here and there in clandestinity is certainly a matter that calls for careful consideration, and it does not correspond to the aims that the Allies proclaimed when they engaged in this war.

All these questions, Mr. President, are centred on the fundamental matter of the establishment of a solid and lasting peace. For, indeed,

if a peace is to be solid and lasting the first essential is that it should be just. We must be careful not to repeat the errors of 1919, errors of the Versailles Treaty and all that series of treaties that followed the Versailles Treaty.

There is one condition to a lasting peace and that is that there shall be a just solution of territorial disputes. That frontiers should be so determined that they shall not cut across the living bodies of nations. And in this way we see an instance in the problems relating to the Julian March and to Trieste. The draft prepared by the Foreign Ministers of the great Powers proposes the internationalisation of Trieste and of the neighbouring territory. The Ukrainian Delegation is most keenly interested in the success of this Conference and is, for that reason, prepared to support that proposal. We feel, nevertheless, that we must offer certain observations with reference to it. The Julian March, with which the decisions of the Foreign Ministers dealt, forms, it must be remembered, a unit, an economic and historical unit, and yet that unit is to be divided artificially into three different zones, one of which would go to Italy, one to Yugoslavia, whilst the third zone would be internationalized. Italy would get a strip that goes along the Adriatic and that would include a population of 66,000 Slovenes as against 21,000 Italians. That, surely, cannot be said to correspond to the ethnic principle that has so frequently been acclaimed. The town of Gorizia would be torn from the north of the Julian March, of which it has always been the administrative and economic centre, and despite the fact that its population has always, in the main, been Slovene. The loss of Trieste would of certainty be a very serious matter. Trieste has always been a part of the Julian March. The result would be that Yugoslavia would have to seek other outlets to the sea, and that would be disastrous to Trieste and, indeed, to the whole of the Julian March. It has been said that a majority of the people of the surrounding region are Italian, but the centre, the economic and politic centre is what must be taken chiefly into account, as that involves the whole region. It is the centre of a whole region where the majority is Slovene and Croat. There are many examples of ethnic frontiers that have been determined with reference to the whole region surrounding a particular centre.

For example, in the case of Memel. There the question was settled by the Allies taking into account the fact that the population of the city was in majority German, nevertheless this city was given to Lithuania because the surrounding region was ethnically Lithuanian. If Trieste be internationalized, undoubtedly grave questions will arise for consideration. Moreover, there is a zone 680 square K.M. of which the population in that surrounding zone is, in great majority, Slovene, and if the proposals laid before the Conference are accepted by the

Conference, then it is certain that serious considerations will arise in this connexion. The whole question of the future political and economic relations between Trieste and Yugoslavia calls for careful consideration. If those questions are to be satisfactorily settled, then attention should be directed towards the establishment of a customs union between Trieste and Yugoslavia. The establishment of such a union would facilitate commercial relations with the Balkans and with central Europe. Trieste would be able to send her goods to Yugoslavia. It must be remembered also that the chief railway between Trieste and Central Europe, which formerly carried 93 per cent. of the goods traffic, passes through Yugoslavian territory. There are, therefore, solid arguments for joint administration, and that joint administration should extend also to postal and telegram matters. Further, there should be a single currency for Trieste and for Yugoslavia. In this case, the example of Danzig and Poland might be followed with regard to diplomatic representation. Just as Poland diplomatically represented Danzig, so Yugoslavia should represent Trieste in international affairs. In this way, it would be possible to avoid a further fragmentation of the Balkans and that would be a contribution towards the re-construction of that part of Europe, and would provide a solid basis for its future development.

We, in the Ukraine, feel the warmest sympathy for the Yugoslav claims. We understand their desire to re-unite all Yugoslavian territories within the Yugoslav family. We know a great deal about invasions—we have long seen much of our territory and our population under the domination of Germans, Hungarians, Roumanians and other invaders. By enormous efforts, at the cost of great sacrifice and with the aid of the U.S.S.R. the Ukraine finally succeeded in achieving its unity and in that way we are able to appreciate the value of our historical fraternal agreement with the U.S.S.R. This settlement has been possible thanks to the fraternal nature of the relations existing between the Soviet Union and the Polish Republic. Moreover, the Soviet Union has concluded an agreement with Czechoslovakia and has thereby settled the south Carpathian-Ukraine problem. We understand all aspirations to ensure the rights of peoples. We understand the necessity for settling these frontier problems, for settling them peacefully, for otherwise they so frequently become the cause of war. So much blood has been shed for centuries, so much blood was shed above all in the last war, with the result that we realize more keenly than ever that rivalry between countries who should be united by friendly relations profits only the aggressor. The friendship between Slav nations is a friendship that has been sealed in battle and sealed with the blood that has been shed. What we need is solid peace in Eastern Europe, and that would become an essential factor in universal peace.



These are matters that must be borne in mind by all who are concerned with building up the solid and lasting peace that is the desire of this Conference to attain. We cannot fail to remember that during one quarter of a century there were four invasions of the Ukraine by foreigners. Therefore we have a real understanding of desires for solidarity. We can respect the aspirations of those people who have suffered losses and who have been called upon to make a great sacrifice. We understand and sympathize because we, too, have passed through the same trials. In the Ukraine 2,035,000 houses were destroyed. We had 2,000,000 casualties. The damage that we suffered could be counted at 285,000,000 roubles, and in the face of those figures we can see how very slight, how little count are reparations that might be expected. We put our faith in the strength and in the help of the Soviet Union. And we have always linked our destinies with all those who stand against aggression. We have always faithfully carried out our undertakings. We hope that this Conference will realize the hopes that are being placed in it by the whole world.

As Stalin said, no nations, no armies wish for war, but all wish for peace, for a solid and lasting peace.

M. SPAAR (Belgium) : (interpretation) :

Mr. President: In a gathering such as this the twentieth speaker, however careful he may be and however greatly he may wish to do so, cannot avoid the danger of saying, and doubtless saying less well, what previous speakers have already said before him with force, emotion and sincerity.

Like all those who have preceded me, I feel the importance of our task, the weight of our responsibilities and the imperative and absolute necessity that we should bring our work to a successful conclusion. Like all those who have preceded me, I know that all the hopes of the whole world are to-day centred in this hall, and that those who have struggled and suffered and those who have earned the reward of peace, tranquillity and the happiness that peace alone can ensure are watching us, listening to us and judging us.

You may be sure, therefore, that my collaborators and I mean, in taking part in your discussions, to contribute thereto with all our experience and all our good will. I should like, before laying a few considerations before you, to say how glad I am that this Conference is meeting in Paris—Paris, through God's grace spared by the war, Paris, which is being reborn and towards which we feel all the greater affection because we have for so long been cut off from it, Paris in which all the graces and all the virtues of France are so splendidly brought together.

Every day, before coming here to exchange our views, we ought to take a morning stroll along the river, through the gardens and squares

with their unmatched and faultless beauty, casting glances of never-lessening admiration on the palaces, and then peace, the just and lasting peace that we desire, would soon be made if we could only succeed in shaping our minds in the model of so much charm, so much balance and so fine a sense of proportion.

Belgium is less directly concerned with the treaties that are being discussed to-day than she will be in the early future, when the time comes to determine the fate of Germany, but she realizes that the methods applied now and the procedure adopted now will doubtless constitute precedents. She must, therefore, show herself vigilant.

A satirical paper said the other day that the Allies were meeting in the Luxembourg to make peace between themselves. Let us not be completely indifferent to pleasantries of this kind—there is always some element of truth in the bantering criticisms of the crowd, and we often find in such criticisms at least the echo of what the peoples are thinking of us and of our methods.

The present Conference will no doubt be the decisive test during which the relationships of the great Powers as between themselves will be determined, and also the no less important relationships of the great Powers with the other Powers.

So far as relations of the great Powers as between themselves are concerned, it may at first sight seem out of keeping that I should think it helpful to give my views on this matter. Nevertheless, everyone must, on reflection, recognize that so many things are dependent on those relations that it is natural that I should feel concerned about them. Once more, with so many others, I reassert that the peace of the world depends on a good understanding between the great Powers and that, consequently, it is the duty of all, not only to wish for it, but to contribute towards it so far as they are able to do so.

May we venture to ask the great Powers themselves, whose meetings and discussions we follow with interest and sometimes with anxiety, may we ask them to show, one towards another mutual confidence, a real comprehension of our psychology and their interests and to waive all out of date notions of prestige which, in spite of their futility, have so often disturbed international relations. But we, we who are not the great Powers, we who are the others, we have many requests to address to them.

I firmly believe that medium-sized and small nations have rights that must be respected. I believe that they have their part to play and that that part may be a beneficent one. It would not be entirely a paradox to maintain that the less interests one has in the world the greater is one's impartiality in forming an opinion on any disputes that may break out.

Mindful of the teachings of reality, however, I am prepared to recognize that complete equality between States is chimerical, and would even be an injustice. Accordingly, I do not oppose the idea that the great Powers should be given certain guarantees and even certain privileges, but I wonder whether the path on which we have entered has not in some cases led to a lack of proportion, and whether the essential balance between rights and duties has, in fact, been found.

The great Powers meet together amongst themselves, they prepare treaties without consulting us. They attempt to impose upon us rules of voting which, in practice, would prevent us from securing acceptance for our views. They place us before the painful dilemma of accepting—sometimes against our own judgment—what they have drawn up or else destroying an agreement that has been achieved only with difficulty, and then, finally, having thus handicapped us, they ask us to make them a few recommendations. Is it surprising, then, that we should sometimes see revolts break out?

Whatever criticisms may be levelled at what has happened in the past, however, it is towards the future that we must turn and it is in the future that the real dangers lie. I have no hesitation in saying that if the recommendations which the Conference is to suggest to the Council of Foreign Ministers were to be regarded by them as a dead letter, or even if they were not to be taken into very serious consideration, the whole framework of the procedure that has been devised would collapse and it would become useless to pursue what everyone would, in conscience, be bound to consider as a comedy lacking in grandeur and devoid of reason.

Accordingly, I am convinced that the most important statement made here so far is the one in which Mr. Byrnes promised, on behalf of the United States of America, to support any recommendations that might be backed by a two-thirds majority. If only the other great Powers, in addition to their promise that there shall be free and full discussion, would give such an undertaking, it seems to me that the atmosphere would immediately become clearer, and that our work would start under fortunate auspices. There is no reason why the great Powers should distrust us.

We are not endeavouring here to impose any measures, or even any opinions, through more or less numerous coalitions. We are seeking, in common, the best ways of establishing a just and lasting peace. If we try to gain acceptance for our views, it is not under the constraint of snap majorities, but by the process of persuasion founded on the force of our arguments, and the justice of our cause and the best possible adaptation of the means we propose to the object we seek to achieve. We each of us try to secure the greatest possible number of supporters for the opinions we express and our ideal remains the attainment of unanimity through conviction.

Let us allow ideas to be freely expressed. Let us allow them to act through the force and the influence of their own merits. In that way we shall create an atmosphere of freedom in which no one will feel himself forced and constrained, but which will, on the contrary, with good faith and in good will, favour the drawing up of an international instrument in which all legitimate interests will be respected and fitted in so as to construct a stable and permanent edifice that shall shelter the peace of the future.

GENERAL THERON (South Africa)—Mr. President and fellow delegates:

I am happy to associate the South African Delegation with much of what preceding speakers in this Conference have so eloquently stated. We feel that at this late stage there is little that we wish to add to what has already been said. In particular, the South African Delegation want to join in thanking our Hosts, the French Government, for their gracious hospitality; many of us in South Africa bear French names, and we who have the honour to represent our country here, are indeed proud to see, with our own eyes, how splendidly, glorious France has resurrected herself since her liberation, after her agony of 1940 and the blighting years of Nazi occupation.

I would also say, on behalf of the South African Delegation, that we have no territorial claims, we demand no reparations for ourselves, nor do we ask for a single ship from the Italian Navy. We seek only to help. We welcome the assurances which have been given so far, that the sincerely proffered contributions by the small powers at this Conference, will be given that consideration and weight, to which their service and sacrifices in our common cause have entitled them. We are deeply conscious of our responsibilities no less to the peoples of the world than to our own, and are only anxious again to do our duty in this fateful hour for humanity.

Gentlemen, may I recall that South Africa entered voluntarily into this war; we did not wait to be attacked: when Nazi and Fascist aggression battered at the gates, first of Poland and then of France, we unhesitatingly ranged ourselves with the forces that stood for Freedom. Our troops, all of whom were volunteers, traversed Africa in their crusade against Fascism and then joined in the pursuit of Nazism to the foot of the Alps.

The Union of South Africa asks that the spirit of the principles of the Atlantic and United Nations Charters should be made to live in these Peace Treaties: that we do not pay mere lip service to the Four Freedoms, but that the Nations assembled here, who have subscribed to that fundamental human document, (the UNO Charter), shall ensure that those guiding principles shall endure, and be translated into a way of Life, and Hope, for all humanity.

We raise our voice in pleading that the Charter shall prevail in adjusting the relations of man to his kind. Our own country is not without experience of the blessed fruits of magnanimity. Within the memory of most of us, the greater part of our country, too, was devastated during three years of bitter war, but magnanimity prevailed: the victor aided the vanquished; we rebuilt from the ashes, and the leaders of the Boer people ranged themselves twelve years later alongside their former enemy in Freedom's fight. Generals Botha and Smuts pleaded here 27 years ago, that magnanimity be shown. At the conclusion of the Versailles Conference, General Botha wrote, "The justice of God will be applied in fairness to all people under the sun, and we shall persevere in our prayers that this may be done in a peaceloving and Christian spirit. Today I remember May 31st, 1902, Vereeniging Day".

My Prime Minister, Field Marshal Smuts, under whom I had the privilege to serve during the Versailles Peace Conference, and as whose deputy I have the honour to address you to-day, most deeply regrets that pressure of other heavy duties has so far delayed his being here at this Conference. It is his deep wish and prayer that the peace treaties under consideration, may be written in the spirit of the words of General Botha, which I have quoted, and thereby may contribute to bring to a wartorn world, whose civilisation is still in grave peril, the future blessings of stability, progress, and world peace.

PRESIDENT—The general discussion is now closed. The Conference will be able to devote itself to completing the work in the Commission on Procedure.

As it is impossible to foretell at present how long that work will take, I hope the Conference will leave it to its Provisional President to convene it at the appropriate moment.

No objections? The meeting stands adjourned.

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#### REBER-MASARYK CONVERSATION, AUGUST 3, 1946

CFM Files

*Memorandum by the Acting Chief of the Division of Southern European Affairs (Reber)*<sup>40</sup>

SECRET

PARIS, August 4, 1946.

In a conversation yesterday with Jan Masaryk, Foreign Minister of Czechoslovakia, he informed me in the strictest confidence that he is prepared to consider an adjustment of the frontier with Hungary if such a cession will solve the question of the transfer of Hungarian minorities. As this is contrary to the expressed views of the Czechoslovak Government he does not wish anything said about it at this

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<sup>40</sup> Addressed to Mr. Cohen, Ambassador Smith, and Mr. Matthews.

stage of the Conference but has indicated that if Czechoslovakia does not receive satisfaction with regard to the expulsion of the Hungarian minorities this may provide a solution. The U.S. position, which has consistently been maintained and which has been made known both to Czechoslovakia and Hungary is opposed to the transfer of populations except for the transfer of Germans provided under the Potsdam Agreement.<sup>41</sup> Mr. Masaryk's suggestion therefore provides in our opinion the best possible solution provided the cession of the territory is adequate for this purpose.

According to the Secretary of the Hungarian delegation, his Government has in mind proposing an exchange of territory and will undertake through Count Karolyi to sound out the Czech Government in this respect. They will keep us informed of any developments.

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## MONDAY, AUGUST 5, 1946

### SIXTH MEETING OF THE COMMISSION ON PROCEDURE, AUGUST 5, 1946, 10 A. M.

CFM Files

#### *United States Delegation Journal*

#### USDel(PC) (Journal)7

The Brazilian, Netherlands and New Zealand Delegations supported the proposal that recommendations of the Conference to the Council of Foreign Ministers might be made by simple majority vote. They defended this procedure as in accord with democratic principle and as allowing greater voice in the peace making to the nations which were not members of the Council of Foreign Ministers. The Yugoslav, Polish and Czechoslovakian Delegations supported the suggestion of the Council of Foreign Ministers that recommendations be made only by a two-thirds majority vote. The U.K. Delegation presented an amendment to the effect that there could be two kinds of recommendations, those which received a simple majority and those which received a two-thirds majority; both types of recommendations would be transmitted to the Council of Foreign Ministers for its consideration. Mr. Byrnes supported the U.K. amendment. He said that he would support in the Council of Foreign Ministers recommendations which obtained a two-thirds majority, and that those which obtained a simple majority should also be forwarded to the Council. The Chinese Delegation also supported the U.K. amend-

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<sup>41</sup> For documentation on United States policy regarding the Hungarian-Czechoslovakian exchange of populations question, see vol. vi, pp. 361 ff. For the text of the decision on the transfer of German populations contained in the Protocol of Proceedings of the Potsdam Conference, see *Foreign Relations*, The Conference of Berlin (The Potsdam Conference), 1945, vol. II, p. 1495.

ment. Mr. Byrnes took the opportunity also to say that he agreed with the proposal made by Mr. Mackenzie King (Canada) that the Council of Foreign Ministers should meet during the Conference in order to consider the latter's recommendations.<sup>42</sup>

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CFM Files

*United States Delegation Minutes*

[Extract]

USDel(PC) (Proc)6

[MR. JORDON (New Zealand) :] As matters stood 35% would overrule 65%. If such were to be the case there should be no further talk of democracy. It was farcical to say that a decision could be reached in this Committee by a simple majority which would require the same members to vote by a two-thirds majority in another place, i.e. the Conference. Such an attitude indicated a lack of a sense of humor. He recalled the case of a forum at an English university where it had been decided by majority vote that the minority was always right. There was danger of doing the same sort of thing here. He was confident that Mr. Byrnes and Mr. Bevin and other members of the Council of Foreign Ministers would be honest and fair regardless of the type of vote, but it was absurd that, if one wanted to *do* something, one had one vote but that if one wanted to *obstruct* something he should have two votes. He questioned whether some of the members there represented had any such majorities behind them in the countries from which they came. It was the decision of the New Zealand Delegation to support a simple majority (applause).

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SEVENTH AND EIGHTH MEETINGS OF THE COMMISSION ON  
PROCEDURE, AUGUST 5, 1946, 4 P. M. AND 9:30 P. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)7

When the Committee reconvened at 4 p. m. the Norwegian and Canadian Delegations supported the U.K. amendment on the ground that it gave a voice to the middle and smaller powers without affecting the position of the members of the Council of Foreign Ministers. M. Molotov delivered a long speech in which he stressed the extreme importance of the question and strongly defended the suggestion of the

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<sup>42</sup> Mackenzie King's proposal was contained in his remarks at the 5th Plenary Meeting, August 2; the Verbatim Record of that meeting is printed on p. 86. For text of Byrnes' remarks, see *Paris Peace Conference, 1946: Selected Documents*, Department of State publication No. 2868 (Washington, Government Printing Office, 1947), p. 40.

Council of Foreign Ministers that recommendations be adopted only by a two-thirds majority. He defended this proposal as based on the precedent of the San Francisco Conference and on the need for achieving the greatest possible agreement. He charged the U.K. and United States Delegations with inconsistency for having supported in the Council of Foreign Ministers the proposal for a two-thirds majority and then having abandoned it at the Peace Conference. He stated that the rule of simple majority would enable certain blocs of states to impose their will on other states. He proposed, to meet the wishes of other delegations, the following addition: "If a proposed recommendation fails to obtain a two-thirds majority, the states which vote for such a recommendation may refer it to the Council of Foreign Ministers".<sup>43</sup> M. Couve de Murville (France) prepared a compromise formula reading as follows: "In cases where a proposal obtains a simple majority but not a two-thirds majority such proposal may at the request of the states favoring it be submitted to the Council of Foreign Ministers for consideration." Dr. Evatt (Australia) argued that the Allied Nations not represented on the Council of Foreign Ministers had already, by decisions of the great powers, been given a smaller role in the peacemaking than that to which they were entitled. He alleged that the two-thirds rule would restrict that role still further; he therefore supported the Netherlands amendment in favor of the simple majority rule as the means whereby the Conference would place its views before the Council of Foreign Ministers.<sup>44</sup> Mr. McNeil (U.K.) replied to the arguments of M. Molotov and defended the right of the U.K. Delegation to support amendments to the rules of procedure suggested to the Conference by the Council of Foreign Ministers. The Indian and South African Delegations supported the proposal that recommendations could be made by simple majority vote.

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## TUESDAY, AUGUST 6, 1946

### NINTH AND TENTH MEETINGS OF THE COMMISSION ON PROCEDURE, AUGUST 6, 1946, 10 A. M. AND 4 P. M.

CFM Files

#### *United States Delegation Journal*

USDel(PC) (Journal) 8

The Ukrainian and Polish Delegations spoke in favor of the two-thirds majority rule for the recommendations of the Conference. Mr.

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<sup>43</sup> For text of Molotov's speech, see V. M. Molotov, *Problems of Foreign Policy, Speeches and Statements, April 1945–November 1948* (Moscow, Foreign Language Publishing House, 1949), p. 79.

<sup>44</sup> The adjournment of the 7th Meeting interrupted Evatt's speech. He continued his remarks at the Eighth Meeting.



Byrnes replied to the previous day's remarks of M. Molotov. He spoke in favor of the U.K. amendment and defended his right to support amendments to the suggested rules of procedure, citing reservations which he had made when these rules were being drawn up by the Council of Foreign Ministers. He said that he was willing to have the record judged by public opinion and challenged M. Molotov to have published in the Soviet Union the statement which he (Mr. Byrnes) had just made.<sup>45</sup> M. Molotov replied to Mr. Byrnes to the effect that agreement on rules of procedure had been reached in the Council of Foreign Ministers and that members of the Council should retain the unanimity they had achieved there. He accepted Mr. Byrnes' challenge to have his statement published in the Soviet press.<sup>46</sup> The Soviet position was supported by the Yugoslav Delegation.

When the Committee reconvened at 4 p. m. M. Masaryk (Czechoslovakia) proposed the establishment of a subcommittee to attempt to work out a compromise on the question of voting. M. Molotov favored this idea. The United States, U.K., and Netherlands Delegations opposed it. A vote was taken and the proposal was defeated by 11 to 8. The following delegations voted for the proposal: Byelorussia, France, Norway, Poland, Czechoslovakia, Ukraine, U.S.S.R., Yugoslavia. The following delegations voted against it: United States, Australia, Belgium, Brazil, Canada, U.K., Greece, India, New Zealand, Netherlands and Union of South Africa. China and Ethiopia abstained. It was then announced that the Brazilian and Netherlands Delegations withdrew their amendments and supported the New Zealand amendment since the latter was very similar to theirs. M. Molotov then suggested that the vote on the proposed amendments be by two-thirds majority. Mr. Byrnes was surprised that the Soviet Delegation was now advocating a measure contrary to the rules suggested by the Council of Foreign Ministers. Dr. Evatt said that there was no reason for any other procedure than by majority vote. M. Molotov's arguments were then repeated by the Ukrainian and Yugoslav Delegations. Mr. Byrnes recorded his earnest protest against the argument that it was impossible to create an organization except by a two-thirds vote. He thought that such a decision here would be a most unfortunate precedent.<sup>47</sup>

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<sup>45</sup> For text of Byrnes' remarks, see Department of State *Bulletin*, August 18, 1946, p. 315.

<sup>46</sup> For text of Molotov's remarks, see Molotov, *Problems of Foreign Policy*, p. 89.

<sup>47</sup> For text of the remarks made by Byrnes at this point, see *infra*.

REMARKS OF THE SECRETARY OF STATE AT THE TENTH MEETING OF  
THE COMMISSION ON PROCEDURE, AUGUST 6, 1946, 4 P. M.

CFM Files

*United States Delegation Press Release*

[Extract]

USD(PC) (PR)-7

AUGUST 6, 1946.

"Mr. President, I apologize for again speaking on this question, but I do wish to have the record show my earnest protest against the argument that it is impossible to create an organization except by a two-thirds vote. If we permit ourselves to make such a decision here, it would be a most unfortunate precedent which would handicap international organizations in the days to come. I can well conceive under any such rule that a minority of one more than a third could prevent the representatives of states from ever organizing to conduct international affairs. Never before have I heard such an argument made.

"The thought is in my mind that when we met here and you, Mr. President, were elected the vote was 13 to 7 with one abstention. We should never have organized if the seven could have held up your election and prevented the organization of the conference unless a majority of thirteen bowed to the will of the seven.

"The only authority offered as a precedent to justify such a contention is said to be the San Francisco Conference. I want to urge that there no one claimed it was necessary to have a two-thirds vote in order for the states to organize before a Constitution was formed, and when Article 18 is cited, I submit to you, as the Representative of the United Kingdom has, that it is a complete refutation of the argument.

"I would willingly follow it, if we cannot rely upon our parliamentary history and our knowledge of parliamentary proceedings. If we are to be guided by the Constitution adopted at San Francisco, that Constitution sets out specifically the questions that require a two-thirds vote and it declares that the decision of all other questions including the determination of additional categories of questions to be decided by a two-thirds majority, shall be made by the majority of the members present and voting.

"Now, if we decided to abide by that and the motion is made here that this question of voting procedure shall be settled by a two-thirds vote, then under the Constitution of the United Nations that must be submitted to a majority vote and not a two-thirds vote.

"If this question of two-thirds is insisted upon, I hope the President will submit to the conference whether or not by a majority vote that question will be listed as a question requiring a two-thirds majority."

ELEVENTH MEETING OF THE COMMISSION ON PROCEDURE,  
AUGUST 6, 1946, 9: 45 P. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)8

After an adjournment the Committee again met at 9:45 p. m. M. Molotov made the following proposal: "Amendments to the proposals submitted by the Council of Foreign Ministers are to be regarded as accepted whenever they have obtained a vote of two-thirds in the Committee". When the Chairman called for a vote on the Soviet proposal, M. Molotov stated that he did not desire that a vote be taken on it. He said that the Soviet Delegation merely adhered to that view. The Ukrainian, Byelorussian, Polish and Yugoslav Delegations associated themselves with the statement of M. Molotov. Mr. Lange (Norway) stated that the Committee must be free to adopt rules of procedure by simple majority and that he would be obliged to vote against the Soviet proposal if it was put to a vote. Mr. Alexander (U.K.) accused the Soviet Delegation of obstruction and called for a vote on the amendments before the committee. The Chairman then called for a show of hands on the motion to pass to a vote. The following delegations favored the motion: United States, Belgium, Brazil, Canada, China, Ethiopia, U.K., Greece, India, Norway, New Zealand, Netherlands, and Union of South Africa. The following delegations abstained: Byelorussia, France, Poland, Czechoslovakia, Ukraine, U.S.S.R., Yugoslavia.

The New Zealand amendment in favor of recommendations by a simple majority was then defeated by 11 votes to 9 with one abstention. The following delegations voted in favor of the amendment: Australia, Belgium, Brazil, Canada, Greece, India, New Zealand, Netherlands and Union of South Africa. The following delegations voted against it: United States, Byelorussia, China, France, Great Britain, Norway, Poland, Brazil, Ukraine, U.S.S.R. and Yugoslavia. The Ethiopian Delegation abstained.

At the insistence of M. Vyshinsky (U.S.S.R.), the Chairman divided the U.K. amendment into two parts for voting.<sup>48</sup> The Committee first voted on the French proposal, put forward at the 7th meeting, as a substitute for the second part of the British proposal, the part which referred to recommendations with a majority of more than one-half but less than two-thirds of the members of the Confer-

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<sup>48</sup> For substance of the British amendment, see the United States Delegation Journal account of the 6th Meeting, August 5, p. 123.

ence.<sup>49</sup> The French amendment was defeated by 13 votes to 8. The following delegations voted in favor of it: Byelorussia, France, Norway, Poland, Czechoslovakia, Ukraine, U.S.S.R. and Yugoslavia. The following delegations voted against it: United States, Australia, Belgium, Brazil, Canada, China, Ethiopia, U.K., Greece, India, New Zealand, Netherlands and Union of South Africa.

The Committee then voted on the second part of the U.K. amendment providing for recommendations supported by more than one-half and less than two-thirds of the members of the Conference. This proposal was accepted by a vote of 14 to 6 with one abstention. The following delegations voted for it: United States, Australia, Belgium, Brazil, Canada, China, Ethiopia, Great Britain, Greece, India, Norway, New Zealand, Netherlands and Union of South Africa. The following delegations voted against it: Byelorussia, Poland, Czechoslovakia, Ukraine, U.S.S.R. and Yugoslavia. The French Delegation abstained. The U.K. amendment as a whole was then voted on, the result being a vote of 15 to 6 in its favor. The voting was the same as on the second part of the amendment with exception that France voted in the affirmative instead of abstaining.

The Yugoslav Delegation then put forward a proposed resolution of the Committee reading as follows: "In case any proposal of an Allied state neighbor to one of the enemy states in question is not accepted by a majority of two-thirds or by a simple majority of the members of the Conference, the Government of the Allied state may submit it directly to the Council of Foreign Ministers for consideration". The Ukrainian, Czechoslovak, and Soviet Delegations supported the Yugoslav proposal. Further consideration of it was deferred.<sup>50</sup>

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<sup>49</sup> For text of the French sub-amendment, see the United States Delegation Journal account of the 7th Meeting, August 5, p. 124. The British Delegate opposed this compromise because it did not fulfill the purpose of the British amendment—to provide for the automatic transmittal of all recommendations passed by a majority of the Conference to the Council of Foreign Ministers.

<sup>50</sup> The meeting adjourned at 2:30 a. m.

WEDNESDAY, AUGUST 7, 1946

TWELFTH MEETING OF THE COMMISSION ON PROCEDURE,  
AUGUST 7, 1946, 4 P. M.<sup>51</sup>

CFM Files

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The Committee unanimously adopted the following resolution proposed by the Yugoslav Delegation:

"Should a proposal submitted by an Allied state having a common frontier with the enemy state whose case is being discussed not be adopted either by a two-thirds majority or by a simple majority, the government of the said Allied state may submit the proposal directly to the Council of Foreign Ministers for consideration."

The Australian Delegation withdrew its amendment which proposed that recommendations of the commissions be adopted by simple majority vote. The Netherlands Delegation withdrew its similar amendment. Article VI, paragraph *b*, of the rules of procedure suggested by the Council of Foreign Ministers was then adopted unanimously. Article VII concerning amendments and suspensions was also adopted unanimously.

Mr. Byrnes then proposed an amendment in the form of an addition to Article II reading as follows:

"No member of the delegation of a state represented on the Council of Foreign Ministers shall be eligible for the chairmanship of a commission. No member of the delegation of a state, any representative of which has been elected chairman of a commission, shall be eligible for the chairmanship of another commission." These amendments were accepted unanimously.

Mr. Byrnes then proposed that the following text be added to Article III:

"The Secretariat shall be directed to invite representatives of Italy Rumania, Bulgaria, Hungary and Finland to appear and present their views to the Conference at plenary sessions beginning on August 10. The commissions may provide for such further hearings before

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<sup>51</sup> The resolutions and amendments adopted during this meeting, as provided in the present account, appear in a slightly different form in C.P.(Plen) Doc. 1, the Rules of Procedure recommended to the Conference by the Commission. Texts presented in the United States Delegation Minutes of this meeting are not consistent with either source. This variance in wording presumably can be attributed to problems of translation and copying since the Commission did not modify by official action the texts adopted here prior to submitting them to the Conference as portions of C.P.(Plen) Doc. 1. The latter document is printed in vol. iv, p. 796; reference to that text is recommended for the exact wording of the changes and additions adopted at the present meeting.

the ex-enemy states as they may deem necessary.”<sup>52</sup> This amendment was adopted unanimously.

Mr. Kosanovich (Yugoslavia) proposed that Albania be invited to the plenary conference. Mr. McNeil (U.K.) stated the view that this was a matter for the decision of the Conference and not of the Committee on Procedure. Mr. Kosanovich withdrew his proposal.

The Committee decided to add the following paragraph to the draft rules of procedure:

“Verbatim records of the plenary sessions of the Conference shall be made. In the case of commissions a summary record of the decisions taken shall be made which shall contain, either in the body of the text or as an annex, the actual declarations made on proposals submitted to the Secretariat by the delegations themselves.”

The Chairman proposed that on all matters of procedure not covered by the rules adopted for the Conference, the latter be guided by the rules of procedure of the General Assembly of the United Nations. After some discussion, in which the Soviet Delegation made the point that on some matters the United Nations rules of procedure obviously were impracticable, it was decided to adopt the following text as Article IX of the draft rules of procedure:

“In all questions of procedure not covered by the present rules the Conference and its commissions shall be guided by the principles which have, in similar cases, been adopted as the basis of the rules of procedure of the General Assembly of the United Nations.”<sup>53</sup>

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## THURSDAY, AUGUST 8, 1946

### SEVENTH PLENARY MEETING, AUGUST 8, 1946, 4 P. M.

CFM Files

#### *Verbatim Record*

C.P. (Plen) 7

Chairman: M. Georges Bidault (France)

THE CHAIRMAN: The meeting is open.

#### DISCUSSION OF THE RULES OF PROCEDURE AND OF THE ATTACHED DRAFT RESOLUTION

THE CHAIRMAN: The Conference has before it two texts which have just been distributed, namely:

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<sup>52</sup> The remarks made by Byrnes at this point were released to the press August 7, 1946.

<sup>53</sup> The Chairman proposed that the draft rules just adopted be forwarded to the Conference. The Secretariat was directed to have the text reproduced for submission to the Plenary Conference (C.P. (Plen) Doc. 1, vol. iv, p. 796).

1. Draft Rules of Procedure adopted and now submitted by the Commission on Procedure. [C.P.(Plen)Doc. 1]<sup>54</sup>
2. A draft resolution, following these Rules.

I call upon the delegate of the U.S.S.R.

MR. MOLOTOV. (U.S.S.R.) (Interpretation)

Mr. President, Fellow Delegates, the Soviet Delegation agrees with the draft Rules of Procedure proposed by the Commission except for one point. The Soviet Delegation disagrees with the decision of the Commission which suggests that the Conference should adopt its recommendations by a simple majority and not by a two-thirds majority as was suggested by the Council of Foreign Ministers. The Soviet Delegation cannot agree to any recommendations being adopted at the Conference by a majority of one vote; it cannot agree to 11 Delegations forcing their proposals on the other 10 Delegations. The Soviet Delegation considers such a decision to be erroneous and insists on the reconsideration of this erroneous decision of the Commission.

The method of voting in an international conference is an extremely important problem. The Conference will be expressing its view on many serious problems. It is inadmissible that such problems should be decided by a majority of a single vote. One has to be either very naive or very inexperienced in international questions to advocate such a method of voting in a Peace Conference.

The Soviet Delegation is compelled to remind you of a few elementary matters. As you are aware, in international conferences and gatherings, the guiding principle is supposed to be the effort to achieve unanimity between the various members of the conference. It cannot well be otherwise when the problem consists in ascertaining the common views of a few or of several sovereign States. It is of course not so simple to achieve mutual understanding and to bring into accord the views of the 21 States represented at the Peace Conference. If however, we have assembled at this Peace Conference, we must make an endeavour to achieve unanimity, to understand one another, to make reasonable concessions one to another and we must realize that there is no other possibility of achieving satisfactory results in settling international questions. We have representatives here of great powers and small states. In order to secure mutually acceptable recommendations, we must take account of the individual opinion of each, great and small. The parties particularly interested in this are the small States who often have to submit to the will of the great powers who maintain troops on their territory so as to influence the negotiations and dictate their will to the small countries. Such a

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<sup>54</sup> For text, see vol. IV, p. 796.

method however is not applicable in the Paris Conference. Consequently, we must find normal ways of achieving unanimity in our Conference and not be carried away by a policy of pressure or by the method of majorising the votes of some of the Delegations as opposed to others.

The ordinary rules of international conferences are well-known. It is usual to try at such conferences to achieve unanimity even though at the cost of considerable effort, to convince one another and arrive at an agreed view which is acceptable to the members of the conference. It is common knowledge that in some international organisations the unanimity rule was applied and is still applied in regard to the adoption of all decisions. We know also that in the Charter of the United Nations, it is said that for the adoption of important decisions, two-thirds of the votes of the Assembly are required and in the Security Council, there must be, in addition, unanimity among the Five Great Powers. At all great power meetings during the war, the world-wide importance of which is well-known, many decisions were adopted and they were all taken unanimously. In the Council of Foreign Ministers which was set up at the Berlin Conference and which has the responsibility of serving the cause of lasting peace, all the proceedings are conducted also on the basis of complete unanimity. People must be very simple if they think that useful results can be achieved in the international sphere by omitting to achieve unanimity between the countries concerned. The Soviet Delegation finds itself compelled to remind you of these elementary matters. It will always be proud to defend the necessity of achieving unanimity in the settlement of international problems, and considers it inadmissible to abandon this principle. This is how we understand the interests of the democratic countries, the interests of great states and small states, the interests of the millions of simple people who by their heroism and at the cost of their blood have brought us to victory and who are now patiently waiting to see whether we are prepared to fight for the establishment of permanent peace.

The Council of Foreign Ministers made a suggestion to the Peace Conference regarding the system of voting at plenary meetings of the Conference and of Commissions. In the case of voting at the Plenary Conference, the suggestion read as follows:

"Decisions of the Conference on questions of procedure shall be adopted by a majority vote, decisions on all other questions and recommendations would be adopted by a two-thirds majority."

It took the Council of Foreign Ministers quite a long time to arrive at this agreement and I quite admit it was the Soviet Delegation which specially urged it. From the text cited, you will see that the Council of Foreign Ministers suggested that the Conference should hold to the



principle of a two-thirds majority for the voting of all questions of principle and recommendations at the plenary Conference.

In spite of this the United Kingdom Delegation tabled a new proposal in the Commission on Procedure concerning the method of voting in the Plenary Conference. This proposal which evoked objections from a number of Delegations, was accepted by the Commission.<sup>55</sup> The following is the text of the decision adopted by the Commission:

"Recommendations of the Plenary Conference will be of two kinds:

- (1) recommendations adopted by a two-thirds majority
- (2) those which received more than one half but less than two-thirds of the votes of the members of the Conference.

Both types of recommendation are to be referred to the consideration of the Council of Foreign Ministers."

In this way the Commission suggests that proposals which are adopted not by a two-thirds majority but only by a simple majority should also be regarded as recommendations. In this matter the proposal made by the Council of the Four Ministers that the Conference should adopt its recommendations by a two-thirds majority of votes is annulled. It is now sufficient for eleven delegations out of the twenty-one to support this or that proposal for this proposal to become a recommendation to the Conference even if ten other delegations objected to it. In this way one delegation of the twenty-one here present may attribute to this or that proposal the character of a recommendation for the whole Conference. And recommendations of this kind are supposed to have the same important weight at the Conference itself or in the public opinion of the democratic countries. The Soviet Delegation thinks that those who view the matter in this light will suffer a great disappointment.

We all know that a recommendation adopted by the Conference has no binding effect on the Council of Foreign Ministers. On the other hand we all acknowledge that it would be useful for the Conference to pronounce in favour of such and such recommendations and thus assist the final preparation of the peace treaties. Everybody understands that such recommendations which are unanimously adopted will carry a great weight with each of us and with the entire international opinion. While insisting that any recommendations should be adopted by a majority of at least two-thirds of the votes, the Soviet Delegation was interested not so much in the number of votes cast as in an endeavour to ensure that the voting procedure itself assists in the adoption of unanimous recommendations to the Conference. Therein lies

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<sup>55</sup> The proposal was presented at the 6th Meeting of the Commission on Procedure, August 5; for the United States Delegation Journal account of that meeting, see p. 123.

the political meaning of the proposal made by the Council of the Four Ministers when it recommended that the voting procedure on questions and recommendations of principle should be by a majority of two-thirds of the votes. The decision adopted by the Commission on procedure has upset this proposal. It has ignored the need to endeavour to obtain unanimous decisions. It assists those who do not endeavour to reach unanimous and, therefore, authoritative decisions.

The Commission on Procedure, in suggesting that the Conference should accept recommendations even if they are adopted by a majority of only one vote, has made an egregious error. Such recommendations can have no authority; they will only confuse the work of the Conference. If the Conference approves this erroneous proposal of the Commission on Procedure it will undermine the authority of such recommendations as it adopts. Those to whom the authority of the Conference and the recommendations made by it are precious cannot vote in favour of such a proposal made by the Commission on Procedure.

Why did the Commission on Procedure allow such an error to be committed? How could it have happened that such an obviously erroneous proposal was adopted by the Commission on Procedure despite every warning made by a number of delegations?

The responsibility for this situation lies with the British Delegation which had tabled this proposal and with the American Delegation which had so actively supported the adoption of this decision in the Commission on Procedure. The British and American Delegations acted together in this matter in order to pass this decision in the Commission on Procedure. They had evidently thought of ensuring for themselves the adoption at the Conference of recommendations which were desirable to them but they were carried too far by this sort of consideration. They have even failed to reckon with the fact that at the Council of Ministers they had given their assent to the adoption of recommendations by a majority of two-thirds of the votes. They referred to all kinds of reservations which they had made in adopting this decision at the Council of the Ministers. Now what kind of significance could this or that reservation possess considering that a proposal on voting procedure agreed between the Four Ministers is placed before the Conference for its consideration. Any reservations could have reference only to such questions which were either not agreed or not discussed by the Council of the Four Ministers. Otherwise it comes to this that the right hand does not know what the other one is doing. The British and American Delegations may have withheld their assent at the Council of the Four Ministers in the case of this or another proposal on the voting procedure for the Conference.

They actually did not give their assent at once. Yet after a long discussion an agreed decision was adopted by the Council of the Four Ministers. Nevertheless both Delegations at the Conference withdrew from this agreed decision and returned to their original proposal that the voting on recommendations placed before the Conference should be by a simple majority.

In the long run it does not matter that the British or the American Delegation finds itself in an ambiguous position. The position is more serious. The error committed by the British and American Delegations has led to the adoption of an erroneous decision by the Commission on Procedure. This Commission now recommends to the Conference to approve its erroneous decision. The problem now is to save the Conference from committing the same error which was made by the Commission on Procedure.

How could this mistake arise? Does the U.K. or the U.S. Delegation prefer to vote as a member of a simple majority and not as part of the two-thirds of the Delegations of the Conference? I do not think so. The Soviet Delegation believes that everyone would like to vote not only by a two-third majority but unanimously and would like our decisions to be adopted as representing an opinion that had been thoroughly thought out and agreed upon between us all and would like such an opinion to carry proper weight. But Dr. Evatt, the representative of Australia, takes a different view. He has explained why he supported the British and American Delegations in changing the decision of the Council of Four Ministers about voting recommendations by a two-thirds majority. In his speech in the Commission on Procedure he said:

"Let us assume there is a draft amendment proposed by one country. The Soviet Union disagrees with this amendment. It will be quite impossible to get a two-thirds majority for that draft amendment. That is quite clear."

Dr. Evatt did not reveal on what he was basing his assumptions. He merely hinted but refused to show his cards. What he is most interested in is securing by the most convenient method the adoption in the Conference of recommendations unacceptable to the Soviet Union. He does not expect that he will succeed in obtaining two-thirds majority for recommendations directed against the interests of the Soviet Union. That is why he is making such great efforts in the Conference to have recommendations adopted by simple majority. Certain spheres of public opinion have a good comprehension of Dr. Evatt. The day after the decision taken in the Commission on Procedure a number of Paris newspapers were very happy to support Dr. Evatt. Yesterday the newspaper *Cité Soir* wrote as follows: "The Western Powers have scored over the U.S.S.R." The same tone is

discernible in the *Etoile du Soir* and elsewhere. That is how the Commission of Procedure's decision about the method of voting was received and the delegates to the Conference cannot ignore the fact.

The Soviet Delegation, however, feels that the purpose of the Peace Conference is not to ensure that one particular Power or one particular block of Powers should score a victory over the U.S.S.R. or any other State. I would go further and say that at a Peace Conference it should not be possible for all the Great Powers jointly to score a victory over any single State whether great or small. If anyone attempts to follow that path, he will certainly fail in his design and do political damage firstly to his own State and also to the authority of the Peace Conference.

You know that when the struggle had to be fought with our common enemy, the U.S.S.R. was not in the rear ranks of the Allies. The Soviet Union is proud of having saved European civilization from Fascist barbarism. The Soviet Union is proud of having freed quite a few European States from the Fascist grip and of having helped countries in whose capitals Hitler's lackeys had only recently been settled to embark on the path of democratic development, is proud of having raised the flag of freedom and national re-birth all over Europe. The Soviet Union has made unheard of sacrifices in this struggle—seven million human lives. The achievements of the Red Army and the irreparable losses of the Soviet Union entitle us to point out here that the voice of the Soviet Union, like the voice of the other democratic countries which are appealing for the greatest possible unanimity in international affairs—that voice deserves to be heard. And now that we have achieved victory and have the duty of seeing that lasting peace is established, nothing good can come from attempts to set the majority of the Conference against the minority. Such attempts will meet with no sympathy from democratic public opinion; they will only undermine the authority of the Conference which we should all cherish.

The Soviet Delegation takes this opportunity of insisting on the mistake made by the Commission on Procedure being rectified. A mistake can be corrected if there is still time, but a mistake can become more serious if we persist in following the wrong path. The Commission on Procedure has committed a serious mistake and has dealt a blow at the prestige of the Conference. The Soviet Delegation proposed that the mistake be corrected and in this way the international authority of the Paris Conference will be maintained.

The Soviet Delegation moves the rejection of the Commission on Procedure's proposal on voting and the adoption of the proposal made by the Council of Foreign Ministers on this question.

DR. EVATT (Australia) :

Mr. President: I have no speech prepared. I was surprised at the continuation before the Plenary Conference of the debate which lasted for so long in the Commission, and I think the question behind the immediate matters raised by M. Molotov is one of very serious import to this Conference as a Conference.

First of all, let us recall what he asked. He asks the Plenary Conference, consisting of the same countries, the same persons for the most part as the members of this commission, to reverse their decision. The decision was reached after many days' argument and the vote was fifteen votes to six in favour of the amendment to which M. Molotov now refers. M. Molotov thinks there's magic in the fraction two-thirds. If there is such magic in that fraction, then there is magic in the vote of fifteen to six, because that is more than a two-thirds vote. And therefore I can hardly imagine that his purpose in objecting is a serious purpose of asking delegates to go back, within twenty-four hours, from the decision so carefully taken after such long debate.

But, Gentlemen, I say the thing goes a little deeper than that. It is not that M. Molotov asks us by argument to reconsider our decision for the purpose of reversing it—no, that's not his language—his language is of this character: he insists—that is the word—that the error be rectified. What is done should, in his view, not be permitted—those are his words. He refers to the grievous error of the fifteen, thereby implying the infallibility of the six.

But behind his point of view is the assumption that his "No" should be conclusive, as his "No" is able on the Security Council to block decisions on the Security Council, even though ten countries favor what is done, M. Molotov can, at that point, say "No", and no decision can be taken by the Security Council. That was agreed at San Francisco, agreed to in spite of the keenest opposition of many countries, including my own, and what we have got to face as a Conference, not bound by a veto system, is whether we can or should yield to dictation of that character.

Mr. President, what is the issue? It's very simple—and so much of what M. Molotov said about it is correct and is completely elementary. He says that what we do by way of recommendation to the Council of Foreign Ministers has no obligatory force. That is correct. We decide by two-thirds to make a recommendation: it goes on to the Council, but it has no binding force on that body. If we decide by a simple majority to make a recommendation it does not bind the Council of Foreign Ministers, and he correctly points out that is the position, but, Mr. President, that is precisely the reason why the Conference, through its agency, thought it proper not to include recommendations of this Conference from getting to the Council of

Foreign Ministers merely because they failed to get a two-thirds majority. That is the decision, and so two types of recommendation go forward—a simple majority recommendation and a two-thirds majority recommendation. It is quite true also that the simple majority recommendation does not speak with the same vigour and voice as the two-thirds majority recommendation, but at any rate a majority of the Conference can, through the present decision, have its voice heard in the precincts of the Council of Foreign Ministers, and so the decision is a sound one. It takes up the situation at the point made by M. Molotov that there's no binding force to the recommendation, but will let this at any rate be considered by the Council of Foreign Ministers. Is that too much to ask, that the majority of the twenty-one nations here assembled, all of whom have taken an active part in the war and contributed to victory should not by a majority have their views listened to by the Council of Foreign Ministers, listened to organised as a Conference? That seems so elementary from the point of view of justice and fair play and democracy that I am amazed that opposition to it is still maintained.

Again he says, quite truly—so much of what he says is true that they amount to truisms and really don't carry anything in the way of argument—he says we must have unanimity. That is perfectly true. A peace treaty must be agreed to unanimously, but the method of getting unanimity is just as important as unanimity itself. You can get unanimity by dictation—you can say, you must agree, and you have no means of having that order refused—that's not what we stand for. We don't believe in it as a system. The means of getting unanimity are important, and this system is the means by which the Council of Foreign Ministers can review things at the end. I cannot understand—I repeat, I cannot understand why so reasonable a proposition, accepted by so overwhelming a majority, is still objected to.

Mr. President, M. Molotov was good enough to refer to me by name. He stated accurately some portion of what I said. I did point out to the Committee, by way of illustration only, the great difficulty of getting a two-thirds vote to support a recommendation, and I took the case of Soviet Russia by way of illustration of that fact, but I said, supposing there are modifications of these treaties to which Soviet Russia will not agree, or will not agree at this stage, then I said, in such a case it seems to me in the voting as I said it before the Commission, very difficult, if not impossible, to get a two-thirds majority. That is what I said. I only took that case by way of illustration. It would apply equally to other countries—the great difficulty to get fourteen votes or two-thirds votes at this stage of the proceedings.

It seems to me from my point of view, not affected by any animus of any kind towards M. Molotov or his country—over and over again in my country I have paid tribute to the great efforts of the Soviet people in the war—at the same time, M. Molotov mustn't think because we differ from him on democratic forms and procedures that we are going to be dissuaded from putting our view forward, because he does not agree with us. He must really in the long run understand that we are entitled to put that point of view, entitled to persuade, if we can. Any attempt I've made to persuade delegates has been made in the light and not done in secret, and I've asked delegates and tried to put the view before them. I made no apology for it. That's the way of democracy. You cannot do it in any other way. You either do it by persuasion or you do it by force, and I believe in argument and democratic exchanges of views.

I say, Mr. President, that what is more serious than the precise question before us is the continuous substitution of an assertion for argument, to keep on repeating the same argument over and over again as has been done to-day. Mr. Molotov will himself admit that no new argument has been made. He has charged the Commission, his own colleagues, with a grievous error, but he's not added any new fact to the facts before the Commission. I submit that these methods tend to confuse us, they tend to become a kind of repetition. I mean it is what is called in some countries filibustering, that is, keeping on with repetition when you know that it cannot really alter the conviction of the persons you are addressing. Indeed, in some of the expressions he has used, what he would insist upon, what he would not permit, there is the suggestion almost of dictation.

His references to the Press, for instance. Why should he quote one Paris newspaper which says something—I don't know whether he approves or disapproves of it, but I gather that he disapproves—and use it as an illustration in the committee. He read another illustration from the *Populaire*, of which he approved and thought that its guidance should be followed by the Committee. I don't suppose that he would approve of everything said in *Populaire*. Newspaper opinion all the world over, world public opinion—the phrases are there. There are differences of opinion on these matters throughout the world wherever there is a free press there will be these differences and all you can hope to achieve in the press of the world is accurate statement of the facts with a fair and free comment by all of them, and I don't ask the newspapers of these countries to agree, and I'm not even going to ask Mr. Molotov to have my speech printed in full in his own country, because I don't think that would be a reasonable request, and we couldn't reciprocate in our country because we have no control over the organs of the press in our country.

Mr. President, I submit therefore, in short, that the decision has been come to after long consideration, the decision is sound. All that it does is to give the twenty-one nations here sitting as a Conference the right by a majority decision to have a recommendation considered by the Council of Foreign Ministers, that's not much, surely, is it, to concede to the nations which were partners in the struggle against their enemies in Europe and the Far East. M. Molotov referred quite impressively to the efforts of his own country, and his own armies, and I, with other delegates here, I join in tribute and homage to the magnificent achievements of that Army, but we must remember, too, that other nations have put all they have into this struggle, that they are entitled as belligerents to express their opinions at this Conference, they are entitled as a very minimum, in my opinion, to have their recommendations considered under the conditions stated in this British proposal. The real reason we are here is because of the sacrifices of our soldiers, our airmen and sailors and every people of the world. And I repeat quite clearly, that I'll freely express my views on behalf of my country at any stage and every stage of this Conference if I think it is for the benefit of the world and world peace. The peace settlement has to be worked out, the views of every country to be heard. In the end we've got to reach unanimity, but the course of reaching unanimity we've got to employ, if possible, a course of procedure that will enable a fair and just and impartial decision to be made by the ultimate authority, and that ultimate body of which Mr. Molotov is a member—the Council of Foreign Ministers.

The British proposal does no more than that, and I submit we can do no more than affirm and repeat, if necessary, the decision reached at the point of the Procedure Commission, and reached by the two-thirds majority, namely, a vote of fifteen votes to six.

PRESIDENT (Interpretation)—I call upon Mr. Kardelj, Yugoslav Delegate.

MR. KARDELJ (Yugoslavia) (Translation).

Mr. President, Gentlemen: The Yugoslav Delegation explained in detail, in the course of the discussion of rules of procedure, its point of view on the question of rules, and, especially the question of the method of voting accepted at this Conference. On account of this it does not wish to repeat all the arguments it brought forth during the debate in the aforesaid Commission, but it wishes to stress particularly two facts. First of all, the Yugoslav Delegation considers that the decision on voting, adopted at the Commission of Rules of Procedure, is harmful for the future work of the Conference and especially harmful for the efforts that all of us should make in order to create at this Conference the needful spirit of agreement and attain



the greatest possible unanimity. The Yugoslav Delegation emphasized from the very beginning, that it is indispensable that such a spirit should reign at this Conference. The decision on the method of voting, made in the Commission, does not promote the creation of such an atmosphere at this Conference, but, on the contrary, can only encourage the tendencies transforming this Conference into a pure formality, where one group of States imposes its will on another group of States. This is the first reason why the Yugoslav Delegation considers that the method of voting, adopted by the Conference, is a very bad and unsuitable means for establishing such an important thing as Peace. The argument that we are making recommendations only and not final decisions, cannot justify such a decision. Although the recommendations adopted at this Conference will not have the weight of final decisions, there will be a tendency to give them a certain moral value, which means that the responsibility for the adoption of these recommendations is, in fact, no whit less than it would be if final decisions were adopted.

Dr. Evatt said just now that it was necessary to listen not only to the voices of the big Nations, but also to those of the small ones. On that point I agree with him. For that very reason we ask for at least two-thirds majority voting, if it is impossible to obtain unanimity. A simple majority stifles the views of countries which are not in a particular block of States.

There is, however, another formal side of this question. The history of international law does not know a single case of formal rules of procedure ever being worked out for international congresses and conferences, rules according to which a conference should adopt binding decisions. In the matter of procedure the principle of unanimity was the rule at international congresses and conferences. According to this rule, which is one of the basic principles, of international relations, at no international conference, and still less at a peace conference, consisting of independent and sovereign states, may a majority impose its will on the minority, or even on a single state.

Exceptions from this generally accepted principle were made only in the case of permanent international bodies, organisations, commissions, etc., which had special rules of procedure and rules for the adoption of decisions. In these cases the states renounced their sovereign rights expressed in the principle of unanimity *of their own consent*. They could afford to do it because the statutes of these bodies gave sufficient guarantees that no issues involving the sovereignty of the member states should be raised, the aims of these organisations having been clearly defined in advance. At peace conferences, on the other hand, decisions on the most vital interests of the states taking part are taken and the foundations of a new international order laid,

and for this there are no objective rules nor limitations of any kind worked out beforehand. Therefore, there is no precedent known to international law, that States should renounce the principle of unanimity and bind themselves in advance to accept the decisions of a conference adopted by a majority.

Despite this fact, Yugoslavia accepted the two-thirds majority system in order to facilitate the work and the organization of the Conference, but she did so with the reservation contained in her amendment to the effect that in territorial matters, that is when the ethnical territory of an Allied State is in question, the agreement of the State concerned will be sought for. The Yugoslav Delegation withdrew this amendment when the system of voting by a two-thirds majority was rejected and the justification for our amendment thus disappeared. But the Yugoslav Delegation wishes especially to emphasize, that Yugoslavia can in no case agree that her acceptance of a qualified majority for the adoption of decisions on international problems, for which a solution is now being sought, should be interpreted as meaning that it refers to the question of the fixing of her frontiers. Still less can she agree to a procedure which makes all these questions dependent on a vote by a simple majority.

In the opinion of the Yugoslav Delegation, the task of this Conference and its recommendations is, first of all, to provide the possibility for the joint signing of Peace Treaties. This practically means that in the first place an agreement should be reached among the States immediately concerned. Were it not reached, no decisions, by whatever majority they are adopted, would be carried out, since the States, immediately concerned, would not recognize them.

This clearly shows that this Conference has no right to bind the members of this Commission by a procedure not generally agreed. Consequently, this Conference has overstepped its powers by adopting a decision on voting against the will of several of the sovereign States here present. In so doing it casts a doubt on the real value of all its decisions.

However, this fact by itself would not be decisive—since the final decision, anyhow, is to be taken by the particular Allied State concerned—were it not for the other, more difficult and practical aspect of this question. I mean that such a procedure made it formally possible for a group of States or a block to impose, in every case, their decisions on another group of States. Clearly, this would mean that this Conference would lose the character of a Peace Conference. Instead of preparing peace it would on the contrary encourage all the elements in the world which are engaged in instigating fresh wars. This is where the gravity of the proposal on voting accepted by the Commission on Rules of Procedure lies. That is why Yugoslavia

cannot accept such a decision or such an interpretation of the rights of this Conference.

For all these reasons, the Yugoslav Delegation stated in the Commission on Rules of Procedure, that it would not consider itself bound by the decisions taken on the basis of a procedure with which it did not agree. The Yugoslav Delegation herewith again announces that it adheres to this point of view. If, nevertheless, the system of voting proposed by the Commission on Procedure is accepted, the Yugoslav Delegation hereby announces that its further participation in the Conference will be subject to reservation.

The Yugoslav Delegation will await concrete evidence as to whether the Conference will endeavour to reach as unanimous decisions as possible, and especially whether it will remain imbued with the wish not to accept decisions without the agreement of the Allied States most directly concerned. Otherwise, the accepted procedure will be only a means for one group of States to impose their will on other States. While endeavouring for its part and as its powers permit, to see that the Conference follows the correct path, the path of mutual understanding and greatest possible unanimity, the Yugoslav Delegation will continue to take an active part in the Conference, reserving for itself the right to define its final attitude according to the real results of this Conference.

MR. ALEXANDER (U.K.) :

Mr. President and fellow delegates: It seems to me that this Plenary Session to-day has been presented with a proposition by M. Molotov which will hardly bear examination. It is, in brief, that we should reject the recommendation of the Commission on Rules and Procedure, which has carried its will by fifteen votes to six. In the Commission every Delegation, every nation was represented. They sat for eight days and some nights. They had the continuous advice and the views of M. Molotov and M. Vyshinsky, and at the end, after the fullest and widest consideration, came to their decision by a ratio of five to two, far more than the two to one desired to be adopted by M. Molotov as a general rule. This Plenary Conference is, of course, right open to the free expression of the views of any Delegation, but it is, I suggest, merely taking up unnecessary time to use the Plenary Session for long and tedious repetition of what has already been said and published to the world. Because the world wants us to get on with making the peace.

All Tuesday evening M. Molotov protested against my use of the word "obstruction" as being groundless.<sup>56</sup> I am bound to confess that

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<sup>56</sup> The reference is to the 11th Meeting of the Commission on Procedure, August 6; for the United States Delegation Journal account of that meeting, see p. 128.

my view is that M. Molotov's speech to-day seemed to indicate, and for whatever reason he knows best, further delay in action to avoid getting to the real business of the Conference.\* The extraordinary thing is that Mr. Molotov proclaims that he has the honour to defend unanimity, and by his further argument seemed to infer that there should never be a minority unless it is sponsored by the U.S.S.R. And then, and then only, that minority must have the right to hold up any resolution which the majority has considered to be progress. In other words, to put the position of this Conference, if there is a vote taken in a Commission or in the Conference of thirteen votes to eight, the resolution, in the view of M. Molotov, should be declared as being defeated.

Mr. President, M. Molotov quoted to-day, in making a playful reference to my friend, Dr. Evatt, from the French newspaper the *Cité Soir*, but for some reason he didn't see fit to quote the Paris paper *Humanité* of to-day, a paper which usually supports M. Molotov's point of view. To-day *Humanité* says: "To resume, yesterday's and this morning's decisions were by no means negative and the manoeuvre essayed by the dividers was actually checked. The two-thirds emerged triumphant from the struggle".

Then what is the matter with the U.S.S.R. about this recommendation if that is the view of the paper which so strongly supports M. Molotov at all times? I should have thought he would have been contented to accept it. As this recommendation of the Commission is supported, not only by more than two-thirds majority, but by three out of four the Council of Foreign Ministers, I do not see, Mr. President, what course the Conference can pursue to-day but adopt the report of the Commission.

I support Dr. Evatt in deprecating the actual language used by M. Molotov when he stated, if he was correctly interpreted and I am always, of course, open to correction from the interpreter, when he stated that he must insist upon his view being adopted, and that he could not permit the acceptance of the majority view. Sir, the adoption of this kind of attitude would prevent peace at any time. I would, with all responsible delegates and everybody working for peace in the world—I would recognize that the first and last consideration required from us to get where we want to get is goodwill, and not merely haggling.

The Yugoslav Delegate said just now that what they wanted to do was to put us all upon the right road. Well, I'm glad if that is an expression of goodwill, but there are some of us who feel that we could not accept it as being the right road if we were put into a position

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\*In the course of the French translation M. Manuilsky (Ukraine) at this point interjected the word: "Scandalous!" [Footnote in the source text.]

where we must always accept, say, a single list of candidates at an election, or give way any time a minority says it wishes to stand in the road of what the majority considers to be progress.

Sir, I do not put myself or any of those who speak for my country in a secondary place in paying tribute to the services of the forces of the U.S.S.R. to which M. Molotov rightly referred to-day. We have a very great appreciation, both of their determination in face of advancing armies and of the skill and speed with which they advanced after recovery to expel the invaders and to assist in the liberation of other countries. But if this is the kind of testimony required in our efforts for peace and every country must establish its right to speak upon that basis, well, then, let me say that my country is not ashamed of its contribution to peace, for we have continuously fought since 1939, and in 1940, only with the aid of our sister nations within the British Commonwealth and India and those remnants of the oppressed countries in Europe which escaped and came also to our help, we have fought a fight without which we would not be sitting here to-day discussing peace. We also have a right to be here.

Another thing I would like to say before just refuting one argument of M. Molotov. He referred to his impression that in the Commission the U.S.A. and Great Britain had joined hands. Well, they voted for the same thing, but they had stood for the same thing right through the war and when the U.S.S.R. were retiring in their gallant rearguard action and when they were going back to the defence of Stalingrad, the U.S.A. were coming, with the help of Britain, to the aid of the U.S.S.R. They joined hands. I am not ashamed that we joined hands in defending the rights of small nations and the principles of democracy to-day.

Now, Sir, I must protest against M. Molotov's attack upon Great Britain and the U.S.A. as regards their attitude on these matters in the Conference, having regard to what has happened in the Council of Foreign Ministers. The informal meetings which were held—and they were quite informal—between representatives of the Council of Four, the Ministers only being accompanied by an interpreter: in them there were no very detailed records taken by us, but I am going to quote from a record that we hold and, within the limitations which I have described, which we believe to be accurate, to refute the suggestion which is made that either ourselves or the U.S.A. have been in any sense guilty of a breach of faith or anything of that kind in our attitude upon this matter in the Commission.

I quote from the British extract, our own record, of the informal meeting of Ministers on July 8 of this year, which says: "Mr. Bevin repeatedly asked for assurances from M. Molotov that his colleagues would only be asked to agree to the points now at issue and that an agreement on these points would not be taken as a starting point for

further demands or as an implied undertaking to support the whole of the proposed rules in the Soviet draft. Mr. Byrnes asked for an assurance that the U.S. Delegation would be free to vote as they wished on any reasonable and sensible amendment to the rules which might be proposed, at the same time stressing the fact that the U.S. Delegation would stand by any and every article in the treaties to which they had agreed. M. Molotov said that such questions must be left to the discretion of the heads of Delegations, and there would be no accusation of ill faith if the head of a Delegation decided to vote for an amendment of that kind without prior consent from the other three."

In view of that, I cannot imagine why the kind of inference is made against the U.S. and ourselves which has been made to-day. Sir, in conclusion, may I say that we wish to get on with the business of the Conference of approving the peace treaties in the light of the criticism of the delegates here assembled of twenty-one nations. We want them all to be free, as my Prime Minister said on Tuesday of last week. We want them all to be free to express their views and for recommendations to be put up for the consideration of the Council of Four. But I do repeat this. There will be no real progress in peace unless we can adopt the spirit of peace and good will in our hearts, in our minds, in our expressions towards one another, and when M. Molotov says that he wants to get something better than even a two-thirds majority, he wants unanimity, then I am with him all the way, if we do it by persuasion and not by insisting or non-permitting.

MR. ALEXANDER (United Kingdom) : Mr. Chairman, I am informed that there are certain mistakes and omissions, at least in the French Translation. I hope that a complete verbatim will be prepared in French and circulated to the Press and all others concerned.

THE CHAIRMAN : It is the Chairman's duty to safeguard everybody's freedom of speech and, naturally, to see that the speeches are reproduced in full with all proper attention.

The texts will be corrected.

Gentlemen, there were still three speakers on the list: Mr. Byrnes on behalf of the United States, Mr. Manuïlski on behalf of the Ukraine and Mr. Kiselev on behalf of White Russia. I am informed that Mr. Byrnes has left the hall and that the two other speakers wish to reserve their explanations for a future meeting.

I think that the Conference will agree to adjourn and to resume the discussion to-morrow morning.

If there are no objections, the Conference will meet to-morrow morning at 10 a. m.

The meeting is closed.

(Close of meeting : 7 : 15 p. m.)

FRIDAY, AUGUST 9, 1946

EIGHTH PLENARY MEETING, AUGUST 9, 1946, 10 A. M.

CFM Files

*Verbatim Record*

C.P.(Plen) 8

Chairman: M. Georges Bidault (France)

THE CHAIRMAN: The meeting is open.

CONTINUATION OF THE DISCUSSION OF THE RULES OF PROCEDURE AND OF  
THE ATTACHED DRAFT RESOLUTIONTHE CHAIRMAN: I call upon M. Manuilsky, Delegate of Ukraine.  
M. MANUILSKY (Ukraine) (Interpretation).

Before entering into the substance of my statement, allow me to submit a few observations of a more general character.

We are here to deal with an extremely serious matter, we wish to lay the foundations of a solid and lasting peace, and each of us has arrived here fully aware of the weighty responsibility devolving upon him.

For the success of this Conference, it is necessary to admit that each Delegation is entitled to state its views and to explain the position of its country both at meetings of Commissions and at plenary meetings of the Conference.

The Ukrainian Delegation regards the method of discussion chosen by the first Delegate of the United Kingdom as extremely dangerous for those who wish to make use of this right and for those who may not agree with an argument put forward by that Delegate.

This is not our idea of a free discussion, for it constitutes an unjustifiable claim to exercise a dictatorship.

These attempts, it is true, are doomed to failure, but they will have the effect of making the Conference's work much more difficult.

The Ukrainian Delegation has not taken part in the establishment of the draft treaties prepared by the Council of the Foreign Ministers of the four Powers. It also, therefore, might submit a series of amendments bearing upon questions of both substance and procedure. If the Ukrainian Delegation has not done so, this is because its main desire is to facilitate the work of the Conference and thus to ensure its success.

The Ukrainian Delegation has fully realized the great difficulties with which the Council of Foreign Ministers has had to cope in the course of the preparatory work. It knows what efforts have had to be made to reconcile varying opinions and to find a basis of agreement.

We consider that the value of the peace conditions which we are now discussing, the success of the Conference and the lasting character

of the peace itself will depend upon the measure of unanimity reached in the decisions which will have to be taken on the questions submitted.

The important problems we have to solve cannot be settled by the automatic comparison of majority and minority.

If this system were adopted, we should end by establishing a most precarious state of affairs after long years of war and final victory. The history of diplomacy is there to show that the best way to settle international relations after a war is that of mutual agreement based on an understanding of the interests of each of the parties, which should be reflected in the decisions to be adopted by all members of this Conference.

The Ukrainian Delegation, to its regret, feels bound to point out that, from the outset of the Conference and under cover of a discussion of questions of procedure, one of the most important decisions of the Council of the Foreign Ministers of the four Powers has been brought up again.

Our point of view is as follows: The Council of Foreign Ministers agreed that the decisions of this Conference on the more important questions should be subject to a two-thirds majority. We consider this text as absolutely justified; notwithstanding this, there has been submitted to the Plenary Conference a decision of the Commission on Procedure completely changing the meaning of the decision of the Council of Foreign Ministers. By adopting this decision, we should establish a procedure which is clearly at variance with the decision of the Council of the four Powers and also with the procedure adopted by the Conference of San Francisco, which, I recall, was attended by fifty-one Allied nations.

Article 18, paragraph 2 of the Charter of the United Nations reads:

“Decisions of the General Assembly on important questions shall be made by a two-thirds majority of the members present and voting. These questions shall include recommendations with respect to the maintenance of international peace and security . . .”

I ask you, Gentlemen, whether the decisions we take here, those firm foundations of the peace we are striving to ensure, are more important in your mind than recommendations concerning the settlement of disputes considered by the General Assembly. Why has it been felt necessary to upset the decision of the Council of Foreign Ministers? Why has the desire arisen to sidetrack the decision adopted by the San Francisco Conference in the best interests of peace and international security.

It is indeed strange that the Paris Conference should have preferred to adopt, in one case by a majority of 11 votes and in another by 14



votes, a decision which formally contradicts the decision previously taken by 51 assembled countries. It is still more strange that after the adoption of this text, the chairman of the Commission on Procedure, M. Spaak, should have submitted on the day following our main meeting, an additional text stipulating that other questions would be settled in accordance with the rules of procedure of the General Assembly of the United Nations.

In these circumstances, world public opinion will be hard put to understand the resolution adopted by the Commission on Procedure. It is perfectly obvious that the decision taken by the majority of this Conference devolves from conceptions based not on principles but on a merely numerical count of votes and this count is itself based on the result to be achieved, namely, to impose on a group of the Conference the will of another group of the same Conference.

The Ukrainian Delegation cannot accept a decision of this sort as compatible with the recommendation of the Council of Foreign Ministers which in its turn was approved by countries which, in the Commission on Procedure, have now voted against it. It is extremely doubtful whether such conduct will help the Conference on its way and whether it is likely to lead to that spirit of mutual trust so essential to the success of our work.

During the debate in the Commission on Procedure, it was stated that Ministers who had voted against the decision of the Council of Foreign Ministers of the four Powers had done so in accordance with reservations previously made by them. Yet we can find no trace of these reservations or any such proviso in the text of the decision of the four Powers: on the contrary, so far as concerns more important questions which have not yet been decided, the differences of opinion expressed in the Council of Foreign Ministers are clearly set out in the text submitted to us.

It may be asked why the representatives of the United States of America and the United Kingdom did not have their special points of view and their dissent included in the text of the decisions and in the records. The Ukrainian Delegation deeply regrets to have to place on record that certain countries have gone back on their word; it considers that this constitutes a very bad precedent which unfortunately may perhaps be catching and of which the effects will be felt not only in the future work of this Conference but also later on when efforts are made to revise treaties which we are at present preparing.

The Ukrainian Delegation speaks on behalf of a country which has undergone the worst suffering, supported the greatest sacrifices and it sees an element of danger in the adoption of the amendment proposed by the United Kingdom; it sees a danger for the other countries,

for those which have also suffered much from the war, for those who have made the heaviest sacrifices and which may be the most seriously affected by this amendment. The Ukrainian Delegation considers that the adoption of the amendment proposed by the United Kingdom will only result in confusing the work of the Conference, for it may well lead to endless discussion on the worth of recommendations which cannot possibly get a two-thirds majority.

For these reasons the Ukrainian Delegation will vote an Article VI for the original text proposed by the Council of Foreign Ministers as our rules of procedure. It will do so because it does not desire that the majority of only two votes should give world public opinion a false idea of the wish of the people represented on this Conference. It does not want false ideas to influence public opinion on the bases of the desired peace.

The Ukrainian Delegation wants to ensure the adoption of fair and equitable solutions for all questions connected with territory, reparations, future economic conditions and all other important matters. It desires that decisions which will finally be taken should be satisfactory for all and more especially for those countries that have suffered most from the war.

MR. BYRNES (U.S.A.)

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, and died together. They were friends and comrades, fighting in the cause of 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 peace. We must have first the will to make peace, the will to achieve common understanding. That will to make peace and to 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 text 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 majority vote? If a proposal receives thirteen votes and is opposed by eight States are the views of the eight so important that they should prevent the submission to the Council

of Foreign Ministers of the views of thirteen 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, recognizing the right of a neighbouring State, an Allied State, to present its proposal to the Council of Foreign Ministers even though they failed 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 certainly 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 objection to the charge that those of us who wished to recognize their right are fomenting a third world war.

I shall not discuss the statements 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 never make it accurate. Whence comes this talk of blocs? By what right do those who voted, 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 majority of eleven to nine votes, no one of the nine States rose to complain 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 fifteen to six, here in this Conference the charge is made that the defeat was brought about by an Anglo-Saxon bloc. What loose and wicked talk this is! France and Norway voted with the majority. They have striven hard to bring about a common accord. Should they now be arraigned as partisans of disunity? Brazil, China, Ethiopia are also so arraigned. Britain, which for a whole year fought the cause of freedom almost alone, is attacked for daring to stand up for a conviction. The United States, which has steadfastly pursued a policy of friendship with all peace-loving nations and has firmly opposed all forms of political arraignment, 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 the Conference would like them to consider. I believe that this Conference should strive to achieve common agreement in 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 respect for the opinion, the feeling and the judgment 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 unanimity insisted upon to compel the majority to yield to a minority which was unwilling, on its part, to make the concessions necessary to make common understanding possible.

Gentlemen of the Conference, the proposed rule of procedure here in question was adopted by a vote of fifteen to six, almost a three-quarters 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 co-operated in winning the war will never understand our wrangling here 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. 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.

PRESIDENT (Interpretation)—I call upon M. Kisselev.

M. KISSELEV (Interpretation)—Mr. President and fellow delegates. I speak here in order to explain the point of view of the Byelorussian Delegation on the question of voting procedure. I submit, gentlemen, that this is the most important question which is before the conference and the Byelorussian Delegation cannot agree to the decision taken in the Committee on Procedure that certain decisions can be taken or recommendations by a majority of less than two thirds and more than one half. As the members have heard, these decisions will also be forwarded to the Council of Foreign Ministers as recommendations of the Conference.

From the procedure adopted here at this conference, it is clear that not all the members here present are sincerely striving for unanimity. Let me give some examples. At the beginning of our conference in the opening speeches, Mr. Attlee said that, as we start this conference, we are turning a new page in history and that the suggestions presented to us by the Council of Foreign Ministers represent a maximum of unanimity which it is possible to achieve and that he hoped we would support them in order that a just and durable peace may be ensured. Those were his words. Alas, the facts speak to the contrary. Mr. MacNeil introduced here an amendment which was completely contrary to these desires, because it stated that if certain decisions were not made by a majority of two-thirds but by less than that, they would also go to the Council of Foreign Ministers as recommendations of this conference. Dr. Evatt also stated he saw no danger to peace if we had a recommendation made by a majority of less than two-thirds and this was said by him, despite the fact that many delegations opposed this view. When the Soviet Delegate defended a majority of two-thirds, he proposed that recommendations made by less than a two-thirds majority also be submitted to the Council of Foreign Ministers. This was not adopted, because of extreme pressure brought to bear by the delegation of the United Kingdom and the United States. In this way, I think it is quite clear that certain delegations have brought discord to this conference and that the reason they have brought it undoubtedly is in order to influence public opinion. These delegations favoured and made speeches undermining the authority of the conference and prejudicing a durable and just peace. These delegations had lost sight of the principles which are the elements and the main reasons why some delegations are in favour of adopting the recommendations of the Council of Foreign Ministers. I have already said this in the Commission on Procedure. A majority of at least two-thirds is best calculated to bring about an understanding of all the delegations here and reflects best the desires of the peoples of the world, of the kind of peace that they wish to have established. These peoples are sovereign States. They have a perfect right to be heard. Our delegation has already stated that we must listen to the voice of the people. There is nothing more dangerous, Mr. President, to the establishment of a just peace than the wish of some of the delegations here to impose their will on others. This conference of ours, Gentlemen, will make decisions which will decide the fate of peoples throughout the world for many many decades. These decisions must contain a minimum of errors, because unfortunately, we know by experience, history teaches us that errors made in peace conferences are corrected by wars. That, gentlemen, is not our goal. We are not here to sow the seeds of the next war. We are here

to fix a just and durable peace. That is possible only if we are as unanimous in this work of establishing peace as we were in the cruel war which has just ended. That is why the Byelorussian Delegation supports the views of M. Molotov, first delegate of the Soviet Union, when he says that he wishes to review the decisions made by the Committee on Procedure. This proposal of his is just. It is in accordance with the recommendations of the Council of Foreign Ministers. In short, it is in favour of the decisions being taken by a majority of at least two-thirds.

THE PRESIDENT—I call upon M. Couve de Murville, representative of France.

M. COUVE DE MURVILLE (France): Nobody, I believe, can fail to realise that the members of the French Delegation did everything in their power to obtain unanimous agreement on the majority rules—as, indeed, on all other problems dealt with by the Commission on Procedure.

We believe it is essential to obtain unanimity in this Conference. The truth is that if we failed to do so it would be very difficult to sign the peace treaties. In the same spirit, the French Delegation is convinced that such unanimity can be obtained only on two conditions: first, we must have the genuine agreement of the countries commonly known as the Big Powers, and, second, all countries, whether they are what is called small, average or great, must be considered as moral equals.

All this, to our mind, was perfectly reconcilable in the discussions of the Commission. As to the substance of the matter, it was clear by the end of the day on Tuesday last that agreement had been reached on the two following points. In the first place, special value was attached to the recommendations voted by a two-thirds majority of the Conference. Some delegations even suggested that the Council of Foreign Ministers should be bound by them and should consider them as compulsory. In the second place, it was agreed that recommendations which had obtained, not a two-thirds, but merely a simple majority, should also be submitted to the Council of Ministers.

The point on which agreement had not been reached was in connection with the procedure for transmitting the latter type of recommendation to the Council. This was clearly illustrated by the discussion on a proposal which the French Delegation had submitted in the hope of achieving unanimity. The only difference between this proposal—which was in fact rejected—and the British amendment finally adopted was that recommendations voted by a majority of less than two-thirds would be transmitted to the Council, not automatically, but at the request of any State having voted for their adoption. The Soviet Delegation supported this proposal but, for

reasons which I still fail to understand, most of the other delegations did not see fit to do likewise. This the French Delegation deeply regrets, believing as we do that it might have provided the basis for a satisfactory solution reconciling the two rules I have just referred to—that is to say, unanimity of decisions and respect for the rights of all countries.

We are still prepared to support this proposal if the delegations which did not agree to it in the Commission feel that they might now be able to do so. Otherwise we can see no other solution than to endorse the proposals submitted to us by the Commission. As already pointed out on several occasions, these proposals were finally adopted by a very large majority, and—above all—there is only a slight shade of difference between them and the solution which the Soviet Delegation declared its willingness to accept.

Public opinion would certainly find it difficult to understand that the Conference could be divided by such differences.

The French Delegation therefore appeals urgently to the Soviet Delegation to accept the proposals submitted by the Commission on Procedure. We are convinced that they cannot injure the interests of the Soviet Union in any way, any more than they can harm those of any other country, even though the U.S.S.R. Delegation may have had valid reasons for preferring other solutions which were not voted by a two-thirds majority.

In making this appeal, the French Delegation fully realises how important it is to avoid the possibility of a rift at the outset in the unity and cohesion of this Conference. We are met here to prepare peace with five European States. Other conferences will follow, to deal with other treaties. It is to the essential task of world peace that we must devote our efforts, and the world is expecting a great deal of us. It would be deplorable if, on questions the fundamental nature of which has not been proved to us, there should arise differences of opinion which might jeopardise the rest of our work.

Nothing useful can be accomplished, in this Conference or elsewhere, unless we are actuated by the desire to co-operate, to trust each other, and to speak our minds calmly.

THE PRESIDENT (Interpretation): The discussion is closed. The Conference has before it a proposal by the Commission on Procedure and simultaneously a proposal by the Soviet Union suggesting the rejection of the Commission's proposals and the acceptance of the original suggestion made on this matter by the Council of Foreign Ministers.

If I understand aright, the Soviet Delegation wishes to table an amendment which would mean reverting to the original text and sub-

stituting it for the text proposed by the Commission on Procedure. Is my understanding correct?

M. MOLOTOV (U.S.S.R.) (Interpretation) : It is correct.

THE PRESIDENT (Interpretation) : Are there any other amendments? I will first put to the vote the Soviet Delegation's amendment reading as follows:

"In place of Article VI(a) as worded in the proposals of the Commission on Procedure insert the following text:

'Decisions of the Conference on Questions of Procedure shall be adopted by a majority vote. Decisions on all other questions and recommendations will be adopted by a two-thirds majority.'

I leave it to the Conference to decide.

(A vote was taken by roll-call. The result of the voting was as follows:

For the amendment:

Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against the amendment:

Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, South Africa, United Kingdom, United States of America.

THE PRESIDENT (Interpretation) : The Soviet Delegation's amendment is lost by 15 votes to 6.

I shall now put to the vote in a similar manner the draft submitted by the Commission on Procedure. I would remind the Conference that an annex to this draft contains a resolution concerning countries having a common frontier with ex-enemy States. Is the vote demanded?

M. MANUILSKY (Ukraine) (Interpretation) : I ask for a vote to be taken.

THE PRESIDENT (Interpretation) : That is a legitimate request.

M. SHMIGOV (Byelorussia) (Interpretation) : On what section of the Commission on Procedure's draft are you proposing to consult the Conference? Is it the first section?

THE PRESIDENT (Interpretation) : I intend to consult the Conference on the complete document, i.e. the Rules of Procedure and the Draft Resolution. Does any delegate now wish to have a separate vote taken on the Rules and the Resolution?

M. MOSA PIJADE (Yugoslavia) (Interpretation) : The Yugoslav Delegation ask for a separate vote to be taken on the Rules and the Draft Resolution and would also like the vote on the Rules of Procedure to be taken section by section.



THE PRESIDENT (Interpretation): That is an equally legitimate request. To save time the Conference will doubtless agree to vote by a show of hands.

(Agreed).

I now put Section I: *Organs of the Conference*.

(This section was adopted).

II.—*Chairman, Rapporteurs*.

(Adopted).

III.—*Invitation to Other States*.

PRESIDENT (Interpretation)—I call upon M. Mosa Pijade, representative of Yugoslavia.

M. MOSA PIJADE (Yugoslavia)—(Interpretation)—Mr. Chairman and fellow delegates, I maintain that this is the point at which I must make a statement. I wish to speak in order to propose the invitation to this Conference of the Republic of Albania.<sup>57</sup> I should only have made this proposal after the approval of the complete rules of procedure, as it is not a rule of procedure but a basic principle which we wish to submit, but, seeing now what has been done here—on procedure, we have only two paragraphs, (the first was the invitation to the ex-enemy states to make their views heard, and the other was the invitation to other States, not members of the conference, in order to sound their views)—but now at the suggestion of Mr. Byrnes, we have here the insertion of a third paragraph,—the third paragraph which you have in the text before you.<sup>58</sup>

We consider that this third paragraph should have been separate and, if it were withdrawn from this section of the rules, I should have only made my proposals after the adoption of the whole rules. However, since the position is as it is now, I would propose the insertion of a fourth paragraph which is the invitation to Albania.

Albania was the first of all the Balkan countries to fall an easy prey to Italian imperialism. Divided Europe did nothing to defend the independence of this small State. The occupation of Albania was, however, for Fascist Italy, an essential part of the scheme of Italian imperialism aimed at setting foot on Balkan soil in order to gain a strong position for the purpose of closing the Adriatic Sea to Yugoslavia, of establishing a military base for the conquest of the Yugo-

<sup>57</sup> In despatch 283 of July 23, the American representative in Albania, Joseph E. Jacobs, forwarded an Albanian request that Albania be invited to the Peace Conference. The Albanian Foreign Office had advised him that similar requests had been sent to the Soviet Union, Great Britain, France, Yugoslavia, Poland, and Czechoslovakia. (C.F.M. Files)

<sup>58</sup> Mr. Byrnes proposed the addition of a third paragraph to article III of the Draft Rules of Procedure at the 12th Meeting of the Commission on Procedure, August 7; for the United States Delegation Journal account of that meeting, see p. 130. The Draft Rules of Procedure submitted to the Conference by the Commission on Procedure (C.P. (Plen) Doc. 1), are printed in vol. iv, p. 796.

slav Adriatic coast and for the destruction of Yugoslav and Greek independence. In connection with the German "Drang nach Osten", this was the first step towards the enslaving of the whole of the Balkans by the Axis Powers. Albania offered armed resistance to the invader, but had to succumb in an uneven struggle. The people of Albania, however, could not resign themselves to live in servitude, and rose in an armed struggle against the Fascist invaders. After Italy's surrender, they pursued the struggle against the Germans who had seized their country.

For six years the people of Albania waged a grim and heroic struggle against the Fascist invaders for the purpose of defending and regaining their liberty and their independence. While fighting against the Fascist oppressors the Albanian democratic forces had, at the same time, to struggle against the traitors and collaborationists inside the country.

This nation, although small in numbers, has shown itself to be jealous of its national independence and has, by the sacrifices it has made, been the deserving Ally of the democratic nations in the common struggle against the States of the Fascist Axis. Its sacrifices had been heavy. The overwhelming majority of the Albanian people were unanimously behind the leader Enver Hohxa and Albania succeeded in forming an Army of National Liberation which enabled her not merely to free the country of the Fascist yoke by her own forces, but also to send two Albanian divisions to take part in the common struggle on Yugoslav soil.

On November, the 12th, 1944, Sir Maitland Wilson, Allied Commander-in-Chief in the Mediterranean, wrote in a telegram he sent to Enver Hohxa: "I admire the successes scored by the Army of National Liberation in the struggle for the common cause against the common enemy."

And now, after all its heroic struggles and all the sacrifices it made for the Allied cause, the People's Republic of Albania is not admitted to take part, the same as the rest of us, in the discussion of the Peace Treaty with Italy, which is her neighbour and which will always remain a menace to her freedom, because we see only too clearly that imperialistic designs are still harboured in Italy.

The Yugoslav Delegation considers that the fact that Albania has not been invited to this Conference as a member State, equal in rights with the other States, cannot be justified. Is Albania an enemy State which should be called to the Conference, merely in order to be heard as enemy States will be, or is she an Allied State deserving the admiration and gratitude of all the democratic countries?

If, however, the decision of the Council of Foreign Ministers is irrevocable, the Yugoslav Delegation proposes to the Plenary Session of the Conference to adopt the following resolution :

"The Plenary Session of the Conference decides to invite the People's Republic of Albania to the Peace Conference in Paris, in order to attend, in a consultative capacity, the Plenary Sessions and the Commissions which will discuss the Draft Peace Treaty with Italy."<sup>59</sup>

The resolution we propose is quite justified for the reasons I have given you, but it is also justified by the insertion of the third paragraph, Section III of the Rules of Procedure, and I would also refer you to Paragraph 77 of that Treaty with Italy. If the position should be otherwise—that Italy would be called upon to sign with us and then Albania should simply be called in accessorially in order to give its signature to the Treaties which we would have concluded, it seems to me the difference between Albania and other countries at war with Italy are too great here, because Albania, as you see in Paragraph 6 of this Treaty, in the section on Albania, there are six paragraphs concerning Albania alone, whereas, as regards the other countries at war with Italy, there is no mention even of their names. I would ask the Conference to accept the resolution we have proposed as Paragraph 4 of this Section of the Rules of Procedure.

THE PRESIDENT: (Interpretation)

I agree with the Yugoslav representative that this is a fundamental question, a question of substance, and in order to settle a question of substance I think the Conference must have rules of procedure. That is my first remark.

In the second place I must admit to feeling somewhat uncertain where paragraph 3 of Section III should be inserted in the Document which already contains a number of decisions for application, which, accordingly presupposes that the rules are already in force. Therefore, if the Conference would adopt the point of view expressed by me, that is to say, confine this Section to the first two paragraphs, the Yugoslav delegate would perhaps agree that the question of substance which he has just raised and which also comprises other questions might be discussed when the whole body of rules has been adopted.

MR. BYRNES (U.S.A.) :

Mr. President: When this proposal was offered it was suggested that it should be added at the appropriate place in the text. It is my opinion that it is not properly a part of the rules. It amplifies the first sentence of paragraph 3. It is a direction to the Secretariat as to when and how the invitations should be sent. My opinion is that its proper place is in the Annex, where there appears the resolution which was tabled by the Yugoslav representative and adopted on page

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<sup>59</sup> The Yugoslav proposal was circulated as C.P.(Plen) 8 A.

6, and as the author of the resolution I am entirely satisfied to have it placed in the Annex when the Conference can make such use of it as seems wise.

M. MOSA PIJADE (Yugoslavia) (Interpretation)

I accept this proposal of Mr. Byrnes.

THE PRESIDENT (Interpretation):

Then paragraph 3 of Section III will be put into the Annex.

Section III as abridged in two paragraphs was adopted.

Section IV: *Official and working languages.*

THE PRESIDENT: Any objections?

Adopted.

Section V: *Secretariat.*

THE PRESIDENT: Any objections?

Adopted.

Section VI: *Voting.*

I understand that there are objections to this Section and therefore we will take a roll call.

M. MOLOTOV (U.S.S.R.) (Interpretation by Soviet interpreter)

A vote has already been taken.

THE PRESIDENT (Interpretation):

Am I to understand that no further objections are raised and that Section VI is approved.

M. MOLOTOV (U.S.S.R.) (Interpretation by Soviet interpreter)

No, on the contrary. We maintain our view.

THE PRESIDENT (Interpretation):

I understand that the Soviet Delegation maintains its opposition to this text, but what I want to know as regards Section VI is, if there is no vote what we are to do as regards the objections.

M. MOLOTOV (U.S.S.R.) (Interpretation by Soviet interpreter)

We do not suggest a new vote.

M. SPAAK (Belgium) (Interpretation);

In order to avoid confusion, I think we should vote on Section VI.

THE PRESIDENT (Interpretation):

That is clearly the right thing to do.

We will then take a vote by roll-call. Those in favour of Section VI will answer "Yes", those not in favour will answer "No".

On a roll-call the following Delegations voted "Yes":

Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, South Africa, United Kingdom and United States of America.

15 votes

and the following Delegations voted "No":

Byelorussia, Czechoslovakia, Poland, Ukraine, Union of Soviet Socialist Republics and Yugoslavia.

6 votes

THE PRESIDENT: Section VI is therefore adopted by 15 votes to 6.

Section VII: *Records of meetings.*

THE PRESIDENT: Any objections?

Adopted.

Section VIII: *General Provisions.*

THE PRESIDENT: Any objections?

Adopted.

Section IX: *Amendments and suspensions.*

THE PRESIDENT: Any objections?

Adopted.

THE PRESIDENT: I will now ask the Conference to vote on the whole of the rules of procedure in the usual manner. The annexes will be taken separately.

On a roll-call the following Delegations voted "Yes":

Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, South Africa, United Kingdom and United States of America.

15 votes

The following Delegations voted "No":

Byelorussia, Ukraine, Union of Soviet Socialist Republics and Yugoslavia.

4 votes

The following Delegations abstained from voting:

Czechoslovakia and Poland.

2 votes

THE PRESIDENT: The result of the voting is 15 votes for, 4 against and 2 abstentions. Therefore the rules of procedure as set out in C.P./Plen/Doc. 1 are approved. I suggest that the Conference should adjourn before examining the Annexes.

The next meeting will be held this afternoon at 4 o'clock and the new rules of procedure will then be operative.

The meeting stands adjourned.

(The Conference rose at 12.45 p. m.)

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#### NINTH PLENARY MEETING, AUGUST 9, 1946, 4 P. M.

##### *Editorial Note*

The first portion of the meeting was devoted to a long and complex procedural discussion which the United States Delegation Journal summarized as follows:

"The Chairman (M. Bidault) raised the question whether he, having held the Chair since the opening of the Conference, should continue for three more days as Chairman or should turn it over to Mr. Byrnes

as the next Chairman in order of rotation. It was decided that, in view of the Rule of Procedure just adopted whereby the representative of the host Government should first hold the Chairmanship for three days, M. Bidault should remain as Chairman.

M. Vyshinsky (USSR) raised the question of the preparation of the agenda of each Plenary Meeting and urged that an orderly procedure be established to deal with this question. After a lengthy discussion on the manner in which the agenda of the present meeting had been prepared, M. Kosanović (Yugoslavia) proposed that the agenda of each meeting be prepared by the Acting Chairman in agreement with the other Chairmen, with technical arrangements being dealt with by the Secretariat. It was decided to discuss the Yugoslav proposal later." (CFM Files, USDel(PC) (Journal) 11)

The meeting then approved the annex to the Draft Rules of Procedure submitted by the Commission on Procedure, C.P. (Plen) Doc. 1 (volume IV, page 796). The annex became Annex I of the Rules of Procedure of the Conference as finally approved.

Exact procedure for hearing ex-enemy states was considered next. Mr. Vyshinsky (U.S.S.R.) proposed that Italy only be heard on the following day, that the time allowed for speeches by ex-enemy states not be limited, that the order of the hearings be as specified in the Rules of Procedure, and that the Secretariat rather than a special committee make the arrangements for hearings. The United States delegation expressed substantial agreement with these proposals. Mr. Masaryk (Czechoslovakia), supported by Mr. Kosanović (Yugoslavia) objected to the ex-enemy states being given unlimited time to present their observations, but the President (Mr. Bidault, France) ruled that the Secretariat would consult with the ex-enemy states and draft the schedule for the hearings. The meeting then approved the resolution governing invitations to ex-enemy states as Annex II to the Rules of Procedure. The resolution had been paragraph 3 of article III of the rules proposed by the Commission on Procedure volume IV, page 797).

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CFM Files

*Verbatim Record*<sup>60</sup>

[EXTRACT]

C.P. (Plen) 9

THE PRESIDENT: We now come to the third point on the Agenda: Invitation to other States.

I should like to remind you that a draft resolution concerning the invitation to Albania was submitted this morning by the representative of Yugoslavia;<sup>61</sup> the text of this proposal has been distributed

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<sup>60</sup> For an account of what transpired earlier in this meeting, see the editorial note, *supra*.

<sup>61</sup> For text of the proposal, C.P. (Plen) 8 A, see the Verbatim Record of the 8th Plenary Meeting, August 9, p. 148, and footnote 59, p. 160.

and I should add that similar requests have been submitted either to the President or to the Secretary-General by several other States which are not members of the Conference, asking to be allowed to participate in its work. Further, to my knowledge, individual requests have also been addressed to various delegations officially represented at the Conference. These requests refer to the following States, mentioned in the chronological order in which they were received: Albania, Egypt, Mexico, Cuba.

Other States which have submitted similar requests subsequently made it clear that these referred to the Peace Conference with Germany; but it does not seem to me that this Conference is called upon to deal with these. The Conference should therefore confine itself to the four requests mentioned above, and in the first place to those connected with the Treaty of Peace with Italy. This is the question which was raised this morning, and I think that it should be dealt with by the Conference now.

M. VYSHINSKY (U.S.S.R. (Interpretation)): The Soviet Delegation's approval of the Agenda of this meeting<sup>62</sup> was based on a text distributed in two languages—in this connection I draw attention to the fact that I have not yet received the Russian text—of which item 3 reads—I read from the Russian translation of the text distributed in French and English—"Invitation to representatives of other States (Yugoslav Draft Resolution CP/Plen/8A)".

A little later we received a draft resolution, submitted by Yugoslavia in connection with the admission of Albania, under reference "P.C.Plen. 8". It was on the basis of the text of the Agenda and on the proposal submitted this morning by the Yugoslav Delegation and heard by the Conference that we signified our agreement, which takes into account the direct reference which had been made to the above documents.

With reference to the subsequent proposals for the admission of other States, we have not had time to examine the question, nor have we yet received the official documents relating to these applications. For these reasons I feel that it would be somewhat regrettable to examine, at such short notice, proposals for the admission of other States; and I think it would be preferable if the Conference were to restrict its examination solely to the concrete proposal submitted this morning by the Yugoslav Delegation concerning the admission of Albania to the Conference.

Furthermore I think I should also like to point out that the Secretariat has not yet been able to examine the other applications for admission submitted to it and that the Conference cannot therefore properly carry out its work under these conditions.

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<sup>62</sup> The text of the agenda is not printed.

THE PRESIDENT (Interpretation) : With regard to the absence of a Russian translation, I sincerely hope that such an omission will not occur again. We ourselves have also sometimes been embarrassed by a lack of a translation, and the matter is sufficiently regrettable for us to sympathise with those who have had to undergo a similar inconvenience.

I should only like to point out, however, without, of course, as befits a president, expressing any opinion on the substance of the question itself, that item 3 of the Agenda contains the words "Invitation to the representatives of other States" in the plural, and that the only proposal which is officially and collectively before the Conference is the proposal referred to in it. A number of other applications were received before this. The Conference will have to decide how this question should be settled.

M. TSALDARIS (Greece) (Interpretation) : The Greek Delegation considers that the proposal to admit Albania as a Member of this Conference is quite unacceptable; for Albania cannot comply with any of the qualifications laid down for agreeing to such an application. In fact, by the decision of the Moscow Conference of 26th Dec. 1945, only States Members of the United Nations which have actively participated in the war, with substantial military forces, against European enemy States have the right to participate in this Conference;<sup>63</sup> Albania, however, did not take any part in the war against European enemy States. On the contrary, Albania took an active part in the war against an European Allied State, namely, Greece. From the very outset of the Italian offensive against Greece, Albanian regular forces, 14 battalions strong, were incorporated with Italian Troops; and in conformity with the law, unanimously adopted by the Parliament of Tirana, on 3rd July 1940, a state of war automatically existed with all States with which Italy was at war.

Subsequently an act recognising the existence of a state of war between Greece and Albania was promulgated at Athens on 10th November 1940; and when the Axis troops entered Athens, an Albanian contingent paraded with the other conquering troops. Albanian authorities were also installed on portions of Greek territory; and a sum, estimated at more than 200,000,000 drachma, was extorted from the Greek Treasury in the form of reparations for Albanian nationals.

It is, therefore, quite impossible to argue that an actual state of war between Italy and an Allied State did not exist, nor was such a state of war the result of a hasty decision, but was the logical result

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<sup>63</sup> For the Moscow decision of the Council of Foreign Ministers with respect to the preparation of the peace treaties, see Item I of the Communiqué of the Conference, contained in telegram 4284, December 27, from Moscow, *Foreign Relations*, 1945, vol. II, p. 815.



of the policy followed by Albania since 1921, which had its culmination in the Italo-Albanian agreements freely concluded in 1926 and in 1927.

This policy was subsequently confirmed by the attitude of the Albanian Government during the conflict between Italy and Ethiopia, when Albania definitely refused to take any part in the sanctions against Italy. It is, therefore, quite clear that Albania cannot put forward any claim as a Member of the United Nations; still less, as having been an Allied State, which participated in the war with substantial military forces in favour of the United Nations.

The fact that this country joined the Allied cause at the time of the German collapse, and issued a manifesto seeking to evade the grave responsibilities she had incurred, coupled with the fact of undertaking a few isolated guerrilla operations, stirred up and encouraged from the outside by the Allied General Staffs, cannot be said to constitute a real contribution to the Allied cause "with substantial military forces", in accordance with the Moscow decisions; and cannot give Albania a legitimate claim to the rights and honours which the United Nations have earned by their sacrifices and valuable services to the common cause.

It was for these reasons that the Moscow Conference did not think fit to include Albania among the States which, in accordance with its decisions, had a right to be invited.

Greece can only regard the fact that such an application for admission has been submitted as a direct challenge to the sufferings she has endured during this war. She must categorically oppose this claim for the reasons I have had the honour to set forth; to accept such a proposal would amount to a serious modification of the Moscow decisions which form the basis of this Conference, and in virtue of which the States represented here have promised their co-operation. A modification of this kind would be liable to involve the most serious consequences.

**THE PRESIDENT** (Interpretation)—I call on Mr. Byrnes, First Delegate of the United States.

**MR. BYRNES** (U.S.A.)—I think it will be agreed that Albania cannot be invited under the authority of the Moscow Agreement. I think it will also be agreed, under the rules adopted today, that this resolution would not be in order because it does not invite Albania to appear and make a statement. It invites Albania to become one of a new category of consultative members. If we are to establish a new type of membership, then consideration should be given to the request submitted to the President of the Conference by Mexico, Cuba and Egypt.

Therefore, Mr. President, I think we should determine how this question is to be considered. We have, in the rules we have adopted,

made provision for a General Commission of one representative from each of the member States which is set up to assist the Procedure Commission. I think the Commission should be called upon to assist the Conference here, and I therefore move that the resolution of the Yugoslav Delegation be referred to the General Commission to be considered in connection with the application of the other three States referred to by the President.

THE PRESIDENT (Interpretation)—I call upon M. Manuilsky, First Delegate of the Ukraine.

M. MANUILSKY (Ukraine) (Interpretation) : Two lines of agreement [*argument?*] which have been put forward against the admission of Albania to this Conference in an advisory capacity.

I will first take those advanced by Mr. Byrnes. He has expressed the opinion that the admission of Albania to this Conference is linked up with that of three other countries, Cuba, Mexico and Egypt, and that all these questions should be considered simultaneously either by the Conference or by the General Commission.

The question we have to consider, namely, item 1 of the agenda, is that of the Yugoslav resolution. This is explicitly mentioned and only concerns the admission of Albania. Therefore, there are, in my opinion, both formal and substantial reasons not to consider the question of the admission of Albania as indissolubly bound up with that of the admission of Cuba, Egypt and Mexico.

Further, before discussing the admission of the three latter countries, we should be able to study the documents explaining why they consider that they should be invited as well as the form in which such admission has been requested. For the time being these documents are not to hand and, therefore, in order to avoid a too hasty decision and a discussion unsupported by definite information, there is no reason to regard as cogent the arguments advanced by the representative of the United States.

We have also heard the speech made by the representative of Greece. This is not the first time that Greece has objected to the admission of Albania to Allied Organizations. It is a matter of common knowledge that, for a country of one million inhabitants, Albania has substantially furthered the cause of the Allies. But, whenever the question of the admission of Albania to an Allied Organization comes up, Greece objects, whether here, or at the U.N.R.R.A., or, as we learn through the Press, at the Security Council of the United Nations, where the possibility of the admission of Albania is now being discussed.

M. Tsaldaris' arguments are of a general character. For my part, I shall confine myself to established facts. Albania's contribution to the Allied cause has been appreciated on various occasions by prominent statesmen of the Allied countries. I refer in particular to a state-

ment made by a Secretary of State for Foreign Affairs in December 1942; namely: "The British Government is watching with the greatest sympathy the situation of Albania, the first nation to be attacked by the Fascist Powers. The British Government hopes that the time is not far off when Albania can be freed and her independence proclaimed. At that moment, Albania herself will decide what form of Government is suitable for the Albanian people . . ." This extremely definite statement is that of an Allied statesman whom we all know and respect, namely, Mr. Eden.

I also wish to refer to another testimonial to the contribution of the Albanian people to the common cause, that of Mr. Cordell Hull, Foreign Secretary of another great Allied country. He wrote on December 10, 1942: "The Government of the United States wishes to express its deep appreciation of the effort now being made by the Albanian people and of its contribution to the common cause. The efforts and the sufferings of the Albanian people have aroused in the people of the United States the greatest respect and admiration for the courage of the Albanians. The United States Government trusts that the efforts of that people and those of the Allied Powers may contribute in the near future to the expulsion of the Fascist invaders."<sup>64</sup>

Thus, two prominent representatives of Allied countries, the United States and Great Britain, have expressed their formal recognition of what the Albania people has done to maintain its independence and to fight the foreign invaders. We have before us two sets of statements: one by M. Tsaldaris, the others by Messrs. Cordell Hull and Eden. I apologize to M. Tsaldaris, but I feel that I should attach more weight to those of Mr. Cordell Hull and Mr. Eden.

There are four lines of argument which are definitely in favour of Albania being admitted to take part in the work of this Conference, and I consider that the Yugoslav Delegation has rendered a great service to the Conference in helping it to avoid the extremely awkward situation that might have arisen owing to the absence of Albania, if only in an advisory capacity. I will now take the arguments. The first is as follows: Albania was one of the first victims of Fascist Italian aggression. The country was attacked on the 7th April, 1940. During five years it had to support Italian occupation with all its consequences. Some fifty thousand Albanians were deported to Italy, that is a proportion of one in twenty. Thirty per cent of Albania's towns and villages were destroyed by the occupying Powers as a result of the battles in Albanian territory. The tiny Albanian

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<sup>64</sup> For text of Hull's statement to the press regarding continued resistance by Albania to Italian occupation, see Department of State *Bulletin*, December 12, 1942, p. 998.

fleet was destroyed and in part captured. Throughout the occupation, the brave Albanian people maintained a heroic resistance—up to 1941, through groups of partisans, from then on by a regular army, constituted at that time and finally reaching a figure of some 50,000 men and officers—this is probably less than the actual number—the figure of 70,000 having also been quoted.

It should be noted that Albania's resistance cost the country 28,000 men in killed and wounded, that is, more than half its total armed forces. Towards the end of 1941, or early in 1942, this army was effectively organized with a maximum of 70,000 men.

In September, October and November, 1944, at the moment when the Germans were preparing to evacuate Greece, the officer in command of the Albanian troops, that brave soldier, Colonel L. Hodja [*Enver Hoxha?*], received instructions to bar the route of the retreating German forces; he took over 55,000 prisoners, officers and soldiers, whom he subsequently made over to the Allied armies.

Moreover, the status of the regular units of the Albanian army fighting the Italian invaders was recognized by the Supreme Allied Command as early as 1942; the latter organized liaison missions and entrusted the Albanian troops with a difficult task and one hardly proportionate to the smallness of their numbers, namely, to defend the Straits of Otranto against the German fleet. The Albanians, aided by the American Navy, carried out these instructions in the most satisfactory manner.

The second argument adduced against the admission of Albania to this Conference consists, for the representative of Greece, in the war alleged to have been made on his country by the former. I regard this argument as still less convincing than the preceding one.

As a matter of fact, the war in question was made by Italy; it was declared by Italy on behalf of Albania; Italy merely made use of the puppet Government installed in Albania, which was completely subservient to the Government of the Peninsula.

Moreover, we must frankly admit that, whenever the Axis Powers occupied a country, they invariably set up a puppet Government and forced it to declare war on the Allied Powers. It is possible, for instance, to mention the fact that, on the eastern front, the Allied troops of the Red Army encountered Belgian, Dutch and even French Fascist units organized at the injunction of Laval and Pétain. No one, however, could demand the exclusion of Belgium and Holland from our discussions on the ground of their participation in the war against the Allied Powers, just because certain Fascist elements of their populations fought us.

In Greece itself, at that time, there was a government formed of collaborators. Certain Greek elements even took part in the war

against the Soviet Union, including persons not too remote from the Government represented by the Greek delegate to this meeting.

I now come to my third argument. As far as we can judge, Albania's merits have been highly appreciated by the Allied Command. I have already mentioned that, as from the end of 1941, the latter established liaison missions with Albanian units. I have referred to the task entrusted to the Albanian army in 1942, namely, to prevent the German fleet from entering the Adriatic. Finally, I have recalled the efforts made in 1944, highly meritorious on the part of such a small army, which contributed to the capture of a very large number of soldiers and officers of the retreating German armies.

In these circumstances, it is difficult to understand why, now that the victory is ours, Albania should find itself in the position of a country which cannot be admitted to the Peace Conference even in an advisory capacity. Bismarck's remark that "the Albanians are not even a people" is well known, but I do not think that it could be accepted by this meeting. It derives from the German imperialistic conception as a whole, a point of view which we all condemn.

Finally, there is a fourth argument which might be adduced. It would seem impossible to admit that a country which substantially contributed to the common victory should be absent from a Peace Conference.

As a matter of fact, Albania was invited to the Paris Reparations Conference of November 1945; it was invited by the United States, that is, by Mr. Byrnes, by the United Kingdom (Mr. Bevin) and by France (M. Bidault). It is one of the 18 countries of western Europe which are taking part in the work of the Commissions and are dealing with questions of reparations. The Act of December 22, 1945,<sup>65</sup> was signed by Albania as well as Greece.

Moreover, since December 12, 1945, normal diplomatic relations have been established between the United States, the United Kingdom and France on the one hand, and Albania on the other. It is, therefore, impossible to admit that a country, with which normal diplomatic relations have been instituted, should for indefinable reasons be kept from sharing in the joint work of the establishment of peace.<sup>66</sup>

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<sup>65</sup> Reference is to the Final Act of the Paris Conference on Reparation. For text, which includes Draft Agreement on Reparation from Germany, on the Establishment of an Inter-Allied Reparation Agency, and on Restitution of Monetary Gold, see Department of State *Bulletin*, January 27, 1946, p. 121. For text of agreement as signed, which came into force January 24, 1946, see Department of State, *Treaties and Other International Acts Series No. 1655*, or 61 Stat. (pt. 3) 3157. For documentation, see *Foreign Relations*, 1945, vol. III, pp. 1169-1506, *passim*.

<sup>66</sup> Neither the United States nor the United Kingdom had established normal diplomatic relations with Albania; for documentation on efforts by the United States to find a basis for the establishment of such relations, see vol. VI, pp. 1 ff.

Finally, one might refer—and the Yugoslav Delegate rightly did so this morning—to the importance, at least in the draft treaty—before us, of the section dealing with Albania. Albania's interests are, in fact, dealt with in a special section composed of six paragraphs. This proves that these interests are undeniable, well founded and important.

Therefore, in view of Albania's contribution to the common cause and of the political and international arguments concerned, we should invite Albania to share in the work of this Conference and thank the Yugoslav Delegation for an initiative which makes it possible to avoid a difficult situation.

THE PRESIDENT:—Gentlemen, there are still two speakers on the list, the Delegate of Poland and the Delegate of the United Kingdom. The Conference will no doubt desire to adjourn the rest of the discussion to its next meeting. I suggest that the next meeting be held tomorrow, Saturday, at 10 a. m.

(The meeting rose at 8:10 p. m.)

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## SATURDAY, AUGUST 10, 1946

### TENTH PLENARY MEETING, AUGUST 10, 1946, 10 A. M.

CFM Files

#### *United States Delegation Journal*

#### USDel(PC) (Journal)12

Discussion took place on the Yugoslav draft resolution concerning an invitation to Albania to attend the Conference in a consultative capacity (CP/Plen/8A).<sup>67</sup> The Polish Delegation supported the resolution. Mr. Alexander (U.K.) said the proposal raised certain questions of detail and that the Conference might ask the General Commission to make a recommendation on it. Mr. Tsaldaris (Greece) expounded the Greek view that Albania had been at war with Greece and was certainly not an Allied state which had substantially contributed to the victory in Europe. He felt that to invite Albania would violate the criteria for membership laid down by the inviting powers in the Moscow Agreement of December 1945. The Czechoslovak Delegation stated its view that Albania was entitled to participate in the Conference under conditions determined by the Conference itself. It proposed the following resolution: "The Conference decides to invite Albania in order that it may state its point of view in the Plenary Sessions of the Conference and in the appropriate commissions with regard to the drafting of the peace treaty with Italy."<sup>68</sup>

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<sup>67</sup> For text, see the Verbatim Record of the 8th Plenary Meeting, p. 148, and footnote 59, p. 160.

<sup>68</sup> The Czechoslovak proposal was circulated as C.P.(Plen)10 A.

Mr. Pijade (Yugoslavia) took strong exception to the views of the Greek Delegation and stated that Mr. Tsaldaris had a few days ago proposed the partition of Albania between Yugoslavia and Greece. He held that the General Commission was not competent to deal with the question of inviting Albania. Mr. Tsaldaris denied the allegation that Greece had proposed the partition of Albania. M. Vyshinski (U.S.S.R.) praised Albania's effort in the war. He did not believe that the Yugoslav draft resolution should be linked up with other questions but should be settled at once. Mr. Byrnes proposed that the names of Mexico, Cuba and Egypt be inserted in the Czechoslovak proposal after the word "Albania".<sup>69</sup> With that change, the resolution would be acceptable to the United States. The Czechoslovak Delegation accepted the amendment. Mr. Hambro (Norway) stated that the Conference could not properly decide this question until it had before it the appropriate documents. The Norwegian Delegation had seen no document stating the requests of Mexico, Cuba and Egypt to be invited. Mr. Alexander proposed general acceptance of the principle of the resolution and reference of the question of procedure to the General Commission.<sup>70</sup> Further discussion of the matter was deferred until a later meeting.

#### BYRNES-DE GASPERI CONVERSATION, AUGUST 10, 1946

740.0011 EW(Peace)/8-1046

*Memorandum of Conversation, by the Acting Chief of the Division of Southern European Affairs (Reber)*

SECRET

PARIS, August 10, 1946.

Participants: The Secretary of State  
Prime Minister de Gasperi (Italy)  
Mr. Reber

The Secretary explained that he had asked the Prime Minister to call to be certain that the latter understood the U.S. position in one respect. The Secretary said that there was owing to the Italian Government from the United States the sum of approximately \$125 million

<sup>69</sup> The United States proposal was circulated as C.P.(Plen)10 B. Mexico, Cuba, and Egypt had requested United States assistance in securing the right to participate in the Conference. With regard to the desire of Latin American nations to be represented, see telegram 3824, Secdel 585, August 2, to Paris, and Walmsley's memorandum of August 10, vol. iv, pp. 815 and 830, respectively.

Ambassador Thurston reported the following in telegram 717 from Mexico City, August 14: "Under-Secretary Foreign Relations requested me to transmit to Secretary Byrnes on behalf of Mexican Government deepest appreciation Secretary's personal action in supporting Mexico's position at Paris Peace Conference." (740.00119 Council/8-1546)

Regarding Egypt's desire to participate in the Conference, see note from the Department of State to the Egyptian Legation, July 25, p. 16, and note from the Egyptian Legation to the Acting Secretary of State, June 18, vol. ii, p. 536.

<sup>70</sup> The British proposal was circulated as C.P.(Plen)10 C.

in payment for services and supplies furnished. Should this payment however be made at this time the Secretary feared that it would give claimants for reparations such as Yugoslavia, Greece, Albania, and the others the possibility of getting it away from Italy. As the Prime Minister was aware the United States had always taken the position that Italy was not in a position to make heavy reparations payments, so that if the others discovered that Italy was receiving this sum they would use every effort to get possession of it themselves. The Secretary then said he wished Mr. de Gasperi to understand that whereas the United States recognized its obligation and would make the payment it would prefer not to do so until after the reparations settlements had been made. The Prime Minister appreciated this situation and thanked the Secretary.

The Prime Minister asked the Secretary what he thought were the chances of an agreement in respect of Trieste. Mr. Byrnes reviewed at considerable length the situation which had led up to the U.S. agreement to the Free Territory of Trieste and explained that, given the apparent Yugoslav determination to gain possession of the area, the creation of the Free Territory directly under the Security Council of the United Nations gave far more assurance that the Territory would not become Yugoslav than would have been the case if it had remained Italian. As soon as Allied troops were withdrawn, ninety days after the Treaty, it had seemed most likely that Yugoslavia would create an incident and be in a position to take it away from Italy since Italian forces would not be strong enough to resist. Now that the United Nations had been made responsible for the security and protection of this Territory far greater assurances could be given since it was out of the question that the 51 United Nations could allow Yugoslavia to violate a territory under their direct protection. Under this arrangement even Soviet Russia was obligated to safeguard the Free Territory and to guarantee its integrity.

De Gasperi was worried about the possibility of keeping order in a state which was unwelcome to both parties and where even today Allied forces could not manage to insure personal security. The Secretary replied that obviously adequate police powers must be given the Governor of this Territory and personal security must be insured both by an International Police Force and by a proper Statute. He said that the United States was committed to seeing that a real basis for security was provided through a sound Statute and would resist any effort to weaken or make ineffectual the Constitution of this Territory.

De Gasperi then explained his concern over the economic future of the area as he said that it was obvious that Italy would no longer be prepared to give financial support or provide in the same way for



the development of the area as it had in the past, and he feared that unrest caused by the lack of employment would mean increased Communist influence in the area and the eventual control of the Government by the Communist Party which in turn would lead to a vote by the Assembly for incorporation into Yugoslavia. He asked what could be done if an allegedly popular Assembly voted for this. The Secretary replied that the Governor would have the right of veto and would be required to exercise it in this case as he was obligated to protect the independence of the Territory. Mr. Byrnes said he was somewhat surprised that de Gasperi should accept as a foregone conclusion the fact that the population of the Territory was entirely Communist and would vote for incorporation into Yugoslavia. He said our object had been to protect the Italians in this area and therefore wondered why we should do so if they were all Communist and pro-Yugoslav. De Gasperi answered that in this day of social changes one could not foresee what pressure would be brought to bear on many people to increase Communism and Communist strength among a people who would be disillusioned in any event by the settlement.

In conclusion, de Gasperi said, however, there was one most important element which he wished to stress; namely, that if Pola, a purely Italian city, and the Italian towns along the coast were transferred outright to Yugoslavia, no Government in Italy could sign the Treaty and survive. Even the Socialists, whom he had consulted on this point, had said that they would be unable to do so and that the Communists alone could agree. He therefore urged with considerable vigor that the Free Territory be enlarged. The Secretary replied that only through considerable effort had the United States been able to secure agreement to the establishment of a Free Territory of this size and was therefore committed to support the present proposal. If, on the other hand, the United States saw any way in which the Territory could be increased the Secretary would think this a better solution, but he could not hold out any hope that there was a likelihood of bringing this about.

After repeating with considerable emphasis his argument with respect to Pola, de Gasperi concluded that whereas Italy might in public naturally have to protest the Free Territory his Government could nevertheless accept it provided it was extended to include Pola and the purely Italian areas to the south.

With respect to the Colonies, de Gasperi asked whether it would be possible to eliminate the provision that Italy should renounce its sovereignty pending the settlement of this question within the period of one year as provided in Article 17. The Secretary said he would give this suggestion all possible consideration.

## ELEVENTH PLENARY MEETING, AUGUST 10, 1946, 4 P. M.

CFM Files

*Verbatim Record*

C.P.(Plen) 11

President: M. Georges Bidault

THE PRESIDENT—(Interpretation) I would ask the Secretary-General to introduce the Italian Delegation.

(M. Fouques Duparc, Secretary-General, guided the Italian Delegation to their places in the Senate Chamber.)

THE PRESIDENT (Interpretation)—The Paris Conference extends a welcome this afternoon to the representatives of the new Italy and asks them to state quite freely their views on the Peace Treaty affecting them.

I call on M. de Gasperi, the leader of the Italian Delegation.

M. DE GASPERI (Italy) (Interpretation).—In starting to speak before this world assembly, I feel that everything—except your personal courtesy—is against me: above all, my indictment as a former enemy which places me here as it were, in the dock, and the fact that I am summoned here after the most prominent among you have after laborious debates already drawn up their conclusions.

Will I not appear to you narrow and quarrelsome and sound like the mere voice of selfish nationalism and one-sided interests?

Gentlemen, I must, of course, speak as an Italian, because it is my duty to defend the life of my people, but I also feel the responsibility, and have the right to speak as an anti-fascist and a democrat. I lift my voice as the representative of a new republic which blends the humanity Guiseppe Mazzini's vision, with the universal aims of christianity and the international hopes of the working class, a republic striving toward that lasting and constructive peace which you, Gentlemen, are also seeking, and towards that co-operation between nations which it is your task to establish.

Allow me, Gentlemen, to say with that frankness that our mutual responsibilities impose on us all in this historic hour, that this treaty is a hard treaty indeed. Yet if it were truly a constructive instrument of international co-operation, the sacrifice which my country is called upon to make might find its compensation. Were Italy, even in sack cloth, now asked to enter under the patronage of the Big Four the portals of the United Nations, truly united in the determination to discard force according to the principles of the sovereign equality of all members proclaimed in the San Francisco Charter; were they one and all truly pledged mutually to guarantee their territorial integrity and political independence, then all this might open up a vision not

lacking in hope and comfort. In that case Italy would have suffered her penalty for her Fascist past and then, the past atoned for, all of us could meet as equals breathing the new air of international fellowship and co-operation.

Can all of this be hoped for? Obviously it is in your intention. But the text of the treaty speaks a different language.

It is extremely distasteful to have to mention weapons and instruments of war at a Peace Conference. I must point out, however, that the precautions laid down in the Treaty against the recurrence of an Italian threat go so far beyond their scope as to jeopardise the defence of our very independence. Never, never before, in our modern history have the doors of our home been so hopelessly thrown open, never was our possibility of protecting ourselves so limited. This applies to our Eastern Frontier as well as to certain changes in our Western frontier, which hardly appear dictated by a belief in collective security. Nor are we this time comforted by the hopes that were raised at Versailles when the disarmament of the vanquished was intended merely as a forerunner of a general disarmament.

However, it is the spirit rather than the text of the Treaty which disheartens us. We come up against this spirit at the very outset, in the words of the Preamble.

The very first "whereas" refers to the war of aggression and can be found in identical terms in all the Treaty drafts concerning the so-called ex-satellites of the Axis. But under the second "whereas" you will find in our treaty a slur that you would seek in vain in the other treaties. It reads as follows:

"Whereas under the pressure of military events the Fascist regime in Italy was overthrown"

No one will question the fact that the overthrow of the Fascist regime was made possible by military events, but it is equally true that the uprising would not have been as deep and far-reaching, had it not been preceded by a long conspiracy on the part of patriots who, at home and abroad, prepared the event at the cost of unmeasured sacrifices; had it not been rehearsed with the organized political strikes in the industries of Northern Italy; had it not been prepared by the underground action of former prominent members of pre-Fascist parliamentary life (we have with us here one of the most active) who urged and brought on the *coup d'état*.

May I recall to your memory the words of the Potsdam declaration of August 2, 1945? It says as follows:

"Italy was the first of the Axis Powers to break with Germany, to whose defeat she has made a material contribution, and has now joined with the Allies in the struggle against Japan.

"Italy has freed herself from the Fascist regime and is making good progress toward the re-establishment of a democratic government and institutions."

Such were the words spoken at Potsdam. What has happened since? Are we to believe that an Italian Government freely elected by the people through the Constituent Assembly of the Republic deserves less than the one in power at that time? Why does the preamble of the Treaty now eliminate the Italian people from the historic scene in which they played their prominent role?

The same question arises when one reads the reticent and niggardly definition of Italy co-belligerency. It says: "Some Italian armed forces took an active part in the war against Germany". Some forces. Why not say *the* Italian armed forces? Did not the entire Italian Navy join the Allies? Did not hundreds of thousands of Italian service troops co-operate? Nor can we forget the Italian Liberation Corps transformed later into Combat Divisions. And, last but not least, the partisans who fought and finally carried out the insurrection in the North.

The losses in the resistance against the Germans amounted to over 100,000 men between fallen and missing, without counting the soldiers and civilians who lost their lives in German concentration camps; and the tens of thousands of partisans and civilians who died by German hand.

For 18 months this second Italian war was carried on while the Germans slowly withdrew north, looting and destroying what the air-raids had not already laid waste.

The sudden downfall of fascism showed how true were Churchill's words that "one man, and one man alone" was responsible for this war, and how prophetic was the foresight of the American War Secretary, Mr. Stimson, when he said that "Italy's surrender was a challenge to the Germans which would cause her people unavoidable suffering."

But it is obvious that, like the preface of any book, this Preamble was written *after* the main text. The meaning and extent of the Italian people's participation in the war had to be toned down in order that the Preamble might somehow fit the articles which follow it.

Of the 78 articles that comprise the Treaty, the major part proceeds from the first "whereas", or, in other words, from the fascist war and the surrender; not one article recalls Italy's war effort as a co-belligerent. Possibly it is assumed that in this regard Italy is sufficiently rewarded by the promise of admittance to the United Nations. But this reward is guaranteed also to countries which followed Italy's example only much later.

The punitive character of the Treaty is likewise evident in its territorial clauses.

I will not deny, of course, that the solution of the problem of Trieste entails difficulties not easy to overcome.

However, this problem was vitiated from the start by the persistence of war psychology, by a continuous reference to an assumed right of the first occupant, and by the lack of a spirit of truce between the two parties most directly concerned.

On September 18, 1945, you will recall you called me to London. At that time, in order to satisfy Yugoslav ethnical claims, I proposed to you to relinquish the natural frontier of the Alps and fall back on the line which President Wilson had traced when, on April 23, 1919, at the Peace Conference in Paris he bid for "a just and equitable decision which could not draw an everlasting distinction between victors and vanquished".<sup>71</sup>

I suggested moreover that the economic problem of Venezia Giulia should be solved by internationalising the port of Trieste and by setting up a form of collaboration with the port of Fiume and with the Danube-Sava-Adriatic railway system.

It was of course understood that the treatment of minorities should be based on parity and reciprocity and that Fiume should be returned to the status granted at Rapallo, and that the character of Zara should be safeguarded.

It was on the following day that you, Foreign Ministers of the Big Powers, decided to seek an ethnic line which should leave a minimum of inhabitants under alien rule. To this end you appointed a committee of experts. This committee worked in Venezia Giulia for 28 days. The results of its survey were such that I myself, when called to Paris on May 3, 1946, to give my opinion, approved, with certain reservations, its general conclusion.<sup>72</sup> But the Yugoslav delegates insisted, with arguments still based on the idea of punishment for total possession of Venezia Giulia and particularly of Trieste. There then began a strenuous search for a compromise, and when I left Paris a rumour was current that the English and Americans, abandoning their respective lines, were falling back on the French one.

This French line was in truth no longer an ethnic line in the sense set down in the London decisions but a line of political expediency. It left 180,000 Italians in Yugoslavia and 59,000 Slavs in Italian

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<sup>71</sup> For text of De Gasperi's statement of September 18, 1945, see *Foreign Relations*, 1945, vol. II, p. 232. For President Wilson's manifesto of April 23, 1919, on the Italian-Yugoslav frontier, see Ray Stannard Baker, *Woodrow Wilson and World Settlement* (New York, Doubleday, Page & Company, 1922), vol. III, p. 287. For additional documentation, see *Foreign Relations*, 1919, The Paris Peace Conference, vol. V, index entries, under Italy: Adriatic Claims.

<sup>72</sup> De Gasperi addressed the 8th Meeting of the Council of Foreign Ministers, May 3, 1946. For the Record of Decisions of that meeting, see vol. II, p. 222; for a summary of the proceedings of the meeting, see telegram 2142 (Delsec 458), May 4, from Paris, *ibid.*, p. 224.

territory. Above all it excluded from Italy, Pola and other minor towns along the Western coast of Istria and implied therefore for us an unbearable loss. But, however unacceptable, it was still a frontier between Italy and Yugoslavia and *did* assign Trieste to Italy. How did it happen that on July 3rd, somewhere on the road of compromise, the Council of Four reversed the London decision and made the French line no longer a frontier between Italy and Yugoslavia, but the frontier of a so-called "Free Territory of Trieste"? This reversal came to us as a bitter surprise and gave rise in Italy to a most profound reaction.

No indication, no gesture on our part could have authorised the sponsors of this solution, which maims our national unity and bites into our very flesh, to believe that we could accept responsibility for it. On June 30th, as soon as I got word of such a threat, I wired the Foreign Ministers a pressing plea to be heard on the matter, and, while assuring them of my firm desire to help their peace efforts, I warned them against expedients which would only be the source of new conflicts. The international solution for Trieste as I planned, I stated in that message, could not be accepted especially because of the exclusion of Western Istria down to Pola which would inflict an unbearable wound on the Italian national conscience.<sup>73</sup>

My plea found no answer. It was relegated to the archives.

To-day I can do nothing more but renew it, adding certain considerations which are of interest not only to my country, but to you all who are anxious for world peace.

The Free Territory of Trieste as described in the draft would cover 783 square kilometers with 334.000 inhabitants,  $\frac{3}{4}$  of whom would be concentrated in the city. The population would comprise, according to the 1921 census, 226.000 Italians, 49.501 Slavs and 18.000 of other origin. The Territory would depend for its electric power on Italy and Yugoslavia in equal measure, and would be linked to its hinterland by three Yugoslav railroads and one Italian railroad. Its ordinary budget expenses would total from 5 to 7 billions, while the maximum revenue would hardly reach one billion. From 1919 to 1938 Trieste received from Italy vast contributions for public works. Its industries such as shipyards, refineries and canneries, not only prospered on the strength of subsidies (as in the case of shipping) and of tax exemptions, but were and are entirely dependent on Italian markets.

Already the Treaty is casting its shadow on Trieste and on its industrial activities. No one believes in the vitality of the proposed settlement and in its economic future. How will order be kept—say

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<sup>73</sup> For De Gasperi's communication to Byrnes, June 30, 1946, see vol. II, p. 700.

the people of that city—under conditions which are welcome to no party, if even to-day the Allies, although disposing of considerable forces, cannot manage to ensure personal security?

It is the internal problem of the city which could undoubtedly prove the most serious. Each ethnic group would inevitably seek the help of its own people, and the struggle would be further complicated by labour strifes which are always particularly sharp and violent when they arise in industrial centers. How will the United Nations arbitrate and prevent the internal political struggle from becoming an international one?

Do you really intend to enclose in the fragile cage of an international statute, with meagre rations and abundant political rights, these two adversaries, and still hope that they will not come to blows? Will not the Slavs call for the help of their brethren deployed 5 miles away around the city and the Italians reach out, through the narrow one-mile gap, to their own people?

Or is it merely your intention to make of Trieste the port of Central Europe? But in this case the problem is an economic one and not a political one! What you need then is an international administration, not a state; an enterprise built on sound financial foundations, not a juridical structure standing on the quicksands of politics!

And it is to run the risk of such an unstable experiment that 81 per cent of Venezia Giulia has been allotted to the Yugoslavs who still complain that they are betrayed and seek to grab the rest through the constitutional clauses of the proposed new state! To do this, you have wronged Italy. Disavowing the ethnic line, you have abandoned to the Yugoslavs the Parenzo-Pola area, forgetting the Atlantic Charter which guarantees that no territory shall be transferred without consulting the populations. Worse still, you establish the condition that Italians of the Venezia Giulia transferred to Slav sovereignty and who wish to maintain their Italian citizenship can, within one year, be expelled leaving behind them their lands and their belongings (Art. 13, par. 3). What more? Their properties can be confiscated and sold as belonging to Italians residing abroad, while only the Italians who accept Slav citizenship are protected from this confiscation (Art. 69, par. 5 (f)).

The net result of the solution you propose is that, apart from the Free Territory, 180.000 Italians are left in Yugoslavia and 10.000 Slavs in Italy (in accordance with the census of 1921), while if you consider also Trieste you find that fully 646.000 Italians are severed from their country. Nor have any guarantees whatsoever been provided for these minorities. Italy, on her part, is instead preparing in Alto Adige a most liberal revision of past options and has already reached an agreement for a far-reaching regional autonomy on which the Constituent Assembly will shortly vote.

Gentlemen, what good will come of clinging to a solution which only asks for trouble? Why shut your ears to the cry for help of the Italians in Istria—remember the appeal of nearly 50,000 of the people of Pola—who at this very moment are preparing to abandon hearth and home rather than submit to the new regime?

I am well aware that peace must somehow be made, that the deadlock must be broken, but on the other hand if you have deferred by one year the colonial settlement for lack of a good solution, why can you not do likewise for the Julian problem? It is never too late to make [*prevent?*] an irreparable blunder. The Treaty can stand even if some territorial clauses are left open. It would be a provisional peace, but even, after the first world war, from Versailles to Cannes, peace only proceeded by stages.

There are other issues which the Treaty leaves pending or are merely given a negative solution. For instance, I cannot believe that Italy's relations with Germany are to be considered settled under Art. 67 which imposes on Italy the waiving of all claims, including credits against Germany and German citizens outstanding on May 8, 1945, in other words, 19 months after Italy had been at war with Germany!

Our experts have fixed at 700 billion lire—or three billion dollars—the sum which we can claim from Germany for damage inflicted on us during our war against her. Must we simply renounce all this? Surely such a decision cannot be final. The matter will have to be taken up again when peace with Germany is signed. Is this not another proof that no final settlement of Europe can be attained before peace is made with Germany?

Let us therefore be content now to lay down the foundations of the Treaty. Italy does not refuse to make all possible sacrifices.

Let us get around a table, we and the Yugoslavs to the fore, and seek all together a way of life, a new fellowship: for without such a spirit all formulas will be dead wood.

I do not wish to imply by this that all the rest of the Treaty is acceptable without reservation. Certain of its economic clauses are harsh beyond words. For instance, Art. 69 grants "all Allied and Associated Powers the right to seize, retain, liquidate" all Italian property abroad, subject only to restitution of eventual sums exceeding the Allied claims. The indiscriminate enforcement of such a clause would prove unbearable for Italian economy. . . . We hope that such provisions can still be modified if—as we firmly trust—my collaborators will be allowed to express themselves fully on this and other matters within the various committees and commissions. As another example: Art. 66 imposes on us, in contrast with all international rights and rules, a surrender of all claims deriving from the Convention on the treatment of prisoners.



A logical consequence of our co-belligerency should likewise be the different spirit with which economic relations between us and the Allies should be defined after October 13th 1943. As from that date there should no longer be a question of occupational expenses, such as were envisaged for a brief period at the time of the Armistice,<sup>74</sup> but merely a question of *war* expenses on the Italian front for over 18 months. To such expenses the Italian Government wishes to contribute within its means provided that the exaction takes due account of its financial capacity.

With regard to reparations, Italy, though prepared for all necessary sacrifices, must make it clear that she cannot underwrite undefined burdens for an indefinite period. Moreover, with reference to ceded territories, the enormous Italian outlay invested in public works and in the cultural and material advancement of those regions must be properly taken into account.

Should the clauses of the Treaty as they now stand be imposed on us in their full crude meaning, we would, in signing, pledge ourselves to something beyond our capacity to fulfill. Italy is faced to-day with a drop of over 50% in her purchasing power, and a drop in national income of over 45%. She has seen her productive capacity shrink to the point that she cannot even purchase abroad the necessary food and raw materials. A further deterioration would bring about monetary chaos, insolvency, and the loss of our economic independence.

In such a plight what purpose would be served in admitting us to the Economic and Social Council of the United Nations?

We note with pleasure that the proposal made to the Council of Foreign Ministers on May 10th, to make Italy the trustee of her colonies, met with some approval. We are confident that such suggestions will prove their worth when the time comes to decide them.

Provided we are not asked to sign away our rights before such a time, we have no objection to postponement and to the continuance of the present military rule in those territories. But we trust that their administration during the year's delay shall be—in accordance with international law—at least partly entrusted to Italian officials even if under the supervision of the occupation Authorities. At the same time we insist that the many tens of thousands of refugees from Lybia, Eritrea and Somaliland, who are now living precariously in Italy, or in Concentration Camps in Rhodesia and Kenya, may be allowed to return home.

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<sup>74</sup> For text of the Italian Military Armistice signed in Sicily September 3, 1943, (released simultaneously in Washington, London, and Rome on November 6, 1945) see Department of State *Bulletin*, November 11, 1945, p. 748; for text of the Additional Conditions of the Armistice signed at Malta September 29, 1943, as modified by a protocol signed November 9, 1943, see *ibid.*, p. 749. The above-mentioned documents are also printed in Department of State, *Treaties and Other International Acts Series No. 1604*, 61 Stat. (pt. 3) 2740.

And now a word about the military clauses. Our objections on this score will be more thoroughly set forth in the competent committee. It is enough here to restate that the entire Italian Fleet which for three years has fought and served in the common cause, flying its own flag under the orders of the Allied Commander in Chief of the Mediterranean, cannot to-day, for obvious moral and juridical reasons, be treated as war booty.

This does not mean that, in the spirit of the Cunningham-De Courten agreements,<sup>75</sup> it cannot, within just limits, form part of certain restitutions or compensations.

Gentlemen, for months I have waited in vain to be allowed to sum up before you Italy's views on the terms of peace. Appearing here to-day in the position of a former enemy, a position which the Italian people never endorsed of their free will, before you who are pressing, tired from much labour, to a conclusion, I have tried to contain my feelings and to limit my words. This I have done to prove that I am not here to hamper but rather to lend a constructive hand to your task insofar as it be the task of building a just world.

He who tries to speak to-day on behalf of the Italian people is torn between seemingly contradictory feelings. On the one hand he must express his anxiety, his pain, his anguished concern for the consequences of this Treaty. On the other, he must re-affirm his faith that the new Italian democracy will emerge from the crisis of war and that the world will be renewed through valid instruments of peace.

It is this faith which I hold and which is shared by my two eminent colleagues—one: a former Premier of Italy before Fascism crushed Italian democratic progress in the wake of the last war; the other: the President of our Republican Constituent Assembly, who but yesterday suffered exile and prison, and to-day holds high our banner of democracy and social justice.<sup>76</sup> Both of them are authoritative spokesmen for that Assembly whose task it will be to decide whether it can assume the responsibility of signing the Treaty you are about to issue without jeopardising the freedom and democratic evolution of the Italian people.

Gentlemen, on your shoulders rests the grave duty of giving the world a peace consistent with the war aims: namely with independence and brotherly collaboration between free peoples. As an Italian I ask for no special concessions. I ask only that our *peace* be framed within that wider peace which men and women of all countries who fought and suffered for an ideal are awaiting.

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<sup>75</sup> For text, see Department of State, *Treaties and Other International Acts* Series No. 1604, or 61 Stat. (pt. 3) 2766.

<sup>76</sup> The colleagues to whom De Gasperi referred were, respectively, Ivanoe Bonomi and Giuseppe Saragat.

Do not linger on the steps of transient expediency. Do not deceive yourselves that with a mere truce or an instable compromise you can achieve your ends. Look upwards to that higher goal. Make a generous effort to reach it.

Gentlemen, it is with this lasting peace in mind that I ask you to grant respite and moral credit to the Republic of Italy. A Nation of toilers, 47 million strong, is ready to pool its efforts with yours in the creation of a more just and more human world.

THE PRESIDENT (Interpretation) : The Conference notes the declaration made by M. De Gasperi on behalf of the Italian Delegation. The members of the Conference can be depended on to give the declaration all the consideration it merits.

I will now ask the Secretary-General to be good enough to show the Italian Delegation out.

(Preceded by M. Fouques Duparc, the Secretary-General, the Italian Delegation left the Senate Chamber).

M. KARDELJ (Yugoslavia) (Interpretation) : The Yugoslav Delegation feels it essential that thorough consideration be given to the Italian Delegation's statement. This must be done by the Plenary Conference so as to furnish the Commissions, which will have to make the detailed study with the necessary instructions. It will thus be necessary for us to have time to study the statement.

I propose, therefore, that the meeting be now adjourned and consideration of the Italian Delegation's statement be placed on the agenda of the next meeting on Monday morning.

THE PRESIDENT (Interpretation) : As has just been proposed, the consideration of the Italian Delegation's statement will be placed at the end of the agenda which we have not yet exhausted at this morning's meeting and which we will continue to deal with on Monday morning.<sup>77</sup>

(Agreed)

THE PRESIDENT (Interpretation) : Before the meeting rises, I would like to revert once more to a question of interpretation of the Rules of Procedure. I refer to the Rules governing rotation of the chairmanship. According to the Rules, Section II, each Chairman will hold office for 3 days.

The point is how should these 3 days be reckoned. My own interpretation is that the duties of the President are to take the chair at meetings, to see that the agenda is prepared, to receive correspondence and to supervise the work of the Secretariat.

Even when he is not in the chair, a President is always a President. In the light of the discussions which took place in the Council of For-

<sup>77</sup> August 12.

eign Ministers, I would point out that we envisaged each President retaining the Chairmanship for a week, that is from Monday to Sunday, whether the Conference was in session or not. Finally, we agreed to a 3-day rotation. I would therefore suggest putting this 3-day rotation into effect, Sundays being ignored, whether the Conference meets or not. Naturally the assembly will always be master of its own procedure.

If no one asks to speak against my interpretation of the Rules of Procedure, I take it that this interpretation is agreeable to the Conference.

(Agreed)

I suggest that the next meeting of the Conference be held on Monday at 10 a. m., with Mr. Byrnes as President, following the alphabetical order.

(Agreed)

M. VYSHINSKY (U.S.S.R.) (Interpretation) : I have no objections to what has just been suggested, but I would like to know what the agenda will be for the Monday morning meeting. It was suggested that the business on this agenda could be continued. But there is now a new suggestion to place the Italian question on the agenda of the Monday morning meeting. We would like to know exactly what questions will finally be discussed at that meeting.

THE PRESIDENT (Interpretation) : It is always a mistake not to make oneself clearly understood, which is what I thought I had done.

The agenda laid down for this morning contained 3 items which will still hold good for the Monday morning agenda and we are adding a fourth so that the agenda will now be as follows :

- 1.) Invitation to the representatives of other States;
- 2.) Organisation of the Secretariat;
- 3.) Preparation of the agenda;
- 4.) Consideration of the Italian Delegation's statement. (Yugoslav request).

I think we are all agreed to the agenda as I have just outlined it.

(Agreed)

M. VYSHINSKY (U.S.S.R.) (Interpretation) : Thank you Mr. President.

(The meeting rose at 6 : 35 p. m.)

MONDAY, AUGUST 12, 1946

TWELFTH AND THIRTEENTH PLENARY MEETINGS, AUGUST 12, 1946,  
10 A. M. AND 4 P. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)13

Discussion was resumed on the subject of inviting Albania and other states to present their views to the Conference. There were before the Conference the original Yugoslav draft resolution (CP/Plen/8 A), the draft resolution of the Czechoslovak Delegation (CP/Plen/10 A), the U.S. amendment to the latter (CF/Plen/10 B), and finally an amendment proposed by the U.K. Delegation (CP/Plen/10 C).<sup>78</sup> The resolution with the proposed U.S. and U.K. amendments read as follows: "The Conference decides to invite Albania, Mexico, Cuba and Egypt in order to enable them to state their views at plenary meetings at the Conference and in the relevant commissions with regard to the drafting of the Peace Treaty with Italy. The Conference further decides that the precise rules governing the hearings of the states referred to above shall be established by the General Commission." M. Pijade (Yugoslavia) proposed replacing the term "General Commission" with the word "Secretariat". The U.K. Delegation then proposed that the second sentence of the resolution read as follows: "The Conference further decides that the precise rules governing the hearing of the states referred to above shall be established by the General Secretariat on the understanding that, if no agreement is reached in that body, the matter shall be referred to the General Commission." The U.K. Delegation also proposed that Austria be included among the states referred to. This proposal was withdrawn after the Soviet and Ukrainian Delegations spoke in opposition to it. M. Vyshinsky (U.S.S.R.) then proposed that the different parts of the draft resolution be voted upon separately. The first part of the U.K. amendment (up to the words "General Secretariat") was adopted unanimously. The second part reading "on the understanding that if no agreement is reached in that body the question shall be referred to the General Commission", was passed by 15 to 6. The following delegations voted in favor: United States, Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway,

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<sup>78</sup> For text of C.P.(Plen)8 A, see the Verbatim Record of the 8th Plenary Meeting, August 9, p. 148, and footnote 59, p. 160; for text of C.P.(Plen)10 A and the substance of C.P.(Plen)10 B and C.P.(Plen)10 C, see the United States Delegation Journal account of the 10th Plenary Meeting, August 10, p. 171.

South Africa. The following delegations voted in the negative: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia. The U.K. amendment as a whole was then declared adopted. The Czechoslovak resolution as amended by the U.S. Delegation was then adopted unanimously. The final vote was taken on the Czechoslovak resolution as amended by the U.S. and U.K. Delegations. It was adopted by a vote of 15 to 3 with 3 abstentions. The 15 affirmative votes were those of the delegations which had voted for the second part of the U.K. amendment. The three negative votes represented Byelorussia, Poland and the Soviet Union. The Czechoslovak, Ukrainian and Yugoslav delegations abstained. M. Fouques Duparc was elected Secretary General of the Conference. Representatives of Australia, Brazil, China and Yugoslavia were elected to the Secretariat to serve with representatives of the members of the Council of Foreign Ministers.

M. Kosanović (Yugoslavia) made the following proposal: "The agenda of the Plenary Meetings of the Conference shall be prepared by the Secretariat, approved by the Acting President and by the four other Presidents and submitted for final approval to the Plenary Meeting of the Conference." Dr. Evatt (Australia) proposed deletion of the words "and by the four other Presidents". M. Kosanović was willing to add to his text the sentence: "In the event of disagreement between the Secretariat and the Acting President, the provisional agenda shall be submitted to the four other Presidents." With that addition he could then agree to the deletion of the words mentioned by Dr. Evatt. Mr. Cohen (U.S.) proposed the addition of the word "agreed" before the word "agenda".<sup>79</sup> The Yugoslav Delegation accepted this change. Dr. Evatt proposed the deletion of the word "Acting". The Yugoslav Delegation accepted that change also. The draft resolution was then unanimously adopted in the following form: "The agreed agenda of Plenary Sessions of the Conference shall be prepared by the Secretariat, approved by the President and submitted for final approval to the Plenary Conference."

When the Chairman (Mr. Byrnes) called upon the Yugoslav Delegation to speak on the statement made by Signor de Gasperi on August 10, he said that he did not propose to allow other members to speak on the subject unless the Conference took a decision to that effect. M. Vyshinsky objected to this ruling and demanded the right to speak on the Italian statement. He said that no decision had been taken to

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<sup>79</sup> The Verbatim Record of the 13th Plenary Meeting indicates that Cohen was the first speaker at that meeting. He expressed the hope that the addition proposed by the United States would satisfy the Yugoslav desire for Great Power agreement on the agenda for each meeting before it actually met. Since every delegation was represented on the Secretariat, an "agreed agenda" would indicate Great Power accord. (CFM Files)

limit the discussion to the observations of the Yugoslav Delegation. M. Kardelj (Yugoslavia) then said that he did not understand that a decision had been taken along lines of the Chairman's view and had expected a general discussion on the Italian statement. The Chairman said that he was adhering strictly to the agenda prepared by the Secretariat. M. Kardelj then delivered his speech concerning Signor de Gasperi's statement. He drew attention to two trends in Italian history: (1) The democratic trend represented by Mazzini and Garibaldi which always stood for fraternal relations with and respect for the Yugoslav nation; and (2) the trend of Italian imperialism which found expression in Italy's policy in the First World War and in Fascism. He believed that Signor de Gasperi's speech showed that the Italy of the present had not abandoned imperialism and wished to dominate territory which belonged to the Yugoslav people. He disagreed with the statistical data on the ethnic composition of the population of the Julian March which Signor de Gasperi had put forward. He said they were imaginary figures, that the arguments based on them represented the same attitude that had been shown by Mussolini and his predecessors. M. Kardelj stated his opposition to the attempts of Italy to obtain a postponement of the solution of the question of Trieste and the Julian March.

M. Vyshinsky again referred to the meeting of August 10 and said that it had been decided that a general discussion would be held on the Italian statement in which any delegation might speak. Dr. Evatt then said that he had looked at the record of Saturday's debate and that it seemed clear that there was no agreement to restrict discussion to the observations of one delegation. The Chairman then consulted the verbatim record of the meeting of August 10 which bore out M. Vyshinsky's view.<sup>80</sup> He then stated that the agenda as prepared by the Secretariat was not in keeping with the verbatim record and that there was no need to vote on the advisability of holding a general discussion. The meeting was then adjourned on the understanding that discussion on the Italian statement would be continued at the next meeting.

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<sup>80</sup> The Verbatim Record under reference, that of the 11th Plenary Meeting, August 10, is printed on p. 175.

TUESDAY, AUGUST 13, 1946

FOURTEENTH PLENARY MEETING, AUGUST 13, 1946, 10 a. m.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)14

M. Molotov made a speech on the subject of the statement Signor de Gasperi had made on behalf of Italy at the meeting of August 10.<sup>81</sup> He stated that the Soviet Union hoped to see the new democratic Italy take its proper place as a member of the community of nations and as an important factor in the Mediterranean. He indicated that Signor de Gasperi's speech, however, did not condemn Italy's imperialistic policy under Fascism and seemed to show that the new Italy was following the ideas and policies of the old Italy, particularly in its policy toward Trieste and the Julian March. In referring to the views presented by Signor de Gasperi on the economic clauses, M. Molotov stated that the Soviet Union favored the economic revival of Italy but saw this revival menaced by certain proposed treaty clauses which under the guise of assuring equality of economic opportunity were aimed at placing Italy under the tutelage of certain foreign countries and of trusts and cartels.

M. Aklilou (Ethiopia) spoke with reference to those parts of Signor de Gasperi's speech which concerned the former Italian colonies. He noted that Italy was objecting to the renunciation of all claims to its former territories in East Africa and was proposing the return of Italians to those territories. He said that to put Italy back into East Africa in any form would constitute a new menace to Ethiopia.

M. Tsaldaris (Greece) referred to the role of Greece in the war against the Axis powers and particularly against Italian aggression. He noted that Signor de Gasperi had stated that Italy was prepared to make sacrifices. He cited the great damage done to Greece by the Italians and the pressing need of Greece for reparation in order to alleviate the desperate economic situation and rebuild the national economy.

<sup>81</sup> For text of Molotov's speech, see Molotov, *Problems of Foreign Policy*, p. 108; for text of De Gasperi's statement, see the Verbatim Record of the 11th Plenary Meeting, August 10, p. 175.



## FIFTEENTH PLENARY MEETING, AUGUST 13, 1946, 4 P. M.

CFM Files

*United States Delegation Journal*

## USDel(PC) (Journal) 14

At the afternoon meeting of the Conference M. Tatarescu, Vice Premier and Foreign Minister of Rumania, presented the views of his Government on the draft peace treaty with Rumania. He dwelt at length on Rumania's contribution to the Allied cause after its break with Germany in August, 1944. He expressed satisfaction over the decision of the CFM on the Rumanian-Hungarian frontier. On economic questions he made a claim for the payment of reparation to Rumania by Germany and by Hungary and also protested against the severity of the economic clauses of the draft treaty providing for compensation to United Nations nationals.

M. Vyshinsky (USSR) paid tribute to the efforts of Rumania in the Allied cause since August, 1944. He stated also that Rumania had fulfilled loyally all the clauses of the Armistice including reparation obligations. He stated the view that Rumania had suffered losses through German action and should be compensated therefor. With reference to the economic clauses, particularly those which dealt with compensation to United Nations nationals for property losses, he felt there should be compensation only in part as was the case in the payment of reparation by Rumania to the Soviet Union.

M. Masaryk (Czechoslovakia) made a brief speech in which he called attention to the way in which the Rumanian people had helped Czechoslovakia at a very difficult time in the latter's history. He mentioned also the gratitude of the Czechoslovak people for the help which the Rumanian Army had contributed to the liberation of Czechoslovakia in the closing stages of the war.

The Chairman (Mr. Byrnes) stated that the Bulgarian Delegation would appear before the Conference at 10 a. m. the next day to state the views of the Bulgarian Government on the draft peace treaty with Bulgaria, and that the Hungarian Delegation would appear at 4 p. m. to make a statement on the draft peace treaty with Hungary.

It was decided to authorize the Secretary General to assign to the Political-Territorial Commission for Italy and the Economic Commission for Italy the appropriate clauses of the Italian Treaty for their consideration.

CFM Files

*Verbatim Record*

[Extract]

C.P. (Plen) 15

President: Mr. Byrnes.

THE PRESIDENT: I beg the Secretary General to introduce the Roumanian Delegation.<sup>82</sup>

(Entry of the Roumanian Delegation)

THE PRESIDENT: The Paris Conference welcomes the Roumanian Delegates. I call on M. Tatarescu, Chief of the Roumanian Delegation to express the views of his country on the Draft Treaty concerning Roumania.

M. TATARESCU (Roumania) Mr. President—Gentlemen.

The first words of the Roumanian Delegation will be words of thanks to the 21 United Nations for the possibility which they have given the Roumanian Government to express its views on the draft Peace Treaty drawn up by the Ministers of Foreign Affairs of the U.S.S.R., the U.S., the U.K. and France.

The draft Treaty also gives the whole Roumanian people a further reason to express its gratitude by the decision stipulated in the terms of Article 2, which declares null and void the Vienna Award of 30 August, 1940, attaching arbitrarily Northern Transylvania to Hungary,<sup>83</sup> and restores the frontier between Roumania and Hungary to what it was on 1 January, 1938.

This decision, which restores to Roumania the Territory of northern Transylvania, torn from the Roumanian motherland by violence and coercion, puts an end for ever to the prolonged and renewed oppression of which the Roumanian people has been the victim. Taken in the name of justice and at the same time, we are convinced, as a result of the countless sacrifices made by the whole Roumanian nation, this decision offers real prospects of fruitful collaboration between the Roumanian people and the Hungarian people and augurs well for the pacification of those last centres of agitation, heritage of a distressing past, which up to the present have prevented the establishment of friendly relations between these two peoples.

Roumania welcomes this act of reparation with the firm resolve to carry out unflinchingly her duties in maintaining order and harmony among the other free and democratic peoples.

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<sup>82</sup> The source text contains the following handwritten marginal note at this point: "I said 'ask' not 'beg' JFB"

<sup>83</sup> For text of the Second Vienna Award and Protocol, see *Documents on German Foreign Policy 1918-1945*, series D. vol. X (Washington, Government Printing Office, 1957), p. 581.

The Roumanian Government has carefully studied the other provisions embodied in the draft Peace Treaty and we are now able to submit to you our observations on the political, military and economic clauses of this treaty.

In the first place the Roumanian Government feels obliged, to its regret, to note the absence of any recognition of its quality of cobelligerent which Roumania considers it would only have been just to recognise.

The Roumanian people considers that its military and economic achievements during the final phase of the war which has just come to an end entitle it to claim this recognition.

It is perhaps necessary to recall that in the years between the two wars Roumania remained throughout in the group opposed to Germany. As a member of the League of Nations and by its adherence to a whole series of international treaties, Roumania adopted towards Germany the attitude not of a satellite but of an opponent.

Yet, after the military events of May and June 1940, Roumania was drawn by a handful of adventurers and traitors and to the detriment of her permanent interests into the German campaign against the Soviet Union and her Allies.

None the less the Roumanian people, with greater foresight than its tyrannical leaders of that time, turned against Germany and her satellites and at the cost of what sacrifices and perils, broke the chains of this baneful collaboration.

On the 23rd August, 1944 when "the issue of the war was not yet decided"—to quote the glorious chief of the Red Army, Generalissimo Stalin—the Roumanian people, led by the forces of its true democracy and with the help and support of its young and gallant king, took its place in the ranks of its natural Allies and unhesitatingly plunged into the war of liberation. By one of the greatest and gravest efforts in its history it made a most valuable contribution, we believe, to the war of the United Nations and to final victory.

Furthermore, the Roumanian Government feels called upon to remind the representatives of Members and Associates of the United Nations that Roumania came into the war against Germany and Horthy's Hungary, not as stated in the Preamble to the draft Peace Treaty, after the armistice concluded with the United Nations on 12th September, 1944, but on August 24th of that year.

On that date, the King, the Army and the people of Roumania unanimously rose sword in hand against Germany and Horthy's Hungary. The entire military and economic strength of Roumania was mobilised simultaneously and placed at the service of the United Nations. On August 24th, 1944, eighteen Roumanian divisions comprising 385,000 men, supported by air corps, were launched to attack

the German and Hungarian invaders. The Roumanian army served as a covering force for the Red armies and, from August 24th to September 1st alone, by hard-fought battles, had freed the Roumanian territory south of the Carpathians and taken 51,000 prisoners.

The state of war Germany and Hungary was therefore not a result of the Armistice Convention, which was not signed until September 12th, it was the outcome of King Michael's Proclamation and the Government declaration of August 23rd—both of which reflected the feelings and the will of the Roumanian people.

In a memorandum addressed last April to the Deputy Foreign Ministers in London—a document we hold at the disposal of the Conference—the Roumanian Government explained in detail the military and economic efforts our country had made to promote the common cause of the United Nations.

Having undertaken, in conformity with the Armistice Convention, to contribute not less than twelve divisions to the war effort, Roumania was at no time represented by less than fourteen divisions in the fighting which took place between August 23rd, 1944, and May 10th 1945. Operating under the Soviet High Command for 260 days the Roumanian troops fought shoulder to shoulder with the Red Army. Piercing the enemy lines to a depth of 1,000 kilometers—from the Murosk river in Transylvania to the centre of Bohemia—Roumanian troops, by sheer force of arms, crossed twelve mountain ranges and liberated 3,831 localities, including 53 towns. During the fighting 103,214 prisoners were captured by the Roumanian forces, which, after the liberation of our own territory, fought on first in Hungary and then in Czechoslovakia, thereby helping to free the territory of their Czechoslovak brothers.

After 23rd August, 1944, not a single Roumanian soldier, either regulars or volunteers, continued to fight side by side with the German armies or those of its satellites. Roumania did not afford the spectacle of those internal dissensions in which one portion of the armed forces, fighting in the ranks of the United Nations, had ranged itself against the other, fiercely determined to assist the German armies.

After the 23rd August, all Roumanian forces, without exception, resumed their place under the banners of freedom; and in the actions they contested by the side of the United Nations, lost at least 111,000 killed and wounded. The results of the Roumanian action may be summed up as follows. It prevented the German armies from making a successful defensive stand on a previously organised fortified line, a stand which would have enabled these armies to gain valuable time for further defensive operations.

It favoured and added speed to the strategic manoeuvres of the glorious Soviet armies, which aimed at taking the German forces in

the rear and linking up with Yugoslavia. By undertaking covering operations in Transylvania, it assisted and hastened the deployment and concentration of the Russian armies beyond the Carpathians, thus facilitating their great strategic manoeuvres which broke open the gates of Central Europe.

Lastly, Roumanian action contributed substantially to the destruction of the Hungarian forces which had remained faithful to Germany, and thus to the liberation of Czechoslovak territory.

Launched at a time when German resistance was still powerful, Roumanian action contributed to reversing the political and military situation of the countries still fighting on the German side or assisting her in other ways.

For all these reasons, and on the basis of her contribution to the common victory during the concluding stages of the war, Roumania believes she has earned the right to claim the title of co-belligerent.

The Roumanian Government feels, in the interests of historical accuracy, that the two following facts should be recognised and defined in the preamble of the Treaty:

1. That Roumania entered the war on 24 August, and not on 12 September, 1944;

2. That she waged war not only against Germany, but also against Horthy's Hungary;

The Roumanian Government is also prepared to make the most explicit reservations regarding another omission in the Draft Treaty of Peace which has been noted.

For this Draft does not contain any clause concerning compensation or reparations for Roumania, either from Germany or from Hungary, although Roumania was actually at war with both these countries.

Both the German and Hungarian forces were responsible for causing great destruction and damage on Roumanian territory, and inflicting very heavy losses, on both the armed forces and the civilian population.

International law gives Roumania the right to claim compensation and reparation from its former enemies.

Roumania has already submitted her claims in this connection.

Reparation claims from Germany were submitted by the Roumanian Government to the German Reparations Commission at Paris in December, 1945.

The claims against Hungary are embodied in a special memorandum, submitted by the Roumanian Government to the Deputies of the Foreign Ministers at London in April; and this memorandum is held at the disposal of the Conference.

Roumania, like the other allied armies, fought against the Hungarian Fascist forces, not only until the conclusion of the Armistice, signed

on 20 January, 1945 between Hungary and the United Nations, but also until the general cessation of hostilities in May of that year.

Roumania feels convinced she has earned the right to reparations for the destruction for which the Hungarian armies were responsible on her territory, as well as for the damage resulting from other acts of war.

For all the above reasons, the Roumanian Government is compelled to request the Conference to remedy this omission in the Treaty of Peace.

Moreover, the Roumanian Government considers that the measures set forth in the military clauses are very far from corresponding to the Roumanian contribution to the common effort of the United Nations during the concluding stages of the war.

Roumania is firmly resolved to adhere, without delay, to all the measures which may be adopted by the United Nations Organisation in connection with the limitation of the military forces and armaments of all countries. She is compelled, however, to challenge what is, in her opinion, the unjust character of these restrictive military provisions which are definitely penal in character. The Roumanian armies, with great enthusiasm, placed all their forces at the service of the United Nations and the common Allied cause. For nine months they fought side by side with the Russian armies, up to the very ramparts of Budapest and the outskirts of Prague.

Roumania feels fully justified in claiming that the blood of her soldiers, mingled on the battlefield with that of their Russian comrades, will contribute to mitigate before history the consequences of the errors committed.

The Roumanian people therefore earnestly begs the Conference to leave the arms with which they fought for freedom and justice, side by side with the United Nations, in the hands of its soldiers.

On examination of the economic clauses, as well as those dealing with restitution and reparation, the Roumanian Government find that they contain provisions which lay such burdens on Roumania that, if they were maintained as stipulated, Roumania would be left in the position of assuming obligations which she could not fulfil and would simultaneously find her economic rehabilitation irremediably compromised.

Many of these provisions moreover, are not merely inequitable and difficult to put into effect but, in addition, their complex and indefinite character gives grounds for the most serious apprehensions and leaves the door open to unreal claims which can neither be foreseen nor estimated.

We feel it abnormal also to expect the Roumanian Government to compensate, simultaneously with the losses due to its war activities, those losses arising from action taken by it after 24th August, 1944, i.e., at a date when Roumania was fighting against the Axis Powers

and even in cases where the action was forced on her by those very circumstances.

Equally it would be wrong to apply the same treatment to property honestly acquired through the ordinary commercial channels and property seized by force and without compensation. Should, however, such restitution be insisted on, provision would necessarily have to be made for the Roumanian State or its nationals to have a right of counter compensation against the Axis Power which alienated the property in question.

I should add that the clauses in the Treaty, which lay an obligation on Roumania to prove that the property whose title is disputed has not been obtained by force or duress, are incompatible with the elementary principles of the law of evidence.

With more particular reference to the question of railway rolling stock, some 30,000 trucks of which have been taken out of Roumania for the common benefit of the Allies, the Roumanian Government suggest that, as soon as the Peace has been signed, an International Railway Conference should be convened to determine the practical steps to be taken to ensure that every country can recover its own rolling stock.

On the problem of reparation to be paid to the Allied and Associated Powers I cannot refrain from pointing out that the Soviet Union, which more than any other Power was entitled to claim full reparation from Roumania, has, nevertheless, agreed to limit her demands to one fifth only of the losses sustained through Roumanian action. It would, therefore, be strange if the other Allied and Associated Powers whose territory was not affected by the Roumanian war effort, treated Roumania so harshly as to aggravate her economic situation to an extremely serious degree.<sup>84</sup>

Some of the claims which are made, however, go so far as to demand compensation for what might be regarded as indirect losses and even loss of profits. On the other hand, Roumania's acceptance of the principle of renunciation of her claims on Germany and German nationals as advocated in certain proposals would in view of the special circumstances governing trade between Germany and Roumania, often put the Roumanian Government in the position of having to pay twice over debts which it has already discharged. Such a proposal would merely mean punishing Roumania for having joined the United Nations and would be tantamount to Roumania paying reparation to Germany. It is clear, on the other hand, that the destruction wrought by the Axis troops during their withdrawal, as

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<sup>84</sup> On August 29, Foreign Minister Tatarescu called on the Secretary of State. In the course of their conversation, which was principally concerned with the Rumanian internal situation, Byrnes told Tatarescu that he had not liked certain passages in the present statement, notably references to Soviet generosity in matters of reparations implying lack of generosity on the part of the United States. For the record of this conversation, see vol. VI, p. 626.

well as other losses suffered by Roumania's economy at the hands of Germany, would fully justify the reparation which Roumania demands from the latter country in consequence of Roumanian operations subsequent to 23rd August, 1944.

Finally, not content with placing excessively heavy burdens on Roumania and debarring her from lodging just claims against the Axis Powers, the Treaty further insists on Roumania dropping all claims in respect of the measures taken in various countries from 1st September, 1939, onwards, although Roumania remained neutral until 22nd June, 1941.

The Roumanian Government would further point out that the provisions of Article 30 of the draft Treaty, derogate from Roumanian sovereignty in the field of economic policy. Under this Article the benefits of the most-favoured-nation clause are automatically claimed for all the United Nations for a specific period and in very vague terms. The implementation of these provisions would mean a diminution of Roumania's resources, would make her efforts to restore her economy illusory and prevent her carrying out the undertakings assumed under the Treaty itself, for the obvious reason that she would have to support burdens without any equivalent consideration. There seems to be even less justification for inserting this clause in the Peace Treaty seeing that it has no connection with acts of war or their consequences.

Mr. President—Fellow Delegates, in submitting these remarks and reservations, the Roumanian Government would like to state that Roumania will conscientiously discharge all the undertakings she assumes under the Peace Treaty, animated as she is by the wish to regain and maintain her place in the ranks of the free peoples, by reliance on her efforts and observance of her undertakings.

Roumania has emerged from the great tragedy which has steeped her existence in blood, with her material resources shattered but her moral forces intact. She has decided to redeem her mistake and to build up a new framework for the social and political life of her people.

The frontiers assigned by the Peace Treaty to Roumania remove all possibility of conflict in this part of Europe and hold out an attractive prospect of peaceful and harmonious collaboration between the Roumanians and all their neighbours.

Our aim today is to efface the consequences of the unhappy conflict with the Soviet Union and the United Nations into which we were thrown.

It is our desire to strengthen the ties of friendship and collaboration with the peoples of the Soviet Union and to re-open relations with the United States and the United Kingdom and put them on a basis of mutual confidence.

We seek to renew our relations with France with whom we already feel we are linked by a strong tradition of friendship.



Lastly, we seek to collaborate with all peace-loving peoples.

Having settled our dispute with Bulgaria we wish today to build on the ruins of the past the foundations of a permanent friendship that will be equally advantageous to both our nations.

Similarly in a desire to reinforce democratic peace and order in this part of Europe we have stretched out the hand of friendship to the Hungarian nation and we still hold that hand outstretched.

At this solemn moment when Roumania seeks for the co-operation of all peace and liberty-loving peoples, she intends to notify without further delay her full acceptance of the principles of the United Nations Charter, principles which she has already put into execution by guaranteeing everyone under her jurisdiction irrespective of race, ethnic origin or creed, full and complete enjoyment of human rights and fundamental liberties.

In loyal acknowledgement of these principles, Roumania has not waited for any internal pressure to be exercised or external orders to be imposed before guaranteeing the national minorities on her territory a regime of complete freedom.

Roumania will spare no effort in future which is calculated to improve the material and moral circumstances of the individual or reject any suggestions calculated to promote international collaboration and strengthen collective security. For her social justice is an article of faith and a policy of international harmony and Peace is her guiding principle.

Having resolved to pursue these ideals to the utmost of her power, Roumania hopes that the Conference will, through its decisions enable her to fulfil her task for her own sake and for that of all mankind.

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**FIRST MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR ITALY, AUGUST 13, 1946, 9:30 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)15

Mr. Dunn (U.S.) said that his delegation considered it inadvisable for a representative of any state which prepared the draft peace treaties to be chosen as *rapporteur* of any of the commissions. Mr. Vyshinsky (U.S.S.R.) disagreed with Mr. Dunn's view. Mr. Egeland (South Africa) was nominated for Chairman of the Commission by M. Vyshinsky and seconded by Dr. Evatt (Australia). He was unanimously elected. Mr. McNeil (U.K.) proposed M. Manouilsky (Ukraine) as Vice Chairman and he was unanimously elected by acclamation. The election of a *rapporteur* was postponed until the next meeting.

**FIRST MEETING OF THE ECONOMIC COMMISSION FOR ITALY,  
AUGUST 13, 1946, 10: 15 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 14

Sir Joseph Bhore (India) was elected Chairman of the Commission. Dr. Ales Bebler (Yugoslavia) was elected Vice Chairman, and M. Herve Alphand (France) was elected *rapporteur*. Before the election of the *rapporteur*, Mr. Thorp (U.S.) made a statement similar to that made by Mr. Dunn in the Political and Territorial Commission suggesting that the *rapporteur* should not be a representative of a state member of the Council of Foreign Ministers. M. Vyshinsky opposed this suggestion as a new restriction not included in the rules adopted by the plenary conference, and nominated M. Alphand. Mr. Thorp made it clear that the U.S. suggestion was intended to apply when there was a choice of several candidates nominated, and he joined in making the election of M. Alphand unanimous.

### III. WORK OF THE COMMISSIONS, AUGUST 14- SEPTEMBER 22, 1946

WEDNESDAY, AUGUST 14, 1946

SIXTEENTH PLENARY MEETING, AUGUST 14, 1946, 10 A. M.

CFM Files

#### *Verbatim Record*

[Extract]

C.P.(Plen) 16

President: Mr. Byrnes (U.S.A.)

THE PRESIDENT: The meeting is now open.

#### HEARING OF THE BULGARIAN DELEGATION

I ask the Secretary-General to introduce the Bulgarian Delegation.  
(Escorted by M. Fouques Duparc, Secretary-General, the Bulgarian Delegation was introduced into the Senate Chamber.)

THE PRESIDENT:

The Bulgarian Delegation is present with us in response to the invitation of the Conference.

M. Kulichev, Minister for Foreign Affairs, will make a statement to the Conference on behalf of the Bulgarian Delegation.

M. KULICHEV (Bulgaria) (Interpretation):

Mr. Chairman, Gentlemen. My first words to this eminent Assembly must be to express my thanks in the name of the people of Bulgaria for the opportunity you have accorded the Bulgarian Delegation to express the views of Bulgaria on the terms of the future Peace Treaty. It is this which supports the hope of our people who, for more than 20 years, have never ceased to struggle for liberty, that justice will be done to them and that the deliberations of the Conference of Paris will result in a just and worthy peace for them.

At the same time I must express the feelings of profound gratitude which Bulgaria feels towards the peoples of the U.S.S.R., of Great Britain and of the United States of America who ensured victory over the Reich, towards all liberty-loving peoples who have made a united effort to prevent the triumph of Fascist barbarism, a struggle to which the Bulgarian people have for their part also made their modest contribution.

We the representatives of the New Bulgaria, have no wish to minimise in any way the crimes of those who thrust our country into the war on the side of Germany. The hateful alliance with the latter, the declaration of war against England and against the United States, the transformation of Bulgaria into a military base for Hitler and for the foul dealings of the pro-Hitler clique which later on resulted in a declaration of war on Bulgaria by the U.S.S.R.—these are crimes enough for which the responsible persons have been severely punished by the popular tribunal.

However, it is my duty to repudiate the moral responsibility of the Bulgarian people and we are sure that all those who understand the nature of the long struggle of our people against Fascist dictatorship and the fierce opposition which they offered to the plans for the enslavement of our country by Hitlerite Germany will surely understand us. A significant fact is that it was not against the Bulgarian people whose true sentiments are known to them, that the United States declared war, but against their Government. Generalissimo Stalin has repeatedly expressed the sympathy which the U.S.S.R. feels towards our people. In actual fact, during the last 20 years the Bulgarian people have risen three times, arms in hand, against the Fascist usurpers at the sacrifice of the lives of more than one hundred thousand of their sons. It is true, but the fact remains, that they were unable to prevent the criminal alliance with Germany which was signed on the 1st March, 1941.<sup>1</sup> I venture to recall that this happened at a moment when Hitler was at the height of his military power and on the very day on which the Bulgarian Government signed the Tripartite Pact, a German army, half a million men strong, concentrated in Roumania, crossed the Danube and occupied Bulgaria. That was a precautionary measure against internal trouble which the pro-German agents had just cause to fear.

However, popular resistance very soon made itself felt in the rear of the German troops.

It is very well-known that in actual fact, from the very first moment, the Bulgarian people found within themselves the means of expressing their true sentiments and of rejecting the pro-German policy of King Boris and of the Fascist government. Permit me to recall that on the 10th September, 1939, ten days after the invasion of Poland by Germany, M. Gucerguiev, Prime Minister and Head of our Delegation, addressed a letter to our then President of the Council, Kiosseivanov, in which he warned him that the Government was making a mistake which might have fatal consequences for the Bulgarian people. Later,

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<sup>1</sup>For text of the Tripartite Pact between Japan, Germany, and Italy, signed September 27, 1940, see League of Nations Treaty Series, vol. cccv, p. 386, or *Documents on German Foreign Policy 1918-1945*, series D, vol. xi (Washington, Government Printing Office, 1960), p. 204.

on two occasions, on the 10th February, 1941 and on the 10th January 1944, he made still more energetic protests and warnings to the Fascist rulers.

It is also well-known that the Bulgarian people, even under the Gestapo regime, has been able to protect its Jewish fellow-citizens and to save them from extermination.

In the preamble of the draft presented to the Conference, Bulgaria is described as "an ex-satellite of Germany". From the formal point of view that is quite logical. But here it is not the legal formula which is of importance but the factual context, the historical truth which this formula endeavours to express. Now the share of responsibility borne by Bulgaria may be greater or less or even minimal, depending on the importance of the hostile actions of which she has been guilty.

What were those actions? May I be permitted to recall the principal facts which characterised Bulgaria's participation in the war and which alone can give us an idea of the extent of her responsibility.

1) From this very platform an interested party has described Bulgaria as an aggressor.<sup>2</sup> Now, no Bulgarian army has taken part in German aggression either in Greece or in Yugoslavia. Bulgarian troops have only acted as occupation troops and the Bulgarian Government have not occupied certain portions of Yugoslav and Greek territory until military operations were concluded. Even in his memoirs, Marshal Badoglio states that prior to the intervention of Germany in the Balkans, Mussolini had endeavoured to secure the military assistance of Bulgaria against Greece, but his request was refused by the Bulgarian Government.

2) It is true that the Bulgarian Government declared war against Great Britain and against the United States of America but they refrained from sending Bulgarian troops against those countries.

3) The most important fact and the great merit of the Bulgarian people is that, at the most critical moment of the war in the East, at the period of the battle for Stalingrad, it was able to offer courageous resistance to the formidable pressure of Hitler and to prevent the Bulgarian Government from sending a single Bulgarian soldier against the Red Army. Neither did it provide a single volunteer for the Eastern Front. How many "satellites" or countries occupied by Germany, or even neutral countries, can boast of an equal degree of courage or resistance?

The Bulgarian Army have not fought *on any front* against the anti-Hitlerite coalition. That is an historical fact which cannot be seriously denied. If it has happened that, in occupied territories, Bulgarian troops have been used against bodies of partisans, those who are responsible for this crime have been severely punished by the peoples' tribunals. That also is a fact which cannot be denied.

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<sup>2</sup> The reference is presumably to the remarks of Greek Prime Minister Tsaldaris at the 6th Plenary Meeting, August 3; for the Verbatim Record of that meeting, see p. 105.

On the contrary, the Bulgarian people has unceasingly fought against the Germans and their agents in Bulgaria. The active and effective participation of Bulgaria in the war against Germany is formally recognised in the draft Peace Treaty. I should like, however, to make it clear that the Bulgarian people had been fighting on the side of the Allies ever since the occupation of Bulgaria, since the Patriotic Front had organised a powerful resistance movement in the rear of the German troops. It was of our groups of partisans that Mr. Eden spoke in the British Parliament. Our partisans were in contact with the resistance movements in Yugoslavia and Greece and also received some help in arms from the British Command. The menace they constituted for the German troops is clearly apparent from the reports concerning their operations, prepared by the German Command in the Balkans.

Immediately after the revolution of September 9th, 1944, the Government of the New Bulgaria not only broke with Germany; even before the signature of the Armistice in Moscow, it cast its whole army, not less than half a million men, into operations for the pursuit of the Hitlerite troops outside the frontiers of the country. The Bulgarian troops fought for eight months, in Macedonia and Serbia, in Hungary and in Austria, losing more than 32 thousand killed and wounded. Although devastated by the Germans, the country made a supreme effort, sacrificing all its resources for the maintenance of the army. New Bulgaria has the moral satisfaction of knowing that its army fought in the ranks of the third Ukrainian-Russian front and that it has contributed to the final defeat of Hitlerite Germany. It is chiefly proud that the blood of its soldiers has been shed to help in the expulsion of the German troops from Yugoslav and Greek territory. Bulgaria has thus done much to right the wrong caused by the Hitlerite faction.

The feats performed by the Bulgarian Army have been celebrated in the orders of the day issued by Generalissimo Stalin.

As a matter of fact, the war against Hitlerite Germany was the only war ever fought by Bulgaria in the real sense of the word. This is why the Bulgarian people deeply resent still being called an ex-enemy people. Italy, Hitlerite Germany's first ally, has been officially recognised as "co-belligerent". Now, surely the facts which I have just given, show that Bulgaria has quite as much right also to be considered as co-belligerent.

In certain circles, there is still a tendency to describe the Bulgarian people as aggressive and rapacious, and we hear exhortations to vengeance and punishment. In this very hall, the Greek representative

has asked for guarantees against the danger of a future aggression on the part of Bulgaria in the form of a strategical rectification of the frontier.

Now, what are the facts? The truth is that after the Balkan war of 1912-1913, when Bulgaria had agreed to the greatest sacrifices and borne the main brunt of the war against Turkey, Greece doubled her territory whereas Bulgaria was deprived of the greatest part of the Aegean territory which is mainly inhabited by Slavs and had been freed by the Bulgarian troops. The truth is that in 1919, Bulgaria was deprived of a further part of its territory, in particular Western Thrace which gave her access to the Aegean sea, and this was handed over to Greece after the failure of the latter's military expedition in Asia Minor. The truth is that even today the Greek Government claims from Bulgaria up to one-tenth of its territory in which, moreover, there is not a single Greek village.

In order to justify its attempt to annex a further portion of Bulgarian territory, the Greek Government adduces three alleged "Bulgarian aggressions". But, today, every school-boy knows that the guilty parties in the fratricidal war that broke out in 1913 between the Balkan Allies, were King Ferdinand, Venizelos and Pashitch. In 1915, the Bulgarian army stopped at the Greek frontier under the agreement concluded between the Kaiser and his brother-in-law, King Constantine of Greece. As for the alleged Bulgarian aggression of 1941, I have already pointed out that when the Bulgarian troops occupied Western Thrace, the military operations were already terminated. On the other hand, no one has forgotten that in 1925 the Greek troops of General Pangalos forced their way over the Bulgarian frontier and it was only thanks to the energetic action of the Council of the League of Nations that Greece was obliged to withdraw these troops and to pay Bulgaria an indemnity of 25 million gold francs. And finally, who traced the present frontier between Bulgaria and Greece which the Greek Government wishes to push further to the north? Certainly not Bulgaria.

I now come to our request to ensure Bulgaria access to the Aegean Sea by the restitution of Western Thrace. It should be remembered that this Province, freed by the Bulgarian Army in 1912, remained within the Bulgarian frontiers even after the second Balkan War and the Treaty of Bucharest, a treaty nonetheless imposed upon a vanquished Bulgaria. Venizelos himself did not dispute the Bulgarian claims to Western Thrace. But, notwithstanding strong opposition on the part of the Americans and other Delegations, this region was torn from Bulgaria and handed over to Greece despite the fact that the census of 1920 under the supervision of the Inter-allied Commission, presided over by the French General Charpy, established that the

country was mainly inhabited by Bulgarians, the Greeks only coming third after the Turks. Thus, Bulgaria not only lost a valuable territory to which it had an undeniable right, and from which the Bulgarian population was subsequently expelled, but it was also deprived of that access to the Aegean Sea which is for Bulgaria a vital necessity.

The Aegean Coast between the Maritza and the Mesta is an integral part of an important geographical and economic region comprising not only all South Bulgaria but also areas much farther north.

The coastal territory cannot live and prosper without its hinterland and similarly the latter cannot ensure its own economic requirements without an outlet on the sea. It is Bulgaria, and particularly Southern Bulgaria, which constitutes the hinterland of the Aegean coastline. The fact that Southern Bulgaria is deprived of its coastline obviously creates an abnormal situation, robbing Bulgaria of its essential and geographical lines of communication with the outside world, and causing poverty and economic stagnation not only for the population of the Rhodopes but also for the other Bulgarian provinces, whose development is thus arrested. The inevitable result of this false and unnatural position is found in the following indisputable fact: The Aegean coastline is at present unavailable to international traffic and its activities are limited to insignificant local traffic. Its ports are entirely empty and abandoned, whereas they could handle traffic for the whole eastern half of the Balkan Peninsula and even with some of the area north of the Danube.

Moreover, the fact of depriving Bulgaria of its Aegean coastline has facilitated German economic and political penetration into our country. It is obvious even to anyone who is not biased that a free outlet to the sea is of capital importance to the economic and political independence of Bulgaria. This necessity has moreover been upheld in Article 48 of the Treaty of Neuilly. Unfortunately, the strictly economic access promised to Bulgaria could not be used in practice, as no Bulgarian Government could take a decision involving the investment of considerable capital for the construction of commercial ports and roads on foreign territory.

Gentlemen, in the Armistice terms Bulgaria has undertaken to restore all objects removed from occupied territories which are now on Bulgarian soil. The Bulgarian Government is already fulfilling this obligation, it will re-endorse it in the Peace Treaty and continue to carry it out scrupulously and in good faith. In the same way the Armistice Agreement provides that those countries which were in a state of war with Bulgaria shall be entitled to reparation, and this right has also been applied to Yugoslavia and Greece in respect of the damage which they have actually suffered at the hands of Bulgaria.



I wish to convey the gratitude of the Bulgarian people to the Governments of the U.S.S.R., the United Kingdom and the United States of America for taking into consideration the part played by Bulgaria in the war against Germany and for giving up all claims to war reparations as far as they were concerned. I wish to thank them also for having explicitly recognised in the draft Treaty, and in connection with the question of reparations, the contribution of the people of Bulgaria to the liberation of Yugoslavia and Greece. In these circumstances the claims made by the Greek Government against Bulgaria seem all the more incomprehensible, unfounded and unjust.

It is odd that the Greek Government should hold Bulgaria as mainly responsible for the damages suffered by Greece since it is well-known that no war operations were conducted by Bulgaria on Greek territory and that the damage was almost exclusively done by German Forces. Why should the Bulgarian Forces have caused destruction in an area which they considered as Bulgarian territory and belonging truly to Bulgaria? On the contrary, immediately on entering Thrace, they began to repair the damage and to undertake important reconstruction work. The form of economic policy applied was the same as in Bulgaria. May we also stress that no destructions were caused by the Bulgarian troops when they evacuated Thrace. This evacuation was carried out in perfect order and with the friendly co-operation of the Greek local authorities and important stocks of goods were moreover handed over to the latter. The Greek Government is claiming for itself alone a larger amount than Bulgaria had to pay in 1919, under the Treaty of Neuilly, to all the Allied Powers with which she was then at war. It is well known that the situation of Bulgaria makes it materially impossible for her to pay these reparations. In our capacity as neighbours, we know better than anyone else the sufferings and hardships endured by the peoples of Yugoslavia and Greece, and the destruction and damage committed on their territory but we must recall that Bulgaria itself was actually a German-occupied country, which the Germans plundered and devastated at will.

Our agriculture has been destroyed and our livestock decimated, our industrial equipment is worn out, our railways and motor transport are in a pitiful condition, our merchant fleet is wiped out and our coal-mines are half ruined. Our population is reduced to poverty and its standard of living is at its lowest point. Even pre-war statistics for national income per head of population showed that Bulgaria's was the lowest in Europe, after Albania. Epidemics and social diseases are taking their toll of the population and infantile mortality is gaining alarming proportion.

It was only due to the generous assistance of the Soviet Union that we were able to avert famine and the total loss of our livestock after

the appalling drought in 1945. Here is one more significant fact. Nearly 70% of taxation is levied by indirect taxes and the people could not support further burdens. All these factors should be taken into account in a fair settlement of the reparations problems.

With regard to the economic clauses of the Draft Treaty, may I merely point out that most of them appear unfair to us and likely to make the already precarious state of our finances considerably worse.

May I also add that it would be quite unjust to force Bulgaria to waive her claims against Germany for Bulgarian exports. It is an open secret that these exports, which were not compensated, were simply one of the aspects of German looting. There is all the more justification for our request in that Bulgaria fought Germany for eight months—a war which cost her in material losses alone over 120 milliard levas.

Bulgaria is a Danubian country and is therefore naturally very much interested in the problem of the Danube. She is justified in asking to be allowed to play an active part in the international control of the river along its entire course. May I, as a representative of a riparian country, express the hope that the question of the control of Danube navigation will be solved by a conference in which Bulgaria would be represented with powers equal to those of the other Danubian countries.

I cannot conceal here the profound bitterness which the people of Bulgaria would feel if the Peace Treaty contained certain clauses calculated to wound her national pride and her sense of having done her duty. Such would be the military clauses.

I would like it to be clearly understood that the New Bulgaria has no aggressive designs. The people of Bulgaria mean to build their future on their own efforts, on international co-operation and on lasting peace. The Bulgarian Government has already of its own accord reduced the establishment of its army and is about to make a further substantial reduction. But the people of Bulgaria would regard a *compulsory* reduction of her army, that same army which fought no other country except Germany, or a *compulsory* surrender of arms, those arms with which she fought the Germans, as an unjust punishment.

Gentlemen, the Bulgarians are a humble and small nation but they are jealous of their dignity and their honour. They believe in freedom and independence and are imbued with the spirit of democracy. The people of Bulgaria have been engaged in a ceaseless struggle with the dictatorship imposed by King Boris and his government and have made countless sacrifices in the course of this struggle. Under the guidance of the Patriotic Front which was formed in 1942 to resist

Hitler's occupation and dictatorship, the nation embarked on a radical purge of the country and severely punished the chief agents of the pro-German policy. It took energetic steps to reform every public and social institution on democratic lines.

At the present time it is making super-human efforts to rebuild the economy of the country and to complete the structure of a true democracy. If everything is not as yet in order in the New Bulgaria, one must not forget the heritage of the unhappy past which weighs so heavily on us. Soon we shall be holding elections for the great National Assembly which will prepare a new constitution in harmony with the democratic development of the country.

This thoroughgoing scheme of internal reconstruction which has been steadfastly and unswervingly carried out by the Patriotic Front has still further enhanced the part played by Bulgaria as an important factor working for peace, democracy and order in the Balkans. We maintain with our neighbours in Yugoslavia, Roumania, and Albania the most friendly relations, and there are the best grounds for expecting a further consolidation of those friendships in the future. We are hoping to improve our relations also with Greece, the only country with which we still have certain matters in dispute, and such a *rapprochement* will be made easier if the Conference supports us in securing an equitable settlement of these disputes. We are sincerely anxious to live on the most friendly terms with the people of Greece and are convinced that this could certainly be achieved. The admiration with which the people of Bulgaria watched the heroic resistance offered by Greece to Italian Fascism is well known. To-day, likewise, the people of Bulgaria feel no hostility towards their Greek neighbours. On the contrary, they desire to establish with them on an equitable basis the best relations, similar to those which we have already established with all our other neighbours.

Renascent Bulgaria is desirous of sincerely co-operating in building up the community of the United Nations and in applying to international life the principles of collaboration and collective security. She wishes to maintain friendly relations with every nation and will abstain from anything which would impair good relations between the Great Powers.

Gentlemen, at a decisive moment in their history the people of Bulgaria look to the Paris Conference in the firm belief that their efforts, their sacrifices and their legitimate claims will be equitably judged by you.

We await the decision of this august assembly with the confidence inspired in us by the deep conviction that our national cause is just and that your decisions will be impartial and equitable.

On behalf of the Bulgarian Government, I wish once more to express the gratitude of my country to every government here represented which would be prepared to support Bulgaria's request to be admitted as a member of the great family of the United Nations.

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CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)15

[Here follows a summary of the speech made by Bulgarian Foreign Minister Kulichev. For text of speech, see the extract from the Verbatim Record of the 16th Plenary Meeting, printed *supra*.]

M. RZYMOWSKI (Poland) made a plea for humane and generous treatment of Bulgaria. He said that Bulgaria had been the only Slav nation in the ranks of the enemies of the United Nations but that its rulers had taken that course against the will of the Bulgarian people. M. Manouilsky (Ukraine) said that the new democratic Bulgaria was liquidating the vestiges of fascism and with other democratic Balkan nations was building a new system of pacific relationships in the Balkans. The only exception in this development was Greece. He stated that it would not be just to deprive Bulgaria of the territory claimed by Greece, which was merely following the old imperialistic policies. On the other hand, Bulgaria should have a peace of justice which would not impede its economic development; Bulgaria should not be cut off from the sea and therefore should recover Western Thrace. Merely to give Bulgaria certain free port rights in Aegean ports, as provided in the Treaty of Neuilly and proposed in the U.S. memorandum of September 1945,<sup>3</sup> would not be adequate in the light of the present situation in Greece.

M. TSAKDARIS (Greece) said that Greece was a pacific nation which nevertheless required elementary guarantees for its security. He cited three invasions of Greece by Bulgaria within a generation and justified the Greek claims on strategic grounds. He characterized the Bulgarian claim to Western Thrace as astounding and impudent in view of Bulgaria's record and status as an enemy state. He called the Greek character of Western Thrace unquestionable. He referred to offers of an economic outlet to the Aegean which Greece had made to Bulgaria after the Treaty of Neuilly and which Bulgaria had refused.

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<sup>3</sup> For text of the Treaty of Neuilly, signed November 27, 1919, see *British and Foreign State Papers*, vol. cxii, p. 781. The United States memorandum, "Suggested Directive to the Deputies From the Council of Foreign Ministers To Govern Them in the Drafting of a Treaty of Peace With Bulgaria," C.F.M.(45) 35, September 19, 1945, is printed in *Foreign Relations*, 1945, vol. ii, p. 263.

## SEVENTEENTH PLENARY MEETING, AUGUST 14, 1946, 4 P. M.

CFM Files

*Verbatim Record*

C.P. (Plen) 17

President: Mr. Byrnes (U.S.A.)

THE PRESIDENT: (Interpretation): The meeting is opened.

DECLARATION ON THE BULGARIAN STATEMENT (continued):

THE PRESIDENT: (Interpretation): As the Conference decided this morning, the English and Russian interpretation of the remarks made by the Greek representative will now be presented.

(The respective interpretations were duly given)

THE PRESIDENT: (Interpretation): If no one wishes to speak, the discussion on the statement by the Bulgarian Delegation is now concluded.

THE PRESIDENT: The Conference will now hear the statement of the Hungarian Delegation as was decided previously.

I request the Secretary-General to introduce the Hungarian Delegation.

(The Hungarian Delegation was introduced into the Conference by the Secretary-General).

THE PRESIDENT: (Interpretation): In the name of the Conference I welcome the Hungarian Delegation. Their views will be put forward by the Hungarian Minister of Foreign Affairs and I now request him to speak.

[MR. GRÖNGYÖSI:] Mr. President, Fellow Delegates—Allow me to begin by expressing my gratitude for the invitation you sent to Hungary to appear at this Conference, thus enabling the Hungarian Government to state its views on the peace treaty which will mark the end of the second world war.

The fact of being allowed to appear and to speak freely fills us with the hope that, this time, the peace negotiations will be different from those we knew over twenty-five years ago. We hope that the settlement resulting from the present talks, will establish a lasting peace, that will assure to the Danubian States a healthy development; this will contribute to a large extent, to ensure the pacification of the whole of Europe, and the rest of the world; it was from Eastern Europe that the sparks burst which twice set the world on fire, provoking the world wars which brought endless sufferings to mankind.

One of the most important guarantees of a lasting settlement is the fact that, contrary to the happenings of 1919, it is being elaborated with the aid and approval of the Soviet Union and the U.S.A.

Representing a vanquished nation, but full of apprehension and fear for the future of mankind, I would like, first, to make two remarks. A peace treaty marks the end of a war. It has necessarily grave consequences for the vanquished. But a peace treaty is at the same time the basis for the future, it is a new beginning, an instrument to eliminate the causes of friction and to ensure the reconstruction of the devastated countries, the reinstatement of distressed populations and the restoration of broken international relations. A peace treaty is thus a sharp division between the past and the future. In our common interest, a peace treaty should take into account the liquidation of past errors and the necessity of establishing a better future. The repressive clauses contained in a peace treaty should, then, be counterbalanced by constructive possibilities which it guarantees.

It is a new, a democratic Hungary that appears to-day before the Conference. The liberating forces of 1848 and the democratic energy of 1918 are united in her. To-day, as on those two occasions, the Hungarian people have taken their fate into their own hands; this time, they will retain it. In a diplomatic note recognising on behalf of the Soviet Government the Hungarian Government, Marshal Voroshilov noted the efforts made by the provisional Hungarian Government as having contributed to "the success of the struggle of the United Nations against Germany."

But apart from this first result, Hungarian democracy can show other positive results it has achieved in spite of extraordinary initial difficulties. An agrarian reform has completely ended feudal property, stern punishment has been meted out to the war-criminals of former regimes. Finally, first among all liberated countries, Hungary has held free elections by universal suffrage and secret ballot; she was first to institute a press free from all shackles, to re-establish the right to criticise freely and parliamentary institutions.

We know, of course, that the building of democracy cannot be the result of a few months' hasty work, we know there still, of necessity, persist some faults and failings; but the first results obtained are encouraging. If, to the contrary of what happened in 1918, the Hungarian democracy finds understanding and assistance; if the peace treaty assures to every Hungarian living in the Hungarian State or away from it, the possibility of living a free individual, social and national life, then the Hungarian Democracy will be able to face the future with confidence and will find it possible to take a useful and constructive part in the work of the democratic peoples.

As we are defending the future of Hungarian democracy, we do not want to forget or deny that in the great struggle just ended, through the fault of the reactionary regime, and social structure, as

well as the blindness of its leaders, Hungary has sided against the cause which was that of all peoples and also of the Hungarian people. But the attitude of the Hungarian masses has hampered the actions of the Government; the events of March 1944, the occupation of the country by German troops, the repressions exercised by the German authorities, prove that, faced by the clear attitude of the Hungarian masses, the Hungarian leaders of the old regime could not serve the cause of National-Socialist Germany to the full measure Germany wished and certain States felt obliged to do. Moreover, the Hungarian peasants, the workers in the towns, the intellectuals have organised Resistance, have sabotaged the German War effort and many of them have contributed to the struggle for the liberation of other peoples. Up to the time Hungary was occupied by the Germans, a large number of persecuted people found there a refuge. This refuge was safeguarded there in spite of everything.

There cannot be any doubt that Hungary has fought this war at the side of Germany. It is in this that the responsibility is heavy. But this responsibility is different, both in quality and in quantity [*quantity?*], from that falling on National-Socialism and Fascism, for the simple reason that, in a world conflict, a small nation sees its freedom of action severely limited. Whatever the measure of our responsibility it cannot implicate the whole of the Hungarian population, even if the debatable principle of collective security [*responsibility?*] is admitted.

Democratic Hungary repudiates aggressive, revisionist policy and true interpreter of the real feelings of the Hungarian nation, intends to live in peace and harmony with its neighbours. This in spite of the fact that after the first world war, one quarter of the Hungarian nation found itself, by virtue of the peace treaty, outside the frontiers of the Hungarian State. These Hungarians had the citizenship of the neighbouring States forced upon them, at a time when all nationalities tended to group themselves into States. The wish to see all Hungarians re-united into the frontiers of one national State should seem legitimate.

Nevertheless, it appears that the realisation of this aim is rendered difficult by geographical and political obstacles, not easily solved. That is why, the constantly acute problem consists—as the frontiers cannot be altered—in modifying the importance of the frontiers and in assuring to the Hungarians, living on the territory of another State, liberties that are the essential conditions of democracy, i.e. the right to live independently, free of want and fear, maintaining their national character.

Unfortunately, I am sorry to be compelled to observe that, very often, on [*in*] our regions, the condition of those belonging to a na-

tional minority, consists in being not only regarded as a national of another State, but being also deprived of the exercise of human rights and, partly, of the guarantee of human dignity.

The settlement which followed the first world war had clauses concerning territories peopled by minorities. These clauses have not always guaranteed the full respect of human rights, but, their application being controlled by the League of Nations, it was at least possible to have a right of appeal.

We are also aware that Hitlerite Germany has known, for its own Imperialist political needs, how to make full use of the guarantees assured to national minorities by the treaties. But the fact that she misused them does not justify the abandonment of a necessary guarantee. This is confirmed by the claims advanced by the international representatives of Jewish organisations, the most authoritative in the matter, as a result of the cruel persecutions they have endured.

It is known to the Hungarian Government that the United Nations Organisation intends to prepare a charter on human rights. This will take time. On the other hand, the United Nations Charter and the declarations of principle contained in the drafts of peace treaties, only mention certain liberties, leaving out the right of choosing one's domicile, the right of choosing one's language of instruction, the right of work and the right of enterprise. In a world torn by passions and national intolerance resulting from the war, it is precisely these liberties that it is essential to assure. It would then seem necessary, until the entry into force of the code to be issued by the United Nations Organisation, to come to an agreement whereby the States with a mixed central and Eastern European population, should pledge themselves to respect the exercise of these liberties. May I be allowed to refer in this matter to the memorandum handed to the Council of Foreign Ministers.

Events which occurred since the war produced in Hungary a feeling of uneasiness especially with regard to the position of the Hungarians in Roumania where there are more than a million and a half of them and in Czechoslovakia where, according to the Czechs' own statistics, there are more than six hundred and fifty thousand. The problem therefore concerns hundreds of thousands of individuals and relations between a number of States occupying an important part of Europe the lasting peace of which is involved.

Before I propose a solution of the problems concerning the Roumanian-Hungarian frontiers which we consider to be practicable, we must refer to a certain statement made here by the Head of the Roumanian Delegation. He seems to consider that the decision adopted by the four Foreign Ministers had settled the differences between Roumania and Hungary. For its own part, the Hungarian nation



would not consider that this problem had been finally resolved. The Council of the Foreign Ministers abolished the Vienna Award, the work of Fascist Germany, and thereby automatically re-established the Roumanian frontier of 1938. But this in no way resolves the problem facing the two nations. It is true that the Head of the Roumanian Delegation was anxious to give assurances that his country would guarantee equal rights to her new Roumanian citizens. We note this declaration with satisfaction but, unfortunately, I am bound to state that the obviously excellent intentions of the Roumanian Government are frustrated by the chauvinistic spirit animating the authorities and by the anti-Hungarian feelings prevailing in the nationalist organisations. Anxiety is felt for the Hungarians not only in regard to the exercise by them of their political rights but mainly on account of the danger to which their status of equality in the economic plan is exposed with the consequent considerable impoverishment of the Hungarian population in Transylvania which is already apparent. We are glad to grasp the hand extended to us by the Roumanian Government because it is our long-felt desire to live in good understanding with our eastern neighbour. But we must first resolve the difference which undoubtedly exists between us. We suggested such a course spontaneously and on a number of occasions and proposed direct negotiations even before appealing to the Council of Foreign Ministers. We met with a refusal. We are even now prepared to accept any reasonable settlement involving the minimum of sacrifice to the two nations, a settlement which would lead to the establishment between us of conditions favouring a lasting peace and friendship.

We therefore request that the Conference should ask Roumania to send her delegates to confer with us. Let us try to settle these problems together. If these negotiations prove unsuccessful, the Conference could send a Commission with powers to investigate the situation on the spot and to draft a proposed solution for the consideration of the Conference.

Our standpoint is clear from the notes we have sent. We believed that we could understand the intentions of the great victorious powers from the armistice terms as signed by Roumania. Article 19 of these terms provided for the return of Transylvania, or at least of her major part to Roumania. We thought that on the basis of these terms we could make certain modest claims. We requested the return of only 22,000 of the 103,000 square kilometres of the Transylvania which lay within the boundaries of Hungary before the First World War. We did this in the hope that a solution of this kind would better serve the good understanding between the two nations. In practice

this would mean that approximately the same number of Hungarians would remain within the boundaries of Roumania as there would be Roumanians on Hungarian territory. The two nations would, therefore, be equally interested in a satisfactory solution of the problem of minorities, with the result that wide territorial autonomies may be granted to them on both sides of the frontier.

In his speech from this rostrum, the Head of the Roumanian Delegation saw fit to claim reparations from Hungary.<sup>4</sup> We can discover no moral or legal justification for them. But I cannot dwell on the substance of this problem until the memorandum presented by the Roumanian Government on the subject of these claims is placed at the disposal of the Hungarian Government.

The other important problem which concerns the foreign policy of Hungary is that of its relations with Czechoslovakia. I wish to state that Democratic Hungary, which regards as its primary concern the good understanding and even the friendly co-operation with her neighbouring States looked most hopefully to Czechoslovakia. She saw her as the carrier of the noble ideas of Thomas Masaryk. Yet we were sadly disappointed when we discovered that, through no fault of ours, it became impossible to arrive at this good understanding. I therefore much regret that for this reason I must inform you of the difference which had appeared between Hungary and Czechoslovakia. While recovering from the chaos of war, Democratic Hungary was astonished and then grieved to witness the expulsion, in defiance of the rights of man, of thousands of Hungarians from Czechoslovakia, often at a few hours notice and only with a few items of hand-baggage. Six hundred and fifty thousand Hungarians living in Slovakia were deprived of their national status and of the most elementary human rights. Property belonging to citizens of Hungarian nationality was confiscated. No Hungarian may legally engage in any intellectual or manual labour. He may not appeal to a court or join a trade union or enjoy his rights as a citizen. The use of the Hungarian language is forbidden in public offices, often even in church and in any public place in general under threat of punishment. No periodical in the Hungarian language may appear in Czechoslovakia. Hungarian may not be spoken over the telephone, nor are telegrams in Hungarian accepted for transmission. No Hungarian may own a wireless set. There is no instruction carried out in Hungarian. Moreover, private tuition, if carried out in Hungarian, is punishable. The Czech authorities dismissed without compensation those officials employed by the State or in private business who were of Hungarian nationality. They stopped all payments of pensions and superannuation and war

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<sup>4</sup> For text of Tatarescu's remarks, see the extract from the Verbatim Record of the 15th Plenary Meeting, August 13, p. 191.

wounded, war widows and orphans no longer receive the subsistence allowances to which they were entitled.

Despite all these regrettable measures, the Hungarian Government did everything in its power to improve the relations between Hungary and Czechoslovakia. With this purpose in view but against its better sentiment the Hungarian Government thought it necessary to conclude, [through] negotiations between Hungary and Czechoslovakia, an agreement on the exchange of populations, as recommended by the great Powers. In accordance with the terms of this agreement, the Slovaks and Czechs who reside in Hungary may request to be transferred to Czechoslovakia. For its own part the Czechoslovak Government has the right to compulsory transfer to Hungary, of a number of Hungarians equal to that of the Slovaks and Czechs who had applied for permission to leave Hungary. Under the provisions of this agreement, the Hungarian Government allowed a Czechoslovak Mission accompanied by a military escort, to devote six weeks to propaganda on Hungarian territory intended to induce the Slovaks to apply for a voluntary transfer. Seven hundred Czechoslovak agents were thus employed on Hungarian territory using every means of propaganda, making free use of Hungarian broadcasting facilities not to mention their press, proclamations and posters. In addition they organised public meetings, staged performances in the theatres and exhibited films.

As a result of this unprecedented propaganda, the number of Slovaks in Hungary to request their transfer amounted to one eighth, at the most, of the number of Hungarians in Czechoslovakia. Thus, even after this transfer, at least half a million Hungarians will still remain in Slovakia.

The Czechoslovak Government intends to push one portion of this considerable Hungarian population into Hungary, and to do away with the other portion by forcibly assimilating it. The Czechoslovak Government pretends to justify all these measures by arguing that the Hungarian minority had betrayed Czechoslovakia at the time of the Munich crisis. As to the attitude adopted by the Hungarian minority during that crisis, I venture to refer to a German secret document which was recently published by the U.S. Department of State. According to this document, on 16th September, Goering sent for the Hungarian Minister in Berlin and made representations to him on account of the indifferent attitude adopted by the Hungarians during the international crisis.

"The Hungarian press was keeping comparatively silent. In the Hungarian minority areas in Czechoslovakia it was completely calm in contrast to the situation in the Sudeten German areas."<sup>5</sup>

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<sup>5</sup> For text of the German Foreign Office memorandum from which this excerpt is taken, see Department of State *Bulletin*, June 9, 1946, p. 984.

For our part, we shall stress and, if necessary, prove that the Hungarian minority played neither a decisive nor even an important part in the dismemberment of the Czechoslovak State in 1938. Indeed it constituted only a small percentage of the entire population. As in the case of the Slovenes, it only demanded a wider autonomy within the State. When an independent Slovakia was established under German protection with the assent of a great majority of the Slovaks, the Hungarians of Slovakia alone refused to collaborate with the Germans and Slovaks and therefore suffered persecution. They openly declared against the establishment of Fascist rule and defended democracy and humane principles in parliament and in the press.

The forcible eviction of the Hungarians from Slovakia is not only morally and politically unjustifiable, it would confront Hungary with an economic, social and political problem which she is unable to solve. It must not be forgotten that the problem involves the eviction and resettlement of a rural population uprooted from their ancestral homes and land.

Gentlemen, however serious and desperate our position may be, the defeated party can never be denied the right of believing that such a demand is contrary to morality and humanity. And if a Hungarian Government could be found willing to accept it under outside pressure, it would be digging its own grave and the grave of Hungarian democracy by so doing. The land and the people who have tilled it for centuries and implanted their civilization therein, are indissolubly linked together. Such a bond could only be forcibly broken by violation of the fundamental laws of human existence. Czechoslovakia wants to keep territory inhabited by Hungarians. In that case let her keep the Hungarians also and give them the full rights of the individual and the citizen. If for any reason Czechoslovakia refuses to do so and insists on the forcible removal of the Hungarian minority, the Hungarian Government would be compelled to maintain the principle that the land is the people's.

The solution of the Hungarian-Czechoslovakian problem is hampered by the fact that essential differences emerge between the Hungarian and Czechoslovak standpoints on the facts just referred to. That is why the Hungarian Government feels it should ask the Peace Conference to send an international commission of experts to the spot who would enquire into all these questions and make the necessary investigations.

Turning to the economic problems, may I, Gentlemen, draw your attention to the risk that a peace treaty may reduce a country to permanent poverty. Democratic and peaceful development is, after all, hardly compatible with an economic situation which merely enables the population to live on the brink of starvation.

Preliminary study of the economic clauses of the draft treaty shows that they are even more burdensome than the corresponding clauses in the Armistice, which were already sufficiently severe. They maintain these clauses in principle, but aggravate them in detail, and there are a number of new clauses which augment the difficulties Hungary is already encountering and which threaten to impede the rehabilitation which is necessary for the execution of her international obligations. I am referring only to the articles providing for the liquidation of Hungarian property on United Nations territory and the recognition of any claims Hungary possess and those she may lodge against Germany and her ex-allies.

When it signed the Armistice, the Hungarian Government was still unable to form a true idea of the economic situation of the country. It was only when the common enemy had been driven out and the Government started on the work of reconstruction that it was able to form a better idea of the extent of the destruction.

It then became clear that the productive forces of the country and its national patrimony had been much more seriously damaged than was assumed at the time of the Armistice. The tasks involved in the work of reconstruction were also considerably aggravated. Before the war our national capital was estimated to be 52 milliard pengös or 10 milliard dollars. As a result of the war, 35 to 40% of this capital has been lost. We have lost 35% of the capital invested in our agriculture and more than half our live-stock. One-third of the capital invested in industry has been lost and the other third so seriously impaired that it is useless for production. Finally, one of the most serious reasons for our post-war poverty is that two-thirds of our rolling stock was destroyed or removed by the Germans.

Those are the circumstances in which we have resumed our economic activity. We are anxious to comply with the reparation obligations we assumed under the Armistice and we have made superhuman efforts to rehabilitate our productive forces on a very modest scale. The cost of reconstruction, added to the burden of reparations—only a part of which has been paid because of the hardship prevailing in the country—has called for economic resources which, in view of the total lack of capital, can only be met by inflationary measures almost unprecedented in economic history. This inflation, mainly due to the almost total lack of commodities and the absence of the requisite State revenue, has engulfed the scanty reserves which the population had managed to retain.

Inflation in Hungary has reached such a pitch, that the Hungarian Government has been compelled to try at all costs and with no help from abroad, to stabilise the currency. This has been done, of course,

at the cost of great sacrifices borne by the general population. Real wages for instance, only represent 25% of the extremely low pre-war wages level and barely a tenth of the earnings of American workmen. In the year 1946–1947, the per capita national revenue, it is estimated, will only be 350 pre-war pengös, that is 70 dollars, some 25% of which will be absorbed by taxation. The food ration, disregarding the additions for special categories of workers, will only furnish one hundred calories a day, nearly half of which will have to be obtained from UNRRA supplies.

The stabilisation budget represents the maximum effort we can achieve. The items applying to reparations, the maintenance of the Inter-allied Control Commission and the Army of Occupation account for one-third of budget expenditure and absorb 40% of the State Revenue. Even in these circumstances, the sums budgeted for reparations only suffice because the Soviet Union was good enough to allow us to make our reparations payments by instalments and to reckon against the first two annual payments the value of the Hungarian capital invested in an important concern abroad. This generosity, together with the gratitude we owe the liberators of our country, compels us to concentrate our efforts and devote all our energy to meeting our obligations.

The figures I have just quoted, will have shown you that it has been impossible to make provision in our stabilisation budget for the service of our pre-war debts and the payments involved in the restitution of Allied property as provided for in the draft treaty.

We trust that, in its wisdom, the Conference will put us in a position to meet the obligations arising out of our pre-war debts—the existence of which we formally recognise—and our other international obligations, while at the same time avoiding the further economic collapse of our country.

We will take the liberty of putting before the relevant commission, our detailed observations with the necessary supporting evidence on these problems. May I, however, venture to voice here our main idea—to find an equilibrium between the burdens and the payment capacity of a debtor country on the basis of a very modest standard of living for the population and extremely low possibilities of reconstruction of its national economy.

These objectives, modest though they are, can only be achieved with your assistance and your understanding. We therefore, ask for the support of the United Nations for the Hungarian nation, so sorely tried, in order that its efforts to rebuild its country and comply with its international undertakings may be facilitated.

Gentlemen, I do not propose to try your patience any longer and I shall therefore bring my statement to an end. The Hungarian Republic has asked me to be its mouth-piece and has also placed in me all its hopes for the future. The Hungarian people, which is trying to overcome past hindrances and present difficulties relying on its own resources, hopes for the victory of democratic principles. The immense majority of the nation desired the victory of the United Nations because they saw in it the dawn of an era of justice and the abolition of force both in international and domestic relations.

We know that the United Nations have set themselves the task not only of drawing up the treaties of Peace but, primarily and above all, the establishment of Peace. This task, however, can only be achieved if the spirit imbuing the Charter of the United Nations is also found in the treaties which are designed to bring about lasting peace. We were glad to learn that the conclusion of peace would enable us to join the United Nations Organisation. We shall apply for admission to the Organisation and we can, here and now, assure you that we will give it all the loyal co-operation of which we are capable. The presence in the new international organisation of the Soviet Union and the United States of America is a guarantee that this association of peoples will be really world-wide.

The Hungarian nation awaits your decision with confidence. It knows it will have to pass through difficult times, but it is resolved to build its future courageously. If it were disappointed, the consequences would be such as I refuse to contemplate. I would not like here to utter any words which might be interpreted as a kind of despairing appeal incompatible with the dignity of an ancient nation which has suffered much and is proud of having on occasion done good service to humanity and civilisation. I am sure that all of you will make a point of weighing carefully what you think should be laid down so as to confer again on the unhappy Hungarian people, Peace, the right of membership in a new world and the possibility of rejoining the Association of free nations.

**THE PRESIDENT:** The Conference has given the closest attention to the statement just delivered by the Hungarian Delegation.

The Members of this Conference will carefully examine the terms of this statement.

I beg the Secretary-General to escort the Hungarian Delegation.  
(The Hungarian Delegation leaves).

**M. JAN MASARYK** (Czechoslovakia)—(Interpretation):

**Mr. President**—after listening with much attention to the somewhat surprising and unprecedented declaration just made by Hungary, an ex-enemy state, the Czecho-Slovak Delegation would like to have the

opportunity of studying this declaration in detail so as to reply upon it tomorrow morning.

#### FIXING OF THE AGENDA

THE PRESIDENT: The Czecho-Slovak Delegate has made a proposal. Any opposition?

(Adopted).

The first item on tomorrow's agenda will therefore be the debate on the Hungarian statement.

After this debate, the Conference will receive the Finnish Delegation.

After the meeting tomorrow morning the Conference will decide on the setting up of various Commissions required for the work of the Conference. These Commissions may possibly meet in the afternoon.

May I add that the meeting tomorrow morning will be presided by M. Ouang Shih-Chieh, the Chinese Delegate. Does anyone desire to speak? I declare the meeting closed.

(The Meeting rose at 7:15 p. m.)

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### THURSDAY, AUGUST 15, 1946

#### EIGHTEENTH PLENARY MEETING, AUGUST 15, 1946, 10 A. M.

CFM Files

#### *Verbatim Record*

C.P.(Plen) 18

President: Dr. Wang Shih-Chieh (China)

#### HUNGARIAN STATEMENT—GENERAL DISCUSSION

THE PRESIDENT: The meeting is now open.

The first item of the morning's agenda is the discussion on the statement made yesterday by the Hungarian Delegation. Two speakers have asked to be heard. The first speaker will be the Czechoslovak Delegate M. Masaryk.

M. MASARYK (Czechoslovakia): Mr. President and fellow delegates. We have been hearing statements by ex-enemy countries during the last few days. Yesterday Hungary was given the opportunity to tell us, the members of the United Nations, the Hungarian Government's reaction to the draft of the Peace Treaty presented to us by the Council of Foreign Ministers. The speech we listened to was a well-guarded secret until four o'clock yesterday afternoon. The other speakers were not quite so secretive. When the arc lights were turned on to



the platform I closed my eyes for a little while, listening attentively, and I asked myself two questions:

First, had I not heard this speech before?

Had I not heard it many times before, from 1918–1938, by various representatives of Hungary—admirals and others?

And the second question I asked myself—who won this war—the United Nations, or Hungary? Who was admitted to this chamber to state his views and then withdraw—was it Hungary or was it Czechoslovakia. I am still a little bewildered by it all, and you will all agree that we heard precious little about the drafts, but a great deal about the real culprit among the Nations of Europe—Czechoslovakia. There is no counterpart in Europe to the attitude of Czechoslovakia as far as minorities are concerned, during the period between the two wars—considered by many as twenty years of peace, in reality, twenty years of armistice.

Here I wish to say that I did not expect to make this sort of speech when I arrived in Paris as the head of our Delegation. This speech was forced upon me.

The transfer of populations is not our idea. It worked well after the Greco-Turkish war. For twenty years Czechoslovakia did her best to prove to the world and also to herself that the notion of a transfer was alien to her ideas of democracy. We had Germans in the cabinet for several years, and we gave to our Hungarian citizens not only what Mr. Gyöngyösi calls “les droits de l’homme”, but much, much more. What was the result? The minority section of the League of Nations was continually swamped and besieged by complaints from our Hungarian fellow citizens, complaints in very similar language to that we heard yesterday. In those days it was called “Nom, nom sohn” and the integrity of St. Stephen’s crown was the theme round which these arguments were woven into a hymn of hate. To-day the representative of the Republic of Hungary does not speak of the crown, but the resemblance of the arguments strikes us, who have been trying to find a *modus vivendi*, and who shall continue to do so, as most remarkable.

We Czechoslovak representatives and passionate democrats are not afraid to speak of our ancient crown of St. Stephen. We know it is a beloved museum piece, never again to be worn by a King of Bohemia.

Yesterday’s speech will not make these endeavours any easier. With the exception of a few generalities we did not hear from M. Gyöngyösi a clear condemnation of twenty years of semi-Fascist and Fascist and always feudal regime in Hungary.

Less than a week ago Mr. Balogh, member of the present Hungarian Government, told a large audience of Hungarians that present-day Czechoslovakia was a Fascist country. Moreover, who was the first

country in Europe to start an anti-Semitic drive long before Hitler came into power? What has become of the very large Jewish minority in Hungary—half a million, in fact. They were not all taken away by the Germans, but they disappeared very mysteriously, or perhaps not quite so mysteriously. But we have not heard a word about that in M. Gyöngyösi's speech.

Mr. Gyöngyösi elaborated a very interesting thesis about small nations. He told us that a small nation has no freedom of decision during crucial periods of its history. We disagree thoroughly with that notion. We think, indeed, we know, that small nations not only can but must proclaim their point of view at the time of any great international crisis. What about those numerically small nations, Yugoslavia, Australia, Canada, South Africa, Norway, Holland, Belgium and the others who all fought and gave their sons for the cause of freedom?

Mr. Gyöngyösi tells us that the Hungarians wished and hoped for an Allied victory. That is not enough. How many Hungarian airmen did fly away from Horthy to join Stalin, Roosevelt and Churchill? Not one. How many Hungarian volunteers joined the Allied forces, formed battalions, divisions and army corps alongside the fighting units of the twenty-one nations represented in this room? It may be true that the Hungarian people helped refugees from the Horthy-Hitler partnership's forces. We know that many of our men who tried to escape via Hungary landed in the notorious Budapest prison called the Citadella.

After listening to the description of the Hungarian resistance movement I thought of a book written in 1946 by a real Hungarian democrat and patriot, Rustem Vámbéry, who had to leave Hungary a few years ago on account of the opinions he held. I quote three different places in this book which is called "Hungary—to be or not to be". First he says:

"It is to be regretted that only few signs of this obstruction and sabotage were noticeable until the last phase of the war, when Budapest workers offered resistance to the Germans."

Second he says that "it is true that Hungary did not want to fight on the side of Hitler to the very end, but it did want to fight at the beginning, when short-sighted politicians rejoiced at Hitler's success and believed in his victory. And, moreover, she did unfortunately fight to the bitter end. When the defeat of the Axis became more and more evident the Hungarian Government, anxious to keep the loot received from Hitler and Mussolini, made more or less open peace overtures to the United Nations."

Please remember, it is not myself speaking, but Mr. Rustem Vámbéry.

We are not surprised that the spokesman of Hungary chose Czechoslovakia as his main target. He thought that an offensive was the best way to gloss over certain not too savoury phases of those turbulent years.

Quite a while before the war the Hungarian minority leaders in Czechoslovakia made common cause with the Sudeten traitor Henlein, and what is worse, with the arch-murderer, Frank, perpetrator of the shocking crime of Lidice. Many Hungarian terrorists crossed our frontier at this time and organised sabotage in Slovakia and all kinds of activities reminiscent of Hitler's.

After the sordid Vienna award by Italy and Germany,<sup>6</sup> Hungary very quickly occupied the southern part of Slovakia and tens of thousands of Slovaks and Czechs were pushed out in a manner which was in keeping with the behaviour of the Axis. In the charming little town of Surany, Hungarian military opened fire on peasants leaving the church just because they were singing Slovak hymns. It must be remembered that this happened before the War. What happened during the last phases of the War?

During the first years of the war the Hungarians' help to the Allies was conspicuous by its absence. Then, in 1944 the Slovak nation rose behind the German line and a magnificent insurrection began. The Germans had to throw seven divisions into action to hold the front. The Hungarians helped them as best they could, even after the armistice was signed. The Hungarian military formations in Slovakia assisted actively in mass executions of Slovak patriots and partisans.

After all these unspeakable experiences, can you wonder that we did not give back all the rights and privileges of which the Hungarians had taken such abusive advantage for so long? What country, I ask what country in the world would have acted differently than Czechoslovakia?

The behaviour of the German and Hungarian minorities in Czechoslovakia was very similar. Nevertheless, we have always made a distinction and will continue to make a distinction between the German and Hungarian nations. We wish to live as good neighbours with a truly democratic Hungary, the Hungarian people, the workers and honest farmers deserve a better fate than they had in the past owing, not to Czechoslovakia, but to their feudal masters under various disguises.

The question of the transfer of population is not mentioned in the draft of the treaty with Hungary, therefore I am not going to deal

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<sup>6</sup> For text of the Vienna Award of November 2, 1938, see *Documents on German Foreign Policy, 1918-1945*, series D, vol. iv, p. 125.

with it in a detailed manner. Yesterday's speech seems to most of us a most convincing argument that this question must be considered by us all. We shall ask you to give it your attention and thus we offer you every opportunity to see for yourselves that we wish to proceed in a humane, open and democratic manner. The Hungarian Government has so far accepted only a partial solution of this pressing matter, and has concentrated on frustrating by every possible means a real final solution which, it seems to us, is vital to both parties. The Hungarian minority in Slovakia is a constant source of unrest, and I must confess that Czechoslovakia feels unable to give its approval to a renewal of the manoeuvres to which I have just referred. Irredentism territorial changes, and make-believe democracy do not make for peace, security and prosperity in Central Europe.

I think I made it clear that the present-day Hungary is not ready to give up her old and notorious revisionist policy, aimed, as always, against Czechoslovakia. And to our way of thinking this suggestion that we revise the treaties is closely allied to a reactionary policy.

May I mention one official Hungarian spokesman of a very recent vintage? He is the Hungarian Press Attaché at the Legation in Washington, Mr. Borsedy. This is what he says in his book entitled *Hungarian-Slovak Rapprochement*:

"The assertion by Czechoslovak propaganda to the effect that the democratisation of Hungary would do away with the revisionist policy is altogether false. The revisionist tendency was not due to the fact that the country was run on feudal lines. The relationship between feudalism and revisionism is quite another matter, like speculating on the revisionist policy of a democratic Hungary. A democratic Hungary would probably have collaborated with her neighbour in the hope of securing the rights of the Magyar minority and, moreover, creating a favourable atmosphere with a view to a revision of her frontiers. However, it is impossible to see how any Hungarian Government could have renounced the idea of a revision of the Treaty of Trianon."

You heard yesterday how Mr. Gyöngyösi, in some parts of his speech, hinted at revisionism and in others defended it. For the time being he only disclaimed the idea of aggressive revisionism.

The spokesman of the Republic of Hungary referred to statistics and figures. I am not going to deal with them today. It seems to us that a certain degree of inflation has been introduced into the already notorious Hungarian statistics.

Just a word about the economic situation in Hungary. We realise, indeed, that it is far from satisfactory, but it is not solely due to military operations in Hungarian territory. We have all lived through similar experiences during six years of Hitler's total war. Each country has handled its own problem as best it could. According to official

documents, Hungary quite voluntarily, and in agreement with Germany transferred some 720,000 tons of raw materials, goods, machinery, rolling-stock etc. to Germany and Austria. When the war was over, instead of readjusting their economy, the Hungarians embarked on the most radical inflation in history. Hungarian official sources admit that this course was discussed and adopted regardless of the shocking economic and moral consequences it entailed. We witnessed a similar attitude in Germany after the first world war.

It is obviously easier to appeal to the generosity of others than to work by the sweat of one's brow.

I have come to the end of a speech which I made reluctantly—most reluctantly. We came to Paris resolved to help in concluding a permanent peace with all the countries concerned, including Hungary. If anybody thinks my attitude is due to hatred or lack of understanding, he is grievously mistaken. Like my country, I am a very poor hater. No country represented at the Paris Conference wants peace more ardently than Czechoslovakia. The solution of our particular problems in connection with Hungary has been worked out honestly, after long years of painful experience. We ask for your opinion and, if you think it justified, for your help.

THE PRESIDENT: There still remains a number of speakers to be heard. First of all, M. Kisselev, Delegate of Byelorussia and then the U.S. Delegate, Mr. Byrnes.

I call upon M. Kisselev, Chief of the Byelorussian Delegation.

M. KISSELEV (Byelorussia) (Interpretation)

The Peace Conference was convened to study the Draft Peace Treaties with the ex-enemy countries, including the Draft Peace Treaty with Hungary, and to submit recommendations on the matter. We have listened with close attention to the statement made by the Chief of the Hungarian Delegation, M. János Gyöngyösi, who has put forward the views of his Government regarding the Peace Treaty with Hungary.

The whole world knows that from 1938, the pro-Fascist Hungarian Government embarked on a policy of close co-operation with Nazi Germany. In pursuance of her alliance with Germany, Hungary declared war and invaded Czechoslovakia and Yugoslavia. Afterwards, on 28th June 1941, she even declared war on the Soviet Union. Thus the pro-Fascist Hungarian Government, acting against the interests of its subjects involved the latter in a long and bloody war. The Hungarian Government mobilised all its resources in support of the German aggressor.

Hungary provided troops for the Eastern Front, and sent them into action against the Red Army. For this purpose she sent 17 of her best

divisions—17 crack divisions. The Hungarian Army inflicted unspeakable suffering on the inhabitants of the countries they invaded and particularly on the people of Byelorussia.

The looting and violence which occurred caused considerable hardship to the population of the occupied countries.

In spite of this, the Byelorussian Delegation considers that the Peace Conference should not be inspired by feelings of hate for the Hungarian people. The Peace Conference must also bear in mind that Hungary withdrew from the war against the Allies, that she broke with Germany and that on 28th November 1944, she declared war on Germany.

The Council of Foreign Ministers took all these factors into consideration when they drew up the Draft Peace Treaty with Hungary and that is why I see no reason for going into the details of each section of that Peace Treaty. However, M. Masaryk, Chief of the Czechoslovak Delegation and speaking on its behalf, has raised a number of points which do not appear in the Peace Treaty.

I am referring to the questions relating to the transfer of Hungarians now living on territory ceded to Czechoslovakia.

Now, it is necessary to define this problem. It should be remembered that some of the Hungarian elements in Czechoslovak soil were constantly causing trouble and preventing good relations between the two countries—so much so that Germany was given a pretext for taking certain districts from Czechoslovakia and handing them over to Hungary. Such was the outcome of the Vienna Award of November 2nd, 1938.

The Byelorussian Delegation feel it would be well to eliminate these sources of trouble, which may cause further difficulties between Czechoslovakia and Hungary at some future date. Such a course is indicated not only because the establishment of good relations would serve the interests of Hungarians and Czechoslovaks alike, but also because it would be a stabilising factor in the maintenance of peace in that part of Europe.

Lastly, I would draw the Conferences' attention to the fact that, as soon as they could rid themselves of the pro-Fascist elements which held them enslaved, the Hungarian people resolutely set out along the path of democratic progress, and have already achieved a number of successes.

The democratic Government of the new Hungary has carried through several reforms which have facilitated the restoration of the country, securing better living conditions for the inhabitants and enabling them to exercise their civil rights.

The Byelorussian Delegation ventures to hope that peace with Hungary may help to foster the democratic elements of the young Hungarian Republic and facilitate the establishment of friendly relations with her neighbours. Indeed, we hope to witness the inception of a spirit of international co-operation between Hungary and all the United Nations.

M. BYRNES (U.S.A.) : Gentlemen, 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 devised wisely, to facilitate the work of the Conference,

Some of the discussion which immediately followed the general observations of the former enemy States on the proposed treaties, has not made the work of the Conference easier and has not helped us on the road to peace. The United States would be willing even to let reflections cast on her policies pass unnoticed, if her silence would help us on the road to peace. America is eager to work and co-operate 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 repulse to our efforts to work and to co-operate. But peace among Allies in this interdependent world, cannot be favoured by ignoring repeated misrepresentations levelled against America, from this floor. The United States has no apology to make for her principles of justice, equality and freedom, which we have striven for to the best of our ability, sometimes successfully and sometimes unsuccessfully, to have written into the peace treaties. A word of explanation is required to make it clear why some questions were decided in the Council and others were not. All the members of the Conference will agree that it would be helpful to harmonise their viewpoints so far as possible, to avoid conflicts, friction and misunderstanding when the 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 the recommendations of this Conference.

Our friends of the Soviet Government, on the other hand, took the view that it could not consent to the calling of the Conference until all issues which they regarded as fundamental from their viewpoint, were agreed upon at the Council of Foreign Ministers. It so happens, therefore, that the issues which the Soviet Government regard 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 vigorously presenting its viewpoint on these issues before the Conference. We did not and do not ask the Soviet Government to come to agreement with us on these issues before we are willing to discuss them with our allies in this Conference. But we object to misrepresentation of our position and motives. We object to accusations being laid against the Italian Government, because in its opening statement it did not on all issues, associate itself with the Soviet point of view. We object to the Soviet Government giving the impression to the Conference that other ex-enemy States are more democratic than Italy, because they have harmonised their viewpoint 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 small nations satellites of larger States. The Soviet representative, in answering the opening statement of the Italian representative,<sup>7</sup> 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 ambition of those powers. Now, what Great Power enriched itself during the war? I certainly know of none. I hope that the Soviet representative was not referring to the United States of America, which came so unhesitatingly to the support of the Soviet Union when in peril. Our only regret was that we could not provide more help and provide it more quickly. America never bound herself to withhold aid from those resisting Axis aggression. Months before the United States of America was attacked, President D. Roosevelt announced that America would become the Arsenal of the democracies and took energetic action to organise Lend-Lease, which continued in increased measure after the United States entered the war. Over 11 billions went to the Soviet Union under Lease-Lend programmes, and, as I said, our only regret was we could not send more. The United States' expenditure during the war aggregated 400 billion dollars. That represents American labour, human material and resources. Most of the money was borrowed from the people of the United States. For years to come they must work to pay off this debt. For this expenditure the United States of America has received and asked for no recompense, other than the freedom she fought to secure for herself and for all mankind.

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<sup>7</sup> The statement by Molotov under reference is summarized in the United States Delegation Journal account of the 14th Plenary Meeting, August 13, p. 189.



The United States have contributed generously to U.N.R.R.A. In other ways also they have contributed and will continue to contribute to the rest of the war-devastated countries. They offer their friendship to all those countries who will reciprocate. I recall again that, directly and indirectly, America has aided the people of Italy to the extent of 900 million dollars, since the Armistice. Under the proposed treaties, the United States seeks no territory and seeks no reparation. The United States have asked that property of the United States and other United Nations, lost or damaged in the ex-enemy State, should be restored or compensated for. Now, that principle is usually recognised in peace treaties. The proposal was agreed to in principle by the Soviet Government in Potsdam. It was agreed to in the Armistice terms, but it is now said that this proposal is an unfair and onerous burden, although it involves nothing like the great sum our Soviet friends are exacting from these countries as reparations. The restoration of United Nations property in these countries would be made in local currency and would leave productive assets in those countries which would add to the taxable resources of the country. Reparations are different. Reparations mean foreign exchange or goods taken out of those countries and thereby constitute a drain on their resources. Repairing damage to United Nations factories in ex-enemy countries, helps to restore industry in those countries and aids in their economic recovery. It takes nothing out of those countries. Reparation, on the other hand, takes valuables assets from these impoverished States and necessarily slows down their recovery.

The United States must also repudiate the suggestion of the Soviet Delegation that the economic clauses proposed by the United States and which are based upon the principle of equality and most-favoured nation treatment are based on an effort to exploit the ex-enemy countries for the selfish advantage of the United States.

Now, I should have thought it unnecessary at this late date in the history of the United Nations to occupy the time of the Conference with a defence of the principles of equality of economic opportunity for all countries. It is a principle embodied in the Atlantic Charter and re-affirmed 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 provisional establishment for them of a position of reciprocal equality with members of the United Nations during a transitional period, in which they will have time to conclude

the definitive commercial treaties. But at the Potsdam Conference the proposal of the United States was accepted in principle. Among other things, the proposals which were accepted in principle declare that "We deem it essential that the satellites do not conclude treaties, agreements or arrangements which deny to Allied nationals access on equal terms to their trade, their raw materials and industry."

A policy of economic equality permits each nation to carry on its economic relations with others along the lines of its own economic welfare. By avoiding preferential arrangements with some countries it eliminates corresponding discrimination against other countries which inevitably give rise to discrimination.

Would anyone seriously propose that an opposite intent should be written into these treaties? That Italy or the Balkan countries should be free to discriminate in favour of some and against others of the Allied countries which co-operated in the defeat of the aggressor? No one would make that suggestion. Would anyone suggest that these countries which were the principal objects of German economic penetration and German settlement, should continue under the same system of economic relationship, but 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 impairment of the sovereignty of the ex-enemy States. Let us examine that argument. Unlike the corresponding articles of the 1919 treaties, the present 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 to them in like manner.

This is not a punitive article of the treaty. It is as much in the interest of the countries to which it is offered as it is in the interests 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 own aptitude and to buy to its best advantage what it needs from other countries. It is the best assurance against a deterioration of world economy into a series of economic blocks.

The United States has sought no territorial or other exclusive advantages for itself from this war. But it does attach the greatest importance to the establishment of conditions for stable peace and prosperity throughout the world. It cannot remain indifferent to

arrangements under the treaties or outside of them, which tend to restrict and divert trade or distort economic relations to the prejudice of the great majority of the United Nations and of world peace and prosperity.

Before I close, I want to say a word or two about Greece. In this Conference she has been criticised by an ex-enemy State and by some members. That is very unfair. At a most critical hour, before some of us realised our own peril, that small but great nation resisted with matchless valour the full might of the European Axis.

I shall never forget and you will never forget how we then waited for the news from Greece. With the courage which she has ever shown, she held the Italian and German attack; she gained valuable time for all of the Allies. Her losses were great and, whatever our differences may be, we should not forget the debt we owe 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 people of the United States 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 PRESIDENT: There is still one speaker on the list: I call on M. Vyshinsky, representative of the Soviet Union.

M. VYSHINSKY (U.S.S.R.) (Interpretation): We have just heard a series of declarations and observations on the statement made yesterday by the Hungarian Delegate and concerning the Peace Treaty which is being examined by the Conference.

I have asked to be allowed to speak because I deem it necessary to state, on this subject, the conceptions of the Soviet Delegation.

The last speaker, the honorable Delegate of the U.S.A., has touched, in his statement, upon a great number of questions which bear no direct relation to the peace treaty with Hungary. He spoke to us about Italy, about more general questions and even of the procedure we have adopted for the work of this Conference. Of course, each speaker is at liberty to choose the way which, in his opinion, will take us a step forward. But this particular way does not seem to me to lead us forward and we do not think it will contribute to the success of our work.

All that M. Byrnes has said about the questions of procedure, the fate of Italy, of Greece or other subjects related thereto, does not seem necessary, in our opinion to be discussed now. But we cannot accept one of the remarks made by the U.S.A. Delegate, in which he says that the ex-enemy states would also have the possibility of being heard before the end of the Conference. This declaration is not in keeping with the procedure we have adopted. It is premature to

speak, at the present moment, of measures that can be taken by the Conference or anticipate an action which may or may not be taken at some future date. The question, in order to be put before the Conference, should be written on the agenda of a meeting and discussed, according to the rules accepted in all international conferences.

I would like, for a minute to stop and consider the declarations made by M. Byrnes, declarations obviously directed against the Soviet Delegation. I would like to make it clear that I am not going to enter into any polemics with him; this is not the time for it. If necessary, M. Molotov, as head of the Soviet Delegation, will answer it if he judges it to be an opportune moment.

I would only like to refer to questions related to the peace treaty with Hungary and, primarily, to speak about economic clauses which have not been settled by the Council of Foreign Ministers. Without entering into details, I consider it would be of extreme interest to know why the Council of Foreign Ministers could not come to an agreement; why, in the course of the preparation of the draft peace treaties with five different countries, the Council was able to settle a considerable number of important and difficult questions, but could not agree on the economic clauses? Why, if the principle defended by the U.S.A. and upheld, evidently, by the U.K. Delegate and some other Delegates whose opinion we know beforehand, was equitable and reasonable, has the Council been unable to come to an agreement?

The Soviet Delegation is of the opinion that it is necessary to take into account a certain amount of vital elements in elaborating economic clauses and in examining claims submitted by the victorious states against the vanquished. Unquestionably, one of those elements is the value of the engagements previously undertaken by a vanquished state. Consequently, such an engagement cannot be imposed twice. It would be dangerous to take such an action and it would not even be reasonable, as the resources of a vanquished country must be taken into account; fresh demands, and further burdens cannot be added to obligations previously contracted, when all sources remain the same.

All this waste of words on such observations is not justified and can only result in creating new misunderstandings.

These are the views of the Soviet Delegation, whose principles have already been stated on several occasions.

I will merely remind you that in elaborating economic clauses, it is necessary to take into account engagements previously assumed and, further, the economic possibilities of the vanquished nations.

There is, of course, a basic postulate: we, the representatives of the Soviet Union, have the right to demand reparations equal, rouble for rouble, to the war damages inflicted on us. But, apart from that, we

must face the realities. We must not lose sight of the demands of reason and equity.

Unfortunately, all the Members of the Council of Foreign Ministers, who have taken part in the elaboration of treaties, have not always adhered to this principle and there lies the source of differences that have prevented an agreement on the economic clauses.

Facts have to be taken into account, otherwise, the decisions taken very soon turn against those who wanted to ignore these vital factors.

As far as Hungary is concerned, the Soviet Government has always scrupulously observed these principles. We have taken into account present day facts and Hungary's existing economic situation.

What is this economic situation? Let us examine what fresh claims can be added to those stated in the armistice convention and the preliminary agreements.

Let us examine what has already been laid down. I repeat it would be both dangerous and harmful to act differently.

What was the policy of reparations pursued by the Soviet Union in respect of Hungary?

We have first submitted our rightful claims and then, we have tried to mitigate them by considerations of reason, because we wanted the signed clauses to be really viable.

We would like to remind you, for instance, that during the year 1945, Hungary was to deliver to the Soviet Union goods to the total value of 35,500,000 American dollars. In fact, the deliveries have only amounted to 10,500,000 i.e. slightly less than 35% of the promised deliveries and obligations entered upon at that time.

This manner of paying reparation and compensation seems to us difficult to accept. Nevertheless, we have tackled the problem at its root; we have tried to discover what were the real facts. We have based ourselves on the commercial agreement which governs the exchange of goods between the Soviet Union and Hungary. By this exchange agreement, we note that the Soviet Union has delivered to Hungary 6,000,000 dollars worth of goods, while receiving, as I have just stated, only 10,500,000 dollars in exchange in discharge of her initial obligations.

Indeed, a simple mathematical calculation will show that in reality the sum received by the Soviet Union, representing sundry compensations, was 3,500,000 dollars, instead of 33,500,000 dollars, and that in virtue of an agreement which is known to the other two great powers, and which is now in force.

I would point out that, in spite of the smallness of the Hungarian contributions, the Soviet Union itself has scrupulously fulfilled all its pledges, and at the close of last year, when Hungary asked the U.S.S.R. for additional supplies for the period 1946-1947 in order to sustain her failing economy, we agreed to provide them.

I would add in passing that the Reparations Treaty provided for payment within six years, and that we generously agreed to extend the period to eight years.

Under this new agreement Hungary was to supply us with 21 millions in goods during the first year, 23 millions during the second year, 25 millions during the third, and so on. All these proposals were generously accepted by the U.S.S.R. In this connection, it is not without interest to recall that the United States representative protested against the payment of reparations by Hungary to the Soviet Union. He maintained that this was the cause of Hungary's economic troubles. Here we have a strange position indeed, for not only does he discount the fact that we agreed to accept payment in part for damages due *in toto*, but also he forgets that we have given Hungary substantial assistance in the restoration of her economy.

The Soviet Government has been faithful to its reparations policy, and has never deviated an inch. We have always kept firmly to realities, and never entertained any fantastic ideas. We wanted to help to restore Hungarian economy, in order to enable Hungary to join the democracies at last. That is one of the factors which will make for the restoration of European economy as a whole.

If our fellow-delegates can see their way to adopting this view, which we consider reasonable and just, we think that the Conference might without difficulty accept the economic clauses we suggest, which are based on the possibilities and requirements of the conquered nation.

The real causes of Hungary's economic difficulties lie in the war expenditure incurred by that country in helping Germany against the United Nations. They can also be imputed to the expenses of the pro-German Fascist leaders, and also to the fact that much Hungarian wealth was taken into Germany by the Hungarian Puppet Government and by Szalassy's partisans. The greater part of this wealth is now in the American Zone. It is due to the lack of this wealth and the fact that it has not yet been restituted to Hungary that this country is hampered in its economic rehabilitation. Yesterday, the Hungarian delegate told us that up to the present, two-thirds of the Hungarian Railway's equipment had not yet been restituted. Where, then, is this equipment? It is impossible to restore Hungarian economy without it or to ensure the circulation of trade. Without means of transport, the very life-blood of Hungarian economy is stopped.

It was also mentioned that a large proportion of Europe was now living on charity. The Soviet Delegation contends that these countries must not be placed in such a condition that they are forced to

ask for alms. There is no point in giving with one hand and taking away twice as much with the other.<sup>8</sup>

It is true that Hungary has received assistance. But that does not alter the fact that two-thirds of its rolling stock is missing. Where is this equipment? I must repeat that without it Hungary cannot possibly proceed with its economic reconstruction and we must not overlook this fact. I ask the Delegates here present to remember this.

If it is truly desired to ensure the economic rehabilitation of certain European countries, and, in point of fact this constitutes the corner stone of European economic reconstruction as a whole, then the Soviet Delegations policy with regard to the drafting of the economic clauses must be adhered to in its essentials.

I would now like to say a few words with regard to the statement made by the Chief Delegate of Czechoslovakia, Mr. Masaryk. The points at issue raised in his declaration are of a most serious character. The Soviet Delegation considers that they are of major importance and intends to take an active part in the search for the most equitable solution. That is a solution which will satisfy both our interests and the common principles which we have all professed.

THE PRESIDENT. The general discussion on the Hungarian statement is closed. In principle, we should now receive the Finnish Delegation but as it is now too late to do this, I will adjourn the meeting.

The Meeting will be resumed this afternoon at 4 p. m. when the Finnish Delegation will be invited to state the views of its Government. After the Finnish Delegation's statement there will be a general discussion and the various Delegations which have expressed the desire to speak, will be successively called upon to do so.

The meeting is closed.

(The meeting rose at 1:15 p. m.).

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#### NINETEENTH PLENARY MEETING, AUGUST 15, 1946, 4 P. M.

CFM Files

#### *Verbatim Record*

[Extract]

C.P. (Plen) 19

THE PRESIDENT:

The Conference has decided to invite the Finnish Government to state its views with regard to the draft Treaty with Finland.

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<sup>8</sup> In response to public indications of approval by the Czechoslovak delegation of the views presented here, Byrnes requested in telegram 4368 (Delsec 877), August 30, that the policy of continuing the extension of credits to Czechoslovakia be re-examined; for text of telegram, see vol. VI, p. 216.

In virtue of this decision, I call upon M. Enckell, Minister of Foreign Affairs of Finland, to take the floor.

M. ENCKELL (Finland) :

Mr. President, Gentlemen, the Prime Minister of Finland, Mr. Pekkala, head of the Finnish Delegation, has asked me to read this statement on behalf of the Delegation.

The Finnish Delegation desires to express its deep gratitude for the opportunity it has been given to set forth its views and its wishes at the Peace Conference organized by the victors in the second world war.

One of the results of that war is that Finland, a democratic country, defeated with heavy loss, now stands as an ex-enemy before the victorious democratic Powers.

We would like, however, to recall that Finland was one of the first countries to institute democracy, a system which was, and still is, diametrically opposed to Nazism. More than forty years ago, mainly through the efforts of the working classes, we introduced universal suffrage with full equality for men and women in political life.

This system has weathered all storms and is now firmly anchored in the Finnish people. This is why Finland, realizing the disaster inherent in war, put an end to this policy, tried and condemned its leaders as responsible for the war, concluded an armistice, declared war on the Germans and drove them out of its territory.

Our war against Germany cost us many lives. We have also had to spend large sums of money as a result on the far-reaching devastation of the country by the German troops. We believe and hope that this is sufficient proof, even for other countries, of what the real attitude and aspirations of the Finnish people have always been.

Our people have therefore turned over a new leaf and are pursuing a new policy of lasting cooperation with its great eastern neighbour for the maintenance of peace and good neighbourhood in that part of Europe.

Finland has endeavoured, correctly and punctually, to comply with the terms of the armistice agreement concluded with the Soviet Union and Great Britain. This has already been publicly acknowledged, and the whole Finnish nation particularly appreciates the fact that, in the Preamble to the draft Peace Treaty, it is admitted that Finland has loyally endeavoured to fulfil its obligations under the armistice agreement.

Now that the moment has come for the definitive conclusion of peace and the Conference has kindly invited my country to set forth its views and desires with regard to the questions at issue, the Finnish Delegation begs, for a short while, to take up the Conference's valuable



time and to describe the difficulties into which we have been plunged by two unfortunate wars, in respect of which we crave understanding and indulgence on the part of the victors.

After the first world war, the Soviet Union was the first to recognize Finland's independence, and, by authoritative statements made at the time, to lay stress upon the fact, that this was an act of historic justice towards an industrious people. Between the two wars, Finland's rapid progress in the economic and social fields gained us the goodwill and respect of the world. This shows the importance to be attached to Finland's independence and territorial integrity.

It is evident that a country defeated in two unfortunate wars encounters great difficulties in fulfilling its obligations under the Peace Treaty and in organizing its life on a new basis.

According to the draft Peace Treaty, the main lines of which have been agreed upon by the Council of the Four Foreign Ministers, the Finnish frontiers are established as fixed by the Treaty of Moscow. This means that Finland is to lose the major part of the province of Vilpurie [*Viipuri*], or Finnish Carelia, a territory of some 24,000 sq. km.

This region included the Town of Vilpurie [*Viipuri*], a large export harbour and traffic counter, which was utilized as such, not only by the areas destined to be taken from Finland, but also by territories to remain within the Finnish frontiers.

This gives rise to numerous and difficult problems. The region in question was inhabited by a population of 436,000, which in the final stage of the war, migrated to other parts of Finland. The task of permanently establishing these people in the remaining part of Finland is lengthy, calls for heavy sacrifices, increases Finland's difficulties in paying war reparations and, in general, delays economic reconstruction.

The territory in question was also the seat of important industrial concerns and its farming was highly developed. This naturally also tends to weaken Finland's economic capacity.

According to the draft Peace Treaty, Finland is also to lose the territory of Petsamo on the Arctic coast. This territory, surrendered to Finland by the Soviet Union of its own accord under the Peace Treaty of 1920, was beginning to play an important part in Finland's economic life, mainly owing to its excellent harbour.

Finland has further to lease to the Soviet Union the Porkkala region near Helsinki, the loss of which will cause serious difficulties in supplying the capital with foodstuffs since it is thereby deprived of certain means of communication.

You will understand that, in view of the importance for us of the territories to be ceded, we entertain the hope that the territorial clauses may be somewhat mitigated in the final Peace Treaty. The present and future effects of the Finnish armistice agreement on our national wealth and economic life are set forth in the memoranda which the Finnish Delegation submits to the Conference.<sup>9</sup> From these documents the Conference will be able to appreciate the consequences which the wars have entailed for Finland and the extent to which its productive capacity has suffered through loss of territory. To this should be added the devastation directly due to the war, mainly through German action in Northern Finland, the nation's losses in man-power, the reduction of economic reserves, the weakening of the state finances and the burdens and expense caused by the displacement of the population.

Under the armistice agreement, Finland has to pay reparations in kind to the amount of 300 million dollars. The goods are to be invoiced on the basis of the world market prices of 1938, subject to an increase of 10 to 15 percent. Finland has also to pay compensation for all property removed from the Soviet Union to Finland, but these amounts have been reduced through the kindness of Generalissimo Stalin and the Soviet Government.

An improvement of the position through foreign trade is not to be reckoned with. Indeed, but for outside aid, which has enabled Finland to maintain its modest standard of living and to reorganize production, the country would not have been in a position to pay reparations.

A final peace treaty is now to be concluded between Finland on the one hand and the Soviet Union and Great Britain on the other. The question arises whether there is still some hope of obtaining easier economic conditions.

In the first place, we would like to see a reduction in the amount of the war indemnity. If these, for instance, could be reduced by 100,000,000 dollars, Finland's chances of fulfilling its obligations would be increased.

There are other clauses in the draft Peace Treaty in respect of which we should like to submit our views. But we do not propose to take up any more of the Conference's time by enumerating the provisions which appear to call for our comment. We presume that these will be discussed at meetings of special commissions.

It is the sincere desire of the Finnish Government that the peace to come shall be one of reconciliation, and pave the way to a lasting friendship between the Finnish people and its great neighbour whilst

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<sup>9</sup> See the Observations on the Draft Peace Treaty with Finland by the Finnish Government, C.P. (Gen) Doc. 6, August 26, vol. iv, p. 282.

laying the foundation for the existence of Finland as a free and independent nation.

We must state, in conclusion, that the attitude of the victorious powers towards us, since the armistice has been a generous one. A proof of this is the leniency shown by Generalissimo Stalin and the Soviet Government as regards an extension of the time-limit for payment of reparations and other proposals submitted by a Finnish Delegation during a recent visit to Moscow. We have also received numerous expressions of goodwill from the second signatory of the Armistice Agreement, namely, Great Britain, as well as from other States.

We earnestly hope that this spirit of goodwill will be reflected in the work of this Conference, in the coming peace and in action that may lighten the heavy burden borne by the Finnish people.

THE PRESIDENT:

The representative of Finland has just given the point of view of his Government.

On behalf of the Conference, I assure him that the statement which he has made will receive all the consideration it deserves from the various delegations.

I beg the Secretary-General to be good enough to escort the Finnish Delegation from the Conference Hall.

(Accompanied by M. Fouques Duparc, Secretary-General, the Delegation of Finland leaves.)

[Regarding the course of proceedings following Enckell's speech, here omitted, see the United States Delegation Journal account of the meeting, *infra*.]

THE PRESIDENT:

May I ask for the Conference's attention a little longer, I have received a request from the Conference Secretariat which I communicate as a suggestion:

(Chairman's Draft)—as amended by the Australian representative.  
—The Australian wording has been underlined.

In order to organise the work of the Commissions due to begin, and at the request of the Secretariat, I suggest to the Plenary Session of the Conference, that a deadline be fixed for Delegations to send in to the Secretary-General their amendments to the draft Treaties or any new proposals pertaining to these draft Treaties.

In making this suggestion I am following the practice adopted at the San Francisco Conference.

In my opinion, this suggestion should not prevent amendments to be made during future discussions of the Conference and its Commissions, either in order to facilitate agreement or to deal with new points arising, but would allow Commissions to know in advance, at

the beginning of their work, what basic proposals and amendments they are going to deal with.

Consequently, I suggest that the Delegations which desire to submit amendments to the draft Treaties or new proposals pertaining to these draft Treaties, be invited to send them in to the Secretary-General before the 20th August, midnight.

The Secretariat will be asked to classify these amendments and proposals and allocate them, on the 21st, to the various Commissions of the Conference in the same way as the Secretariat allocates the articles of the draft Treaties.

Any objections?

(Adopted)

(The meeting rose at 8:45 p. m.)

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CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)16

[Here follows a summary of Enckell's speech, text of which is printed *supra*.]

General Theron (South Africa) made a plea for better understanding among the Allied States represented at the Conference. He urged that action be taken to eliminate the atmosphere of suspicion which was prevalent in Europe and was quite evident at the Conference. He hoped also that the Conference would be magnanimous toward the enemy states and wished to mention in particular Italy, which had played a great part in the last two years of the war. He referred also to the heroic efforts made by Greece.

Mr. Alexander (U.K.) said that recent speeches of various delegations had tended to endanger the work of the Conference rather than to promote it. The purpose of the Conference was to put an end to the state of war and to restore normal conditions in Europe as far as possible. The United Kingdom Delegation took exception to the statement that Italy was not yet democratic and was still speaking with the voice of fascism. Mr. Alexander also defended the policies of the U.K. and the U.S. in Italy during the armistice period. They had contributed to Italy's revival both materially and in other ways and were in no sense attempting to dominate Italy. The draft peace terms with Italy were not based on a spirit of vengeance. Mr. Alexander repudiated charges that the U.K. wished to dominate Italy economically or militarily. On the subject of the Balkan treaties, he said that it was surely wrong to allow Bulgaria, an enemy state, to

bring forward territorial claims against Greece, which had fought gloriously in the war from the beginning and had suffered at the hands of the Bulgarians. He was surprised that the Ukrainian Delegation had supported such a claim. He thought it only just that the Balkan enemy states should be obliged to restore Allied interests in their territory. He denied the charge that the principle of freedom of economic opportunity was a disguise for designs against small countries. The alternative to it was closed economic blocs in which the strong would dominate the weak; there were signs of the growth of such a system at the present time. In conclusion Mr. Alexander asked for an end of suspicion since only in a world of sincere men could they attain unity and make a just peace.

M. Bidault (France) then made a plea for more conciliatory feeling among the members of the Conference. He said he had been surprised by the great differences not between the Conference and the enemy states, but within the Conference itself. He said France hoped for a stable peace both with Italy and the Balkan states. In Eastern Europe France considered that it had direct interests and responsibilities even though it would not be signatory of the treaties with those enemy states. France held to its traditional ties with Eastern Europe. M. Bidault hoped that the problems before the Conference would be examined objectively with a view to reaching full agreement.

M. Molotov commented on the statement made by the Foreign Minister of Finland.<sup>10</sup> He said that the Soviet Delegation considered that the Peace Treaty with Finland must be based on the Armistice terms. He saw no justification for modification of the territorial and reparations clauses as the Finnish representative had proposed. He called attention to the fact that Finland had not been occupied militarily and that the Soviet Union had already lightened the burden of reparations. He warned Finland not to listen to the voice of adventurers who might try to turn it from the path of democracy and co-operation with the Soviet Union.

M. Molotov stated that the Soviet Delegation maintained the view it had already put forward concerning the proposed Peace Treaty clauses based on the principle of equality of economic opportunity. He said it was claimed that this principle benefited all countries, whereas the fact was that small countries objected to it; the five enemy states objected to it. It was supported only by countries capable of dominating by their capital smaller countries or countries weakened by the war. He asked why the clauses embodying this principle were proposed only for eighteen months and not permanently. On the subject of full compensation for property losses he

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<sup>10</sup> For text of Molotov's comments, see Molotov, *Problems of Foreign Policy*, p. 121.

said that this represented too great a burden, and that the principle of partial compensation should be adopted, as was done in the case of reparation.

On the subject of Greece, M. Molotov stated that that nation had contributed greatly to the common cause. References to its contribution should mention the heroic deeds of the EAM. The Soviet Union paid tribute to Greece, but when the Greek Delegation announced plans of annexation and partition of the territory of other states, to remain silent would mean to encourage those adventurist plans. Greece should be warned against such policies.

M. Molotov concluded by mentioning rumors of the postponement of the Peace Conference. The Soviet Delegation thought that they should all continue to work together to bring the Conference to a successful conclusion, and that it should not be postponed.

It was decided to confirm the proposal of the Secretariat which laid down the procedure for hearing the views of Albania, Mexico, Cuba and Egypt. Representatives of those four states would be heard in plenary session on August 17 at 10:00 a. m. and would be present during the ensuing discussion without participating therein. The Greek Delegation took occasion to state that Greece was in a state of war with Albania and believed Albania should be treated as an enemy state.

The Conference agreed to place as the first item on the agenda for that meeting the question of inviting Austria to express its views before the Conference. M. Vyshinsky stated that the Soviet Delegation saw no reason to invite Austria and would develop its argument on this point when the question came up.

It was decided that the following Commissions would meet on August 16 to elect chairmen, vice chairmen, and *rapporteurs*: Political-Territorial Commission for Rumania (10 a. m.); Political-Territorial Commission for Bulgaria (10:45 a. m.), Political-Territorial Commission for Hungary (11:30 a. m.); Political-Territorial Commission for Finland (12:15 p. m.); Economic Commission for the Balkans and Finland (4 p. m.); Military, Naval and Air Commission (4:45 p. m.); Legal and Drafting Commission (5:30 p. m.); General Commission (6:15 p. m.). The Political-Territorial Commission for Italy would meet at 4 p. m. to elect a *rapporteur*. It was agreed to set August 20 midnight as the deadline for the submission of amendments and new proposals relating to the draft treaties. This rule would not prevent the submission later of amendments for the purpose of bringing about agreements and meeting new situations.

FRIDAY, AUGUST 16, 1946

FIRST MEETING OF THE POLITICAL AND TERRITORIAL COMMISSION  
FOR RUMANIA, AUGUST 16, 1946, 10:20 A. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)17

M. Vyshinsky referred to Article I, Paragraph 3 of the Rules of Procedure concerning the composition and work of the Commission.<sup>11</sup> He interpreted the provision dealing with the membership of the Political-Territorial Commissions to mean that those commissions would consist of member states who were at war respectively with the enemy states in question. In interpreting the phrase "members of the Council who prepared the draft treaties", he referred to the decisions taken at the Berlin and Moscow Conferences which laid down the procedure for the preparation of draft treaties by the states which signed the respective armistices. Thus under the strict application of these rules France would be excluded from membership on the Rumanian Commission since France was not at war with Rumania and the preparation of the draft treaties was limited by the Moscow Agreement to the U.K., the U.S. and the U.S.S.R. The Soviet Delegation was willing, however, that France should participate in the discussions of the Commission on the same footing as it took part in the preparation of the treaties in the Council of Foreign Ministers, that is, France would have a full part in the discussion but would not have the right to vote.

Mr. Jordon (New Zealand) sharply attacked the Soviet Delegation for continually wasting the time of the Conference and preventing the Commissions from getting down to work. Mr. Jebb (U.K.) said that the Commission had met for the sole purpose of electing officers and that the Soviet statement was out of order. The proper place to raise the question was the Plenary Conference or the Committee on Procedure. General Catroux (France) said he would not attempt to answer M. Vyshinsky at the moment and believed that the Commission should go ahead with the business before it.

Mr. Cohen (U.S.) agreed with those delegations which had stated that the question raised by M. Vyshinsky should not be taken up in substance by the Commission. Without entering into a discussion of the substance, the U.S. Delegation wished to give notice that it did not interpret the rules of procedure in the same way as M. Vyshinsky.

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<sup>11</sup> For text of the Rules of Procedure, see vol. iv, p. 796.

The only question was what members of the Council of Foreign Ministers had prepared the draft treaties? Reference to the draft treaties themselves would indicate that France had taken an active part in their preparation. There was no question, in the opinion of the U.S. Delegation, that France had the right to membership in the present Commission. There was nothing in the rules of procedure to distinguish between types of members. M. Vyshinsky maintained that his statement had been quite in order since it was a question of interpreting the rules of procedure affecting the Commission in which they were sitting. The Soviet Delegation reserved the right to return to the question at an appropriate time. He said that the charge that the Soviet Delegation was delaying the work of the Conference was unjustified and that his Delegation would never submit to angry words.

The Commission then unanimously elected M. Manuilsky (Ukraine) as Chairman and Sir Navroji Jehangir Wadia as Vice Chairman.

It was agreed at the next meeting to begin the discussion of the Rumanian Draft Treaty article by article.

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CFM Files

*Record of Decisions*

[Extract]

C.P.(Rou/P) 1st Meeting

TEXT OF THE DECLARATION OF THE U.S.S.R. DELEGATION CONCERNING  
THE PARTICIPATION OF FRANCE IN THE POLITICAL AND TERRITORIAL  
COMMISSION FOR ROUMANIA

The Delegation of the U.S.S.R. considers that it is indispensable to state that the countries which have been at war with Roumania and which figure in the preamble to the draft Peace Treaty presented by the Council of Ministers are members of the Commission.

As regards the draft submitted by the Secretariat containing the list of the members of the Commission, the Delegation of the U.S.S.R. is not opposed to France participating in the work of the Commission on the same bases as those in which she has participated in the work of the Council of Ministers.

TEXT OF THE DECLARATION OF THE FRENCH DELEGATION IN REPLY TO  
THE DECLARATION OF THE U.S.S.R. DELEGATION CONCERNING THE  
PARTICIPATION OF FRANCE IN THE POLITICAL AND TERRITORIAL COM-  
MISSION FOR ROUMANIA

The French Delegation considers that the composition of commissions of the Conference is clearly determined by Section 1, paragraph



3, sub-paragraphs "a" and "b" of the Rules of Procedure. According to these provisions, France is a member of the Commission for Roumania on a footing of perfect equality. If there are any doubts concerning the interpretation of the text, it should be referred to the competent organs of the Conference, namely the Procedure Commission or the Plenary Session.

TEXT OF THE DECLARATION OF THE U.S.A. DELEGATION CONCERNING THE INTERVENTION OF THE U.S.S.R. DELEGATION RESPECTING THE PARTICIPATION OF FRANCE IN THE POLITICAL AND TERRITORIAL COMMISSION FOR ROUMANIA

The U.S.A. Delegation declares that it does not share the point of view expressed by the Delegation of the U.S.S.R. as regards the footing on which the French Delegation should participate in the work of the Commission. In the opinion of the U.S.A. Delegation, the French Delegation, which has participated on a footing of perfect equality in the preparation of the Treaty of Peace, should be associated without any kind of restriction with the discussions of the Commission.

TEXT OF THE U.K. DECLARATION CONCERNING THE PARTICIPATION OF FRANCE IN THE POLITICAL AND TERRITORIAL COMMISSION FOR ROUMANIA

The U.K. Delegation declares that it associates itself entirely with the views expressed by the French Delegation with regard to the participation of the latter in the work of the Commission.

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FIRST MEETING OF THE ECONOMIC COMMISSION FOR THE BALKANS AND FINLAND, AUGUST 16, 1946, 4 P. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 17

Dr. Korbel (Czechoslovakia) was elected Chairman, and the representative of Australia was elected Vice-Chairman (Mr. Beasley of Australia informed the Commission he would serve temporarily in that capacity). M. Gerashchenko (USSR) was elected *rapporteur*. M. Gousev (USSR) made a statement similar to that made in the Political Commissions that only those members of the Commission listed in the preambles to the respective treaties should have the right to vote. M. Alphand (France) reserved the French Delegation's position as to such an interpretation of the rules of procedure. He stated that it was not within the competence of the Commission but rested

with the General Commission or the Plenary Conference. Mr. Gregory (UK) agreed with M. Alphand but said he assumed that until such time as a decision had been taken all the states members of the Commission would be entitled to take part not only in the discussions but also in the decisions. Mr. Cohen (US) pointed out that the question was not on the Commission's agenda and was not relevant to any issue before the Commission. He indicated the U.S. disagreed with the Soviet viewpoint and suggested the Commission should merely take note of the differing views.<sup>12</sup> M. Gousev concluded the discussion by agreeing the question did not fall within the competence of the Commission.

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**SECOND MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR ITALY, AUGUST 16, 1946, 4: 05 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)17

In opening the second meeting of the Commission the Chairman called for nominations for *rapporteur*. Representatives of Belgium, China and Brazil were nominated but felt obliged to refuse. The Yugoslav representative then nominated a member of the New Zealand Delegation who accepted and was elected by acclamation. The Chairman announced that the General Secretariat had prepared the following allocation of work for the Commission: Preamble; Articles 1 to 38, inclusive; Article 63; Article 72; Articles 75 to 78, inclusive, and relevant annexes (nos. 1, 2 and 3). He noted that the Secretary General suggested that the Commission work closely with the Legal and Drafting Commission on Articles 18 to 31 inclusive, and with the Military, Naval and Air Commission on Articles 11 (2), 12 and 63. He felt that the Military, Naval and Air Commission might wish to consult with the Political and Territorial Commission on Articles 40 and 41.

The Chairman referred to midnight August 20 as the deadline for submission of proposed amendments to the draft treaty and asked that all delegations submit their amendments in advance of the deadline.

The Chairman made the following suggestions: (1) postponement of consideration of the Preamble with consideration of the draft articles, section by section, at the next meeting beginning with Article 1,

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<sup>12</sup> Regarding the views of the Four Powers on the question of French participation on Balkan and Finnish commissions, see the declarations contained in the extract from the Record of Decisions of the 1st Meeting of the Political and Territorial Commission for Rumania, August 16, printed *supra*.

with documents to be limited strictly to the article under consideration; (2) that the Commission invite the Italian Delegation to submit a memorandum on points it wishes to raise, prepared in the sequence in which articles will be considered; (3) that the Delegates circulate written statements before or at each meeting supporting the views that they will put forward orally. Mr. Vyshinsky did not feel that consideration of the Preamble should be deferred. No contrary views being expressed, the Chairman understood that the Commission accepted his three points with the exception of the deferment of the Preamble.

The representative of the Secretary General agreed, in reply to an inquiry from the Netherlands representative, that all "in camera" proposals would be circulated to all members of the Commission. The Chairman, in reply to an inquiry from the Belgium representative, stated that amendments could be moved at any time but that the deadline of August 20 had been fixed to facilitate the work of the Commission. He stated that the Preamble would be considered at the next meeting.

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**FIRST MEETING OF THE MILITARY COMMISSION,  
AUGUST 16, 1946, 4:50 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)17

The first item of business was the election of the Chairman of the Commission and the representative of the United Kingdom nominated the representative of Poland<sup>13</sup> who was elected unanimously after the Secretary General had ruled that a proposal of the Belgian representative for election by secret ballot was out of order in the absence of more than one nomination for the position. The representative of China<sup>14</sup> was thereupon elected Vice-Chairman by unanimity upon the nomination of General Catroux of France. Coming to the election of the *rapporteur* the Soviet representative nominated the United States, observing in so doing that it was unnecessary to dwell on the eminent role of the United States in the fight against Hitlerite Germany and its satellite. Admiral Conolly expressed his appreciation of the Soviet gesture but observed that, because of the position which had been taken by the United States in the preceding meetings of the Political-Territorial Commission for Italy and the Economic Com-

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<sup>13</sup> General Mossor; Colonel Naszkowski of the Polish delegation acted as Chairman pending the arrival of General Mossor.

<sup>14</sup> Foo Ping Cheung.

mission on Italy, he must decline and request that the nomination be withdrawn.<sup>15</sup> Brazil then nominated the Belgian representative, who declined on grounds of insufficient staff, and a following nomination of Norway by the Ukraine was declined on similar grounds. The Chairman thereupon suggested that in view of the apparent difficulties involved, election should be postponed until the next meeting, and he adjourned the meeting at that point.

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SATURDAY, AUGUST 17, 1946

TWENTIETH PLENARY MEETING, AUGUST 17, 1946, 10 A. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 18

The U.K. Delegation proposed that Austria be invited to express its views on the draft peace treaty with Italy under the same procedure as had been provided for the presentation of views by Albania, Cuba, Mexico and Egypt. Mr. McNeil stressed Austria's direct interest in the question of the Austro-Italian frontier and said also that it would be quite unjustified to treat Austria worse than the five ex-enemy states which had been given a hearing. M. Vyshinsky (U.S.S.R.) opposed the British motion. He said that the Conference should not consider the claims of one enemy state against another. He pointed out that Austria had fought with Germany to the end of the war and was not entitled to special favors. He remarked that the Council of Foreign Ministers had already decided that the existing Austro-Italian frontier would remain unchanged and that there was no reason to take up the Austrian claims again. Mr. Cohen (U.S.) expressed the hope that Austria could be invited.<sup>16</sup> He pointed out that the Moscow Declaration of 1943 had declared that Austria would be treated as a liberated country.<sup>17</sup> He did not believe that Austria should be given any less favorable treatment than the ex-enemy states. Austria's interest in the frontier had been recognized by the Council of Foreign Ministers and, although the Council had decided against the Austrian claims, a decision which the U.S. would stand by, Austria should have the right to present its case to the Conference. M. Couve

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<sup>15</sup> Regarding the United States position on this question, see the United States Delegation Journal accounts of the following meetings: 12th Meeting of the Commission on Procedure, August 7, p. 130; 1st Meeting of the Political and Territorial Commission for Italy, August 13, p. 198; and the 1st Meeting of the Economic Commission for Italy, August 13, p. 199.

<sup>16</sup> Mr. Cohen's statement was released to the press August 17, 1946.

<sup>17</sup> For text of the Declaration on Austria signed at the Tripartite Conference of Foreign Ministers, November 1, 1943, see *Foreign Relations*, 1943, vol. 1, p. 761.

de Murville (France) did not believe that the Austrian request to be heard should be refused. Mr. Claxton (Canada) stated that Canada had as little interest in European territorial questions as any member but did have an interest in peace and security and accordingly felt that no door should be closed to the expression of views which might have a bearing on the just settlement of these questions. He also added that the delays in the work of the Conference had strengthened the Canadian Delegation in the conviction that the Council of Foreign Ministers should meet with the purpose of finding ways of speeding up the work of the Conference. The Yugoslav Delegation saw no reason to invite Austria to give its views and stated that, if Austria should be invited, it should be under the same conditions and with the same procedure as the ex-enemy states. He held that Austria's case was not comparable to those of Albania, Egypt, and other Allied states. M. Vyshinsky then suggested that, as only the South Tyrol question was involved, Austria might appear only before the appropriate commission. The Conference then voted on the British proposal to invite Austria and it was passed by a vote of 15 to 6. The following delegations voted in its favor: U.S.A., Australia, Belgium, Brazil, Canada, China, Ethiopia, France, U.K., Greece, India, Netherlands, New Zealand, Norway, Union of South Africa. The following delegations voted against: Byelorussia, Poland, Czechoslovakia, Ukraine, U.S.S.R., Yugoslavia.

M. Vyshinsky then proposed that the request of Iran to present its views to the Conference be accepted and that the same rules be applied to Iran as to Albania, Mexico, Cuba and Egypt. The Soviet proposal was supported by the Chinese and U.S. Delegations. It was then adopted unanimously.<sup>18</sup>

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FIRST MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR BULGARIA, AUGUST 17, 1946, 4 P. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 18

The Commission unanimously elected M. Kisselev (Byelorussia) as Chairman and Mr. Jordan (New Zealand) as Vice Chairman. M. Novikov (U.S.S.R.) made a statement to the effect that the Soviet

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<sup>18</sup> In accordance with the decision of the Council of Foreign Ministers limiting invitations to 21 nations, Iran was not initially invited to the Conference. In an unnumbered telegram of August 22, the Ambassador in Iran reported that "Action of Mr. Byrnes in supporting Iranian request great[ly] appreciated here for it is realized that his support was decisive." (CFM Files) For Iran's views, see memorandum on the draft treaties presented to the Conference by the Iranian delegation, C.P.(Gen) Doc. 12, September 2, *Paris Peace Conference, 1946*, p. 391.

Delegation thought it necessary to clarify the situation concerning the composition of the commission in order to avoid later misunderstanding. The Soviet Delegation believed that the membership of the commission should be restricted to those states which had been at war with Bulgaria and which were named in the preamble of the draft treaty. The reasons for this position had been stated on a previous date by Mr. Vyshinsky in the Political and Territorial Commission for Rumania.<sup>19</sup> The Soviet Delegation had no objection to the participation of France in the discussions of the commission on the same basis as in the Council of Foreign Ministers. M. Couve de Murville (France) stated his view that the composition of the commission was fixed not by the documents mentioned by the Soviet Delegation, but by Section I, paragraph 3, subparagraphs *a* and *b*, of the Rules of Organization and Procedure of the Conference. If there was any doubt concerning the interpretation of those rules, the doubt should be resolved by the Plenary Council or the commission on procedure. Mr. Jebb (U.K.) associated himself with the statement of the French Delegation. Mr. Cohen (U.S.) wished it noted that the U.S. maintained the position it had stated in the Political Commission for Rumania and the Economic Commission for the Balkans. The Chairman said that he would have the declarations which had been made annexed to the official record of the meeting.<sup>20</sup>

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**FIRST MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR HUNGARY, AUGUST 17, 1946, 5 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 18

The commission unanimously elected M. Stankovic (Yugoslavia) as Chairman. After taking the chair, M. Stankovic said that he preferred to leave the election of a Vice Chairman until Monday's meeting. His suggestion was accepted. A representative of the Czechoslovakia Delegation was then unanimously chosen as *rapporteur*. M. Clementis (Czechoslovakia) said that the name of the individual selected by his Delegation to serve as *rapporteur* would be communicated later to the Chairman.

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<sup>19</sup> The meeting under reference is the 1st Meeting of the Political and Territorial Commission for Rumania, August 16; for the United States Delegation Journal account of that meeting, see p. 244.

<sup>20</sup> Substantially the same declarations were made at the 1st Meeting of the Political and Territorial Commission for Rumania, August 16; for texts, see extract from the Record of Decisions of that meeting, p. 245.

M. Gusev (U.S.S.R.) then made a statement similar to that made by M. Novikov in the Political Commission for Bulgaria. M. Couve de Murville then repeated the same statement which he had made in that commission. General Smith (U.S.) said that the U.S. Delegation had already expressed its views on this question in other commissions concerned with the Balkan treaties. He felt that it was necessary to add only that the U.S. was unable to agree to the Soviet position and was of the opinion that France, having participated in the preparation of the Balkan treaties, was entitled to a voting membership. Mr. Jebb said that he agreed with what his French colleague said. The Chairman stated that the statements of the Soviet, French, U.S., and U.K. Delegations would be annexed to the record of the meeting.<sup>21</sup>

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MONDAY, AUGUST 19, 1946

SECOND MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR HUNGARY, AUGUST 19, 1946, 10 A. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)19

Mr. Stirling (Australia) was unanimously elected Vice Chairman. The Chairman then announced that the following articles of the Draft Treaty had been assigned to the Commission: Preamble, Articles 1-9, 20, 34-37, and Annex I. It was decided to take up these articles in the order named without having any preliminary general discussion on the political and territorial aspects of the Treaty. It was agreed to begin the discussion of the Treaty after the Commission had before it amendments and new proposals submitted by the various Delegations as well as the views of the Hungarian Government, which it was to be requested to submit in writing. It was agreed that representatives of the Hungarian Delegation might later be invited to appear to state their views on specific points whenever the Commission thought it necessary. It was decided that subcommittees would be set up when the Commission found them necessary in dealing with specific issues. The Chairman stated, in connection with the presentation of Hungarian and Rumanian views on the frontier between those two states, that he would get in touch with the Chairman of the Political Commission for Rumania in order to arrange a procedure which would avoid duplication.

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<sup>21</sup> The declarations on French participation made at the 1st Meeting of the Political and Territorial Commission for Rumania, August 16, are printed in the extract from the Record of Decisions of that meeting, p. 245. Similar statements were delivered by the Four Powers at the initial meeting of each commission concerned with the Balkan and Finnish treaties.

**SECOND MEETING OF THE ECONOMIC COMMISSION FOR ITALY,  
AUGUST 19, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 19

The Commission agreed that in cases where disagreement arose as to whether the Economic Commission or the Political and Territorial Commission was competent to consider certain articles, the General Commission should decide after consultation with the Chairman of the two Commissions. The Chairman reminded the Commission of the decision taken at the Plenary Session for the submission of amendments to the Treaties by midnight, August 20.<sup>22</sup> Mr. Thorp (USA) pointed out that the decision taken at the Plenary Session did not cut off the possibility of introducing further amendments. The Commission agreed that uniform procedure for hearing the Italian representatives should be agreed by the Economic and the Political and Territorial Commissions.

On the question of the establishment of subcommissions, the Commission agreed with Mr. Thorp's suggestion that the Commission would achieve the most efficient use of its time by reviewing the economic articles with a view to discerning the areas of disagreement and determining whether certain articles should first be considered by subcommissions. Mr. Thorp suggested the Commission limit this discussion to one week.

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**SECOND MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR BULGARIA, AUGUST 19, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 19

The Commission accepted as the articles assigned to it for consideration the preamble, Articles 1-8, 19, 33-36, Annex I. It was decided to take up these articles in the order of their appearance in the draft treaty but not to begin the discussions until the Commission had before it amendments and new proposals submitted by August 20 and the statement in writing of the views of the Bulgarian Government.<sup>23</sup> It was decided to await further information from the Secretariat concerning the procedure of inviting the ex-enemy states to

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<sup>22</sup> Regarding the decision on the August 20 deadline, see the extract from the Verbatim Record of the 19th Plenary Meeting, August 15, p. 236.

<sup>23</sup> For Observations on the Draft Peace Treaty with Bulgaria by the Bulgarian Government, C.P. (Gen) Doc. 4, August 26, see vol. iv, p. 238.



state their views to the Commissions before taking any further steps in connection with that question.

The Greek Delegation made a statement on the preamble, taking objection to the word "active" as used to describe Bulgaria's part in the war against Germany. This view was based on the lateness of Bulgaria's decision to change sides and on the failure of Bulgaria to take effective military action against the Germans at the time of the withdrawal of the German forces from Greece. The Greek Delegate, Mr. Pipinelis, said that Greece would not refuse to accept the preamble in its present form and would not call for a vote, on condition that its statement be annexed to the record of the meeting. Other Delegations objected that the Greek statement was out of order since the Commission had not finished its discussion on procedure and had not begun to consider the substance of the draft treaty. It was decided that the Greek statement would be annexed to the record of that meeting at which the preamble was discussed.

Mr. Jebb (U.K.) was unanimously elected *rapporteur* of the Commission.

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**SECOND MEETING OF THE ECONOMIC COMMISSION FOR THE  
BALKANS AND FINLAND, AUGUST 19, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)19

The Commission agreed to a proposal by the Soviet representative that the Commission should proceed to examine each treaty separately in the following order: Rumania, Bulgaria, Hungary and Finland. Subcommissions will be set up as they are found to be necessary in the course of the discussion. It was further agreed that the ex-enemy states would be invited immediately to submit written statements, with the understanding that supplementary questions might be referred to those states at a later date.

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**SECOND MEETING OF THE MILITARY COMMISSION,  
AUGUST 19, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)19

Following the announcement by the Chairman that the agenda included the approval of the minutes of the previous session,<sup>24</sup> the

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<sup>24</sup> For the United States Delegation Journal account of the 1st Meeting, August 16, see p. 248.

election of a *rapporteur* and discussion of the method of functioning of the Commission, the Soviet Delegate (General Slavin) proposed a fourth item providing that the Commission should immediately begin actual paragraph by paragraph discussion of the draft treaties. Several delegates opposed, particularly mentioning that the amendments were not due in until tomorrow night, but a motion providing for discussion of the peace treaties as an additional item on the agenda was finally passed by a vote of 18 to 2 with Belgium and Australia opposing and Norway absent.

The next item of business was the election of a *rapporteur*, which had been held over from the previous session, and the Ethiopian representative was elected by unanimity on the proposal of Mr. Alexander of the U.K. Delegation. Mr. Mehdin stated that he had been designated by the Ethiopian Delegation to fill the position in question.

The Commission then passed to the question of the setting up of subcommittees and the Chairman suggested the desirability of discussing the draft treaties in the Commission first and only referring to subcommittees in case of difficulty. He also suggested that the treaties be taken up in the same order as in the Plenary Sessions, i.e., Italy, Rumania, Bulgaria, Hungary and Finland. Mr. Alexander suggested the setting up of three technical subcommittees and the Yugoslav representatives suggested two committees but General Slavin thought the appointment of any subcommittees whatsoever at this time would only retard the work of the Commission and he proposed beginning discussion of the treaties in the Commission and only taking up the matter of subcommittees in the event that it was necessary. Agreement was finally reached on a compromise proposed by Mr. Alexander to the effect that the setting up of subcommittees should be deferred until the necessity arose but that the various Delegations should have their candidates ready for immediate service. Mr. Alexander also said he was willing to abandon the idea of discussing the Balkan treaties together on the understanding that it would not be considered out of order to discuss similar clauses in other treaties when a particular treaty was under discussion.

Finally, the Representative of the Ukraine raised the question of tabling all documents and translations in sufficient time before their consideration in Commission and Mr. Alexander expanded the idea by moving that all proposals, either by Allies or ex-enemy states, should be tabled in writing in order to save time and that oral explanations would be kept to a minimum. Mr. Hodgson, Australia, stated this whole question was being discussed in the Secretariat, of which he formed a part, and suggested deferring decision until the Secretariat had completed its work. It was agreed that Mr. Hodgson should communicate to the Secretariat the views of the Commission on this point.

The Chairman announced on adjournment that the date of the next meeting would be announced later; certainly it would not be before Thursday.

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BYRNES-TSALDARIS CONVERSATION, AUGUST 19, 1946

768.75/8-1946

*Memorandum of Conversation, by the Director of the Office of European Affairs (Matthews)*

SECRET

PARIS, August 19, 1946.

Participants: Mr. Tsaldaris, Prime Minister of Greece;  
The Secretary  
Mr. Matthews

Mr. Tsaldaris asked to see the Secretary urgently and brought up the question of Greece's claims against Albania and their desire to negotiate a peace treaty with Albania. After considerable discussion Mr. Tsaldaris apparently decided that he would introduce a resolution into the Paris Conference calling upon the Council of Foreign Ministers to draft a peace treaty between Albania and Greece. At one stage he wanted to have inserted the words "favorable to Greek claims", but the Secretary persuaded him that this would not be a wise course. The Secretary agreed to support Mr. Tsaldaris' resolution but was careful to make no commitment with regard to Greek territorial claims against Albania. At one stage Mr. Tsaldaris indicated that perhaps it would be better if the Council of Foreign Ministers did in fact take no action on the treaty until after a settlement of the German question, but his views were not very clear or well formulated in this regard.

He then brought up the question of the Greek-Bulgarian frontier and the territorial claims of both countries. He said that the Greeks had three different lines, and he wanted to know how far he would get American and British support on any of these lines—in other words, whether he should press for Greece's extreme claims or just the minimum. The Secretary told him that the United States would definitely oppose the Bulgarian claims for territorial gains at the expense of Greece, and that he would look into the matter of Greek claims and let Mr. Tsaldaris know.<sup>25</sup>

Reverting to Greece's claims vis-à-vis Albania, Mr. Tsaldaris reiterated his legal concept that Greece is in fact at war with Albania and his belief that this could be demonstrated to the Conference. The

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<sup>25</sup> Telegram War 99695 from the War Department to Bonesteel, September 7, commenting on Greek claims, is printed in vol. iv, p. 854. For additional documentation on United States policy with respect to the Greek-Albanian and Greek-Bulgarian border questions, see vol. vii, pp. 88-288, *passim*.

Secretary agreed that Mr. Bishop should get in touch with the Greek Legal Adviser and as a result of their conversations put the question up to Mr. Fahy, the Department's Legal Adviser, in order to ascertain whether the United States likewise considers that a legal state of war does in fact exist between Greece and Albania.<sup>26</sup>

In conclusion Mr. Tsaldaris brought up the question of the importance of having the British and American observers for the forthcoming plebiscite. The Secretary explained the practical difficulties in view of our lack of adequate personnel and the shortness of time before September 1. Mr. Tsaldaris felt that the validity of the elections would be emphatically challenged by EAM and there might be considerable disturbances in connection with the plebiscite. He thought it was important from the point of view of world opinion that the impartiality of the plebiscite could be attested by outside observers. The Secretary agreed to look into the facts again and see if anything could be done.

#### BYRNES-GYÖNGYÖSSI CONVERSATION, AUGUST 19, 1946

Moscow Embassy Files

*Memorandum of Conversation, by the Director of the Office of European Affairs (Matthews)*

SECRET

PARIS, August 19, 1946.

Participants: Mr. Gyöngyössi, Hungarian Foreign Minister;  
Mr. Szegedy Maszák  
The Secretary;  
Mr. Matthews

The Hungarian Foreign Minister paid a courtesy call on the Secretary and expressed his appreciation for what the United States was doing for Hungary. The Secretary explained in some detail the snag which we had run into in the matter of restituting Hungarian property from the American Zone of Germany. He explained that a quadripartite decision of the Allied Control Council at Berlin prevented any unilateral restitution to any country which was not a United Nation.

<sup>26</sup> Messrs. Rendis and Spiropoulos of the Greek Delegation conferred with Bishop and Summers on August 20; the American participants described the meeting in memoranda of conversations dated August 20 and 21. In the August 21 document they concluded that "the Greek argument has failed to establish either that there was a manifest intention on the part of the Albanian or Greek authorities to consider themselves at war with each other or that the Albanian authorities had any right to act on behalf of the Albanian State.

"The difficulty in finding that Albania and Greece have been legally at war with each other does not mean that legal obstacles would prevent the treaty [from] disposing of the problems which the Greeks have in mind. The treaty now contains clauses with respect to Albania, and additional clauses could be added with the consent of the interested parties." (768.75/8-2046, 8-2146)

He explained that on June 25 the American representative on the Control Council had urged that there be agreement for restitution to Hungary and certain other countries, but that so far the other members of the Control Council had not granted approval.<sup>27</sup> In this connection he read a recent letter from Ambassador Murphy to Mr. Reber as well as a telegram from Vienna indicating progress being made in restitution from our zone in Austria.<sup>28</sup> The Secretary also promised that we would press for Four-Power agreement at Berlin at the next Control Council meeting, and that, if agreement is not soon forthcoming, we would make public our position. (After the meeting Mr. Reber telephoned Mr. Murphy and gave the Secretary's instructions to that effect. The next Control Council meeting takes place August 20.)

Mr. Gyöngyössi then expressed the hope that Hungary would have a full opportunity of presenting her views on the Peace Treaty in the Commission but had noted with some dismay that her comments on the Treaty must be in by tomorrow night. The Secretary explained that this did not mean that that would be the final opportunity for Hungary to comment on the Treaty, but that he expected the Committee would continue to consult with the Hungarian Delegation on disputed points and that every opportunity would be given for the presentation of Hungarian views. Mr. Gyöngyössi said they were likewise somewhat disappointed to know that a Czech had been chosen as *Rapporteur* for the Hungarian Political and Territorial Commission in view of the fact that the Czechs have some claims against Hungary. The Secretary pointed out that the United States attached little importance to the office of *Rapporteur* or, for that matter, the office of Commission Chairman, pointing out that the views of the Commission members would be reported to the full Conference and that the *Rapporteur* would have no scope of action to alter these views. Mr. Szegedy Maszák explained that it was largely the psychological effect in Hungary which worried them a little, but he said he did not wish to exaggerate the importance of the matter.

There was a final point on which Mr. Gyöngyössi asked advice. He said that the Hungarian Delegation had been called upon to present views with respect to the Draft Treaty text. That text contains no provision providing for Hungarian acceptance of any minority groups expelled from Czechoslovakia. However, from the press and elsewhere, it was quite clear that Czechoslovakia was going to press for

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<sup>27</sup> For substance of the Joint Chiefs of Staff directive to Commanders of United States Zones of Germany and Austria regarding restitution to Italy, Hungary, Rumania, and Finland, see circular telegram of March 16, 1946, vol. v, p. 525.

<sup>28</sup> Neither printed.

such a provision in the Treaty. He wanted to know whether the Hungarian views on the Treaty should attempt to answer this point which the Czechs are sure to raise. The Secretary said that to his mind it was never advisable to look for trouble, and that he would omit reference to the Czech position on minorities. On the other hand, the Hungarians might put a statement in their paper to the effect that if additional provisions were proposed for inclusion in the Treaty, they hoped that they would be given full opportunity to reply to those provisions as well.<sup>29</sup> Mr. Gyöngyössi seemed to think this was a good idea and took his departure.

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BONBRIGHT-SZEGEDY MASZAK CONVERSATION, AUGUST 19, 1946

Moscow Embassy Files

*Memorandum of Conversation, by Mr. James C. H. Bonbright of the United States Delegation*<sup>30</sup>

PARIS, August 19, 1946.

M. Szegedy Maszák, of the Hungarian Delegation, came to see me this afternoon at his request.

He began by saying that the Hungarians have received informal intimations from the Ukraine and Byelorussian Delegations that they should get in touch directly with Mr. Vyshinsky if they expect to obtain any settlement of their frontier problems with both Czechoslovakia and Rumania. He added that the Hungarians had been perfectly willing to enter into direct negotiations with the Czechs, as he understood we were inclined to favor, but he intimated that they were not particularly anxious to do so if that were to result—as seemed possible—in a further deadlock to be followed by a Russian mediation. He said that if we had any views which we would care to impart to them with regard to their going to Mr. Vyshinsky they would welcome them at the earliest possible moment since they had been holding off for several days. I assumed that unless we opposed it the Hungarians would take the hint although it was clear that they were not at all happy at the prospect.<sup>31</sup>

He informed me that they had just heard from Budapest that communist and socialist representatives would be shortly added to their Delegation. He did not know the real significance of this change of plan and suggested that it might imply dissatisfaction with the

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<sup>29</sup> For Observations on the Draft Peace Treaty with Hungary by the Hungarian Government, C.P. (Gen) Doc. 5, August 26, see vol. iv, p. 249.

<sup>30</sup> Addressed to James Clement Dunn, Walter Bedell Smith, and H. Freeman Matthews.

<sup>31</sup> Bonbright added the following handwritten marginal comment: "S.M. later informed that decision was up [to] them but that we saw no objection to their getting in touch with Vyshinsky."

line taken by the Delegation up to now, or might be a further move to support the impulse toward Russian mediation. In this connection he was not at all certain that it might not mean some sort of arrangement might not have been already worked out in Budapest.

He stated further that the Hungarians were disturbed by the appointment of a Czech as *rapporteur* of the Hungarian Political and Territorial Commission and were speculating as to whether this meant that we were preparing to give up on the Hungarian Treaty. I explained to him that we had presented no slate of candidates for any of the commissions and that his Delegation would be entirely wrong if they thought there was any connection between our acceptance of the slates presented by others and our determination to defend the principles in the treaties which we believed in.

Finally he said that the Hungarians were wondering about our attitude on the Danubian question which he thought the Russians regarded as being of very great importance. I told him that we too attached great importance to this subject and assured him that as far as I personally was aware there was not the slightest inclination in any quarter to abandon the principles which we had enunciated in connection with this problem.

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TUESDAY, AUGUST 20, 1946

**THIRD MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR ITALY, AUGUST 20, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)20

The Commission had before it a memorandum of the Italian Delegation on the Preamble to the Treaty (CP(IT/P) Doc. 1).<sup>32</sup> It was agreed that the Italian proposals would not be treated as amendments unless they were put forward by one of the Delegations. It was agreed, nevertheless, to proceed with a discussion of the Italian memorandum paragraph by paragraph. The Polish, Yugoslav, Czechoslovak, Byelorussian and Ethiopian Delegations spoke against the proposal contained in paragraph 1 of the Italian memorandum. The Netherlands and Belgian Delegations denied the allegation that they had not been in a state of war with Italy; the latter stated that Belgium could not accept a change in the Preamble which would discriminate between the Allied and Associated Powers with respect to their belligerent relationship with Italy.

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<sup>32</sup> The memorandum is identical to the memorandum on the Preamble contained in "Observations on the Draft Peace Treaty with Italy by the Italian Government," vol. iv, p. 117.

**SECOND MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR RUMANIA, AUGUST 20, 1946, 10:15 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)20

The Commission accepted the proposal of the Secretariat that the following articles of the draft treaty be considered as referred to the Commission: Preamble, Articles 1-10, 21, 35-38, and Annex I. The Chairman suggested beginning the discussion of the treaty immediately, article by article, on the understanding that Delegations which had amendments to submit might reserve their position. The U.K. Delegation thought it would be a mistake to adopt the texts of any articles until the Commission was in possession of all amendments tabled before the deadline of midnight and of the views of the Rumanian Government on the articles before the Commission. It was decided to postpone discussion on the individual articles until the next meeting. Meanwhile, it was understood that the Secretariat would inform the Commission concerning any contemplated general procedure for hearing the views of the ex-enemy states. The Commission agreed, however, that under the Rules of Procedure of the Conference the Commission itself had considerable latitude in determining the procedure under which representatives of the ex-enemy states would appear before it to be heard.

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**FOURTH MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR ITALY, AUGUST 20, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)20

The Soviet Delegation suggested that the Commission consider the Italian proposals one by one, the Chairman in each case inquiring if any Delegation supported a given Italian proposal; if so, the proposal would be put to a vote, otherwise it would be considered as rejected.

The Delegate of Yugoslavia said that the Commission should consider the entire Italian memorandum rejected since no one had spoken on behalf of it. The New Zealand and South African Delegations saw no reason to take a decision on the Italian memorandum and agreed with the Chairman that the Commission should proceed to an examination of the Preamble paragraph by paragraph, considering in the process the Italian proposals. M. Couve de Murville (France) thought that the discussion on the Italian proposals should be considered closed



and that they would not be given further consideration unless they were embodied in amendments proposed by one or more Delegations. M. Vyshinsky disagreed with the French suggestion, saying that the Commission should express itself on the Italian proposals and make a final disposition of them either by acceptance or rejection. The Chairman declared the discussion on the Italian memorandum closed and said that at the next meeting the Commission would begin detailed study of the amendments submitted by the Delegations. He appealed to the Soviet Delegation to permit the French proposal to stand as the unanimous decision of the Commission. M. Vyshinsky did not agree but said he would not insist that there be an immediate vote on the Italian memorandum. The Yugoslav Delegation said that the Commission should record the fact that the Italian proposals had received no support and must be considered as rejected. The Polish Delegation proposed the following as a record of the Commission's conclusions:

"The Commission discussed the memorandum of Italy on suggested changes in the Preamble of the Treaty with Italy. Several Delegates objected and no one supported this memorandum. The Commission considered, therefore, that the question was taken care of and passed to the next order of business."

The Chairman proposed that the Commission consider the discussion closed and agree to proceed in its next meeting to examine the Preamble paragraph by paragraph together with all amendments submitted. The Polish Delegation would not withdraw its motion. The French Delegation suggested the following compromise:

"The Chairman has noted that the suggestions contained in the Italian memorandum were not taken up in the form in which they were presented as amendments by any Delegation."

The Soviet Delegate did not consider this formula acceptable. He thought the Commission should agree to begin its next meeting by considering the Polish proposal. The Chairman then proposed a new formula which was unanimously accepted, reading as follows:

"The Chairman noted that the suggestions contained in the Italian memorandum were not taken up in the form in which they were presented as amendments by any Delegation and therefore were not endorsed as such."

During the course of the discussion M. Vyshinsky, in connection with the Italian proposal for mention in the Preamble of the Italian partisans, and with the Netherlands amendment (CP IT/P Doc. 8)<sup>33</sup> said that the Soviet Delegation would support the Netherlands amendment.

<sup>33</sup> For text of the Netherlands amendment as modified and adopted by the Commission, see the United States Delegation Journal account of the 6th Meeting, August 26, p. 279.

WEDNESDAY, AUGUST 21, 1946

TWENTY-FIRST PLENARY MEETING, AUGUST 21, 1946, 10 A. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 21

The Chairman (Mr. Bevin) called on General Enver Hoxha, President [*Prime Minister*] of Albania, to present the views of his Government on the Draft Peace Treaty with Italy. General Hoxha gave an account of Albania's efforts during the war against the Italian and German occupants of his country. He said that this record entitled Albania to be considered as an Allied state and to sit at the Paris Conference on the same basis as the 21 nations.

General Hoxha took the occasion to deny certain statements which had been made at Conference by M. Tsaldaris. General Hoxha stated that Albania had not been at war with Greece or guilty of aggression against Greece. The Albanian people had fought alongside the Greek people against the Axis enemies and against both Albanian and Greek quislings. He denounced Greek claims to southern Albania and the plans of M. Tsaldaris for the partition of Albania; he declared Albania's present frontiers to be sacred and inviolable.

On the subject of the Italian Peace Treaty, General Hoxha said that Albania would demand that the armed forces to be left Italy be reduced even further than was contemplated in the Draft Treaty; that the Treaty fix the amount of reparation due to Albania and the means of payment. Albania would also have proposals to make concerning the return of war criminals, restitution, and other questions, and would put forward these proposals in detail for examination. He proposed, finally, since the Treaty did involve rights and obligations on Albania's part and in its present form made no provision for signature by Albania, the following amendment: "Article 26 *a*. With respect to the application of this Treaty, Albania is considered as an Associated Power."<sup>34</sup>

Dr. Alfonso de Rosenzweig-Diaz presented the views of the Mexican Government on the Draft Peace Treaty with Italy. Mexico regretted the decision of the Moscow Conference which had excluded it from membership in the present Conference. Since Mexico had signed the United Nations Declaration and had participated in the war, it had a right to participate in making the peace.

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<sup>34</sup> For text of the Memorandum Submitted by the Albanian Government on the Draft Peace Treaty with Italy, C.P.(Gen) Doc. 7, August 30, 1946, see vol. iv, p. 799.

Dr. Rosenzweig stated the view of his Government that the peace settlement must be based upon principle and upon the moral conscience of mankind; it must be an organic peace based on international justice and law, not a purely mechanical peace. With specific reference to the Treaty with Italy, he said that Mexico had no claims to put forward except those which had resulted from direct damage to Mexican property and interests by Italian action. With respect to the territorial clauses, the Mexican Government believed that the solutions found must satisfy the legitimate aspirations of the parties directly concerned. Regarding the disposition of the Italian colonies, Mexico adhered to the principle of trusteeship set forth in the Charter of the United Nations.<sup>35</sup>

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TWENTY-SECOND PLENARY MEETING, AUGUST 21, 1946, 4 P. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 21

The Egyptian Delegate<sup>36</sup> presented the views of his Government on the Italian treaty. He said that there were two things with regard to the treaty which he wished to discuss—reparations and the Italian colonies. With regard to the first question Italy had invaded his country and as a result Egypt deserved compensation out of Italian property held since June 1940 in the hands of the Egyptian custodians. Specific proposals by the Egyptian Government would be put before the Economic Commission. With regard to the second question, Egypt desired the oasis of Jarabub, ceded to Italy in 1925, and the Plateau of Soloum. Furthermore, he proposed that the Allied states recognize the independence and sovereignty of Libya and that her steps toward independence should be guided by a member of the Arab League. Italian administration could not be permitted.<sup>37</sup>

The Cuban Delegate<sup>38</sup> then drew attention to the fact that Cuba had joined the Allies on December 11, 1941. He proposed that the terms of the Italian Treaty should be just and equitable and designed to facilitate reconstruction. He said that the Italian republic should

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<sup>35</sup> See the Memorandum Submitted by the Mexican Delegation on the Draft Peace Treaty With Italy, C.P.(Gen) Doc. 8, August 30, 1946, *Paris Peace Conference*, 1946, p. 335.

<sup>36</sup> Wassef Ghali Pacha.

<sup>37</sup> Regarding Egyptian claims, see note from the Egyptian Legation to the Acting Secretary of State, June 18, vol. II, p. 536, and note from the Department of State to the Egyptian Legation, July 25, *ante*, p. 16. For the Memorandum Submitted by the Egyptian Government on the Draft Peace Treaty With Italy, C.P.(Gen) Doc. 10, August 30, see *Paris Peace Conference*, 1946, p. 343.

<sup>38</sup> Hector de Ayala.

be considered a truly democratic state and be admitted to the United Nations.<sup>39</sup>

The Austrian Delegate, Mr. Gruber, admitted that his people had made many mistakes and that there had been criminals amongst them but pointed to the long standing resistance to Nazi aggression which began as early as 1933. The new democratic Austria wanted nothing but the continuation of a peaceful and steady life. He asked for the return of the South Tyrol where the people have been deprived of the most primitive human rights and whose separation from Austria had disrupted communications and Austrian economy. He asked that if Trieste were internationalized Austria be given a voice in the government since Austria had the largest share in the trade of the city and intended to increase it.<sup>40</sup>

The Iranian Delegate<sup>41</sup> thanked the Conference for the opportunity offered his government to speak and drew attention to the economic, military and moral contributions of his country to the Allied cause. He said that a Delegation would arrive from Iran as soon as possible to express the views of the Iranian Government.<sup>42</sup>

The Chairman suggested that the Conference convene at 10 a. m. the following day. The meeting closed at 6:05.

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#### COSTE-THORP CONVERSATION, AUGUST 21, 1946

CFM Files

*Memorandum of Conversation, by Mr. Robert D. Baum of the  
United States Delegation*

SECRET

PARIS, August 21, 1946.

Participants: M. Coste, Opposition Rumanian Group  
Mr. Thorp and Mr. Reinstein

Subject: Reparations and General Economic Relations Articles of  
Rumanian Treaty

Mr. Coste presented his group's views on the Reparation and General Economic Relations articles of the Rumanian Treaty. He said that Mr. Molotov had forbidden any Rumanian criticism in public of treaty matters affecting the U.S.S.R., even such problems as a more

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<sup>39</sup> For the Memorandum on the Draft Peace Treaty With Italy Submitted by the Cuban Delegation, C.P.(Gen) Doc. 9, September 9, see *Paris Peace Conference, 1946*, p. 340.

<sup>40</sup> For the Memorandum Presented by the Austrian Delegation on the Draft Peace Treaty With Italy, C.P.(Gen) Doc. 11, August 30, see *Paris Peace Conference, 1946*, p. 364.

<sup>41</sup> Zein Al-Abedine Rahnema.

<sup>42</sup> For the Memorandum Presented by the Iranian Delegation on the Draft Peace Treaties, C.P.(Gen) Doc. 12, September 2, 1946, see *Paris Peace Conference, 1946*, p. 391.

exact definition of German property or compensation for transit privileges mentioned in Article 21.

*Reparations.* Mr. Coste urged that Rumania not be left by the Treaty to deal with her creditors individually. He favored a provision for the creation of a Reparation Commission similar to the one created after World War I, to deal with the reparation-restitution question as a whole. It should review the whole subject of deliveries and payments made since the Armistice and determine whether some of those made on other accounts should be credited against Rumania's reparation obligation.

He pointed to some of the devices of interpretation whereby the Soviet Union, in the absence of an international reviewing authority, had created a crushing financial burden on Rumania. The establishment of the reparation obligation, for instance, on the basis of 1938 prices had resulted in Rumania's paying \$90 million in current dollars during the first year, almost twice the amount specified in the Armistice. In handing over "German" property, Rumania not only had lost much that was actually Rumanian but also had to pay for the repair and packing of such property and even for its transportation within Russia. Under the restitution provisions the Soviets, after agreeing in 1945 that the goods already returned were worth 348 billion lei, later set their value at only 170 billion lei and required Rumania to make additional deliveries to fill the difference.

Mr. Reinstein asked how far the Rumanian Government was willing to make the facts on such matters available to the United States. Mr. Coste, referring to Mr. Molotov's objections mentioned above, indicated that Rumania under its present Communist Government would not disclose much information. Mr. Thorp asked whether the Rumanian representatives, if they appeared before the Economic Commission and were asked concerning deliveries, would make a satisfactory reply. Mr. Coste said that their answer would probably be general and evasive.

Mr. Reinstein indicated that inasmuch as Rumania's only reparation obligation was to the Soviet Union, one could not argue for a reparations commission by use of an analogy to the situation after World War I, when there were many countries which had to deal with Germany. He said, however, that there would probably be expert committees organized under the committee of three ambassadors provided for in the treaty.

Mr. Coste said that he was thinking of a commission which would deal with restitution and restoration of property as well as reparation. Mr. Thorp felt that one difficulty with a reparation commission would be that it might unduly prolong the final settlement by lengthy investigations. The United States was anxious for a quick, final settle-

ment. Mr. Reinstein said that at one time such a commission had been envisaged but that it had been lost in the process of negotiations.

Mr. Coste, in reply to Mr. Reinstein's statement that it would be difficult for the United States to propose the establishment of the reparations commission, said that he believed the proposal would be made by some other delegation. Mr. Thorp said that the United States would certainly not seriously oppose the suggestion of such a body which would bring out in the open the facts on Soviet action.

*General Economic Relations.* Mr. Coste said that his group hoped that the most-favored-nation provision would be retained in the treaty in a form which would apply more generally than simply to trade relations. They also hoped it would be retroactive so that it would apply to the Soviet economic agreements, thereby giving Rumania grounds for freeing herself from obligations made during an armistice period when her full sovereignty to make an agreement might be questioned. Mr. Reinstein indicated that the most-favored-nation provision applied to existing as well as to future agreements. To the extent that they did not conform to the general principle, they could be attacked.

Mr. Thorp indicated that although the United States was in favor of the suggestions made by Mr. Coste they were in an area of fighting beyond which the United States believed its aim could be achieved. Mr. Reinstein said that the big problem was that in public the Rumanians never objected to the arrangements with the U.S.S.R. Without formal complaints or data which are agreed to by Rumania, the United States had little on which to work. Mr. Coste said that was why his proposal for a reparation commission would be valuable. It would enable the participants to examine all the facts.

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#### THURSDAY, AUGUST 22, 1946

##### BYRNES-DE GASPERI CONVERSATION, AUGUST 22, 1946, 9:30 A. M.

CFM Files

##### *United States Delegation Memorandum of Conversation* <sup>43</sup>

CONFIDENTIAL

PARIS, August 22, 1946.

Participants: The Secretary  
 The Italian Prime Minister, Signor de Gasperi  
 The Italian Ambassador to the United States, Signor  
 Tarchiani  
 Mr. J. Wesley Jones

The Secretary received the Italian Prime Minister this morning at 9:30. He was accompanied by Ambassador Tarchiani, Signor de

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<sup>43</sup> Presumably drafted by J. Wesley Jones.

Gasperi, who is returning to Rome tomorrow, called to say good-bye.

The Prime Minister expressed anxiety over the internal political situation in Italy, referring to the violent attacks against him in the Communist press during the past ten days and to newspaper reports of a possible crisis in the Italian Government. He said that it would be useful for him to know, in reporting to the other Ministers in the Government, one, the probable duration of the Conference and two, the chances of Italy's success in obtaining amelioration of some of the clauses of the draft treaty. The Secretary replied that he could actually give him very little indication of the outcome of the Conference as far as changing in Italy's favor the present clauses of the draft treaty. He would suggest, however, that the Prime Minister make his fight on every point on which the Italians desired improvement; that this was the purpose of the Peace Conference; and that any recommendations in Italy's favor which the Italians could succeed in obtaining from the Conference would make it that much easier for the Secretary to obtain a better treaty for Italy in its final drafting in the Foreign Ministers Council.

Signor de Gasperi referred to his last conversation with the Secretary<sup>44</sup> and to the great importance which the Italian Delegation attached to enlarging the Free Territory of Trieste to include the west coast of Istria and Pola. He said that he had tried to establish direct contact with the Yugoslav Delegation here in Paris; that he had sent Ambassador Reale (Italian Ambassador to Warsaw and a member of the Communist Party) to see the Yugoslav Foreign Minister here; that the latter had refused to see de Gasperi until after the question of the Free Territory of Trieste had been settled; and that he refused in any event to consider the extension of the Free Territory but expressed the view rather that he wished to restrict it further.

When the Prime Minister emphasized the necessity of a good Statute for Trieste, guaranteeing its integrity and independence, the Secretary indicated that he anticipated difficulty with the Yugoslavs and the Soviets over the Statute and said that he intended to follow this phase of the Italian Treaty very closely, recognizing its importance. He referred to our present difficulties with the Yugoslav Government and the stand which we were taking as a result of the recent outrageous attack by the Yugoslavs against unarmed American transport planes.<sup>45</sup>

The Secretary referred to an earlier Italian request that the limitations on their armed forces and frontier defences be reviewed after five or ten years. He pointed out that a provision for review of these clauses was actually contained in the first Article under the Military,

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<sup>44</sup> For the memorandum of the Byrnes-De Gasperi conversation of August 10, see p. 172.

<sup>45</sup> For documentation on this controversy, see vol. vi, pp. 867-978, *passim*.

Naval, and Air Clauses; that is, that they can be modified by agreement between the Security Council and Italy after Italy becomes a member of the United Nations. The Secretary suggested Signor de Gasperi read that Article again carefully, expressing the opinion that it adequately met his request.

Ambassador Tarchiani asked the Secretary's sympathetic consideration of the Italian request that Italy not be required to renounce her rights and title to the Italian colonies in Africa but that the *status quo* remain for a year. (In other words, that the first paragraph of Article 17 be eliminated from the draft treaty.) Ambassador Tarchiani said that the French would agree and that he thought the British were also coming around to that viewpoint. The Secretary said that he was entirely agreeable to the omission of the Italian renunciation clause with respect to the colonies at this time and that he would speak to Mr. Bevin on behalf of the Italians.

The Secretary again emphasized that the Italian Delegation should take every opportunity to get their views before the various Commissions of the Conference and make every effort to secure favorable recommendations from the Conference to the Council of Foreign Ministers on the various Articles of the draft treaty which the Italians wished to see modified.

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**TWENTY-THIRD AND TWENTY-FOURTH PLENARY MEETINGS,  
AUGUST 22, 1946, 10 A. M. AND 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)22

M. Neves da Fontoura (Brazil) presented the viewpoint of his government on the Peace Treaty with Italy. He said that he was interpreting the feeling of all Latin America in asking for equitable treatment for Italy. He referred to the Atlantic Charter, the principles of which he said should be applied, and characterized the Draft Treaty as unjust to Italy since it amputated a part of her metropolitan territory and her colonies. He referred to a recent statement by the Soviet Delegation that Rumania should be congratulated and encouraged for taking the democratic path. Brazil felt that the same attitude should be taken toward the Italian Republic. Italy had done a great deal for the Allied cause in the war, as the Great Powers had recognized in the Potsdam Declaration. Brazil based its plea for a just peace for Italy on the traditions of Brazilian policy and on the principles of law and justice which were the basis of Latin and Western culture.



Sir Samuel Runganadhan (India) commented on the statements made by the Egyptian and Iranian Delegations. India hoped that the requests of Egypt concerning territorial modifications and reparations would be given full and sympathetic consideration by the Conference. India also hoped that Libya would be given its independence at the earliest possible date and that Italian administration would not be returned in any form.

M. Tsaldaris (Greece) in a speech replying to the statement of the Albanian Delegation, referred to Greece's heroic part in the war and expressed astonishment that former satellite states such as Bulgaria and Albania had the nerve to come to the Conference and claim Greek territory. He said that Greece was in a state of war with Albania, which had been declared by a freely elected Albanian national assembly. He said Albania had attacked Greece and had participated in the occupation of Greece. This was the continuation of an Albanian policy of alliance and association with Fascist Italy which had begun before 1939. He said that the present Albanian regime could not be excused of all responsibility for the acts of so-called Albanian quislings between 1939 and 1944. He quoted from a statement of the present head of the Albanian state in which the latter in 1940 had praised Fascism. On the subject of Greek claims to Northern Epirus, M. Tsaldaris said it was rightfully part of Greek territory and was necessary to Greece for reasons of security. He said that there were 120,000 Greeks there in 1919 and that if there were less today, it was the result of persecution by the Albanians, which had reached its height since the end of the recent war. In countering the Albanian allegations concerning persecution of the Albanian minority in Greece, M. Tsaldaris said that these people had been a source of agitation and had cooperated with the aggressors against Greece; they had spontaneously fled to Albania to escape the consequences of their crimes. M. Tsaldaris said that the Northern Epirus question was an obstacle to cooperation between Greece and Albania. The Council of Foreign Ministers should take it up but had not done so. The Greek Delegation reserved the right to submit a paper on the subject to the Peace Conference and hoped that it would be given favorable consideration.

M. Manuilsky (Ukraine) made a reply to the speech of M. Tsaldaris, in which he denounced the latter for his interventions which served only to cause confusion in the Conference. M. Manuilsky said, with reference to M. Tsaldaris' remarks on the head of the Albanian state, that he preferred democrats who might have committed errors in the past to those who today were placing democratic principles at the service of Fascism. M. Manuilsky then connected the Greek territorial claims against Bulgaria and Albania with recent frontier incidents

which he said illustrated the aggressive policy of Greece. He denounced the treatment of minorities in Greece and called it a danger to the peace of the Balkans. He said also that Greece had adopted a policy of antagonizing, through press attacks and in other ways, neighboring states, including Yugoslavia, an Allied state. M. Manuilsky criticized the Greek Government as reactionary and unrepresentative of the people, quoting members of the British Labor Party in support of this view. He held that the referendum about to be held in Greece would be falsified and that the results would not reflect the will of the Greek people.

The Chairman reminded the delegates that under a rule adopted by the Conference on August 12 speeches dealing with the statements of the Albanian, Mexican, Cuban, Egyptian and Austrian Delegations were to be limited to subjects connected with the Peace Treaty with Italy.<sup>46</sup> He said that he had not insisted on the application of this rule earlier as he had trusted the good sense of the Delegations. He felt that now he must remind them of its existence and wished to point out also that they could, of course, supplement their oral statements before the Plenary Conference with written and oral presentation of views before the competent commissions. M. Dragoumis (Greece) then reserved the right of the Greek Delegation to present observations to the competent commissions since it would not be possible now to reply to certain allegations which had been made.

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**MEETING OF THE SECRETARY OF STATE WITH AN ITALIAN-  
AMERICAN DELEGATION, AUGUST 22, 1946, 3:30 P. M.**

CFM Files

*Memorandum of Conversation, by Mr. J. Wesley Jones of the  
United States Delegation*

CONFIDENTIAL

PARIS, August 22, 1946..

Participants: The Secretary, and  
a Committee representing the American Committee for a Just Peace with Italy composed of  
Mr. and Mrs. Luigi Antonini,  
Mrs. Rufo,  
Judge Forte,  
Judge Alessandrone,  
Mr. Montana.

The Secretary received a delegation of Americans this afternoon at 3:30 representing the American Committee for a Just Peace with

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<sup>46</sup> For the United States Delegation Journal account of the 12th and 13th Plenary Meetings, August 12, see p. 186.

Italy. The delegation has come to Paris to present the views of the Committee to the Secretary. Mr. Antonini, in introducing himself and his delegation, said that he likewise represented the American Federation of Labor and the Pan American Conference of Free Italy which met in Buenos Aires last month. He handed the Secretary a letter from the A.F. of L. He said that his Committee was disturbed by the trend of events in Paris with respect to the drafting of the Italian peace treaty; that they were interested in encouraging and assisting the new democratic Italian republic; that they were convinced that Italy should and could become a constructive force in Europe and the world, and that for these reasons they were working to prevent a punitive peace for Italy. Mr. Antonini said that at the recent conference in Buenos Aires he had had an opportunity to talk with the Foreign Ministers of several Latin American countries and that he found a universal desire to assist the new Italian Government and people and to support a just peace. He pointed out that our relations with South America made it important not to ignore this sentiment. Mr. Antonini referred to the large number of Americans in the United States of Italian extraction and their interest in a just peace for Italy. In referring to the various clauses of the CFM draft treaty Mr. Antonini particularly stressed the importance of the settlement in Venezia Giulia and the desirability of extending the Free Territory of Trieste to include western Istria and Pola. Mr. Montana said that the French should be persuaded to make some concession to Italy in their demands along the northwestern frontier to avoid a serious estrangement of France and Italy at this particular moment in European history. Mrs. Rufo expressed a fear of Communism in Italy.

Mr. Antonini concluded that he and the other Americans in the delegation would not be in Paris today pleading Italy's case if they were not convinced of the fundamental democratic character of the new Italian Government and the Italian people.

The Secretary thanked the delegation for the expression of its views. He said that he understood them and was sympathetic with them; that there was not much that he could add to what the delegation already knew from his radio address and from press reports of the difficulties which the American Delegates to the CFM and the Paris Conference had encountered in trying to give Italy the kind of a peace which the Americans felt she deserved. He said that he had been surprised at the hostile attitude and comments against Italy which had been made by certain delegations to the Conference and that we as Americans were inclined to forget the human suffering and material damage which some of Italy's neighbors had suffered as a result of her aggression from 1935 onward. He referred to the large reparations demands which had been made not only by Russia but by Albania, Ethiopia and certain other victims of the Fascist aggression.

The Secretary said that the Italian Prime Minister, when he had called on him this morning,<sup>47</sup> had made a similar proposal concerning the extension of the Free Territory of Trieste. The Secretary reviewed his efforts to have the Free Territory extended over a larger area of the Istrian Peninsula and, while feeling that France and England would be agreeable, expressed the conviction that the Soviet Government would not agree, having undoubtedly committed itself to Yugoslavia to bring this area as much under Yugoslav domination as possible. The Secretary pointed out the advantages to Italy of having this area internationalized under the United Nations which he believed could offer the only security of its independence and freedom from Yugoslav aggression. He referred to the problem of Yugoslavia in present international relations and our serious differences with that country at the moment over the shooting down of two unarmed American transport planes.

The Secretary referred to the progress of the Paris Conference and the evident lack of good will and spirit of cooperation as depressing and discouraging. He said, however, that the United States was determined to proceed with the conclusion of the peace treaties with all former enemies as the only possible basis on which the world could be reconstructed and life in the various former enemy countries returned to normal. He said that he himself was convinced of the wisdom of this policy and that he had been fighting for it since last September against consistent opposition from the Soviet Union and its satellites. He concluded by saying that he had every sympathy for Signor de Gasperi and his new and democratic republic and that he knew and understood the desires of the Committee to see Italy receive a just peace settlement.

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**TWENTY-FOURTH PLENARY MEETING, AUGUST 22, 1946, 4 P. M.**

[See page 269.]

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**FRIDAY, AUGUST 23, 1946**

**FIFTH MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR ITALY, AUGUST 23, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)23

The Commission began consideration paragraph by paragraph of the Preamble of the Italian draft treaty. The first paragraph was approved without amendment and without comment.

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<sup>47</sup> For the memorandum of this Byrnes-De Gasperi conversation, see p. 267.

The representative of the Netherlands introduced an amendment to the second paragraph of the Preamble (first paragraph of CP(IT/P) Doc. 6). He modified the English text of his amendment already circulated to substitute the word "undertook" for "unleashed". His amendment to the second paragraph of the Preamble thus reads as follows:

"Whereas Italy under the Fascist regime became a party to the Tripartite Pact with Germany and Japan, *undertook* a war of aggression and thereby provoked a state of war with all the Allied and Associated Powers and with other United Nations, and bears her share of responsibility for the war."

The representatives of the U.S.S.R. and Byelorussia opposed the Dutch amendment and supported the C.F.M. draft. The representatives of New Zealand, Australia, and South Africa spoke in favor of the Netherlands amendment which was finally put to the vote and approved by 11 votes to 9.<sup>48</sup>

The Yugoslav amendment to the second paragraph of the Preamble was next considered (paragraph 2 of CP(IT/P) Doc. 5).<sup>49</sup> The representatives of the United Kingdom, the United States, and Belgium opposed the Yugoslav amendment while the Polish delegate was the only one who spoke in favor of it. The Yugoslav representative withdrew his amendment, and the Chairman declared paragraph 2 of the Preamble accepted with the Dutch amendment.

The Commission considered the Chinese amendment to paragraph 3 of the Preamble. The Chinese amendment was a composite proposal supported also by the Delegations of Belgium, Brazil, Canada, and the Netherlands (CP(IT/P) Doc. 14). The following Delegations spoke in favor of the Chinese amendment: China, France, Yugoslavia, Brazil, U.S.A., Australia, and the United Kingdom. The Australian congratulated the Chinese Delegation on having broken down the solid C.F.M. front by his amendment; he called on all Delegations to note this important moment in the history of the Conference and expressed

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<sup>48</sup> The United States, the United Kingdom, the Soviet Union, Byelorussia, the Ukraine, Poland, Czechoslovakia, and Yugoslavia opposed the amendment.

<sup>49</sup> The amendment proposed the following changes:

1) In the first paragraph of the Preamble, list the Allied and Associated Powers in the following order: The U.S.S.R., U.K., U.S.A., China, France; then come Ethiopia, Greece, the Federative People's Republic of Yugoslavia, followed by the other Powers in alphabetical order.

2) In paragraph 2, delete the words "and bears her share of responsibility for the war", and substitute: "occupied and partially annexed territories belonging to Allied and Associated Powers, and bears a large share of responsibility for the war".

3) In paragraph 5, line 5, after the word "Powers", add: "after the ratification of the present Treaty by the Great Powers and by the Allied and Associated Powers neighbouring on Italy which share in the preparation of the present Treaty".

his pleasure at the tacit admission that the C.F.M. draft was not sacrosanct and above modification. The United Kingdom representative suggested a slight drafting modification in the Chinese amendment. In the absence of any opposition to the amendment the Chair declared the Chinese amendment, with the drafting change proposed by Great Britain, accepted unanimously. In its final form it reads as follows: "*Whereas in consequence of the victories of the Allied forces, and with the assistance of the democratic elements of the Italian people, the fascist regime in Italy was overthrown on July 25, 1945, and Italy, having surrendered unconditionally, signed the terms of Armistice on September 3 and 29 of the same year; and . . .*"

The Commission adjourned at 7:55 p. m. with the consideration of paragraph 4 of the Preamble as the first item on the agenda for the next meeting.

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## SATURDAY, AUGUST 24, 1946

### THIRD MEETING OF THE POLITICAL AND TERRITORIAL COMMISSION FOR RUMANIA, AUGUST 24, 1946, 10 A. M.

CFM Files

#### *United States Delegation Journal*

#### USDel(PC) (Journal) 24

The Commission held a preliminary discussion on the Australian amendment to the preamble (C.P.Gen.Doc. 1.B.1).<sup>50</sup> Since this document and a memorandum submitted by the Rumanian Delegation<sup>51</sup> were received by some delegations only at the start of the meeting, it was decided that no final decision on them would be taken at the present meeting. The Australian Delegation presented and explained its proposal that the preamble should include the following words describing the treaty of peace: "conforming to the principles of justice and equity and securing to all persons in territories affected by it human rights and fundamental freedoms without distinction as to race, sex, language or religion". The Ukrainian and Czechoslovak Delegations considered this language too vague and requested explanation from the Australian Delegation. The latter indicated that its main concern was to have stated clearly in the preamble the principles on which the treaty was based and also to provide for protection of minorities. The Czechoslovak Delegation asked the precise meaning of the term "human rights and fundamental freedoms" and of the expression "in territories affected by it". The Australian Delegation wished to have these questions in writing before making a reply.

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<sup>50</sup> Amendments contained in C.P. (Gen) Doc. 1 are printed in vol. iv, pp. 654. ff.

<sup>51</sup> The memorandum, Rumanian Observations on the Draft Peace Treaty, C.P. (Gen) Doc. 3, is printed in *ibid.*, p. 217.

When it became known that the Secretariat was proposing that certain amendments which were common to all the treaties be discussed in a single body rather than in the different Commissions, the Australian Delegation suggested postponing further discussion in the Commission until it should become clear what procedure would be followed in such cases. The Soviet Delegation pointed out that no suggestion of the Secretariat was binding on the Commission and that the latter should continue its discussion on the amendments before it. The Chairman upheld the view of the Soviet Delegation. Further discussion of the preamble and the proposed amendments thereto was, however, deferred until the next meeting.

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**THIRD MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR HUNGARY, AUGUST 24, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)24

The Commission discussed the preamble of the draft treaty and considered amendments submitted by the Australian Delegation (C.P.Gen. Doc. 1.B.1[46]), a declaration by the Czechoslovak Delegation (C.P. Gen.Doc. 1.Q.1) and a statement of the Hungarian Delegation (C.P. H./P. Doc. 3).<sup>52</sup> The Czechoslovak Delegation emphasized Hungary's close association with Hitler and full responsibility for the war and wished to see these facts more clearly stated in the preamble. After several Delegations expressed understanding of the Czechoslovak point of view but urged the Czechoslovak Delegation to withdraw its amendment, M. Clementis (Czechoslovakia) said that he would not insist on tabling it so long as the Czechoslovak declaration was inserted in the record of the meeting.

The Hungarian statement proposed the insertion of a reference to Hungary's contribution to the final victory over Germany. M. Gusev (USSR) did not think it necessary or justified to accept the Hungarian suggestion. No member of the Commission offered to support it and no vote was taken on it.

The Australian amendment was similar to that proposed for the four other treaties, and the Secretariat had apparently suggested that it be referred to the General Commission. The Australian Delegation agreed to this procedure. M. Gusev said it would be perfectly proper to consider the amendment in the present Commission, and that it was not within the province of the General Commission to consider

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<sup>52</sup> C.P.(H/P) Doc. 3 is identical with paragraph 2 of C.P.(Gen) Doc. 5, August 26, Observations on the Draft Peace Treaty with Hungary by the Hungarian Government, vol. iv, p. 249.

amendments to any individual treaties. The Czechoslovak and Yugoslav Delegations supported this position. The U.K. Delegation thought that, while the decision rested with the Hungarian Commission, the General Commission might discuss the amendment and make recommendations to the Commission. Further discussion of the Australian amendment was then deferred until the next meeting.

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**THIRD MEETING OF THE ECONOMIC COMMISSION FOR ITALY,  
AUGUST 24, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 24

Mr. Walker (Australia) proposed that the Commission postpone its preliminary discussion of Article 64 (Reparation) for the purpose of determining whether a Reparation Sub-commission should be established until the members of the Commission had received and considered the relevant amendments which had been submitted and any available information as to claims for reparation. He noted that the Australian Delegation had submitted an amendment providing for the creation of a permanent Reparation Commission [C.P.(Gen.) Doc. 1.B.10] and suggested that the Commission would want to consider this amendment in reaching a decision as to the creation of a sub-commission. Dr. Bartos (Yugoslavia) supported the proposal for a postponement of the discussion. M. Alphand (France) suggested that a technical sub-commission be nominated immediately to study and collate the reparation claims. Mr. Thorp (USA) said that he knew of no rule barring the submission of new claims for reparation and suggested that the Commission fix a deadline for the submission of claims. He thought that it would be useful to create a sub-commission, even if the Australian amendment were accepted. M. Vyshinsky (USSR) supported the proposal for a postponement of the discussion and suggested that the Commission adjourn until Monday without discussing the creation of a sub-commission. Sir David Waley (UK) favored the creation of a technical sub-commission, as proposed by M. Alphand, but was ready to defer consideration of the question until Monday. He also suggested that the deadline proposed by Mr. Thorp be fixed as midnight of Thursday, August 29. Mr. Walker was agreeable to an adjournment until Monday, provided that the Commission would again postpone its meeting if the necessary materials had not been made available to the Commission before Monday's meeting.

The Commission agreed to adjourn until Monday and to fix midnight of Thursday, August 29, as the deadline for the submission of memoranda embodying claims for reparation.



## RAILEY-LEBEL CONVERSATION, AUGUST 24, 1946

CFM Files

*Memorandum of Conversation, by Mr. Howard Barclay Railey*<sup>53</sup>

PARIS, August 24, 1946.

Expecting that the iron curtain may prove as impenetrable after the conclusion of the peace treaties as it is at present, the French Foreign Office feels strongly that the economic clauses of the 5 treaties under consideration should contain a protection against this by including an article which would provide reciprocally for the first two aeronautical freedoms (right of transit and technical stop).<sup>54</sup> The article which the French now have under consideration as a means of accomplishing this is as follows:

With a view to permitting the most rapid resumption of communications and international transit (name of country) undertakes:

a) to accord to the civil aircraft of all the members of the United Nations who would undertake reciprocally to extend the same benefits to the civil aircraft of (name of country) under identical regulations the right of innocent flight over its territory and the right to make non-commercial stops on the airports designated by it.

In the foregoing draft the French have reluctantly proposed the reciprocal exchange of the two freedoms but would infinitely prefer that some state (preferably a small state) propose that, since these are ex-enemy nations, the two freedoms be exacted from them on a non-reciprocal basis.

If the American delegation should not feel that it can support the above French proposal it is believed that the French would be willing to modify it in such form as would elicit our backing.

In view of the lack of success which has thus far met our efforts to negotiate an air-transport arrangement with Poland it would appear that there may be merit in the French supposition that the Western Allies may expect no greater cooperation from the other Russian satellites after conclusion of the peace treaties, unless some definite provision is contained in the peace treaties themselves.<sup>55</sup>

<sup>53</sup> Civil Air Attaché of the Embassy in France. This memorandum is based on a discussion with Claude Lebel, Chief of the Bureau of Central Administration of the French Foreign Office.

<sup>54</sup> The International Air Transport Agreement concluded at the International Civil Aviation Conference held in Chicago, November 1-December 7, 1944, established principles known as the "Five Air Freedoms"; for documentation, see *Foreign Relations*, 1944, vol. II, pp. 355 ff.

<sup>55</sup> A memorandum by Railey for Thorp, dated August 27, indicated that the United States Civil Air Attaché in the Balkans, Francis Deak, recommended that the United States support inclusion in the five treaties provisions granting the United States and other United Nations all five air freedoms (see the preceding footnote) on a unilateral and nonreciprocal basis for 3, 5, or 10 years. He believed that if it proved necessary to grant reciprocity, this would not have a greatly adverse effect upon United States interests. Headquarters, United States Air Forces in Europe, concurred in Deak's opinion (CFM Files). Regarding civil aviation matters at the Conference, see also telegram 4245 to Paris, August 20, vol. IV, p. 839.

## NOTE

As recent indications of the Russian attitude on civil aviation the following information which comes from sources believed to be reliable may be of interest. The Swedes have for some time been hopeful of reopening their Stockholm-Moscow service which was operated before the war. An overture was made and Russian authorities invited the Swedes to Moscow to discuss the matter. After preliminary conversation the Russians are reported to have stated "Of course, you understand that the service Moscow-Stockholm is to be operated by us". Whereupon, the Swedes promptly went home. French sources report from Warsaw that the Russians informed the Poles that they would operate alone the service Moscow-Warsaw and that "as reciprocity" the Poles could operate from Warsaw to Berlin.

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MONDAY, AUGUST 26, 1946

SIXTH MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR ITALY, AUGUST 26, 1946, 10 A. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)25

The Commission considered the fourth paragraph of the Preamble to the Italian draft treaty and the Netherlands amendment thereto (CP(IT/P) Doc. 8). The amendment was supported by the representative of the Netherlands who declared that it fell into two parts: (1) recognition of the role played by the resistance movement in Italy and (2) reference to Italy's declaration of war against Japan. The Soviet Delegate said that he supported the first part of the Dutch amendment if there were no objection from the other three Delegates represented on the Council of Foreign Ministers but that he objected to the second part assigning to Italy a cobelligerent status in the war against Japan. The French Delegate supported the first part of the Dutch amendment and suggested that the second part be withdrawn which the representative of the Netherlands promptly acceded to. Thereafter the U.K. and U.S. representatives supported the Dutch amendment as amended. The Yugoslav representative objected to the entire Dutch amendment as superfluous. At the request of the Soviet representative he refused to withdraw his objection and declared that the Yugoslav Delegation would abstain from voting. The Chairman noted the abstention of the Yugoslav Delegation and de-

clared the amendment of the Netherlands, as modified, accepted by the Commission. Paragraph 4 as amended therefore reads as follows:

"Whereas after the said armistice Italian armed forces, *both of the government and of the resistance movement*, took an active part in the war against Germany and Italy declared war on Germany as from October 13, 1943 and thereby became a co-belligerent against Germany;"

The Commission passed to the consideration of paragraph 5 and the Yugoslav and Australian amendments thereto. The Yugoslav amendment (CP(IT/P) Doc. 5 last paragraph)<sup>56</sup> was withdrawn by the Yugoslav Delegation to be considered later in conjunction with Article 78. With reference to the Australian amendment (CP(IT/P) Doc. 15) [C.P.(Gen)Doc.1.B.1] the Chairman made two suggestions:

1. That the substance of the Australian amendment would have to be discussed in connection with Articles 13 and 14 of the draft treaty and therefore that consideration of its inclusion in the Preamble should be postponed until that time.

2. The Australian amendment was common to all five treaties and therefore the Secretary General had invited the Chairmen and *Rapporteurs* of the five Commissions to meet and decide on a course of action to be followed when amendments common to all treaties were submitted.

The Chairman asked for approval of his proposals and was supported by the Canadian representative. The Australian representative agreed to defer discussion of his amendment until it came up in the body of the treaty. The representative of the Ukraine proposed that the Commission reject the Australian amendment and not discuss it either now or later. He argued that it was fully covered in Article 14 of the draft treaty. He then referred to an Australian plan to establish a supreme international body to which appeals by persons of minority races could be made and cited Article 2 paragraph 7 of the United Nations Charter as opposing the establishment of such international authority. The Australian Delegate objected strongly to Manuilsky's remarks, pointing out that the substance of his proposal was not under discussion and that he and the Canadian had limited themselves to the Chairman's proposal that it be deferred to a later and more appropriate period. The Soviet representative declared that he was ready to accept the first part of the suggestion of the Chairman if the Australian Delegate agreed. He opposed the second part of the Chair's suggestion. The Australian Delegate agreed to defer consideration of the Human Rights provisions of his amendment reading "securing to all persons in territories affected by it human rights and fundamental freedoms without distinction as to race, sex, language

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<sup>56</sup> For text, see footnote 49, p. 274.

or religion". He asked however that the Commission consider now that portion of his amendment which would insert in the fourth paragraph the phrase "conforming to the principles of justice" and include the drafting change transposing two phrases in the latter part of the amendment. This was supported by the United Kingdom representative who declared that he had obtained the agreement of the other representatives on the Council of Foreign Ministers. The Yugoslav representative objected to the Australian amendment in its entirety and proposed a different phraseology. The Yugoslav subamendment was lost by a vote of 13 to 7.<sup>57</sup> The Australian amendment as modified by the Australians was thereafter adopted by the Commission with the Yugoslavs dissenting. As approved by the Commission the fifth paragraph of the Preamble with the modified Australian amendment now reads

"Whereas the Allied and Associated Powers and Italy are respectively desirous of concluding a Treaty of Peace which, *conforming to the principles of justice*, will settle questions still outstanding as a result of the events hereinbefore recited and form the basis of friendly relations between them, thereby enabling the Allied and Associated Powers to support Italy's application to become a member of the United Nations and also to adhere to any convention concluded under the auspices of the United Nations".

The Chairman recorded however that final consideration of this paragraph of the Preamble will be deferred until the Human Rights provisions referred to in Articles 13 and 14 of the treaty are discussed at which time the Australians may again raise the question of inserting in this paragraph of the Preamble the following clause:

"and securing to all persons in territories affected by it human rights and fundamental freedoms without distinction as to race, sex, language or religion".

The meeting adjourned at 1:35 p.m.

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### THIRD MEETING OF THE ECONOMIC COMMISSION FOR THE BALKANS AND FINLAND, AUGUST 26TH, 1946, 10 A. M.

CFM Files

#### *United States Delegation Journal*

USDel(PC) (Journal)25

The Chairman read a letter addressed to him by the Polish Delegation, which stated that the Polish Delegation, in accordance with Section I (3) (c) of the Rules of Procedure, wished to be heard in connection with the economic clauses of the Rumanian and Hungarian

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<sup>57</sup> Byelorussia, Brazil, Ethiopia, Poland, Czechoslovakia, Ukraine, and Yugoslavia voted for the amendment (CFM Files: USDel Minutes).

treaties.<sup>58</sup> The Chairman said that he had invited the Polish Delegation to attend the meeting, as the question of reparation, on which the Polish Delegation had submitted an amendment [C.P.(Gen) Doc.1. O.7], was to be discussed.

Mr. Walker (Australia) then made an explanatory statement with reference to the Australian amendment to Article 22 (Reparation) of the Rumanian treaty [C.P.(Gen.) Doc.1.B.24]. He noted that similar amendments were being proposed for each of the five treaties, that the Australian Delegation was raising a question as to the general approach to the reparation problem, and that the amendment to Article 22 should be considered in this light. Australia did not object to the principle of reparation payments by ex-enemies, but it was vitally interested that the reparation settlement should not be such as to interfere with the establishment of conditions conducive to a lasting European peace. Australia regarded it as essential that the reparation settlement should not lead to the economic collapse of the paying countries or threaten their independence. As to the specific provisions of Article 22, Australia agreed that the USSR should receive reparation from Rumania and that, if Poland could substantiate its claim, Poland's right to reparation should also be recognized. Australia agreed that Rumania should make reparation only in part. However, Australia disliked the proposal that the Peace Conference should fix the sum of 300 million dollars and that this should be paid in goods in accordance with bilateral agreements between the USSR and Rumania. Australia recognized that it might have been necessary to set such terms in the Armistice Agreement, which had to be drawn in haste, without a full knowledge of conditions, and was designed for a state of war rather than for the establishment of lasting peace. The Armistice Agreement should therefore be regarded as a temporary arrangement pending the conclusion of the Peace Treaty. The treaty should provide for a full investigation of the relevant facts before the reparation burden was established. For these reasons Australia proposed that the following principles should be adopted: (1) that claims should be stated in detail; (2) that a competent authority (Reparation Commission) should be established to examine the claims and to be informed of the deliveries which have already been made, so that account could be taken of such deliveries; (3) that this authority should determine how much additional reparation should be made, taking into consideration Rumania's capacity to pay; (4) that payments should not be made in goods after the signing of the treaty, but that Rumania should be obligated to turn over as payment a certain portion of its annual foreign exchange receipts from exports. The Australian

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<sup>58</sup> The Polish letter is not printed; for text of the Rules of Procedure, see vol. iv, p. 796.

Delegation believed that this would be advantageous to the recipients and would avoid an invasion of Rumania's sovereignty. The Reparation Commission would be a permanent body to hear claims, to determine capacity to pay and the total amount to be paid, to allocate shares among the various recipients, to collect and pay over the reparation, and to execute the reparation provisions of the treaty. The Reparation Commission should determine the total amount to be paid within six months of the signing of the treaty.

The Greek representative admitted the wisdom and sound principles underlying the Australian amendment, but wished to suggest another principle which should be considered, namely, that an aggressor should not be allowed, by reason of inadequate reparation payments, to recover more quickly than a victim of aggression.

M. Molotov (USSR) strongly attacked the Australian proposal<sup>59</sup> on the following grounds: (1) it would completely upset the Armistice terms, which had been accepted by the CFM and embodied in the draft Peace Treaty. In this connection he observed that the Rumanian Armistice had been published in full on the day it was concluded, whereas the world was still ignorant of the terms of the Italian Armistice.<sup>60</sup> He himself wondered why the terms of the Italian Armistice had not been published, and wondered, though he did not assert it as a fact, whether the explanation was that it was desired to keep certain terms secret. (2) Rumania had not objected to the reparation terms. (3) The Australian proposal would indefinitely postpone the reparation settlement and seemed to indicate a desire to leave as many questions open as possible, a principle which could only serve the interests of aggressive and reactionary elements. (4) The proposal would not be conducive to friendly relations between the USSR and Rumania, or to peace in Europe and the world. (5) It would make Rumania dependent on the dollar and the pound, that is, on the US and the UK. (6) The effect of the proposal would be to nullify reparation for the USSR, which would strike a heavy blow at the rehabilitation of the USSR, whose people could never forget the terrible losses suffered at the hands of Germany and its satellites. (7) He did not believe that the proposal was in the interest of the Australian people, and thought that when the Australian Delegation considered the consequences of its proposal, it might withdraw the proposal. In conclusion he proposed that the Commission decline the Australian proposal—a proposal which, he noted, no one had requested the Australians to make—as incorrect and prejudicial to good relations between the Allies and to a durable peace and that the Commission approve Article 22 as drafted by the CFM.

<sup>59</sup> For text of Molotov's statement, see Molotov, *Problems of Foreign Policy*, p. 130.

<sup>60</sup> Regarding the publication of the terms of the Italian Armistice, see footnote 74, p. 182.

**THIRD MEETING OF THE MILITARY COMMISSION,  
AUGUST 26, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)25

Colonel Naszkowski, the Chairman, stated that General Mossor had arrived to head the Polish group on the Military Commission and he invited the General to assume the Chair in his place.

Admiral Conolly (USA) called attention to what he regarded as certain inaccuracies in the minutes of the preceding meeting, particularly with regard to Item 4(b) which he thought was unduly restrictive in as much as it failed to mention the purpose of setting up subcommittees, and Item 4(d) which indicated that it was only the desire of the Commission to receive documents 24 hours in advance of each meeting, whereas an agreed decision had been reached on that point. General Slavin, the Soviet Delegate, maintained that Item 4(b) was correct as drafted and the Chairman had a portion of the unofficial minutes of the previous session read which he interpreted as indicating that the item had been appropriately drafted and that the US was introducing a new idea. Admiral Conolly said that such was not the case, that he had merely desired to clarify the conditions under which subcommittees would be constituted and that it would meet his purpose if his views were brought out in the minutes of the current session. Regarding Item 4(d) the Soviet Delegate agreed that a firm decision had been taken during the preceding meeting and a resolution by the Czech Delegate was rephrased by the Chairman to provide that all documents should be submitted 24 hours in advance and was adopted without opposition. Also adopted was a proposal of Mr. Alexander (UK) to the effect that explanatory memoranda of documents submitted to the Commission should be similarly delivered 24 hours in advance.

In discussing the proposal of the Secretary General regarding the manner in which representatives of ex-enemy states should be heard, a prolonged and involved discussion took place, originating with a suggestion by General Slavin that, although documents submitted by ex-enemy states might be considered by each Delegation individually, they should only be brought before the Commission in case of support by a member of the Commission. Mr. Alexander observed that this matter had already come up in the Political and Territorial Commission on Italy and he suggested that the procedure adopted there should be adopted in the Military Commission. He thought General Slavin's

suggestion might be unduly restrictive and said he did not wish to have all discussion ruled out except in cases where amendments were formulated. Admiral Conolly suggested that a compromise might be found incorporating the point of view of both the UK and USSR by agreeing that the views of non-members or ex-enemy states could be discussed in the Commission but not accepted as amendments unless proposed by a member of the Commission. Following further discussion in which both the UK and USSR Delegations submitted revised texts of their proposals, Admiral Conolly desisted from further attempt to seek a compromise and suggested the following text:

“The views of the representatives of the non-member or ex-enemy states may be discussed in this Commission but they shall not be voted upon as amendments unless moved as such by one of the members of this Commission.”

The Chairman then suggested a rephrasing of the British proposal to the effect that, if the memoranda of ex-enemy states contained suggestions bearing upon articles of the peace treaties, such could not be examined unless proposed as amendments by a member of the Commission. After further discussion regarding the manner in which a vote should be taken on these problems, in the course of which the Chairman first ruled that the vote should be first on the American proposal but later reversed himself to rule that voting should be in the order of the putting of the original motions, the amendment as rephrased by the Chairman was carried by a vote of 13 to 4 with 4 abstentions.<sup>61</sup>

In the course of the discussion General Theron (South Africa) asked for an assurance that the submission of further motions would not be ruled as out of order as the discussion proceeded on the ground that the deadline for the submission of motions had been passed. The Chairman observed that this did not fall within the scope of the question under discussion and he subsequently said that it would be taken up at the next session along with the United States proposal.

The meeting adjourned at 2:40 p. m.

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<sup>61</sup> The Record of Decisions of this meeting describes the text adopted as a joint resolution of the U.S.S.R. and the U.K. It was as follows:

“If the memorandum presented by an ex-enemy State contains suggestions bearing upon the Articles of the Treaty, such suggestions cannot be studied by the Commission unless they are presented in the form of an amendment by one member of the Commission.” (CFM Files)



**THIRD MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR BULGARIA, AUGUST 26, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

## USDel(PC) (Journal) 25

The Commission discussed the preamble of the Peace Treaty for Bulgaria. The first and second paragraphs of the draft preamble proposed by the Council of Foreign Ministers were accepted unanimously. In connection with the third paragraph, M. Novikov (USSR) made a statement which disputed the position taken by the Greek Delegation at the second meeting concerning Bulgaria's participation in the war on the side of the Allies. The Yugoslav Delegation made a similar statement praising Bulgaria's efforts and accomplishments in fighting the Germans after September 1944. The Soviet and Yugoslav statements were attached to the record of the present meeting at the request of those delegations. The Byelorussian Delegation proposed an amendment based on the Bulgarian request that the preamble indicate that Bulgaria took part in the war against Germany from September 1944 instead of after the Armistice of October 28, 1944, and that Bulgaria became a co-belligerent against Germany.<sup>62</sup> Mr. Caffery (US) said that he saw no reason to change the draft preamble merely as a favor to Bulgaria. The French Delegation asked that the amendment be withdrawn, but the Byelorussian Delegation refused to withdraw it. The amendment was then put to a vote and was defeated by nine votes to four, only the Byelorussian, Ukrainian, Czechoslovak, and Yugoslav Delegations voting in favor of it. Paragraph 3 of the draft preamble was then unanimously accepted.

The Australian Delegation presented an amendment to paragraph 4 (CP. Gen. Doc. 1 B 1). Mr. Hodgson explained that when a similar amendment was discussed in the Italian Commission, it had been decided to accept the words "conforming to the principles of justice" and to defer consideration of the reference to human rights until the article on that subject should have been discussed. He proposed that the same decision be taken in this case. The Soviet Delegation wished to discuss the amendment on its merits without regard to the decisions

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<sup>62</sup> The Bulgarian proposal, circulated as C.P. (Bul/P) Doc. 1, was identical with section I of C.P. (Gen) Doc. 4, vol. iv, p. 238. The Byelorussian amendment incorporated into the third paragraph two changes proposed by C.P. (Bul/P) Doc. 1. The revised paragraph thus proposed was as follows:

"Whereas, however, Bulgaria having ceased military operations against the United Nations, broke off relations with Germany, and, without waiting for the conclusion, on October 28, 1944, of an armistice with the Governments of the USSR, the UK and the USA, acting on behalf of all the United Nations at war with Bulgaria, took an active part in the war against Germany and thereby became a co-belligerent against Germany."

of any other commission. On the motion of the UK Delegation it was decided to adjourn the meeting, deferring to the next meeting the discussion on this point.

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TUESDAY, AUGUST 27, 1946

SEVENTH MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR ITALY, AUGUST 27, 1946, 10 A. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)26

The Commission considered an Australian amendment providing for a subcommittee to study territorial changes envisaged in the draft treaty [C.P. (Gen.) Doc. 1. B. 2]. This committee, composed of representatives of the four powers responsible for drafting the treaty and three others, would examine all documents on the boundary questions and would make recommendations to the Commission. M. Vyshinsky (USSR) strongly opposed the Australian proposal as ignoring the comprehensive work already done by the Council of Foreign Ministers. The U.K. Delegation also opposed the Australian proposal on the ground that the Commission could establish subcommittees to deal with special problems whenever necessary. The French Delegation did not think the establishment of a standing sub-committee as envisaged by the Australian proposal was in accordance with the Rules of Procedure of the Conference. M. Vyshinsky bitterly attacked the Australian proposal as intended to delay the work of the Commission, and he suggested that the Australian Delegation was trying to destroy the work of the Council of Foreign Ministers. Mr. Beasley (Australia) made a strong reply declaring that no one had delayed the progress of the peace treaties more than the Soviet Delegation; he said the Australians would not be bullied by anyone and wished only a just and permanent peace in Europe. The Australian Delegation then withdrew its amendment, and the Commission unanimously accepted the following resolution which was put forward as a compromise by the French Delegation:

"The Commission has examined the proposal of the Australian Delegation to set up a committee for the study of questions arising out of the territorial clauses of the draft treaty and, if necessary, to make recommendations on this subject. After discussion, the Commission took note that the Rules of Procedure, Section I, last paragraph, already permit the setting up of such sub-commissions for the study of particular questions. These sub-commissions will be set up in the course of discussion of the territorial clauses of the treaty whenever this is deemed to be necessary."

CFM Files

*United States Delegation Minutes*

[Extract]

## USDel(CP) (IT/P) 7th Meeting

The Soviet representative declared that Articles 2 and 3 of the Italian treaty have been drafted after careful consideration by the CFM, their seven commissions, and on the basis of six special reports including maps etc. He declared that the Australians were now proposing to ignore this immense amount of work and suggesting that the Commission start all over. He referred to Mr. Hodgson (Australia) as resembling a country lad who had come to town and wanted to try everything himself not believing in the work done by others. Mr. Vyshinsky reviewed the time and work which had gone into examination of the frontier problems presented in the Italian treaty and declared that the Commission was now asked to begin this work all over because of an ignoramus. He declared that if a person is ignorant of the facts he should ask someone who is conversant with them. Karl Marx had said "ignorance is no excuse". . . .

[The Soviet Representative] asked why the Australian Delegation persisted in delaying the work of the Commission and why it had felt it necessary to submit such a large number of amendments on the Italian treaty which he described as 35 percent of all amendments submitted. He pointed out that Australia was farthest removed from Italy of all the countries represented and he suggested that the Australian Delegation was trying to destroy the work of the CFM so carefully put together. He concluded that he was opposed to the modified Australian proposal. Mr. Beasley (Australia) replied that no one had delayed the progress of the peace treaties more than the Soviet Delegation, that Australians would not be bullied or kicked around and that that had been the attitude of Australia throughout her history. He declared that Australia had equal rights in the Conference and had a right to put forward whatever suggestions she wished. He attacked Mr. Vyshinsky's attitude that Soviet decisions should not be questioned. He pointed out that it was decided at Moscow that the Conference was to review the work of the CFM and that Australia would not tolerate charges that in following this procedure she was using delaying tactics. The Australian Delegation has as much right in the Conference as the Soviet Delegation. One of the fears of the Conference which had become apparent since its opening was caused by the consistent effort of the Soviet Union to push its fist down the throat of any voice raised in opposition to its

views. The Australians will not be menaced by anyone and it is hoped that other members of the Conference would not be coerced or be afraid to voice their views. He referred to wide discrepancies in figures which had been submitted by the Albanians and other delegations and declared that there was a lot of lying going on in the Conference and that the Australian Delegation wanted to get the truth. He refuted alleged Soviet statements that the Australian Government does not represent its people or that the Greek Government does not represent its people. He declared that the only paper in Australia which stated daily that the Australian Government was not representative of the Australian people was the Communist newspaper and that that was apparently the line which was being followed by some of the delegations in the Conference. He considered Mr. Hodgson's proposal a reasonable one designed only to obtain the facts and viewed the French compromise as too weak. While Australia might be 15,000 miles away he reminded the Conference that she had sent soldiers overseas to fight and die in two wars in a generation and that Australia, therefore, had as much interest as anyone else in peace in Europe. What the Australians wanted however was a just and durable peace and their efforts to this end should not be described as delaying tactics.

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**FOURTH MEETING OF THE ECONOMIC COMMISSION FOR THE  
BALKANS AND FINLAND, AUGUST 27, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)26

The Commission resumed its consideration of the Australian amendment to Article 22 (Reparation) of the Rumanian treaty [C.P. (Gen) Doc. 1.B.24]. The Czechoslovak, Ukrainian, Byelorussian, and Yugoslav representatives strongly attacked the amendment and urged the Commission to adopt Article 22 without amendment. The Canadian representative said that, while he was in agreement with the principles on which the Australian amendment was based, it was necessary to take account of settlements already reached. No one had questioned Rumania's ability to pay the reparation required by the treaty, and unless evidence should be adduced that the burden was too great, he thought that the decision of the CFM should stand. He wished to point out, however, that the Canadian Delegation might want to question the amounts established in certain other treaties. The Canadian Delegation had been impressed by the Australian arguments regarding the establishment of a Reparation and Restitution

Commission with executive functions, as distinguished from the judicial functions of determining the amount of reparation, the methods of payment, allocation among claimants, etc., and it would support the Australian amendment to Article 23 [C.P. (Gen.) Doc. 1.B.25]. The Greek representative clarified his remarks at the previous meeting, which had been misinterpreted by M. Molotov as indicating Greek support for the Australian amendment. He had not intended to take a position on the Australian amendment as a whole, but only to adduce an additional principle to be considered in connection with reparation, namely, that an aggressor, especially one which had suffered less than the victims of aggression and which had resources superior to those of the victims, should not be allowed to recover more rapidly than the victims. The Polish representative, referring to the fact that the Canadian support of the establishment of a Reparation and Restitution Commission was partly based on the fact that Poland had submitted a claim against Rumania, said that the Polish amendment [C.P. (Gen) Doc. 1.0.7] was mainly procedural and that the Polish claim was very limited. In view of this the Polish Delegation had decided to seek a settlement outside of Article 22 and asked the Commission to regard its proposal as non-existent.

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**FOURTH MEETING OF THE MILITARY COMMISSION,  
AUGUST 27, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)26

After some discussion the Commission agreed to approve the record of the previous meeting except for Item 3 which would be re-submitted for approval later. At the end of the meeting agreement was reached on the original British text of this item.

The Commission then renewed discussion on the procedure for hearing the ex-enemy states. Admiral Conolly (U.S.) then made a statement to the effect that the decision adopted at the previous meeting represented a far-reaching restriction on the consideration of the views of the ex-enemy states. He did not think it reasonable to prohibit all discussion of such proposals unless introduced as amendments by a member state, since such a procedure would go far to nullify the decision of the Conference to permit ex-enemy states to submit their views. No matter how much weight might be given to their suggestions, it was important that the people in those countries know that their views were being given at least a fair hearing. The Soviet and Ukrainian representatives criticized the American statement and said

that the ex-enemy states had already been given an extensive opportunity to express their views. Admiral Conolly asked for a vote on the American proposal. Mr. Alexander (U.K.) did not favor that proposal and considered that it would represent a retrograde step reversing the position taken the day before by the Commission by a more than two-thirds majority. General Slavin (U.S.S.R.) also criticized the American position and proposed that there be no further review of the decision of the previous day. The Canadian Delegate then moved the adjournment of the meeting in order that the U.S., U.K. and Soviet representatives might make an effort to find a mutually agreeable formula. A simple motion of adjournment was carried unanimously.

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**FOURTH MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR RUMANIA, AUGUST 27, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)26

**IV. POLITICAL AND TERRITORIAL COMMISSION FOR RUMANIA, 4 P. M.**

The record of the third meeting of the Commission was approved. The Commission also adopted documents CP Plen 9 and 10 concerning hearing the views of Allied and ex-enemy countries.<sup>63</sup>

The Chairman then opened discussion on the Preamble. Mr. Officer (Australia) presented the Australian amendment to paragraph 4 [C.P.(Gen.)Doc. 1. B. 18]. He referred to the decision taken on the similar amendment in the Italian Commission. He was willing to drop the words "and equity" and proposed merely the insertion of the words "conforming to the principles of justice". He also hoped that the Commission could accept the drafting change which would place the phrase "will settle the questions still outstanding as a result of the events hereinbefore recited" before the phrase "will form the basis of friendly relations between them". He was willing to have deferred the reference in the Preamble to the assurance of human rights. Mr. Jebb (U.K.) supported the Australian position. M. Bogomolov (U.S.S.R.) said that he considered the text submitted by the CFM as adequate and believed that the phrase "conforming to the principles of justice" added nothing to it since those principles were not questioned. General Catroux (France) said that France would vote in accordance with the agreement among the four inviting powers

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<sup>63</sup> For C.P. (Plen) Doc. 9 and C.P.(Plen) Doc. 10, see *Paris Peace Conference, 1946*, pp. 56 and 58, respectively. They contain suggestions by the Conference Secretariat pursuant to the Conference decisions on these matters which are included in C.P. (Plen) Doc. 1, the Rules of Procedure, vol. VI, p. 796.

and could support an amendment only if the other three powers also supported it. Mr. Harriman (U.S.) said that the American position was similar to that of the French Delegation, and asked the Soviet Delegation for its views concerning the other points of the Australian amendment. The Chairman (M. Manuilsky) asked whether there were any objections to accepting the Australian proposal to add to the Preamble the words "conforming to the principles of justice". There were no objections and this amendment was adopted. There were no objections to the transposition of phrases proposed by the Australian Delegation, and this amendment was also adopted. The Soviet and Byelorussian Delegations believed that the Australian amendment concerning a reference to human rights and fundamental freedoms in the Preamble should be rejected. The Chairman recognized, however, that the Australian Delegation had the right to ask deferment of this amendment until a later meeting.

The Commission then discussed the Rumanian proposal that the Preamble should indicate that Rumania engaged in hostilities with Germany after August 24, 1944, and not merely after the signature of the armistice.<sup>64</sup> Since no Delegation supported this proposal, it was dropped. The Ukrainian and Czechoslovakian Delegations then proposed that the Preamble state that Rumania took an active part "as a cobelligerent" in the war against Germany. This proposal was defeated by 8 votes to 4. The following Delegations voted in favor of it: Byelorussia, France, Czechoslovakia, Ukraine. The following Delegations voted against it: U.S.A., Australia, Canada, Great Britain, India, New Zealand, U.S.S.R., Union of South Africa. The Czechoslovakian Delegation then supported the Rumanian proposal that the words "and Hungary" be added after the words "took an active part in the war against Germany". This proposal was defeated by 8 votes to 4, the Delegations voting in the same way as on the previous amendment except that France voted against the amendment and New Zealand voted in favor of it.

The Commission then unanimously adopted Article 1 of the draft treaty. Mr. Harriman stated, however, that the U.S. must reserve its position on the reference to the map, since the map which had been circulated had not been approved by the Council of Foreign Ministers.<sup>65</sup> It was then decided that Article 2 would be held over until discussion had taken place on the question of the Rumanian-Hungarian frontier either in the Hungarian Commission or in a joint meeting of the Political Commissions for Hungary and for Rumania.

<sup>64</sup> The Rumanian proposal is contained in C.P. (Gen) Doc. 3, vol. iv, p. 217.

<sup>65</sup> The map under reference had been provided by the Soviet delegation to accompany the Russian text of the Draft Treaty; no maps accompanied the English and French texts.

FOURTH MEETING OF THE ECONOMIC COMMISSION FOR ITALY,  
AUGUST 27, 1946, 4 P. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 26

The Chairman suggested that the Commission first consider the two amendments to Article 64 (Reparation) proposed by the Australian Delegation [C.P. (Gen) Docs. 1.B. 9 and 10], since a decision on these would determine whether or not it would be necessary to set up a reparation subcommission. An explanatory statement regarding the amendments was made by the Australian representative<sup>66</sup> in which he made it clear he was not questioning the \$100,000,000 figure for reparation to the U.S.S.R. He did not know whether or not it was a good figure, he said. Referring to the discussion in the Balkan Economic Commission,<sup>67</sup> he said Australia had a flexible attitude on the proposals and would consider any arguments advanced on the merits, but that Australia would not be likely to be swayed by arguments which questioned Australia's motives. The Yugoslav representative, in a speech practically identical with that given by his colleague on the Balkan Economic Commission earlier in the day, urged rejection of the Australian proposals as dilatory and exceeding the competence of the Conference. M. Molotov (U.S.S.R.) then made a new attack on the proposals<sup>68</sup> which he characterized as "stereotyped" since they were more or less identical for all the treaties. He said that all the Australian proposals were directed against the interests of the Soviet Union. (The Australian Delegation had submitted so many amendments that it must have had help in drawing them up, he said.) He referred to Article 69 of the Italian treaty (assets in Allied territory) which he said would place a very heavy burden on Italy. Nevertheless the U.S.S.R. had agreed to this clause and would support it. However it had been suggested that the same provisions be adopted in the case of Rumania, Bulgaria and Hungary. These provisions did not affect the U.S.S.R. but did affect the U.S.A., U.K., Australia, Canada and South Africa. The Australian Delegation had not seen fit to interest itself in the interests of these small ex-enemy countries, he said.

Referring to the proposal previously made by the U.S.S.R. (for reparation of \$300 million, of which \$200 million would be given to Yugoslavia, Greece and Albania) Molotov said this was a minimum

<sup>66</sup> E. R. Walker.

<sup>67</sup> See the United States Delegation Journal account of the 4th Meeting of the Economic Commission for the Balkans and Finland, August 27, p. 289.

<sup>68</sup> For text of Molotov's speech, see Molotov, *Problems of Foreign Policy*, p. 145.



figure which took into account the economic position of Italy. He knew it would not satisfy Yugoslavia and Albania, although he did not know what the position of Greece was since this morning the Greek representative in the Balkan Economic Commission had made "a very confused speech in which he had indicated great sympathy for aggressor states".

He then referred to the proposal that reparation be paid in foreign currencies, to which he linked the South African proposal (1.S.2.) [C.P. (Gen.) Doc. 1.S.2]. He said the Australian proposal would force the vanquished countries to sell their products in the U.S.A., U.K. and the British Dominions, and the South African proposal would require them to sell at unfair prices. The whole arrangement was designed to enrich merchants in these countries, who would make huge profits.

M. Molotov concluded by stating he was "resolutely opposed" to postponement of the reparation settlements and to the proposal for study of the problem by "some superfluous commission". The Soviet Union was anxious to improve its relations with the ex-enemy countries in so far as they desired to do so, and was opposed to the interference in their internal affairs which such a commission would mean. The existence of the commission would only serve to discredit the Conference, and would violate the sovereignty of the countries concerned.

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#### BYRNES-GEORGIEV CONVERSATION, AUGUST 27, 1946

[EDITOR'S NOTE—On August 27, Secretary of State Byrnes conferred with Bulgarian Prime Minister Kimon Georgiev regarding the Bulgarian political situation and its relationship to the Bulgarian peace treaty. For the report of that conversation, see telegram 4333, August 29, from Paris, Volume VI, page 136.]

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#### WEDNESDAY, AUGUST 28, 1946

##### EIGHTH MEETING OF THE POLITICAL AND TERRITORIAL COMMISSION FOR ITALY, AUGUST 28, 1946, 10 A. M.

CFM Files

#### *United States Delegation Journal*

USDel(PC) (Journal)27

The representative of South Africa suggested that the Commission should hear the views of former enemy states when considering frontier problems and related technical questions. He proposed that the Commission hear this morning a representative of the Italian

Delegation who was then waiting outside the Conference hall. The Chairman pointed out that the rules of the Conference permitted Commissions to hear delegations of former enemy states when considered desirable. In the absence of any objection a small Italian delegation was brought to the Conference table by a representative of the General Secretariat.

The Italian representative, Sig. Saragat, (President of the Italian Constituent Assembly) opened his remarks on the Italo-French frontier problem with the observations that (1) the Italian people felt historically responsible for the crimes of Fascism, and that (2) the Italian people wanted the friendship of France not only to wipe out the past but as evidence of Italian democratic rebirth. Saragat developed the Italian position on the north-west boundary along the lines of the Italian memorandum (circulated to the members of the Commission as CP(IT/P) Doc. 12, Annex 1 A.)<sup>69</sup> conceding the French claims on four points, namely, (1) The Little St. Bernard Pass (2) The narrow Bardonecchia Valley (3) Mont Chaberton and (4) The Tinee and Vesubie Valleys, and defending the Italian claims to Mt. Cenis plateau and the Upper Roya Valley containing Tenda and Briga. He was ushered out of the meeting at the conclusion of his speech.

The Chairman announced that the Yugoslavs had withdrawn the first part of their amendment to Article 1 (CP Gen Doc 1 U2) on condition that the Commission record the following statement:

"The Commission assumes that adequate and sufficiently detailed maps will be attached to the Treaty in connection with territorial changes."

The second part of the Yugoslav amendment was formally moved in the following modified form:

"In case of a discrepancy between the textual description of the frontiers and the maps, the text shall be deemed to be authentic."

At the request of the U.K. representative consideration of this amendment was postponed until the next meeting to give his Delegation an opportunity to study it.

The Commission passed to the consideration of Article 2 and the representative of France introduced the general discussion thereon. He offered to make available all documents relating to rectification of the Italian-Franco frontier to any interested delegation and referred

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<sup>69</sup> C.P.(IT/P) Doc. 12, an introductory document, is not printed. Its annexes however, are virtually identical with the component parts of "Observations on the Draft Peace Treaty With Italy by the Italian Government," vol. iv, p. 117, which deal with the political and territorial articles of the treaty. C.P.(IT/P) Doc. 12, Annex 1 A is virtually identical with Doc. 11 (P), a section of the Italian Observations, *ibid.*, p. 119.

to the memorandum explaining the French position already circulated to members of the Commission (CP(IT/P)Doc.10).<sup>70</sup> He continued that the French Delegation had studied closely the Italian memorandum and the statement made by the Italian Delegate this morning and was happy to know that the Italians admitted the justice of four of the French claims. On the two disputed points, the Mont-Cenis plateau and the Upper Roya Valley he briefly defended the French position.

The first paragraph of Article 2 (the Little St. Bernard Pass) on which no amendments had been submitted was approved by the Commission.

The representative of France observed that no amendments had been submitted with respect to the second paragraph of Article 2 (Mont-Cenis Plateau). He questioned the accuracy of Italian figures on pasturage and French ownership and considered that appropriate guarantees were given to the Italian population in the Annex to the Treaty with respect to water and power from the water reservoir on the Plateau. The representative of Australia considered that this was an appropriate question to refer to a special subcommittee in view of the conflicting French and Italian claims and figures. Mr. Hodgson moved that the Commission appoint a sub-committee of seven, including representatives of the four sponsoring powers, to examine and report on Article 2, paragraph 2, and the first part of Annex 2 of the Italian Draft Treaty. Before permitting any discussion on the Australian motion the Chairman obtained approval for adjournment of the meeting at 12:50 p. m.

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**FIFTH MEETING OF THE ECONOMIC COMMISSION FOR THE  
BALKANS AND FINLAND, AUGUST 28, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)27

The Commission resumed its consideration of the Australian amendment to Article 22 (Reparation) of the Rumanian treaty [C.P.(Gen.) Doc. 1.B.24]. The Byelo-Russian representative said that the amendment was not in conformity with international law, as it would leave the amount of reparation blank and an ex-enemy could not be asked to sign a treaty containing a blank provision.

Mr. Thorp (USA) said that the U.S. Delegation was greatly disturbed at certain aspects of the discussion of the Australian amend-

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<sup>70</sup> Not printed. The document defends the provisions of the Italian Treaty which deal with the Franco-Italian frontier. (CFM Files)

ment and must emphatically defend the right of any country to propose amendments without subjecting itself to attacks on its motives. The Conference was not limited to a discussion of articles left open by the CFM: only four powers were limited in any way as to the positions they might take. Amendments should not be discarded merely because they might adversely affect one or another of these powers. The U.S. Delegation would try to limit itself to a discussion of the merits of specific proposals and would rely on the wisdom of the countries represented to reach wise decisions. As to the Australian amendment, after careful consideration, the U.S. Delegation was unable to support it, for the following reasons: (1) It was desirable that both the paying and recipient countries know the amount of the obligation as soon as possible. (2) It was to be questioned whether even after study for six months a sure conclusion could be reached, for the fixing of reparation could not be an exact science and in the last analysis must depend on the judgment of men who were seeking a reasonable conclusion. (3) While any member of the Commission was free to seek such information as would enable him to form an opinion on the CFM decision, this decision should not be reopened unless a member could convince others that the decision was in error. (4) Although a logical case could be made for payments in foreign exchange, in view of actual world economic conditions the transfer problem might be so great as to lead to a breakdown of the reparation settlement. The use of foreign exchange would also create certain internal problems for the paying countries. (5) He had been impressed by the Canadian argument for a continuing body to supervise the execution of the reparation provisions where there was more than one recipient, but, as Poland had withdrawn its claim, it was not necessary to consider this suggestion in this case. For these reasons the U.S. Delegation was unable to support the Australian amendment on its merits.<sup>71</sup>

M. Alphanand (France) said that, although it appreciated the spirit in which the Australian amendment was made, the French Delegation could not support the amendment, as it did not give sufficient weight to the actual situation. He agreed with the arguments made by the U.S. representative and thought that Rumania was able to meet its obligation and that payments in foreign exchange were not desirable. He thought that there was merit in the Canadian suggestion, which could be discussed at another point, as, for example, in connection with the Italian treaty.

Mr. Glenvil-Hall (UK) regretted the nature of the Soviet representative's remarks on the Australian amendment. The purpose of this amendment had much to commend it, but nevertheless it was necessary for him to say, without going over the ground again, that the

<sup>71</sup> Thorp's statement was released to the press August 28, 1946.

U.K. Delegation fully shared the views expressed by the U.S. and French representatives, as well as certain of the objections to the Australian proposal made by the Soviet representative.

Mr. Walker (Australia) referred to but indicated he would not reply to the attacks made on the motives of the Australian Delegation in proposing the amendment. He hoped that in the original some of the remarks made were not as offensive as in translation. He made a general defense of the proposal. He appreciated the work which had been done by the CFM, but wished to say that little information on this and other subjects had been placed before the Conference by the Four Powers. He denied that the Australian approach was stereotyped and suggested signs of a stereotyped approach in the provisions drafted by the CFM in which \$300 million appeared to be the standard reparation figure. He observed that the Australian Delegation was not satisfied with the information available on Article 26 (Rumanian property in Allied territory) and intended to seek an explanation of terms which might be onerous and difficult to justify. He noted that reparation in kind did not eliminate the problem of pricing. He welcomed the support by the U.S., French and Canadian Delegations for continuing machinery for the execution of the reparations provisions. In view of the fact that the majority of the Commission were opposed to the amendment, the Australian Delegation had decided to withdraw it in the case of the Rumanian Treaty, while fully reserving its position on other treaties, especially as to the amount of reparation and the need for continuing machinery for the execution of the reparation provisions.

M. Molotov (USSR) then made a lengthy statement.<sup>72</sup> He was determined to defend the legitimate interests of the Soviet Union, even if it should offend others. He again attacked the Greek statement as favoring leniency for aggressors and as being confused. The support of a Reparation Commission by the Canadian Delegation indicated clearly the instability of the Canadian approach to reparation, as it had not previously questioned the Armistice terms. The Soviet Delegation had not challenged the right of Australia to put forward amendments and he wondered who wished to question the equally basic right to criticize proposals. He hoped that the various points of view would be presented fully in the press so that the public could form its own opinion. It was incorrect to assert that the Soviet Delegation had not dealt with the substance of the Australian amendment. As to the criticism that it would not be correct to say that the Australian Delegation did not represent the views of the Australian people, this sometimes happened in democratic countries and there

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<sup>72</sup> For text, see Molotov, *Problems of Foreign Policy*, p. 155.

was a procedure for settling such a problem, as had been seen at the Potsdam Conference, during the course of which there had been a change in the British Government. He quite understood that the U.K. and U.S. representatives were more interested in Article 26 than in Article 22. The Australian Delegation did not object to Article 26 and he asked that the Soviet Delegation be allowed to defend its legitimate claims. He referred to the heavy industrial losses of the Soviet Union at the same time that the U.S. was expanding its industrial plant, not only for peaceful purposes but also with war plants, perhaps designed to guard against future emergencies. He could not agree to any proposal which would hamper the rehabilitation of the Soviet Union. He noted that it had not been difficult for the USSR, U.K., and U.S. to find common language when the Armistice Agreement was negotiated and said that the Australian Delegation proposed to destroy this common language and to adopt a new language which could be spoken only by those who were prone to forget the war and its consequences and the contributions and sacrifices of certain powers. The purpose of the Soviet statement was to defend the common language that had been found. The Soviet people were determined, under the leadership of the great Stalin, to rehabilitate their country and to secure a durable peace and they hoped that this would be in the interest of all who were anxious to defend the cause of a durable peace and the interests of freedom-loving peoples.

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**FIFTH MEETING OF THE MILITARY COMMISSION,  
AUGUST 28, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 27

The previous day's record was adopted without objection.

The joint resolution of the US, the UK and the USSR with regard to the consideration of the views of the ex-enemy states was adopted unanimously. This resolution took the form of an addition to the resolution adopted at the third meeting (Monday): <sup>73</sup>

"This would not prevent any member of the Commission referring to memoranda of the ex-enemy states in discussion upon the appropriate article."

The Czechoslovak Delegate proposed a specific procedure for the hearing of non-member states invited to the Conference. After con-

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<sup>73</sup> For the United States Delegation Journal account of the 3rd Meeting, August 26, see p. 284. For text of the resolution under reference, see footnote 61, p. 285.

siderable discussion, the Czechoslovak proposal as amended by Yugoslavia and the UK was adopted unanimously as follows:

"Suggestions submitted by states invited or who may be invited to the Conference will be studied by the Commission on the initiative of one of the members of the Commission. However, proposals submitted in the form of amendments by them shall not be submitted to a vote unless sponsored by one of the members of the Commission."

The Chairman then proposed to take up the Italian draft treaty article by article and a debate developed upon the order of doing this and upon the procedure for adopting any of the articles. Admiral Conolly opposed adopting finally any of the articles until all memoranda of the ex-enemy states and amendments had been submitted to the Commission and until the entire treaty had been reviewed. He was supported by the French and the UK Delegates. In the course of the debate it was suggested by the USSR that a time limit for the submission of amendments be set. At length the differences between the Delegates were resolved in a proposal to which the US, UK, USSR and the Chairman contributed. It was adopted unanimously, as follows:

"The Commission shall examine the articles of the peace treaty successively and in the order of the numbers thereof; and simultaneous with the corresponding amendments. The adoption of each article shall only be final after the approval of the whole of Parts 4 and 5 of the treaty, which constitute the mandate of the Commission. Such approval shall only be moved after expiry of the time limit imposed for the tabling of amendments."

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**FOURTH MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR BULGARIA, AUGUST 28, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)27

The Commission discussed a Yugoslav proposal to invite the Bulgarian Delegation to express its views orally to the Commission on the subject of the Greek-Bulgarian frontier. The Greek Delegation maintained that Bulgaria had already presented its case in the Plenary Conference<sup>74</sup> and submitted its views in writing; therefore, according to decisions already taken it should be allowed to present its views to the Commission hereafter only on specific points. Taking into ac-

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<sup>74</sup> For text of the statement by Bulgarian Foreign Minister Kulichev at the 16th Plenary Meeting, August 14, see the extract from the Verbatim Record of that meeting, p. 200.

count the note to Article 1 of the draft treaty and document CP/Plen. 10<sup>75</sup> which the Commission had approved, the Commission decided that Bulgaria should be invited to express its views. The question of the stage at which the Bulgarian Delegation would be heard was left for decision when the Commission should reach Article 1.

When discussion opened on paragraph 4 of the Preamble and the Australian and Yugoslav proposed amendments thereto, M. Kardelj delivered a long speech attacking the Australian Delegation for its attitude at the Conference and for the proposals which it had submitted. He accused the Australians of masking behind high-sounding words and phrases the interests of certain circles which wished to impose their will on the small nations of Europe. He said that Yugoslavia would stick to its principles regardless of how the voting went in this or that commission and would not be fooled by the pretension of Australia to represent the interests of small powers and of democracy. He thought it was natural that Australia should serve as the agent of the British Empire but objected to Australia's assumption of the role of missionary in Europe presuming to tell European peoples about such things as human rights. M. Kardelj also spoke in praise of Bulgaria which he said was more entitled to the status of co-belligerent than was Italy. The Vice Chairman (Mr. Jordan of New Zealand) then denounced the Yugoslav Delegation for talking about everything except the motion before the meeting and chided the Chairman for allowing so much humbug. M. Novikov (USSR) took exception to Mr. Jordan's statement, which he called offensive to the Conference and to the Yugoslav Delegation which had been entirely in order in making its statement. He felt that the Chairman acted properly in allowing the statement to be made.

Mr. Hodgson (Australian) then explained his amendment [C. P. (Gen.) Doc. 1. B. 1] which was composed of three parts:

1. The insertion of the words "according to the principles of justice";
2. A proposal to defer the reference to human rights and fundamental freedoms until the article on that subject should be discussed;
3. A drafting change transposing the phrase "will settle questions outstanding as a result of the events hereinbefore recited" and the phrase "will form the basis of friendly relations between them".

After some discussion the Commission voted first on the Yugoslav amendment which proposed the insertion of the words "in which tendencies conforming to the principles of justice will find expression". This amendment was rejected by 8 votes to 4 with 1 abstention. The following delegations voted against it: USA, Australia, France, Great

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<sup>75</sup> For text, see *Paris Peace Conference, 1946*, p. 58.



Britain, Greece, India, New Zealand, South Africa. The Byelo-Russian, Czechoslovak, Ukrainian and Yugoslav Delegations voted for it. The Soviet Delegations abstained. The first point of the Australian amendment was then adopted by 12 votes to 1. Only the Yugoslav Delegation voted in the negative. No vote was taken on the third part of the Australian proposal, and the fourth paragraph of the Preamble was declared adopted with the addition of the words "conforming to the principles of justice". The Chairman then declared that the whole Preamble was adopted.

The Commission then voted in favor of the Australian proposal to postpone consideration of the proposed addition to the Preamble referring to human rights and fundamental freedoms. The following delegations supported it: Australia, France, Great Britain, Greece, India, New Zealand, South Africa, Yugoslavia. The Byelo-Russian, Czechoslovak, Ukrainian and Soviet Delegations voted in the negative. The U.S. Delegation abstained.

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**FOURTH MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR HUNGARY, AUGUST 28, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)27

The decisions of the previous meetings were adopted. The Czechoslovak Delegation stated that because it was closely concerned with certain articles of the draft treaty and in order to retain complete impartiality in the discussion thereof, it wished to withdraw its position on the Commission as *rapporteur*. The Delegate of Great Britain (Viscount Hood) then proposed the election of Ukraine as *rapporteur*, and there being no objections the Ukrainian Delegation was elected unanimously.

The Chairman (M. Stankovic, Yugoslavia), opened the discussion on the Australian amendment to the Preamble [C. P. (Gen.) Doc. 1. B. 1] by proposing that the Commission adopt the same procedure in its discussion as in the Italian and Rumanian Commissions. The change in the position of two sentences in the fourth paragraph as proposed by Australia was adopted. The Yugoslav Delegation then proposed to amend the Australian proposal which was to insert the phrase "conforming to the principles of justice" by adding certain other words. The U.S. Delegate felt it desirable that the amendments of the Australian Delegation, which had already been accepted in other committees, should conform in all the treaty preambles. The Czech Delegation then moved that both the Australian and Yugoslav

amendments be withdrawn, to which the Yugoslav Delegation could not agree. In a show of hands the Yugoslav amendment was rejected and the Australian amendment was then adopted unanimously with the Czech and Ukrainian Delegations abstaining. The third part of the Australian amendment, which was a motion to postpone discussion of the human rights clauses until the Commission came to Articles 2 and 3 of the draft Treaty, was accepted unanimously. The Australian Delegation also proposed to refer the last sentence of the Preamble, which had slight differences only in the drafting, to the Legal and Drafting Committee. The Preamble was then adopted unanimously by roll call, Czechoslovakia and Yugoslavia abstaining.

The Chairman then proceeded to open the discussion on the territorial clauses (Article 1) stating that two amendments by Czechoslovakia on point 4 [C. P. (Gen.) Docs. 1. Q. 2 and 3] had been submitted as well as a statement by the Hungarian Delegation<sup>76</sup> and a proposal to form a territorial commission by the Australian Delegation. The Australian Delegation asked that discussion on its amendment be deferred and reserved the right to put it forward if the occasion arose.

The frontier between Hungary and Yugoslavia (Article 1, point 1) as proposed in the draft treaty was then accepted by the Commission and considered adopted.

The Chairman stated that in regards to the frontier between Rumania and Hungary (Article 1, point 2) written observations had been submitted by Hungary.<sup>77</sup> The Chairman said that he and the Chairman of the Rumanian Commission had met to discuss procedure on this question and they now suggested that if any delegation "supported" the Hungarian suggestion and desired to hear the Hungarian case, a joint session of the two Commissions would be held. He pointed out that in this case both Hungary and Rumania would be heard. The Canadian Delegation argued that it was not necessary to have a delegation support the Hungarian statement and pointed to the precedent of the Italian Commission where Italy was permitted to state its case orally without necessarily having the support of any member of the Commission. The Chairman then took the position that in the Hungarian Commission it had been decided in the other instance when Hungary had a suggestion regarding the Preamble that a delegation would have to sponsor it as a motion. The Canadian Delegation then moved that an opportunity be given to hear the Hungarians *if* they desired to be heard. The U.S.S.R. Delegate could not agree to the analogy previously made in the Italian Commission since one party

<sup>76</sup> The reference is presumably to C.P.(H/P) Doc. 4, which, exclusive of its annexes, is identical with the observations on article 1 contained in C.P.(Gen) Doc. 5. August 26, vol. iv, p. 249.

<sup>77</sup> See footnote above.

in that case was not an enemy state and two enemy states were involved here. He asked the Canadian Delegation if it wished to hear the general remarks of the Hungarian Delegation or wished to confine them to Article 1, point 2 (Transylvania). The U.S. Delegate was not particularly concerned regarding the claims of two enemy states *per se*,<sup>78</sup> but was interested to know if any member of the Commission wanted to hear any discussion of the frontier question between Hungary and Rumania. Since two colleagues had already indicated they did wish to hear the Hungarians, he supported the Canadian proposal. France's delegate asked if the Hungarians had actually requested to be heard, and asked the Chairman to find out. The Chairman then stated that it was the Commission which should be concerned with hearing an enemy state. Hungary's desire to be heard was secondary to that of a member to hear Hungary. He had received a letter from the Hungarians requesting a hearing on point 4, but no mention had been made of point 2 of Article 1. He understood the Canadian proposal was that Hungary could be heard on point 2 and wanted to know specifically if Canada would "second" the Hungarian statement on Article 1, point 2. The Canadian Delegation then rose to state that it had in mind a hearing on point 4 and, therefore, withdrew its motion.

The Chairman stated that since there was no desire on the part of any member to hear the Hungarians on point 2 and since no amendment had been offered, it was to be considered adopted.

Since there were no amendments to Article 1, point 3 (frontier between Hungary and the U.S.S.R.) it also was considered by the Chairman adopted.

In connection with point 4 of Article 1, the Chairman said there had been submitted two amendments by Czechoslovakia and a statement by Hungary. It was agreed that Hungary should be given until August 30 to present a written statement regarding the Czechoslovak territorial claim on Hungary and that at that time Hungary might be heard orally if the Commission so decided. However, the next meeting of the Commission would be held on Friday, August 30 and it would instead start examination of Article 2, delaying discussion on point 4 of Article 1 until the members had had an opportunity to study the Hungarian document.

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<sup>78</sup> A memorandum by John C. Campbell, "U.S. Position on Transylvania," August 4, included the following:

"In considering its position on the question of Transylvania, which involves two enemy states and therefore presumably should be settled on its merits, the United States has desired to see a solution which would represent a maximum contribution to stability and to future good relations between Rumania and Hungary. At the same time we have felt that, in the absence of a clear-cut case for revision of the present frontier as a means of achieving those aims, it would not be desirable to take a strong stand, in opposition to the Soviet Union and Great Britain, in favor of changing that frontier." (Moscow Embassy Files)

**FIFTH MEETING OF THE ECONOMIC COMMISSION FOR ITALY,  
AUGUST 28, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)27

The Commission continued its discussion of the Australian amendments to the reparation article [C.P.(Gen) Docs.1.B.9 and 10]. The Greek representative opposed the amendments. He asked for reparation in full and pointed out that reconstruction of the damage caused by the invasion and occupation of his country by two of the Axis Powers was proceeding at a very slow pace and further delay in the settlement of the reparation obligation would delay reconstruction. He suggested that reparation should not only be related to damage sustained but also should take into account the relation of the damage to the total wealth of the country and its ability to recover by its own efforts. He referred to the proposal that Albania should share in Italian reparation and stated that something should be done about the war debt of 240 million drachmae forced on Greece by Albania. He said this should be repaid and study given to the extent to which Albania should make reparation payments to Greece. After this was done, consideration could be given to Albania's claims for reparation from Italy.

The French representative also said he could not accept the Australian amendments. He pointed out that in view of the Italian economic situation and Italian co-belligerency, it was proposed to ask only for partial reparation payment. However, whatever amount was determined should be paid, and two aspects of the Australian proposal, those which involved postponement of the decision and collection in foreign exchange, would make payment uncertain.

M. Vyshinsky (USSR) made a second speech for his delegation. He criticized the Australian amendments along the lines previously taken by the Soviet Delegation. He emphasized that the Soviet Union was only asking for partial payment as a symbol of punishment of aggressors. However, the Soviet Union considered the reparation provisions agreed by the Council of Foreign Ministers to be the cornerstone of the peace treaty, and M. Vyshinsky suggested that they should be adopted by acclamation as a tribute to the Soviet people. He pointed out that Italy was prepared to accept the CFM proposal.

The South African representative said the Australian proposal, particularly the idea of a commission to supervise execution of the reparation settlement, had some merit but he thought it better to fix the reparation obligation now.

There was then a brief discussion of procedure, and the Commission agreed, at the suggestion of the Chairman, that no one should speak twice on the same subject. If, after the Chairman has requested comments on an amendment, none are forthcoming, the mover of the amendment will have the right to close the debate with his reply. The Chairman agreed to keep in mind a suggestion of the Yugoslav representative that if the mover of an amendment, in his final reply, opens up new questions, the debate may be reopened.

Mr. Walker (Australia) said the Australian Delegation recognized the merit of some of the criticisms expressed, in particular that of the Greek representative suggesting that consideration be given to the relative burden of the losses to the country concerned. He noted, however, that certain aspects of the amendments had received favorable comment and said he reserved the right, should the amendments as a whole not be approved, to raise again proposals embodying such parts as seemed to find favor. He defended the proposal for payment in foreign exchange and said no answer had been made to his criticism of the Council decision to the effect that the system of payment proposed would cause friction and interfere with the internal affairs of Italy. He suggested that the reparation question should be considered as a whole and stated that the CFM decision was open to the interpretation that the USSR was being given a preferred position.

The Australian amendments were then defeated by a vote of 15 to 2. Australia and New Zealand voted in favor; Canada, the Netherlands and South Africa abstained from voting; and the remaining members voted against the amendments.

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#### THURSDAY, AUGUST 29, 1946

#### NINTH MEETING OF THE POLITICAL AND TERRITORIAL COMMISSION FOR ITALY, AUGUST 29, 1946, 10 A. M.

CFM Files

#### *United States Delegation Journal*

USDel(PC) (Journal)28

The Yugoslav resolution regarding the attachment of detailed maps to the treaty was accepted for insertion in the Commission's records (see Section II, Summary of Proceedings, August 28, USDEL Journal/PC-27<sup>79</sup>). The modified Yugoslav amendment to Article 1 regarding possible discrepancies between the text and the maps was likewise adopted without objection (see Section II, Summary of Pro-

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<sup>79</sup> Not printed.

ceedings, August 28, USDEL Journal/PC-27). Mr. Jebb (U.K.) pointed out, however, that the textual description particularly in Article 2 required more detailed and careful drafting which the French Delegate promised to have done.

The Commission considered the Australian motion of yesterday which provided for the establishment of a special subcommittee to examine and report on Paragraph 2 Article 2 of the treaty (Mont Cenis Plateau). It read as follows:

"That the Commission set up a sub-commission of seven, composed of the representative of the four sponsoring Powers and three other states to examine the proposal on Article 2, Paragraph 2, and Annex 2 so far as it is relevant, and to report to the Commission the relevant facts and make any recommendation it thinks fit."

The representatives of the Netherlands, Belgium and South Africa, supported the proposal while it was opposed by the representatives of Poland, New Zealand, United Kingdom, Yugoslavia, U.S.S.R. and Canada. Mr. Vyshinsky made a long speech in opposition, taking the line that the Council of Foreign Ministers and their experts had given long and careful study to this problem; that if the other Delegates had any questions the experts and the material were available. He said that the Soviet Union had little interest in Mont Cenis. The Soviet representative on the Council of Foreign Ministers had given long and careful thought to this particular rectification but that finally, out of a feeling of solidarity with France and because of the insistence of the United Kingdom and United States representatives, the U.S.S.R. had agreed and would therefore stand by its decision.

Mr. Hodgson (Australia) pointed out no statements had thus far been made by any of the sponsoring Powers giving the reasons for their decisions to transfer the Mont Cenis area to France. The Australians were unable to accept their judgment without their reasons. He felt that a subcommittee could more effectively question the experts on this question than the Commission as a whole and that as far as the Council of Foreign Ministers' material was concerned it had not even been indexed. He denied a Yugoslav assertion that the Council of Foreign Ministers' experts had visited Mont Cenis in the course of their studies of this question.

The representative of New Zealand on two occasions questioned the wisdom of the transfer of Mont Cenis to France and the validity of French claims to the area. In replying, M. Moutet (France) declared that the interest in and debate over Mont Cenis, which had already occurred, was out of all proportion to its importance. He referred to negotiations which were at present proceeding amicably between France and Italy and to the fact that there were only a few hundred

people and acres involved. He said that Sig. Saragat, the Italian Delegate, had fought with him and his organization in France as an anti-Fascist refugee; that he was satisfied that the French and Italians could reach agreement and that the Commission should move quickly to liquidate points of difference which would clear the way for a lasting peace between Italy and France. He held that the documents circulated to the Delegates by France (CP. IT/P. Doc. 10<sup>80</sup>) contained the reasons for this frontier rectification and concluded that New Zealand and Australia appeared to have an unwarranted interest in the Mont Cenis area. When put to the vote the Australian motion quoted above was lost by 13 votes to 6.<sup>81</sup>

The Chairman was unable to bring the substance of paragraph 2 Article 2 to a vote because of objections and observations from the representatives of New Zealand, China and Canada. Dr. Quo (China) said that the wording of the paragraph lacked precision and that clearer drafting was indispensable. The Canadian doubted the desirability of referring the drafting to the Legal and Drafting Commission as suggested by the representative of France. The meeting adjourned at 1:30 p. m.

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**SIXTH MEETING OF THE ECONOMIC COMMISSION FOR THE  
BALKANS AND FINLAND, AUGUST 29, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)28

The Commission heard replies by M. Argyropoulos (Greece) and Mr. Wilgress (Canada) to certain statements by M. Molotov on their positions on the (now withdrawn) Australian amendment to Article 22 of the Rumanian Treaty and began its consideration of the South African amendment to this article [C. P. (Gen.) Doc. 1. S. 2]. Mr. Parminter (South Africa) explained that the purpose of the amendment was to ensure that UN nationals should not be penalized for Rumania's obligation to pay reparation, as was in fact happening, notably in the case of UN oil companies which were receiving from the Rumanian Government less than one-third of the f.o.b. Haifa prices for oil products although the Rumanian Government received a good credit on its reparation account for oil deliveries to the U.S.S.R. The amendment was in conformity with the principle al-

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<sup>80</sup> Not printed.

<sup>81</sup> Australia, Belgium, Brazil, Greece, Netherlands, and the Union of South Africa voted for the amendment. New Zealand abstained (CFM Files: USDel Minutes).

ready accepted by the CFM in Article 64 of the Italian treaty and was in a sense an extension of the principle of fair compensation incorporated in draft Article 29 of the Rumanian treaty. M. Tarasenko (Ukraine) opposed the amendment on the grounds that it would grant a specially privileged position to foreign interests and that, in any case, it was not possible to maintain that Rumanian prices were less fair than a vague and indefinable world price. M. Rasovitch (Yugoslavia) also opposed the amendment on the ground that it would discriminate against Rumanian nationals in favor of foreign interests. Mr. Gregory (UK) supported the amendment and outlined at some length the problems faced by UN oil companies in Rumania.

Mr. Thorp (USA) said that the question before the Commission related to the simple and basic principle, which had been accepted at Potsdam, reaffirmed in Article 64 of the Italian treaty, and was now clearly stated in the South African amendment, that reparation should not be paid by United Nations and their nationals. To vote against the amendment would be to vote that Rumania could pay unfair prices and, as Rumanian oil deliveries were credited to the reparation account at fair prices, that UN nationals should pay reparation. He was surprised, therefore, to hear any challenge to this amendment and thought that if the Commission focussed its attention on the fundamental principle involved, as to which there could be no question, the amendment would find general support. M. Gusev (USSR) thought that the amendment supplemented the Australian amendment and would create new difficulties and delays in the payment of reparation. The insertion of a requirement on prices in the treaty would be an unwarranted invasion of Rumanian sovereignty. Furthermore, the principle involved was that established in Article 30(c), which provided that UN nationals engaging in business activity in Rumania should receive national and most-favored nation treatment. The amendment constituted an unjustifiable exception to this basic principle and established a regime of special privileges for UN nationals in Rumania. For these reasons the Soviet Delegation found the amendment unacceptable.

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**SIXTH MEETING OF THE MILITARY COMMISSION,  
AUGUST 29, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)28

The agenda was adopted without objection but acceptance of the record of the previous meeting (5th) was put off to the end of the meeting when corrections in all three languages had been made in



the text. Since the translations of the Italian memorandum had not been circulated and a further delay of 3 days for the French and 10 days for the Russian translations was expected the Chairman asked whether the Commission should go ahead with examination of the military clauses of the draft Italian Treaty. It was agreed to request the Secretariat to set a time limit for the Italians to submit their memorandum.

The discussion of the draft treaty was begun with consideration of Article 39. The New Zealand delegate drew attention to the New Zealand statement bearing on this article and subsequent ones.<sup>82</sup> Since the statement had not been available for study for 24 hours before the meeting, General Pika (Czechoslovakia) moved that the Commission pass on to Article 40. Due to the indecisive character of the Chairman's ruling in agreement with the Czechoslovakian motion, some discussion of the New Zealand statement occurred. General Catroux (France) remarked that the New Zealand proposal would modify the draft peace treaty considerably and that it prejudged the future status of the Security Council and might even necessitate changes in the Charter of the United Nations. M. Voina (Ukraine) agreed with General Catroux's remarks. Eventually, the Commission decided to move on to Article 40.

Discussion of Article 40 took the form of a prolonged and trivial debate on the Brazilian amendment (CP Gen Doc. 1, E, 6) to paragraph 1,A. This amendment had been incorrectly stated in the published document. When the nations (France and Yugoslavia) most affected by the clause in question agreed that the draft treaty satisfied them<sup>83</sup> and when the Brazilian delegate agreed that the principle of the right of every nation to defend herself, invoked by him, was also

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<sup>82</sup> The New Zealand statement, C.P. (Mil.) Doc. 1, concerned article 39 of the Treaty for Italy, article 19 of the Treaty for Rumania, article 17 of the Treaty for Bulgaria, article 18 of the Treaty for Hungary and article 21 of the Treaty for Finland. The essential part of the argument was as follows:

"We would ask delegates to consider whether there might not be a provision in the treaty which limited the armed forces or military, naval or air installations or equipments permitted to the ex-enemy states to such as might be deemed by the Security Council to be necessary for the maintenance of internal order, or for local defence of frontiers, or for allocation to the Security Council, for the purpose of maintaining international peace and security."

The two page statement concluded as follows:

"We believe our suggestion, that the Security Council should determine the armaments of the ex-enemy states, is a basis of approach which is in the general interests of peace. It would give a dynamic control to the Security Council, and it would impose on the Security Council a positive duty to secure the maintenance of peaceful conditions in the territories of the defeated European countries. Finally, it would be a positive beginning to the task of disarmament for which the Security Council has a special responsibility." (CFM Files)

<sup>83</sup> France and Yugoslavia indicated that according to their interpretation of the article the draft treaty satisfied the purpose of the Brazilian delegation (CFM Files: United States Delegation Minutes).

satisfied by the draft treaty the amendment was withdrawn. Article 40 was adopted subject to final approval after all the articles had been examined.

The Delegate of Czechoslovakia moved that since Article 41 was subject to a similar amendment that that amendment be considered withdrawn and that Article 41 be considered adopted also. The Chairman overruled this motion and added that there was a Yugoslavian amendment to Article 41 which had not yet been formally withdrawn. At this point the meeting was adjourned.

The next meeting will be held at 10 a. m. Saturday, August 31.

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**FIFTH MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR RUMANIA, AUGUST 29, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)28

The Australian Delegation proposed that the Commission hear the views of Hungary on Article 2 of the draft treaty. Mr. Officer said that the 17 invited states had the right to have full information concerning the decisions taken by the Council of Foreign Ministers on territorial and other issues. Hungary was a directly interested state and had, in a letter to the Chairman of the Commission, expressed a desire to be heard on this point. M. Bogomolov (USSR) saw no need to consult the Hungarian Government since the text of Article 2 was based on the Armistice agreement with Rumania and had been agreed by the Four Foreign Ministers. Since no member of the Commission supported the Hungarian claim to a part of Transylvania, the Soviet Delegation saw no need to hear the views of Hungary. Furthermore, M. Bogomolov continued, the Commission had already accepted Article 2 and had withheld final approval only in order to see whether any action would be taken by the Political Commission for Hungary on this question. No such action had been taken. The Czechoslovak Delegation supported the view that the Commission had already accepted Article 2 as it appeared in the draft treaty. The Canadian Delegation supported the Australian proposal on the ground that any delegation had the right to request that the views of an ex-enemy state be heard by the Commission. Mr. Claxton believed that this procedure would be in accordance with the Rules of Procedure adopted by the Plenary Conference and by the Commission itself. Mr. Harriman (US) stated that he would support the agreed text of Article 2. He considered, nevertheless, that the Australian Delegate had a perfect

right to ask that the Hungarian Delegation be heard on this question. Mr. Warner (UK) stated the view of his delegation in similar terms. General Catroux (France) said that his Government would support the text proposed by the Council of Foreign Ministers because of its commitment and also because it believed that to be the best solution; however, the French Delegation felt that if a member of the Commission desired to hear the views of an ex-enemy state, the Commission should invite that state to express its views.

During the ensuing discussion on the Australian proposal the Soviet Delegation maintained that the Commission at its previous meeting had decided that the observations of ex-enemy states, unless supported by a member of the Commission, could not be considered. The Chairman, after having the relevant portion of the minutes of the previous meeting read out by the Secretary, said that such a decision had been taken. Mr. Harriman stated that he had followed the discussion closely at the previous meeting and that it was not his understanding that the Commission had taken a decision on that point. He maintained also that this point was not relevant to the Australian proposal. The U.K. Delegation agreed that, whatever the decision on the point raised by the Soviet Delegation, the Australian proposal should be voted upon by the Commission.

The Commission agreed that it could not invite a Hungarian representative to express his Government's views merely on the basis of the Hungarian request. A Czechoslovak motion for adjournment was then defeated by 8 votes to 4. The following delegations voted against it: USA, Australia, Canada, France, Great Britain, Greece, New Zealand, Union of South Africa. The following delegations supported it: Byelo-Russia, Czechoslovakia, Ukraine, USSR. The Chairman then put to a vote the Australian proposal that the Hungarian Delegation be invited to express its views on Article 2. This motion was carried by a vote of 8 to 4, the delegations voting in the same way as on the Czechoslovak proposal. The Ukrainian Delegation then proposed that Rumania also be heard. Mr. Officer stated that it had been his intention, in making his original proposal, that Rumania also be heard. The Commission unanimously accepted the Ukrainian proposal that the Hungarian and Rumanian delegations be invited to appear before the Commission at the same time to express their respective views on Article 2, the Hungarian Delegation speaking first.<sup>84</sup>

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<sup>84</sup> The hearings were conducted in joint sessions with the Political and Territorial Commission for Hungary on August 31 and September 2. For the United States Delegation Journal accounts of those meetings, see pp. 330 and 339, respectively.

SIXTH MEETING OF THE ECONOMIC COMMISSION FOR ITALY,  
AUGUST 29, 1946, 4 P. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)28

After a three-hour discussion the Commission agreed to set up a reparation subcommission to examine claims of countries filing claims in connection with part B of Article 64; and to draw up a table setting forth these claims under various headings with explanatory notes stating how far under each heading the claims appear to have been formulated on a uniform basis. The composition of the subcommission will be considered at the next meeting.

FIRST INFORMAL MEETING OF THE COUNCIL OF FOREIGN MINISTERS  
AT THE PARIS PEACE CONFERENCE, AUGUST 29, 1946, 4 P. M.<sup>85</sup>

CFM Files

*United States Delegation Minutes*

TOP SECRET

## PRESENT

<i>United States</i>	—Secretary Byrnes Senators Connally and Vandenberg Mr. Bohlen
<i>France</i>	—M. Bidault M. Couve de Murville M. Latour du Pain Interpreter
<i>Great Britain</i>	—Mr. Bevin Mr. McNeil Mr. Jebb Interpreter
<i>U.S.S.R.</i>	—Mr. Molotov Mr. Vyshinsky Mr. Gousev Mr. Pavlov

After the photographers had left Mr. Bidault, who was presiding, said he would ask Mr. Bevin, on whose initiative this meeting was being held, to outline what he had in mind.

M. BEVIN said that in looking over the agenda and the amendments that have been submitted he had felt there was merit in the suggestion first made by Mr. Mackenzie King, the Prime Minister of Canada, that the Council of Foreign Ministers might meet in an endeavor to

<sup>85</sup> The meetings of the Council at the Peace Conference were held at the Quai d'Orsay.

facilitate the work of the Conference.<sup>86</sup> He said he realized the delicacy of the situation and he wished first of all to avoid creating any impression among the other delegations that the four powers were in any sense attempting to usurp the rights of the Conference or to depart from the procedures adopted. At the same time, the Council had agreed to support in the Conference the agreed articles and to give full and adequate consideration to the suggestions put forward by the Conference. He thought there were some amendments which all four of them might regard as good and which, therefore, they could support at the Conference, but unless they knew each other's minds they were all committed to vote against them. He, therefore, thought that it might be well to examine these amendments and if they could agree that they were desirable they could be supported at the Conference by the members of the Council. If no agreement was reached then the members of the Council were bound to stand by the original agreed drafts. He repeated that he wished to scrupulously respect all the rights of the Conference and the duty of the Council to give consideration to any of its recommendations, but he thought that the procedure he was about to suggest might facilitate the work and move the Conference from what he might term the polemic stage on to the real work of the treaties. He said he had been struck by Mr. Molotov's statement in the Conference that if the Conference was to be a success they must think and speak in the same language and that in order to do this it was necessary to know each other's approach to the amendments. He then circulated a paper containing three paragraphs.<sup>87</sup>

M. MOLOTOV inquired with regard to paragraph two whether that meant previously agreed articles or new agreements on amendments.

M. BEVIN replied that paragraph two referred to originally agreed to articles.

M. BYRNES said he wished to ask a question in regard to paragraph three as it was not quite clear to him. He said that if an amendment was supported by the members of the Council, but was not passed by the Conference, there would be no recommendation from the Conference when the Council assembled to draft the final text. Therefore, he did not understand why in paragraph three the statement was made that the Council would not be relieved of its duty to give full consideration to any recommendations. He said he thought what Mr. Bevin had in mind was that the opinion of the Conference in rejecting an amendment supported by the Council of Foreign Ministers should be taken into consideration.

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<sup>86</sup> MacKenzie King made the proposal at the 5th Plenary Meeting, August 2, for the Verbatim Record, see, p. 86.

<sup>87</sup> Not found in Department files.

M. BEVIN explained that he had in mind that in such an event the views of the Conference should be taken into consideration.

M. BYRNES repeated that there would be no recommendation if the Council [*Conference*] voted down an amendment even though it had the support of the Council of Foreign Ministers. He said in the contrary case if an amendment was passed by the Conference with the support of the members of the Council, there would obviously be no difficulty. He said he thought that they had the same objective, but that the present draft did not make it clear and suggested that it might be changed to read "any action of the Conference regarding a proposed amendment whether or not such amendment was supported at the Conference by the members of the Council must be taken into full consideration by the Council in drafting the final text of the treaties".

M. MOLOTOV said that as everyone knew the Soviet Delegation attached special importance to the procedure of the Conference. He, therefore, felt that the first two paragraphs of the British suggestion which dealt with the work of the Council should be accepted, but he saw no need for paragraph three, which related to the consideration by the Council of recommendation[s]. That question had already been settled by the Moscow decision and the subsequent correspondence between the United States and French Governments, and he proposed, therefore, to eliminate paragraph three.

M. BIDAULT proposed that the draft might be made clearer if there were added the words that recommendations would be considered by the Council in accordance with existing agreements.

M. BYRNES suggested possibly in addition adding the words "and in conformity with the rules of procedure adopted by the Conference."

M. MOLOTOV said the Soviet Delegation could not agree since it was not in favor of some of the Conference decisions concerning procedure. He thought it would be well to stick to the Moscow decision and not to bring forth new proposals on which they could not agree.

M. BEVIN then withdrew the third paragraph and the first two paragraphs were adopted with a few drafting changes (see attached annex).<sup>88</sup>

M. BYRNES then said he had another question that he wished to raise at this meeting.

M. MOLOTOV said he likewise had a question.

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<sup>88</sup> In accordance with this decision, the Deputies convened on August 30 and met ten times between then and September 22. Extracts from the United States Delegation Minutes of certain of these meetings are printed *post*. In their consideration of amendments, the Deputies almost invariably agreed to oppose amendments to agreed articles. Certain significant deviations from that pattern and other important Deputies' decisions are noted in annotations to United States Delegation Journal accounts of commission meetings that take the amendments in question under reference.

It was agreed that since there was no formal agenda, any question proposed by a member could be discussed.

M. BYRNES said his question related to the facilitation of the work of the Conference. He had noticed that some amendments applied to all treaties and, therefore, appeared in three or four commissions where the same arguments and counter-arguments were advanced in regard to the same question. He said he thought this needless repetition in various committees was not helpful and if some plan could be found to avoid unnecessary argumentation in various commissions on the same question, it would be helpful.

M. MOLOTOV said he did not think it would be wise or right to attempt to limit discussion at the Conference or to try to ensure that only pleasant speeches would be made.

M. BYRNES replied that there was no intention on his part to restrict any discussion; that he was one who had always been in favor of the most liberal attitude toward the discussion, but he did feel that the constant reiteration of the same points of view in three or four different commissions was unnecessary, and that it might be possible, for example, to have the General Commission discuss certain amendments which were common to all treaties and then have the amendments voted on without a repetition of the same discussion in the various committees. If there was objection to the General Commission for this purpose, it might be wise to have the discussion in say the Italian Commission, on which virtually all of the members of the Conference were represented.

M. MOLOTOV said he was willing to discuss Mr. Byrnes' question, but would like also to discuss the question of the General Assembly.

M. BYRNES said they could discuss the question of the General Assembly immediately after the question he had raised had been disposed of.

M. BIDAULT said that, as he understood Secretary Byrnes, he felt that time and energy would be saved if rather than discussing the same question in various commissions some plan might be worked out to avoid such repetition. He suggested that the Deputies be asked in going over the amendments to draw up a list of those which were common to all treaties.

M. MOLOTOV said that Mr. Byrnes was right in his desire to accelerate the work of the Conference but that he thought the way to avoid unnecessary speeches and argument would be to have less amendments or more agreed amendments, and that it might be well to advise those who were engaged in putting in endless amendments to that effect. He had in mind particularly amendments which were not necessary and which stood no chance of being accepted. He said, in regard to

the economic questions, there were only two commissions, and that, for example, it would be difficult to discuss in the Italian Commission economic questions relating to Finland, Hungary, et cetera, since the situation in each country was different. He thought each commission should decide the questions assigned to it. He was afraid that Mr. Byrnes' suggestion might be interpreted as a desire to limit discussion and to avoid criticism of proposed amendments.

M. BYRNES pointed out that yesterday the Australian amendment[s] on reparations had been voted down fifteen to two after long debate in the Italian Economic Commission<sup>89</sup> and the same question, the same arguments and counter-arguments had come up in the Balkan Economic Commission. He felt that this was unnecessary since it was obvious that the views of the governments represented on the Balkan Commission would be identical with the views that had been held on the Italian Commission.

M. MOLOTOV said it was true that reparations affected all five treaties but that the conditions were different and that this was not a trivial question but a major issue. He repeated that if it were possible to avoid needless amendments time could be saved. He said that reparations were of great importance to the U.S.S.R. and to others and if amendments and arguments attacking the decisions of the Council of Foreign Ministers were to be presented they must be answered, and there could not be any restriction on this right to reply. He said that the Soviet Delegation had wondered why certain other delegations were showing so much activity in regard to the question of reparations and making long speeches and attempting to undermine the decisions of the Council of Foreign Ministers. At times the Soviet representative singlehanded had to defend these decisions since the other members remained silent.

M. BYRNES repeated that there was no intention to limit discussion, but merely to avoid the repetition of the same speeches four or five times. He said, however, that if there was no agreement on the subject, he could stand hearing the same speeches over and over again; that he had ordered his winter clothes and that he was quite prepared to spend Christmas as a guest of Mr. Bidault.

M. BIDAULT thought that they should take these matters one step at a time. He understood that the question raised by Mr. Byrnes was being discussed by the Secretariat between the chairmen of the various commissions, and that he thought with Mr. Byrnes that possibly the Deputies in going over the amendments could pick out those common to all treaties and the Ministers could then look at them.

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<sup>89</sup> The Economic Commission for Italy rejected C.P. (Gen) Doc.1.B.9 and 1.B.10, Australian amendments concerning reparations, at its 5th Meeting, August 28; for the United States Delegation Journal account of that meeting, see p. 305.



M. MOLOTOV stated that the Conference was like a parliamentary body and he never heard of a parliamentary body that would try to treat as one item the differing problems of reparations in regard to Italy, Rumania, Bulgaria, Finland and Hungary. He said he might take that view if he were an American, to whom reparations from these countries was an insignificant matter which could be settled in one general discussion, but that he felt that it would be inconvenient to attempt to discuss this question in one heap. Since no agreement was reached, the question was dropped.

After approving the clean draft of the agreement on procedure for considering amendments (Annex 2)<sup>90</sup> Mr. Molotov raised the question of the General Assembly of the United Nations.

M. BIDAULT said that he had seen Mr. Sobolev that day and that the Secretary General was naturally very anxious to know as soon as possible what the views of the various delegations here were in regard to the holding of the General Assembly. He said he had told Sobolev that he would give him the opinion of the French Government after he had consulted with his colleagues.

M. MOLOTOV said that he had also talked with Mr. Sobolev, as well as with Mr. Spaak, the President of the Assembly, and that as he understood him Mr. Spaak had seen no obstacle to a postponement of the General Assembly until the end of December or the early part of January. He said the Council of Foreign Ministers had already asked for a postponement of the General Assembly for two or three weeks in order to permit the Peace Conference to complete its work.<sup>91</sup> It was now apparent, however, that the work of the Conference was dragging and that although the Soviet Delegation was willing to do anything to accelerate its work, it was apparent that the Conference would not be through by the twenty-third of September. He said the Soviet Delegation did not favor a recess of the Peace Conference nor did it believe that it would be possible to hold both at the same time. The Soviet Delegation would not be able to send outstanding figures to the General Assembly and it would be even more difficult for the smaller countries. He, therefore, proposed that it be suggested that the General Assembly be postponed until November or December.

M. BYRNES said that he had talked to Mr. Lie several weeks ago who had laid considerable stress on the technical difficulties which a further postponement would involve. For example, the simple question of hotel rooms would be very difficult since the hotel proprietors had held

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<sup>90</sup> See footnote 92, p. 320.

<sup>91</sup> Regarding the initial decision by the Council of Foreign Ministers to request postponement of the meeting of the General Assembly, see the United States Delegation Record and Record of Decisions of the 38th Meeting of the Second Session of the Council of Foreign Ministers, July 9, 1946, vol. II, pp. 836 and 850, respectively.

these rooms in reserve for the General Assembly and had refused requests from other groups desiring to hold conventions in New York, and that if for the second time the Assembly was postponed, it would cause great difficulty for the Secretary General. The Secretary said he was in full agreement with Mr. Molotov on the undesirability of adjourning the Peace Conference, but he was afraid that, in addition to the technical difficulties of rooms which he had mentioned which were, however, secondary, a second postponement of the General Assembly would hamper its effectiveness and lower its prestige. He said he personally felt that both could go on at the same time. He recalled that in London where the first meeting of the General Assembly was held he had only been there ten days, Mr. Bidault less than a week and Mr. Molotov not at all while Mr. Bidault had only attended from time to time. He added that, furthermore, we must not forget that less than a majority of the 51 nations involved were represented at Paris and that there were 30 nations as against 21 which were not at the Peace Conference. He felt that to postpone the General Assembly because of the convenience of 21 would create a bad impression among the other 30.<sup>91a</sup>

M. MOLOTOV inquired how much of the world's surface was represented by the 21 nations.

M. BYRNES replied that although from the standpoint of size and population that might be true Article 1 of the Charter of the United Nations states that the organization was based on the sovereign equality of all nations both large and small.

M. MOLOTOV agreed that this was correct.

M. BYRNES added that there was another point which the Norwegian representative had mentioned to him and which Senator Vandenberg had again brought to his attention, namely, that the budget of the United Nations would have to be approved before January first, otherwise the organization would be without funds.

M. MOLOTOV then said that perhaps it might be necessary to recess the Conference although he was against it since he felt it would be difficult to hold both at the same time. He said that the Soviet Union did not have sufficient personnel to have adequate representation at two international gatherings at the same time, and that this he felt was even more true in regard to the smaller nations.

M. BEVIN said that he had discussed this point at length with his Government last weekend and they had come to the conclusion that it

<sup>91a</sup> Acting Secretary of State Acheson had reported in telegram 4423 (Secdel 761) August 27, to Paris, that delegates and alternates of the United States delegation at the United Nations were generally opposed to postponement (740.00119 Council/8-2746). The Secretary had replied in telegram 4296 (Delsec 866) August 28: "Please deliver the following message to Senator Austin: 'I have already announced that I will oppose postponement of the Assembly.'" (740.00119 Council/8-2846)

would be unwise to postpone the General Assembly. He felt, however, if it were not held in September, it would be necessary to postpone it until March if only for the fact that the Council of Foreign Ministers had the German and Austrian questions to take up after the Peace Conference. He felt also that postponement would be bad for the organization and that questions such as those dealing with the budget and others could not wait. He also felt that from the point of view of travel the winter would be a bad time.

M. BIDAULT said he had not consulted his Government on this point as he had thought there would be no difference of opinion. He said he saw the difficulties involved in either decision. He said there were difficulties with hotels in Paris as well and that once the Constitution is adopted some of the rooms now being used by the Conference would be needed for the second Chamber. He thought they should think it over and try to find a way out. For example, he thought possibly that the commissions could continue their work here without top people who could then be free to go to New York for the General Assembly.

M. MOLOTOV said he thought that anything of that nature would in fact amount to a recess of the Conference.

It was agreed that the members would think over this problem. It was also decided that future meetings of the Council would be held in Mr. Bidault's office and that it would be left to him to set the date of the next meeting.

Before leaving, Mr. Bidault said that he wished to raise one more question and that related to the Franco-Italian frontier. He said the French Delegation after further study had come to the conclusion that the village of Allivieto San Micheli with a population of four or five hundred need not be included in French territory. Since, however, he was bound by the agreed decision, which had been at the French request, he would like to have the permission of his colleagues to alter the line so as to leave this village to Italy. The other members of the Council agreed to leave that to the decision of France and to give their approval in advance.

[Annex]<sup>92</sup>

(1) The Council of Foreign Ministers should instruct their Deputies to go through the various amendments and new proposals submitted by members of the Conference and by Allied and ex-enemy States in order to discover which, if any, could command the general

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<sup>92</sup> Although the minutes, p. 318, cite an "Annex 2," the sources text contains a single unnumbered annex. It is presumably the clean draft of the agreement, Annex 2. The missing Annex 1 is probably either Bevin's original three-paragraph proposal or the text of the agreement prior to drafting changes. In any case, the present annex contains the substance of the Council's agreement.

support of the members of the Council. The Council of Foreign Ministers should hold informal meetings in order as far as the aforesaid amendments and new proposals are concerned to try to solve any difference of opinion and to approve recommendations of the Deputies.

(2) In the event of any continuing disagreement among themselves with respect to amendments, the members of the Council should still support agreed Articles of the draft Treaties and at the same time remain free to vote in accordance with their own judgment on matters not covered by the agreed Articles.

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### FRIDAY, AUGUST 30, 1946

#### TWENTY-FIFTH PLENARY MEETING, AUGUST 30, 1946, 10 A. M.

CFM Files

#### *United States Delegation Journal*

USDel(PC) (Journal) 29

The Delegation of Iran presented its views on the Peace Treaties. Emphasis was placed on Iran's gratitude for being invited to speak and Iran's hopes for an equitable and durable peace settlement. Iran believed that all peace-loving nations had a right to take part on an equal footing in the work of restoring and maintaining peace.

The Conference then agreed to invite the Government of Iraq to present at the next meeting its views on the Draft Peace Treaty with Italy.

M. Dragoumis (Greece) drew attention to the Greek Delegation's letter of August 27 to the Secretary General (CP Plen. Doc. 14) which contained a draft resolution whereby the Conference would recommend that the Council of Foreign Ministers examine certain outstanding territorial questions between Greece and Albania.<sup>93</sup> He asked that this matter be placed on the agenda of the next meeting. M. Molotov (U.S.S.R.) opposed the Greek proposal<sup>94</sup> and took occasion to denounce the Greek Government and the activity of the Greek Delegation

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<sup>93</sup> The draft resolution was as follows:

"The Plenary Conference, charged with the consideration of the Peace Treaties drawn up by the Council of Foreign Ministers, recommends that in accordance with the provisions of the Potsdam Declaration relating thereto, and in order to restore normal conditions between Greece and Albania, the Council shall examine and settle in a spirit of equity and justice certain territorial questions outstanding. These questions have acquired an urgent character as a result of the Italian Fascist aggression on Greece and the circumstances surrounding the conduct of the war against the latter country.

The Conference also recommends that during the discussion of these questions by the Council, the representatives of Greece and Albania shall be allowed to take part in the debate."

<sup>94</sup> For text of Molotov's statements at this meeting, see Molotov, *Problems of Foreign Policy*, p. 164.

at the Conference. He said it was not the business of the Conference to assign tasks to the Council of Foreign Ministers but to consider the five Peace Treaties. He charged that the Greek Delegation was attempting to use the Conference in order to strengthen its own internal position and said that the Greek Government was converting Greece into a center of trouble in the Balkans. The existence of foreign troops in Greece contributed to this. M. Pijade (Yugoslavia) also spoke against the Greek proposal. He said the Conference had nothing to do with this question, which was not connected with the Peace Treaties. He took the opportunity to denounce the Greek claims against Albania and Bulgaria and said that he expected they would be followed by a territorial claim against Yugoslavia. M. Pijade's speech was interrupted several times by Mr. Alexander (U.K.), who urged the Chairman to require the speaker to stick to the question of procedure before the meeting. Mr. Alexander then spoke himself and said that his Delegation believed that Greece certainly had a right to be heard, and therefore that the Greek draft resolution might be placed on the agenda. The merits of the question could then be debated. Mr. Byrnes said <sup>95</sup> that, without going into the substance of the question at all, he believed that the Conference should be liberal in permitting members to place on the agenda relevant questions. He referred to the terms of reference of the Council of Foreign Ministers, which had the power to consider the question raised by Greece. That question might be brought before them directly by Greece or in some other way. Certainly the Greek Delegation should not be barred from bringing before the Conference a proposal that the Conference itself recommend that the Council consider the question. The Polish Delegation opposed the Greek proposal on the ground that, under the Moscow Agreement, the question raised was not within the competence of the Conference. M. Moutet (France) said that the matter before the meeting was purely a question of procedure. On that question he had to admit that the work of the Peace Conference was limited to the examination of the five Draft Peace Treaties. He thought the normal procedure for the Greek Government to follow would be to bring its case directly to the Council of Foreign Ministers. M. Molotov then spoke again in the same vein as before, referring also to the presence of British troops in Greece and of American warships in the Mediterranean as a means of supporting the Greek Government in its reign of terror against the Greek people. He denounced this as intervention in the affairs of Greece. The Conference then voted on the Greek proposal,<sup>96</sup> which was accepted by 12 votes to 7, with 2 abstentions. The following Delegations voted in favor of the motion: U.S.A., Australia,

<sup>95</sup> Byrnes' statement was released to the press, August 30, 1946.

<sup>96</sup> The vote was not on the substance of the resolution, but on the matter of placing it on the agenda of the Plenary Conference.

Brazil, Canada, China, Ethiopia, Great Britain, Greece, India, New Zealand, the Netherlands, and South Africa. The following Delegations voted against it: Byelorussia, France, Poland, Czechoslovakia, Ukraine, U.S.S.R., and Yugoslavia. The Belgian and Norwegian Delegations abstained.

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**FIFTH MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR HUNGARY, AUGUST 30, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)29

The Commission spent the first hour discussing the Record of Decisions of the previous meeting. The Australian and Canadian delegations pointed out that the decisions relating to the Australian amendments to the Preamble [C.P.(Gen.)Doc.1.B.46] were not correctly stated in the Record. After considerable discussion the Chairman suggested postponing the approval of the Record until the Secretariat could correlate the stenographic transcript of the proceedings with the objections raised by the various members.

The Canadian Delegate stated that in the previous meeting the Chairman had suggested the holding of a joint session with the Rumanian Commission regarding Article 1, paragraph 2 (Transylvania) providing any delegation wished to hear the case of either Rumania or Hungary and if these countries had expressed a desire to be heard on the subject of the Rumanian-Hungarian frontier. He pointed out that the Chairman had read a letter in which the assumption had been drawn that Hungary did not wish to be heard. Yesterday, the Rumanian Commission had voted to hear both Hungary and Rumania on the question of the frontier. It was now appropriate to adopt the Chairman's proposal that a joint session be held. He therefore proposed that the Chairman arrange the meeting, concluding that if any member desired, it could, after hearing the delegations of the two countries concerned, reopen Article 1, paragraph 2 of the Hungarian treaty. The Chairman pointed out that this section of the treaty had been adopted unanimously and he felt it his duty to defend decisions previously taken. He admitted, however, that the Commission could decide as it chose.

The Chairman then read to the Commission three letters from the Hungarian Delegation asking to be heard on (a) the Rumanian frontier, (b) the Czechoslovak amendments to Articles 1 and 4, and (c) all questions affecting territorial or political matters on which there were amendments.

General Smith (USA) agreed with the Chairman that it was difficult to reopen articles previously agreed upon. However, he would like to explain what was the understanding of the U.S. Delegation regarding the proceedings in the previous meeting and read from the Journal.<sup>97</sup> He stated that there was a misapprehension concerning the desire of Hungary to be heard and that Canada had apparently withdrawn its motion on the assumption that Hungary did not wish to be heard on paragraph 2 of Article 1. He therefore reaffirmed his previous support of the Canadian Delegation who had now proposed that Hungary be given a hearing in a joint session. The French, Yugoslav and U.S.S.R. delegations all agreed that Hungary as well as Rumania should be heard in a joint session of the two Commissions, and the Chairman declared this proposal unanimously adopted. He pointed out, however, that this decision did not necessarily imply that paragraph 2 of Article 1 would be reopened.

The Commission then proceeded to examine Article 2 of the draft treaty and heard the Yugoslav Delegation's argument for its amendment which was to the effect that the language of the Article was not explicit enough to assure rights in Hungary for citizens of Yugoslav origin [C.P.(Gen.)Doc.1.U.30]. It proposed that the following words be added to Article 2: "As well as the right to be taught in their mother tongue." The Byelo-Russian Delegation supported the Yugoslav amendment but Viscount Hood (Great Britain) stated that the Yugoslav amendment had raised a much more important question than he had first thought and requested deferment of discussion on Article 2 in order that the amendment could be studied more carefully. The Commission then agreed that discussion on Article 2 would be deferred, the Czechoslovak Delegation dissenting.

The Commission then examined Article 3. M. Rasović (Yugoslavia) again proposed an amendment [C.P.(Gen.)Doc.1.U.31], this time to add a phrase to protect those Yugoslavs in Hungary who allegedly had been maltreated under the Horthy regime for their political views. Viscount Hood (Great Britain) stated the amendment as proposed was not clear and if written into the treaty might lead to misunderstanding. He wondered if Article 2 and Article 3 did not actually afford sufficient protection to cover the case and thought the amendment unnecessary. M. Couve de Murville (France) held similar views and stated that the French Delegation would be embarrassed to vote on the amendment as now phrased. M. Kardelj (Yugoslavia) then suggested adjournment. The Chairman stated that the Commission would meet jointly with the Rumanian Commission the following day at four o'clock to hear the Hungarian and

<sup>97</sup> The United States Delegation Journal account of the 4th Meeting, August 28, p. 302.

Rumanian case on the frontier question between the two countries, leaving until the next regular meeting of the Commission the examination of the frontier between Czechoslovakia and Hungary.

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SEVENTH MEETING OF THE ECONOMIC COMMISSION FOR ITALY,  
AUGUST 30, 1946, 4 P. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)29

The Commission, after a brief discussion, adopted the French proposal that the Sub-Commission on Reparations should be composed of one representative of each of the following states: UK, USA, USSR, and France as members of the CFM: Yugoslavia, Greece and Ethiopia as claimants specially mentioned in Article 64B; and Czechoslovakia and Canada as members of the Commission which had made no claim for reparation against Italy. The Commission then began consideration of Article 64, paragraph by paragraph. The Canadian representative proposed that approval of paragraph 1 be postponed until the Commission had heard the Sub-Commission's report, so that the question of reparation could be considered as a whole. This proposal was supported by the Australian representative and opposed by the representatives of the UK, the USSR, the US, France, and Belgium, who favored adoption of the paragraph as drafted. The proposal to postpone was defeated on a roll call vote by 15 to 5, having been supported only by Australia, Brazil, Canada, New Zealand, and South Africa. In reply to the Chairman's question as to whether there were any objections to paragraph 1, Mr. Thorp (USA) said that the US Delegation could only accept Part A as a whole, as it represented a single program. The Chairman replied that the position of the US Delegation would be safeguarded by the fact that after voting on each paragraph, a vote would be taken on Part A as a whole. Mr. Walker (Australia) said that, although he did not object to paragraph 1, he could not agree to the suggestion which had been made by the UK and Belgian representatives that the adoption of paragraph 1 would provide a good basis for judging the other claims for reparation, which should be systematically considered. The Greek representative supported this view. The Yugoslav representative said that, though Yugoslavia only asked for reparation in part, the USSR claim should not be taken as a basis for judging other claims, as Yugoslavia could not make such a generous sacrifice in presenting its claim as had the USSR. This view was also taken by the Ethiopian representative. The Commission then adopted paragraph 1. Turning to



paragraph 2a, Mr. Walker said that the procedure for determining the share of surplus Italian factory and tool equipment to be turned over to the USSR as reparation was not clear. In explanation, Mr. Thorp referred to Article 58, under the terms of which the amount of such equipment was to be determined, and to Article 75, by which the ultimate responsibility for settling general problems arising under the treaty fell on the USSR, the UK, the US, and France, acting through their Ambassadors in Rome. The Commission then adopted paragraph 2a, and, after brief discussion, paragraphs 2b and 2c. Mr. Walker then proposed that paragraph 3 be amended as follows (deleted portions in [] and added portions underlined <sup>98</sup>) :

The quantities and types of goods to be delivered shall be the subject of agreements between [the Italian Government and the Government of the U.S.S.R. and] *the Government of the U.S.S.R. and the Reparation and Restitution Commission constituted under Section C of this Article and the goods* shall be selected in such a way as to avoid interference with the economic reconstruction of Italy and the imposition of additional liabilities on other Allied or Associated Powers. [Agreements concluded under this paragraph shall be communicated to the four Ambassadors in Rome of the U.S.S.R., U.K., U.S.A. and France.]

Mr. Walker noted that the constitution of the Reparation and Restitution Commission would form the subject of a new Section C of Article 64. In the opinion of the Australian Delegation Italy could not be asked to make a series of bilateral agreements to carry out the terms of Article 64, and the task of negotiating agreements with the reparation recipients should be given to such a Reparation and Restitution Commission. The Commission adjourned without discussing this amendment.

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### SATURDAY, AUGUST 31, 1946

#### TENTH MEETING OF THE POLITICAL AND TERRITORIAL COMMISSION FOR ITALY, AUGUST 31, 1946, 10 A. M.

CFM Files

#### *United States Delegation Journal*

USDel(PC) (Journal) 30

Discussion on the second paragraph of Article 2 (Mont Cenis) of the Italian draft treaty continued. The representatives of New Zealand, Australia and South Africa opposed the paragraph on the basis of insufficient grounds for a claim and insufficient information. Mr. Mason (New Zealand) declared that his Delegation would probably renew

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<sup>98</sup> The added portions are printed in italics.

their appeal to the French to withdraw this rectification when the question came up for final decision in a Plenary Session of the Conference. The representative of Belgium, while declaring that he would vote for the article because of his confidence in the friendly spirit of France towards Italy, made the reservation that Belgium was not obliged to accept responsibility for decisions of the Council of Foreign Ministers which had been taken without Belgian participation. The representative of Brazil declared his intention to vote in favor of the article in view of the extreme moderation of French claims against Italy. In a general rebuttal of the doubts expressed during the morning meeting on the transfer of the Mont Cenis area to France, M. Couve de Murville referred to the desire of the French Delegation to make available all information on this claim to the Delegates and recalled that before submitting France's territorial claims against Italy to the Council of Foreign Ministers his country had attempted to negotiate this question directly with Italy which had, however, refused to discuss the problem. The French Delegate concluded that his Government was primarily interested in happy relations between France and Italy.

In response to requests from the Canadian and Chinese Delegates for a more detailed description of the proposed Franco-Italian boundary in the Mont Cenis area, the Chairman proposed that the Commission should vote on the text of paragraph 2, Article 2 on the understanding that the records of the Commission indicate clearly that the French memorandum describing in detail the frontier (C.P. (IT/P) Doc. 20) <sup>99</sup> and a map be attached to the treaty. The paragraph, thus conditioned, was put to the vote and accepted with 15 votes in the affirmative and 5 abstentions. The countries abstaining were Australia, India, New Zealand, the Netherlands and South Africa.

The Commission considered subsection 1 of paragraph 3, Article 2, (Mont-Thabor Area). M Couve de Murville (France) said that his Government was willing to accept the Italian reservation that the proposed frontier in this area be adjusted to leave to Italy the dam and reservoir area of the hydro-electric plant of Bardonecchia (CP (IT/P) Doc. 12, Annex 1, A, p. 4).<sup>1</sup> He said that the draft article would be amended accordingly if the Commission approved. This section of the Article was accepted by the Commission with the French modification.

Subsection 2 of paragraph 3, Article 2 (Mont-Chaberton), was likewise adopted by the Commission without comment and without objection.

In consideration of paragraph 4 of Article 2 (Upper Tinee, Vesubie and Roya Valleys), M. Couve de Murville made the following defense

<sup>99</sup> Not printed.

<sup>1</sup> Not printed, but see footnote 69, p. 295.

of the French claim on this area. (1) The western part of the area known as the "hunting grounds" had been left to Italy, despite a plebiscite in 1860, for personal reasons to please a former King of Italy. The Italian Delegation in Paris had conceded this claim. (2) The Tenda and Briga Area to the east had remained with Italy in 1860 for Italian security reasons. It is geographically on the French side of the natural frontier and a Commission of Experts had gone to the area and reported back to the CFM before a decision was taken. (3) The Southern portion of this area, Olivetta-San Michele, was claimed by France to eliminate an inconvenient salient of Italian territory in France. After careful consideration of the Italian arguments the French Government was now prepared to modify its proposed frontier to leave the village of Olivetta to Italy. Therefore a slight modification in the drafting of the article would be required and a detailed description of the new frontier and a new map would be prepared and circulated by the French Delegation. The Chairman made note of the French amendment in the Commission's record of proceedings.

In reply to questions from the representatives of South Africa, Australia and the Netherlands, M. Couve de Murville reiterated in somewhat greater detail the arguments already advanced by the French Delegation on behalf of this area. The representative of the Netherlands reserved the right to return to his question regarding French guarantees to Italy of hydro-electric power in this area when Article 9, paragraph 2, came under consideration. Baron de Gruben (Belgium) made a reservation with regard to the article on Tenda and Briga similar to that which he had made on Mont Cenis. (See above) Paragraph 4 of Article 2 subject to the rectification providing that Olivetta remain in Italy, was accepted by the Commission without further observation.

The meeting adjourned at 1:50 p. m.

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**SEVENTH MEETING OF THE ECONOMIC COMMISSION FOR THE  
BALKANS AND FINLAND, AUGUST 31, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)30

M. Rueff (France) suggested that the Commission defer consideration of the South African amendment to Article 22 (Reparation) [C.P. (Gen) Doc. 1. S. 2], which proposes that Rumania should pay fair prices for commodities used for reparation obtained from UN nationals. After some discussion, during which the representatives

of Czechoslovakia and Yugoslavia spoke against the amendment, the Commission agreed that the discussion of the South African amendment should be deferred, and should take place, at the latest, immediately after the examination of Article 30 of the Rumanian Treaty. At the Chairman's suggestion that the South African amendment was a new proposal not really constituting any change in the agreed CFM draft, the Commission agreed to vote on Article 22 and approved it unanimously.

The representative of Poland then explained to the Commission that Article 23 (Restitution) did not cover the claims Poland had against Rumania. He stated that during the fall of 1939 the Polish Army and a number of Polish refugees had taken refuge in Rumania from the German invasion and that they had carried with them property, including rolling stock and other materials which had been taken over by the Rumanian Government and not returned to Poland. He expressed the hope that the Commission would approve the extension of the Restitution Article expressed in the Polish amendments [C.P. (Gen.) Doc.1.O.8]. The Czechoslovak and Yugoslav representatives spoke in favor of the Polish amendments and the Commission agreed to defer further discussion to the next meeting.

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**SEVENTH MEETING OF THE MILITARY COMMISSION,  
AUGUST 31, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)30

The New Zealand Delegate said that he was not prepared to make a formal amendment to Article 39 of the Italian Treaty but wished only that the New Zealand statement be recorded in the minutes.<sup>2</sup> Article 39 was then adopted unanimously. The next article to be considered was Article 41, Article 40 having been adopted at the last meeting. After discussion of the Yugoslav amendment, Article 41 was adopted unanimously with the Yugoslav amendment (CP Gen. Doc U 14) as amended by General Balmer's suggestion. The U.S. suggestion replaced the word "shelters" in Articles 40 and 41 with "protected accommodations for personnel, stores and ammunition".<sup>3</sup> The amendment was adopted for both articles.

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<sup>2</sup> For partial text of the New Zealand statement, see footnote 82, p. 310.

<sup>3</sup> The Journal account is somewhat misleading. The Yugoslav amendment was a detailed description of installations which Italy would be prohibited from constructing within 20 kilometers of her borders. It was in effect withdrawn when in the course of debate Admiral Manola accepted the United States proposal for rewording paragraph 1 *b*. (CFM Files: United States Delegation Minutes)

Articles 42 and 43 were adopted without discussion since no amendments had been tabled.

[Here follows a brief two-paragraph account of the Commission's consideration of article 44.<sup>4</sup>]

Articles 45 and 46 were adopted unanimously.

There was a long discussion as to whether to defer discussion of Articles 46a, and 46b (C.P. Gen. Doc. 1 J 7) proposed by the Greek Delegation. The Greek Delegate suggested deferring discussion until the principle of military control had been established or rejected. In the course of this debate some opposition appeared from the USSR to the substance of the proposed articles. The meeting was adjourned at 1:10 p. m. without any conclusion having been reached either on the time for discussing the Greek proposal or on its substance.

The next meeting is to be held Monday at 10 a. m.

**FIRST JOINT MEETING OF THE POLITICAL AND TERRITORIAL COMMISSIONS FOR RUMANIA AND HUNGARY, AUGUST 31, 1946, 4 P. M.<sup>5</sup>**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)30

With the Rumanian Delegation present, M. Auer, representative of Hungary, addressed a joint meeting of the Rumanian and Hungarian Commissions on the subject of the Hungarian and Rumanian frontier. He referred briefly to the history of the dispute over Transylvania and to the claim which the Hungarian Government had made for the return of 22,000 square kilometers of territory. Since this proposal had not been accepted by the Council of Foreign Ministers or by the Peace Conference, the Hungarian Delegation now wished to propose a solution involving the rectification of the frontier on purely

<sup>4</sup>The United States Delegation Minutes give a more detailed account of the discussion and indicate that the following occurred.

The Belgian delegation proposed amendment C.P.(Gen.)Doc. 1.C.1 which called for the following to be added as the final paragraph of article 44: "She shall not, for military purposes, engage in research concerned with the application or development of nuclear energy." The Polish delegation then proposed an alternative amendment designed to clarify the fact that Italy was not forbidden to explore the peaceful uses of atomic energy. The Soviet representative suggested that the article, which forbade Italy to possess, construct or experiment with certain weapons, be made to include a new point 1, "any atomic weapon," and that the existing points be renumbered 2-5. Article 44 thus amended was supported by the United States and British delegations, and after the Belgian and Polish delegations withdrew their amendments, adopted unanimously, with the exception of its final point. Consideration of this point, torpedoes, was deferred since the possibility of its being revised still existed. (CFM Files).

For text of article 44 as finally approved, see the Commission's report, C.P. (Plen) Doc. 17, October 5, vol. iv, p. 430.

<sup>5</sup>The two joint sessions, August 31 and September 2, constituted the 6th Meeting of each Commission.

ethnic grounds. The Hungarian claim, shown on a map which was distributed, involved only 4,000 square kilometers, including the cities of Szatmar, Nagykaroly, Nagyvarad, Nagyszalonta and Arad. M. Auer linked this proposal with Hungary's desire to obtain protection for the large Hungarian minority in Transylvania, including wide local autonomy for the Szeklers. He proposed that the Conference recommend to the Hungarian and Rumanian Delegations that they undertake negotiations with a view to arriving at a solution. Should they not agree, then the Peace Conference should determine the most just solution and recommend it to the Council of Foreign Ministers.<sup>6</sup>

It was agreed to adjourn the meeting until September 2 at 4 p. m., at which time the Rumanian Delegation would present its views on the same subject.

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### MONDAY, SEPTEMBER 2, 1946

#### ELEVENTH MEETING OF THE POLITICAL AND TERRITORIAL COMMISSION FOR ITALY, SEPTEMBER 2, 1946, 10 A. M.

CFM Files

#### *United States Delegation Journal*

USDel(PC) (Journal)31

On the suggestion of the representative of Yugoslavia an Italian Delegation was invited to the Conference table to present its views on Articles 3 and 4 (The Italian-Yugoslav frontier and the frontier between Italy and the Free Territory of Trieste). The Yugoslav expressed the desire to be heard after the Italian had presented his point of view.

Sig. Ivanoe Bonomi (former Premier of Italy) referred to the Italian contribution in World War I in liberating Italians in Venezia Giulia from the Austrian yoke and also making it possible for the Serbs, Croats, and Slovenes to form a new united state. In memory of that sacrifice, he said, Italy could not resign herself to the separation of Trieste from the mother country. Furthermore he felt that the ordered and durable existence of a Free Territory of Trieste was doubtful. The so-called French line,<sup>7</sup> he said, was originally designed to provide that all territory on the west would be Italian and all territory on the east Yugoslav, but that subsequently a Free Territory of Trieste had been carved out of the part which should have remained to Italy thus establishing two frontiers, one between Italy and Yugoslavia and another between Italy and the Free Territory. Regarding

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<sup>6</sup> For a memorandum on the Hungarian proposal by John C. Campbell of the United States delegation, September 2, see vol. IV, p. 851.

<sup>7</sup> For information concerning the French line, see footnote 7, p. 46.

the first frontier he asked the Commission to consider the following points: (1) the population of the upper valley of the Isonzo by its geography and highways is naturally linked with the Venetian Plain; (2) annexation by Yugoslavia of this Valley would place Italian industrial and hydro-electric plants, serving important Italian urban centers, under a foreign power who would have little interest in maintaining them; (3) if the Free Territory of Trieste is to have any guarantee of viability it must have a rail link to Central Europe which does not pass through Yugoslavia; (4) the French line in the environs of Gorizia must be corrected to avoid separating the city from its suburbs and aqueducts.

Assuming that the so-called French line were a proper ethnic line, which Sig. Bonomi could not accept, the ethnic balance was upset by the creation of the Free Territory on the Italian side of the line. This ethnic equilibrium could only be reestablished by enlarging the area of the Free Territory to the south and incorporating therein the western and southern parts of Istria, including Pola, with the British line as the eastern boundary of that area. He referred to Italian claims advanced in London in September 1945 to this area<sup>8</sup> and the Italian character of the western and southern parts of the Istrian peninsula. The least requirement, he said, must be to include within any Free Territory established all that part of Istria which is indisputably Italian.

The suggestion of the Chair that further discussion on Articles 3, 4 and 16 be deferred until the next meeting was accepted.

The Commission then considered Article 6 of the Draft Treaty which was adopted without observation or objection.

M. Couve de Murville (France), in reply to a question from the representative of the Netherlands, explained the French position with respect to Article 7 of the Draft Treaty and answered Italian observations on the historic archives of the regions of Savoy and Nice (CP (IT/P) Doc. 12, Annex 1B).<sup>9</sup> At the conclusion of his remarks Article 7 was adopted by the Commission.

In consideration of Article 8 the French representative referred to an Italian memorandum on this Article (CP(IT/P) Doc. 12, Annex 1E)<sup>10</sup> suggesting that transit formalities through Italian territory between the French towns of Briançon and Modane should be determined by subsequent agreement between the two countries and that similar privileges be granted to an Italian railway passing through

<sup>8</sup> See C.F.M.(45) 27, September 18, 1945, "Italian Peace Treaty: Yugoslav Frontier and Trieste, Statement of Views of Italian Government." *Foreign Relations*, 1945, vol. II, p. 232.

<sup>9</sup> Not printed.

<sup>10</sup> Virtually identical with Doc. 19(E), a component part of "Observations on the Draft Peace Treaty with Italy by the Italian Government," vol. IV, p. 117.

French territory connecting the Italian towns of Coni and Ventimiglia. He said that the French Government was prepared to accept these suggestions. Article 8 was, thereafter, adopted by the Commission without further observation.

The first paragraph of Article 9 (Mont Cenis) and the relative portions of Annex 2 were next considered simultaneously. Concerning Italian anxiety in the transfer of the water reservoir of Mont Cenis to the jurisdiction of a foreign power, M. Couve de Murville said that the French Government was prepared to extend the functions of the Supervisory Technical Commission, provided for in Section IV of Annex 2, to include inspection and make recommendations to ensure the safety of the Italian valley below. After obtaining the agreement of the other three sponsoring powers the French Delegate suggested that an appropriate paragraph in this sense could be added to Section IV of Annex 2 by the Legal and Drafting Committee which the Chairman accepted. Mr. Beasley (Australia) said that paragraph *d*, Section I of Annex 2 and paragraph *g* of Section II of the same Annex implied that Italy would be paying twice for the same service. The French representative explained that they were indeed two different services, one for the water supply to the hydro-electric plants in Italy and the other for electric energy emanating from French territory. M. Vyshinsky (USSR) complained that this was a useless question which wasted the Commission's time and was evidence that the Australian Delegation had not carefully studied the text of the Draft Treaty. Both paragraphs of Article 9 and the entire Annex 2 (Mont Cenis Plateau and the Tenda-Briga area) were adopted by the Commission without further comment.

The Commission adjourned at 1:00 p. m.

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**EIGHTH MEETING OF THE ECONOMIC COMMISSION FOR THE  
BALKANS AND FINLAND, SEPTEMBER 2, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)31

The Polish amendments to Article 23 (CP Gen Doc. 1 O 8) were first considered. M. Gusev (USSR) favored the amendments but believed that they came more appropriately under Article 24 since they were concerned with United Nations property. M. Alphand (France), Mr. Thorp (USA), and Mr. Glenvil Hall (UK) held similar opinions. M. Lychowski (Poland) thereupon withdrew his proposed amendments to Article 23 on the understanding that they would be considered with respect to Article 24 and that the words "qui sont situés"



in the French text of that Article would be deleted so as to conform with the English and Soviet texts. The Chairman, after calling for comment on the Rumanian views of Article 23 as expressed in its memorandum (CP Gen Doc. 3),<sup>11</sup> and after having heard M. Alphand term them unacceptable and suggest they not be discussed by the Committee, took note that they were not supported by the Committee. Paragraphs 2 through 8 were then agreed upon by the Committee, the United Kingdom approved paragraph 7 with the reservation that shipping should be considered under Article 24.

Mr. Walker (Australia) suggested consideration of paragraph 3 of his proposed amendment (CP Gen Doc. 1 B 25) making it possible for Rumania to seek the return of identifiable literary, artistic, historical, or religious property located in United Nations territory or in enemy territory occupied by the Allied Powers. M. Alphand opposed the Australian amendment on the grounds that the portion concerning United Nations territory was not appropriate for consideration by this Conference and the portion concerning property in Germany should be dealt with under Article 27. Mr. Costello (New Zealand), M. Hajdu (Czechoslovakia), and Mr. Argyropoulos (Greece) agreed with M. Alphand. M. Gusev took the same position at length. Mr. Thorp suggested postponement of discussion on the Australian proposal in as much as the part concerning Germany was treated under Article 27 and the part concerning the United Nations could more appropriately be discussed under Article 29 (Renunciation of Claims). Mr. Walker said that, in view of Mr. Thorp's remarks, he was willing to discuss his proposals later in connection with Articles 27 and 29.

Before taking a final vote on Article 23 as a whole, the Chairman raised the procedural question as to what he should do with a letter he had just received from the Rumanian Delegation and which might contain comments upon Article 23. M. Lychowski expressed the hope that if the Rumanian letter contained any new elements with regard to the Polish amendment which would require reference again to Article 23, the pending vote on Article 23 would not preclude the reconsideration of that Article. M. Alphand suggested that a vote be taken on Article 23 with the Polish reservation just stated. The Chairman, having just read the letter, said that it was not concerned with Article 23 and therefore called for a vote with the understanding that the Polish reservation with respect to this letter might be considered in the discussion of Article 24. Article 23 was then adopted by the Committee unanimously.

The meeting adjourned at 1:00 p. m.

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<sup>11</sup> For text, see vol. iv, p. 217.

**EIGHTH MEETING OF THE MILITARY COMMISSION,  
SEPTEMBER 2, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 31

The Delegation of the United Kingdom proposed an amendment to Article 44 intended to show that the use of torpedoes was not prohibited to the Italians. The amendment was adopted unanimously as follows: after the words "guided missiles" insert the words "other than torpedoes and torpedo-launching gear inherent to naval vessels permitted by this Treaty". After the words "sea mines" insert the words "or torpedoes".

Article 44 as amended was adopted unanimously.

The Greek Delegation withdrew its motion to defer discussion of the Greek amendment (CP Gen Doc. 1 J 7) proposing two new Articles, 46A and 46B. Mr. Dragomis (Greece) said that it was necessary to fix the ratios of officers and noncommissioned officers to men to prevent the possibility of Italy training the entire army as officers. The Czechoslovak, Yugoslav, and South African Delegates opposed the amendment in debate, and it was voted down, 18 against, 1 for, and 2 abstentions.

Admiral Manola (Yugoslavia) said that the Yugoslav amendment (CP Gen Doc 1 U 15) to Article 47 was necessary because the Draft Treaty permitted an Italian navy larger than those of Greece, Albania, and Yugoslavia combined, which would be a threat to Yugoslavia. The French Delegation argued that the Draft Treaty proposed a necessary but sufficient reduction of the Italian fleet. Admiral Rebuffel (France) introduced an amendment which would abbreviate Article 47 as follows:

"1. The present Italian fleet shall be reduced to those units listed in Annex 4, Part A;

"2. Supplementary units not listed in Annex 4, Part A, and used exclusively for mine-sweeping can be kept until the end of the sweeping period, this period having been fixed by the International Central Commission for Mine-Sweeping in European waters; but these units must be returned to their owners or be demilitarized for civilian use within a two-month period after the end of the aforesaid period."

The Chair proposed that the Commission complete its discussion of the Yugoslav amendment and defer consideration of the French amendment until the next meeting. The Yugoslav amendment was rejected: 16 against, 2 for, and 3 abstentions.

General Boase (Australia) said that the Australian amendment (CP Gen Doc. 1 B 8) to Article 48 was presented because Australia felt that the disposal of the excess Italian warships to the USSR, UK, USA, and France was unjustified in view of the existence of the United Nations and the Security Council. He cited Articles 11 and 26 of the United Nations Charter. In the course of his rebuttal to the arguments against the Australian amendment, General Boase said he thought that it would be better if the ships were destroyed, and that he agreed with General Theron (South Africa) that the piling up of armaments by one or two nations had been a major cause of past wars. Admiral Conolly said that the United States Delegation shared Australia's view of the importance of the work of the United Nations in preparing plans for the regulation of armaments, but that he must oppose the Australian amendment. He said that the stand taken by the United States and the United Kingdom with regard to the Italian fleet was based on ordinary belligerent rights and the surrender of the Italian fleet; since capitulation the Italian Navy had operated with the U.S. and U.K. Navies under the orders of the Combined Chiefs of Staff. The draft Article had not been arrived at until almost a year of study had been given to it, and the United States Delegation was convinced it was the wisest one under the circumstances.

The Australian amendment was rejected: 15 against, 3 for, and 3 abstentions.

Upon a motion by Mr. Alexander (UK), amplified by General Slavin (USSR), rejection of amendments similar to the Australian one for Article 48, for Article 58 and for corresponding Articles in the other Peace Treaties was approved.

Since there were no further amendments, Article 48 was adopted unanimously.

Admiral Conolly said that he wished to keep the record straight, and that adoption of Articles was a provisional adoption only.

The meeting adjourned at 1:35 p. m. The next meeting is to be held at 10:00 a. m., Tuesday, September 3.

MEETING OF THE SECRETARY OF STATE WITH ITALIAN LABOR  
REPRESENTATIVES, SEPTEMBER 2, 1946, 10 A. M.

CFM Files

*Memorandum of Conversation, by Mr. J. Wesley Jones of the United  
States Delegation*

PARIS, September 2, 1946.

Participants: The Secretary  
Representatives of the Italian General Confederation  
of Labor:  
Signor Oreste Lizzadri  
Signor Renato Bitossi  
Signor Luigi Morelli  
Marchese di Sorbello (Interpreter)  
Mr. Dunn  
Mr. Jones

Signor Lizzadri acted as spokesman for the group of Italian labor leaders who called on the Secretary this morning at 10. He said that they were representing the single over-all Italian labor organization in Italy, the CGIL (General Italian Confederation of Labor), which included all labor activity in Italy and which was directed by representatives of the three main political parties. He introduced himself as the Socialist representative and Morelli and Bitossi as the Christian Democrat and Communist representatives, respectively. The Labor delegation, he said, formed a part of the Italian Delegation to the Peace Conference. He thanked the Secretary on behalf of the CGIL for all the assistance which the United States had given to the Italian people since the surrender and explained that the labor delegation was calling on him to present its views on behalf of the Italian working man with respect to the draft peace treaty.

We reviewed the great hardships which the Italian laborers had endured during and following the war and referred briefly to the excessive cost of living and the slow rise in wages in Italy. He handed the Secretary a memorandum outlining the labor delegation's views on four articles of the treaty; namely Articles 66 to 69 inclusive.<sup>12</sup>

The Secretary said that he would give the memorandum to his representative on the Italian Economic Commission for study. He then reviewed some of the problems which he had had in the CFM and was now facing in the Paris Conference in obtaining a just peace for Italy.

The Secretary said that he had been surprised at the bitterness felt by some of the Delegations at the Conference toward Italy and particularly those who had [not?] suffered materially from Fascist aggression. He said that the total reparations claims over and above the

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<sup>12</sup> Memorandum not found in Department files.

\$100 million claimed by the U.S.S.R. was somewhere, he believed, in the neighborhood of \$15 billion which he pointed out was obviously a ridiculous figure and could not possibly be paid by Italy. He said that the U.S. Government was determined that it would not furnish economic assistance to Italy for that country's economic rehabilitation only to have it paid out to third powers in the form of reparations. He reminded the Italian Delegation that it had been at American insistence that the reparations clauses of the U.S.S.R. included provisions that raw materials must be furnished Italy for any goods taken out as reparations. He pointed out the difference between restoring United Nations property in Italy with lira and Italian labor and material which would all remain in Italy and reparations claims which took foreign exchange or material out of Italy. The Secretary said that with regard to Italian assets in the U.S. only a portion of them would be used to meet the claims of American citizens and that the balance would undoubtedly be returned to Italy. With regard to Italian assets in other countries, particularly the Balkans, he surmised that most of them had already disappeared or been dissipated and that very little or none of these assets would ever be returned to Italy.

The Secretary then referred to the long and arduous work of the CFM in arriving at a decision on Trieste. He said that Mr. Molotov had been determined that this area should go to Yugoslavia and that the Ministers had finally only been able to reach agreement on the establishment of a Free Territory for Trieste. He said that the alternative to this settlement would have been not one treaty but two with conflicting claims for the territory reflected in the treaties submitted by the western powers on the one hand and the eastern countries on the other, thus placing Italy in an impossible dilemma. He referred to his conversation with the Italian Prime Minister on this subject several weeks ago immediately after Signor De Gasperi's presentation of the Italian case before a Plenary Session of the Conference.<sup>13</sup> The Secretary added that he thought that De Gasperi had made an effective and courageous statement before the Conference on behalf of his country without giving offense to any nation. He concluded that he was aware of the difficulty and discouraging problem facing the Italian people but that he had faith in their stout hearts and recuperative capacity.

Signor Lizzadri thanked the Secretary for receiving them and for all the United States had done through American Relief to Italy and

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<sup>13</sup> De Gasperi addressed the 11th Plenary Meeting, August 10; for the Verbatim Record of that meeting, see p. 175. For memorandum of the Byrnes-De Gasperi conversation of August 10, see p. 172.

its great contribution to UNRRA without which the mortality rate in Italy would have been overwhelming. He added that the Italian labor delegation had already seen M. Molotov and were planning on seeing Mr. Bevin and M. Bidault before their departure from Paris.

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**SECOND JOINT MEETING OF THE POLITICAL AND TERRITORIAL COMMISSIONS FOR RUMANIA AND HUNGARY, SEPTEMBER 2, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 31

M. Tatarescu, Foreign Minister of Rumania, addressed the Joint Meeting on the subject of the Rumanian-Hungarian frontier. His main argument was that the present frontier had been established after the last war after full study of all relevant factors by the Allied Powers and in accordance with justice. He said it represented the proper line of ethnic division between the Rumanian and Hungarian peoples. He stressed also the economic unity of Western Transylvania, which he said would be disrupted should the Hungarian claims to the cities of Arad, Oradea and Satu-Mare be accepted. These cities, he said, were the economic, administrative, and cultural centers of Western Transylvania, and the railway connecting them was absolutely essential to Rumania.

M. Tatarescu said that the area claimed by Hungary contained only 67,000 more Hungarians than Rumanians, and that it would be unthinkable to disrupt the entire life of Western Transylvania in order to make such a change. He said that any change in the frontier which had been established in 1920 and confirmed by the decision of the Council of Foreign Ministers in 1946, would be against all moral principle and would be an egregious error.

M. Tatarescu then referred to the Hungarian request that the Conference recommend direct negotiations between Hungary and Rumania on the protection of the Hungarian minority in Rumania.<sup>14</sup> He said that any action forcing Rumania to negotiate concerning its internal affairs would be regarded as an attack on Rumanian sovereignty and independence. He took occasion also to deny all the allegations made by the Hungarian Delegation concerning discrimination against the Hungarian minority in Transylvania.

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<sup>14</sup> Reference is to the remarks of M. Auer, the Hungarian representative, at the 1st Joint Meeting of the Political and Territorial Commissions for Rumania and Hungary, August 31; for the United States Delegation Journal account of that meeting, see p. 330.

**EIGHTH MEETING OF THE ECONOMIC COMMISSION FOR ITALY,  
SEPTEMBER 2, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 31

The Commission continued its consideration of the Australian amendment to Article 64A, para. 3, of the Italian Treaty [C.P. (Gen) Docs.1.B.9 and 10]. M. Vyshinsky (USSR) spoke in opposition to the amendment, concluding with the statement that it might be necessary to provide for some form of coordination of reparation deliveries. Mr. Wilgress (Canada) supported the amendment on the grounds that it would ensure equality of treatment for recipients, provide a means of formulating a program which would avoid interference with Italian economic reconstruction and avoid the imposition of additional liabilities on the Allied and Associated Powers, and make possible the reconciliation of the payment of reparation by Italy with Point 4 of the Atlantic Charter. The Byelorussian representative spoke against the amendment, and was followed by M. Vyshinsky, who asserted that para. 3 was in accordance with the Atlantic Charter. M. Alphand (France) asked M. Vyshinsky to elaborate on his remark that it might be necessary to coordinate reparation deliveries, asking in particular what organism he had in mind and referring to the Yugoslav amendment which provided that the recipient states would constitute a Reparation Commission for this purpose [C.P. (Gen.) Doc. 1.U.17], a proposal which he thought might be considered in connection with Article 64B. M. Vyshinsky replied that this question might have to be considered, but that even if no special agency were created, any difficulties could be solved under Articles 75 and 64, providing for reference of problems to the Four Ambassadors. The Belgian representative supported the creation of a Reparation Commission with supervisory and coordinating functions, but thought that such a Commission should not negotiate agreements with governments fixing the deliveries to be made. The Yugoslav representative then said that in view of the earlier action of the Commission disapproving the Australian amendments and in view of the fact that the Yugoslav Delegation had never wanted anything but a supervisory body, it now withdrew those sections of its amendment which related to the creation of a Reparation Commission. Mr. Walker (Australia) spoke in reply and again urged the advisability of creating a Reparation Commission which would have at least coordinating functions. On a roll-call vote, the Australian amendment was defeated 13 to 7. Voting for the amendment were: Australia, Brazil, Canada, Ethiopia, Greece, New Zealand, and the Union of South Africa.

The Commission then agreed to hear, after concluding its consideration of Part A, oral statements by any states submitting claims under Part B, such statements to be limited to a half hour, and thereafter to hear a statement on Article 64 by an Italian representative. There will be no discussion of these statements. The Chairman announced that the Reparation Subcommittee would hold its first meeting at 3:30 p. m. tomorrow (Tuesday).

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**FIFTH MEETING OF THE POLITICAL AND TERRITORIAL COMMISSION FOR BULGARIA, SEPTEMBER 2, 1946, 5:30 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)31

A discussion took place on the Record of the previous meeting which had been prepared by the Secretariat. M. Pijade (Yugoslavia) objected to the fact that the Record did not state that the Yugoslav proposal to invite the Bulgarian Delegation to appear before the Commission had been accepted; the decision was not given in the language of the proposal, nor was there any reference to the relevant document. The Chairman conceded that the Record was unsatisfactory and said that in the future he would look over the Records before they were circulated in order to avoid such misunderstandings. At his request the Commission deferred adoption of the Record until the next meeting. M. Pipinelis (Greece) said that according to his recollection the Commission had reserved the question of at what stage in the discussion of Article 1 the Bulgarian Delegation would be heard. He did not think the matter sufficiently important to be the subject of long debate and accordingly proposed that the Bulgarian Delegation be heard immediately. This proposal was accepted.

M. Kolarov presented the views of the Bulgarian Government on the subject of the Greek-Bulgarian frontier. He objected to the text of Article 1 which would confirm the frontier of January 1, 1941 on the ground that it represented an injustice imposed upon Bulgaria in 1919. He had no objections to the Article as it affected Bulgaria's frontiers with Yugoslavia and Rumania and said that Bulgaria's good relations with those two countries were a proof that the Balkan peoples were capable of settling their disputes by themselves.

M. Kolarov argued that the present frontier was unjust, and that the Greek claim for further territory amounting to one tenth of the area of Bulgaria was utterly without foundation. He said that the real motive of the Greek claim was not the need for protection but the desire to acquire Bulgaria's best tobacco land and to stifle Bulgaria



economically. In defense of the Bulgarian claim to Western Thrace, M. Kolarov cited numerous historical sources attesting the Bulgarian character of this territory, the peace of Bucharest of 1913, and the opinions of American and other experts at the Peace Conference of 1919. He noted that the decision taken at Lausanne in 1923 to award this territory to Greece had been taken without the participation of the U.S.S.R. and the U.S.A. He claimed that Western Thrace was absolutely essential to Bulgaria for economic reasons, and that its transfer to Bulgaria would be of great benefit to the commerce of many countries.

In the course of his speech M. Kolarov devoted considerable time to describing Bulgaria's contribution to the Allied victory in the war and the democratic nature of the present Bulgarian regime.<sup>15</sup>

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## TUESDAY, SEPTEMBER 3, 1946

### TWELFTH MEETING OF THE POLITICAL AND TERRITORIAL COMMISSION FOR ITALY, SEPTEMBER 3, 1946, 10 A. M.

CFM Files

#### *United States Delegation Journal*

#### USDel(PC) (Journal) 32

The Commission began consideration of Article 3 (Italo-Yugoslav Frontier) and listened to a sixty-five minute speech by the representative of Yugoslavia. Briefly, M. Bebler replied to Sig. Bonomi's presentation of the Italian case on September 2 and to the Italian memorandum (CP(IT/P) Doc. 12 Annex 2)<sup>16</sup> and argued against the "French line" as a true ethnic boundary. In the course of his speech M. Bebler made a personal attack on Sig. Bonomi for his role in the Treaty of Rapallo and his positions in pre-Fascist Italian Governments. He denounced the Treaty of Rapallo as having been forced on a weak Yugoslav Government with British and French approval. He argued that the present Italian Government has built up the Trieste problem in order to divert the attention of the Italian people from their internal problems and to conceal imperialistic and aggressive Italian aims. He alleged that the Italian census of the Venezia Giulia area in 1921 was fraudulent and that Italian arguments based thereon were the same. He interpreted Italy's claims to the Upper Isonzo Valley, request for the extension of the Free Territory to include Pola and adjacent islands and creation of a Free Territory for

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<sup>15</sup> For a more detailed summary of the Kolarov speech, see Stephen G. Xydis, *Greece and the Great Powers, 1944-1947* (Thessalonika, Institute for Balkan Studies, 1963), p. 321.

<sup>16</sup> Virtually identical with Doc. 10(P), a component part of "Observations on the Draft Peace Treaty with Italy by the Italian Government," vol. iv, p. 117.

Fiume and autonomy for Zara as attempts to control indirectly something Italy has already lost and a desire to dominate the Free Territory of Trieste. M. Bebler then attacked the French line and the "ethnic equilibrium" principle carrying arguments, based on this principle, to absurd lengths in order to discredit the principle itself. The Yugoslav Government, he said, rejects the proposal based on the French line and in accepting the internationalization of Trieste presents its own ethnic line which it declares coincides with the "clearly expressed wishes of the overwhelming majority of the population of the Julian March." In reply to a question from the Chair, M. Bebler formally moved the Yugoslav amendment to Article 3 (CP Gen Doc. 1 U 3).

In an effort to avoid two translations of the speech the Chairman suggested that the Commission be satisfied with the printed English and Russian versions which would be distributed during the course of the meeting. This was immediately opposed, however, by the Yugoslav and Soviet representatives, and the rest of the morning session was devoted to the English and Russian translations of M. Bebler's speech.

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**NINTH MEETING OF THE ECONOMIC COMMISSION FOR THE  
BALKANS AND FINLAND, SEPTEMBER 3, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 32

The Commission adopted the first three paragraphs of Article 24 (United Nations Property), including the Polish amendment extending the time limit of the Rumanian obligation to cover claims arising after September 1, 1939 [C.P.(Gen) Doc.1.0.8]. Consideration of the Rumanian request that it not be obligated to cover claims arising during the period during which Northern Transylvania was occupied by Hungary, was postponed.<sup>17</sup> The Commission agreed to request the Rumanian Government to submit more detailed information on this problem. The Commission agreed to alter its original procedure for consideration of the economic Articles and to take up each Annex with the appropriate Article.

At Mr. Thorp's suggestion the Commission agreed to have a general discussion of paragraph 4 (compensation). Mr. Thorp explained that the Commission had dealt in an appropriate and just manner with two different types of property problems, one concerning damage to property in the territory of United Nations and one concerning property which had been removed by force or duress from the United Nations' territory. In the first case reparation by payments of com-

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<sup>17</sup> The Rumanian request was contained in C.P.(B&F/EC) Doc. 6, not printed.

modities was provided and in the second the ex-enemy was obligated to return, in good order, property removed by force or duress. The third type of property problem with which the Commission had to deal was that having to do with United Nations property which suffered damage in the territory of an ex-enemy. He emphasized that this type of problem deserved careful consideration by the Commission because there probably was no country represented at the Conference which did not have property in some one of the ex-enemy countries, while those countries benefiting from reparation or restitution were more limited. He pointed out that the Council of Foreign Ministers had attained considerable agreement on this whole problem. They had agreed that the property should be returned, free of any special charges; that if it could not be returned or had suffered damage, the owner should be compensated; and this compensation should be in local currency. The use of local currency in this case was a thoroughly logical and proper device. Although the owners would not in every case be satisfied with this solution, taking everything into consideration, it was the best suited to the problem, just as payment in commodities was best suited to the reparation problem. He stressed the difference between a payment in local currency and payment in goods which went outside the country, for in the latter case something was taken away and in the former it was merely a matter of rearrangement of the financial obligation within the country. Comparison between payments going out of the country and payments staying in, would be impossible, he believed, because the effects on both the paying and receiving country were completely different. The main question to be settled was the extent to which payments of compensation would prove a burden on the Rumanian economy, without reference to arrangements made to meet other property problems. The United States Delegation, Mr. Thorp said, did not feel these payments in local currency would be a great burden and would even contribute to the general reconstruction of the Rumanian economy.

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NINTH MEETING OF THE MILITARY COMMISSION  
SEPTEMBER 3, 1946, 10 A. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 32

Consideration of the French redraft for Article 47<sup>18</sup> was deferred upon a motion by the United Kingdom Delegation. Article 48 having

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<sup>18</sup> For text, see the United States Delegation Journal account of the 8th Meeting, September 2, p. 335.

been accepted at the previous meeting, Article 49 was the next item of business. A motion, by Admiral Conolly, for the substitution of the words "naval vessel" for the word "ship" in the first sentence of the first paragraph was accepted and Article 49 was adopted unanimously.

For Article 50 Mr. Alexander (U.K.) proposed the following changes: for the word "acquired" in point 1 substitute "acquired or replaced"; under point 5 after the word "ship" insert "other than battleship"; and under point 6 delete "so far as necessary", substitute "for purposes of the present treaty". These changes were accepted and Article 50 with the U.K. amendments was adopted unanimously.

Admiral Conolly pointed out that in Article 51 under point 2 the title "International Control Board for Mine Clearance of European Waters" should be corrected by the substitution of "Central" for "Control". Article 51 with the United States correction was adopted unanimously. The Yugoslav Delegation had introduced an amendment (CP Gen Doc. 1 U 16) to Article 52 each part of which was discussed separately. The first part was intended to reduce the number of *carabinieri* from 65,000 to 30,000. Mr. Alexander and General Catroux (France) opposed this part of the amendment. General Pika (Czechoslovakia) supported it in principle but proposed a change.<sup>19</sup> Admiral Manola (Yugoslavia) withdrew the first part of the Yugoslav amendment. A debate developed over the next part of the Yugoslav amendment which was designed to prevent former members of the Fascist Militia or of the Fascist Republican Army from becoming officers or noncommissioned officers in the Italian army. Mr. Alexander proposed a rewording of this part of the Yugoslav amendment: "in no case shall any officers or noncommissioned officers of the former Fascist Militia or former Fascist Republican Army be admitted with officer or noncommissioned officer rank to the Italian Army, Navy or Air Force except those persons exonerated by the appropriate body in accordance with Italian law." The Byelorussian Delegation suggested an amplification of Mr. Alexander's proposal which would prevent former members of the Fascist party from holding officer rank. General Pika suggested adding "*carabinieri*" at the end of Mr. Alexander's proposal. Mr. Alexander accepted General Pika's suggestion.

Admiral Manola agreed to Mr. Alexander's amendment but disagreed with the addition proposed by the Delegate of Byelorussia because he said the experience of the war had shown that many poor people in Italy had been forced into the Fascist party in order to

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<sup>19</sup> He suggested that the number of *carabinieri* be reduced to 25,000 (CFM Files: United States Delegation Minutes).

exist; but that functionaries of the party will be punished by the loss of civil rights and would so automatically be prevented from becoming officers. He accepted General Pika's addition to Mr. Alexander's text. General Slavin supported the U.K. text but suggested that it be added after Article 52. General Balmer said that the United States Delegation was agreed, in principle, with the Yugoslav amendment and would accept the amended version as an article, but that the Delegation was not in favor of the Byelorussian change and would agree to the Czechoslovakian change. He thought that the new Article should come after Article 46 because it was of a general nature.

The United Kingdom rewording of the original Yugoslav amendment to Article 52 as changed by the Czechoslovak addition was adopted unanimously to be inserted as Article 46A.

Mr. Alexander suggested a clarification of the stipulation for control of the number of tanks to be possessed by Italy. He proposed the insertion of the words "the total number of medium and heavy tanks in the Italian Army shall not exceed 200". Mr. Alexander's proposal as amended by substitution of the words "armed forces" for "army", a change suggested by General Slavin was adopted unanimously as Article 46B.

Article 52 with point 2 deleted by reason of the adoption of Article 46B was adopted unanimously.

Articles 53, 54, 55, 56, and 57 were adopted unanimously with no objection and no discussion.

The Chairman pointed out that the Australian amendment to Article 58 [C.P.(Gen.)Doc.1.B.8] had been automatically rejected by the decision of the previous meeting and that only the Greek amendment [C.P.(Gen.)Doc.1.J.8] remained to be discussed. He adjourned the meeting at this point (12:40 p. m.).

The next meeting will be held Wednesday, September 4, at 10:00 a. m.

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**SEVENTH MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR RUMANIA, SEPTEMBER 3, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 32

Consideration of Article 2 of the Draft Treaty was postponed to the next meeting and the Commission went on to Article 3. The Chairman said that he had received a letter from the Australian Delegation withdrawing that part of their amendment (CP(Rou/P) Doc. 4)

dealing with paragraph 4.<sup>20</sup> Mr. Officer (Australia) said that experience over the years since 1919 had shown that alien population groups were a source of unrest; one cause of this condition was that they were the subject of unfair treatment because of their race, religion or language; the Australian amendment was intended to prevent this unrest by having the principles of tolerance written into the law of the land. The Ukrainian Delegate said that the new legal code of Rumania made ample provision for fair treatment of minorities. He quoted at length from the Rumanian code and Constitution (Article 5). The Byelorussian Delegate said that the Australian amendment merely repeated Article 54 of the Treaty of Trianon which had been unsuccessful. He supported the Rumanian statement proposing a redraft of the original draft of Article 3.<sup>21</sup> Mr. Marriman said that the U.S. Delegation felt that the Australian amendment was redundant and that Article 3, as agreed to by the Council of Foreign Ministers, made the obligations of Rumania very clear. He hoped his colleagues would allow the amendment to come to a vote quickly so that all of the Delegates could thus express their opinions on the question. The Delegate of the U.S.S.R. also opposed the Australian amendment and cited further Articles (7 and 8) of the Rumanian Constitution to show that adequate safeguards for minorities were already included in Rumanian law. Mr. Officer withdrew the Australian amendment.

The Chairman asked the Delegate of Byelorussia whether he wished to propose a redraft of Article 3 according to the Rumanian memorandum as he had indicated during the course of the debate. He was answered in the affirmative. The Byelorussian proposal (CP Gen Doc. 3, lines 3-6) was rejected by a vote of 10 to 2.

Article 3 was then adopted by a vote of 11 to none, with one abstention.

Before the Commission could take up Article 4, Mr. Jebb (U.K.) introduced as an amendment to Article 3, a proposal aimed at the safeguarding of the position of Jews in Rumania.<sup>22</sup> His proposal was based on memoranda presented to his Delegation by various

<sup>20</sup> "Paragraph 4" refers to part of article 13 of the Italian treaty. The Australian letter under reference, dated August 26, 1946, and circulated as Annex 1 to C.P.(Rou/P) Doc. 4, not printed, withdrew an amendment, C.P.(Gen) Doc.1.B.4, concerning human rights previously submitted in connection with article 13 of the Italian treaty. The letter also proposed an amendment to article 3 of the Rumanian treaty as follows:

"Add following paragraph: '(2) Rumania undertakes that in order to fulfil the obligations under paragraph 1 of this article, those obligations shall be recognized as fundamental laws and that no law, regulation or official action shall conflict or interfere with those obligations, nor shall any law, regulation or official action prevail over them.'"

It is this amendment which Officer began to defend.

<sup>21</sup> For the Rumanian observations on the draft peace treaty, C.P.(Gen) Doc. 3, see vol. iv, p. 217.

<sup>22</sup> The British proposal, which was contained in C.P.(Rou/P) Doc. 9, is not printed; for text of C.P.(Rou/P) Doc. 9 Revised, see footnote 71, p. 418.

Jewish organizations. The Chairman ruled the UK proposal out of order for the day's session because Article 3 had already been disposed of and was closed to discussion. Despite the Chairman's ruling, the Delegate of the U.S.S.R. made a number of remarks in opposition to the U.K. proposal. The Chairman closed the discussion of the U.K. proposal. With respect to Article 4 he said that there were no amendments, or remarks by the Rumanians. No objections were raised and he declared the Article adopted.

Article 5 was adopted without amendment or objection.

The meeting was adjourned at 7:45 p. m.

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NINTH MEETING OF THE ECONOMIC COMMISSION FOR ITALY,  
SEPTEMBER 3, 1946, 4 P. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)32

The Commission agreed to hear the statements of the countries submitting claims for reparation from Italy under Article 64B beginning Thursday, in the following order (which was determined by lot); Greece, Albania, Poland, Yugoslavia, Belgium, Brazil, U.K., Ethiopia, Netherlands, Norway, France, and Egypt. The Commission then considered the Brazilian proposal to insert in Article 64A, para. 4, the words "if necessary", so that the paragraph would read: "The U.S.S.R. shall, if necessary, furnish to Italy on commercial terms materials . . ." The Brazilian representative said that the intention was to make a clearer draft, which would ensure that Italy could secure raw materials from any country and encourage freedom of trade. The Brazilian amendment was opposed by the representatives of the U.S.S.R. and France, the latter saying that it might cause difficulties and that the paragraph as drafted did not mean that the raw materials must originate in the U.S.S.R. The amendment was supported by the representatives of Australia, South Africa, and Canada on the ground that the paragraph as drafted might have a restrictive effect on Italy's ability to secure raw materials from sources other than the U.S.S.R. Mr. Thorp (U.S.) emphasized that the point of para. 4 was that it obligated the Soviet Union to furnish Italy with the necessary raw materials in order to secure reparation from current production. Only in this way could Italy secure the necessary raw materials without a burden being placed on its balance of payments. He also thought that the amendment might create difficult problems of interpretation. The representative of the U.K. also opposed the amendment. The representative of South Africa took this occasion to speak of the difficulties in amending any CFM agreed draft which were

imposed by the procedure followed by the Commission. The four drafting Powers were bound to support the agreed clauses and did not usually explain the considerations which had led to their particular draft. This made it difficult to draft amendments which would meet their views and also the difficulties perceived in any article by the other members of the Commission. M. Vyshinsky again defended the draft and agreed that the clause as drafted obligated the Soviet Union to provide the raw materials necessary for reparation deliveries out of current production. After the Brazilian representative had exercised his right of final reply, the amendment was defeated on a roll-call vote by 15 to 4, with Greece abstaining, and Australia, Brazil, Canada, and South Africa supporting. As no one moved the Italian amendment to paragraph 5,<sup>23</sup> the Commission did not consider this amendment, although the French representative thought that the paragraph as drafted met the points raised in the Italian memorandum. The Commission then approved paragraph 5. After a brief explanation by M. Vyshinsky, the Commission approved the U.S.S.R. amendment providing that the dollar at its gold parity on July 1, 1946 should be the basis of calculating the reparation settlement.<sup>24</sup> The Commission then approved Article 64A as a whole.

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109TH MEETING OF THE DEPUTIES OF THE COUNCIL OF FOREIGN  
MINISTERS, SEPTEMBER 3, 1946, 9:30 P. M.<sup>25</sup>

CFM Files

*United States Delegation Minutes*

[Extract]

SECRET

CFM(D) (46) 109th Meeting

PRESENT

U.S.S.R.

M. Vyshinsky (Chairman)  
M. Gusev  
Gen. Slavin  
M. Stetsenko

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<sup>23</sup> For the Italian position on article 64 contained in "Observations on the Draft Peace Treaty With Italy by the Italian Government," see vol. iv, p. 117.

<sup>24</sup> At their 108th Meeting, August 31, the Deputies of the Council of Foreign Ministers agreed to support the Soviet amendment (CFM Files: United States Delegation Minutes of the proceedings of the Deputies).

<sup>25</sup> This meeting was held at 78 Rue de Lille.

At its First Informal Meeting at the Paris Peace Conference, August 29, the Council of Foreign Ministers decided to charge the Deputies with the task of achieving when possible Great Power accord on amendments prior to their coming before the Conference; for the United States Delegation Minutes of that meeting, see p. 313. The Deputies convened on August 30 and held ten meetings at the Peace Conference, the last on September 22. Military and economic committees of experts examined amendments, suggesting either approval or rejection by the Deputies. The Deputies dealt directly with amendments to political articles.



## FRANCE

M. Couve de Murville  
 M. de Courcel  
 M. Gros  
 Lieut. Col. Clementin  
 M. Beaumarchais

## U.K.

Mr. Jebb  
 Lord Hood  
 Brigadier Dove  
 Group Captain Braithwaite

## U.S.

Mr. Dunn  
 Mr. Reber  
 Brig. Gen. Balmer  
 Brig. Gen. Gerhart  
 Mr. Page  
 Mr. Merrill  
 Mr. Campbell

## THE BULGARIAN MILITIA

LIEUT. COL. CLEMENTIN: The next item is a Greek amendment to Article 9 of the Bulgarian treaty [C.P.(Gen)Doc. 1.J.21]. It is proposed that the personnel of the Bulgarian army should be limited to 35,000. The Military Committee thinks this amendment should be rejected. It does however propose a slight change in the wording of Article 9 to indicate that the Bulgarian land army would include "frontier and internal security troops". If this change is adopted, the Committee thinks similar changes should be made in the Rumania, Hungarian and Finnish treaties.

M. VYSHINSKY: I do not understand this amendment, because Bulgaria has no internal security troops. We agreed before to include frontier guards, but we made no mention of including the militia in the figure of ordinary troops in drafting any of the five treaties. There must be a misunderstanding. I never heard of any internal security forces in Bulgaria.

MR. JEBB: If Bulgaria does have such forces, as it may have, then they should be mentioned as coming within the limitations on the personnel of the army.

M. VYSHINSKY: In the Italian treaty we limited the army to 185,000 men including frontier guards. For Bulgaria we should take the figure of 55,000 including frontier guards. In the case of Italy we made special provision for the *Carabinieri* since such a corps exists. But no such internal security forces exist in Bulgaria, and there is no reason to mention them. The police are not part of the army.

MR. JEBB: In that case we need not limit the *Carabinieri* in Italy. We could leave out the limitation and let them have as many as they like.

M. VYSHINSKY: The *Carabinieri* are trained troops. We know that Italy has such troops. But we do not limit the Italian police.

MR. JEBB: Bulgaria will have *Carabinieri* too unless we take care of it in this Article.

M. VYSHINSKY: We could do that if we wish to refer to something which does not exist but might sometime exist. We might debate whether the Greek army might have royal guards in the future.

MR. JEBB: Greece is not yet a defeated country.

M. VYSHINSKY: I was only using this illustration to express a general view.

MR. DUNN: I understand that Bulgaria has just passed a law providing for a militia. The militia already exists according to my information.

M. VYSHINSKY: It is a question of a police force.

MR. DUNN: Article 9 says that: "The maintenance of land, sea and air armaments and fortifications will be closely restricted to meeting tasks of an internal character and local defense of frontiers". The militia should be included; certainly it would not be created to undertake tasks other than of an internal character. Either the militia is included within the limit of 55,000 or else under Article 11 it is not to exist at all. It seems clear to me that the militia should be included in the limitation of the total strength of the army.

M. VYSHINSKY: In the Soviet view all the treaties provide limitations for regular army troops. The question of police forces has not come up. These clauses have been discussed before by the military experts, by the Deputies and by the Foreign Ministers. We all agreed to the texts as they now stand. In the Rumanian treaty there is no mention of police but merely of troops. The same is true in the Bulgarian and Italian treaties. There is mention in the Italian treaty of the *Carabinieri* since such a force does exist. If we include police, however, we might as well include prison guards and all others who perform police functions. Do we have to discuss this question just because the Greeks thought up an amendment. I think the question of the police should be left aside.

MR. DUNN: If the militia is not included in the total armed strength limited to 55,000, then under Article 11 it will be illegal for Bulgaria to have a militia with military training.

M. VYSHINSKY: All police forces have a certain degree of military training. Our previous discussions concerned armed forces, not police. Article 9 is an agreed article. Is it now suggested that we go back on our decision?

MR. DUNN: The question of the police forces is covered under Article 11. Bulgaria can have a police force so long as it is not given military training in any form. I understand that the present Bulgarian law creates a militia with military formations; that would be illegal under Article 11. I am not pressing for a change in Article 9, but if there is no disposition to mention the militia as included in the armed forces permitted under Article 9, then it is clear that any

such militia with military formations would be illegal after the treaty goes into effect.

M. VYSHINSKY: The question before us is whether to include in Article 9 this new reference to internal security forces. Since such forces do not exist in Bulgaria, the amendment cannot be accepted. Article 11 is clear. Bulgaria will accept the obligations under that Article. If there are any secret armies they will not be tolerated. But Article 11 has no connection with Article 9. I see no reason to amend either of them.

MR. DUNN: I am not pressing for a change in Article 9 but I want it clearly understood that no militia would be possible under Article 11. The present Bulgarian militia established by law would be illegal when the treaty went into effect.

M. VYSHINSKY: I cannot speak about that law now, but it is evident that if a Bulgarian law is in conflict with the treaty, that would have certain definite consequences. Article 11 is quite clear. Contingents not provided for in Article 9 cannot receive military training as defined in Annex 2.

MR. DUNN: I think that all of us who sign this treaty will accept the obligation to see that the treaty is carried out.

M. VYSHINSKY: There is no question about that. We have an Article which deals with the execution of the treaty. But there is no need to include a reference to internal security forces in Article 9.

MR. DUNN: We did not raise this point. It was recommended to us by the Military Committee.

M. VYSHINSKY: I think that the Military Committee was too hasty, and I suggest we do not accept its recommendation.

MR. DUNN: I raise no objection to passing on to the next item. I think that this discussion has been helpful in grasping the issue in view of the fact the [*that*] the question might arise in the future. In the case of Bulgaria I think the question is before us now, and that we cannot ignore the existence of the law which has been passed establishing a militia.

M. VYSHINSKY: We will speak about that when the time comes.

MR. DUNN: I hope so.

M. VYSHINSKY: Then we shall leave Article 9 in the form in which it appears in the draft treaty. (This was agreed.)

LIEUT. COL. CLEMENTIN: The next item is a Greek amendment concerning the proportion of officers in the Bulgarian armed forces and concerning the instruction of reserve officers. The Greek Delegation proposed this same amendment for the Italian treaty. The Military Committee suggests that it be rejected.

M. VYSHINSKY: Shall we endorse the Committee's recommendation? (This was agreed.)

## DEMILITARIZATION OF THE BULGARIAN-GREEK FRONTIER

LIEUT. COL. CLEMENTIN: There is a Greek proposal for the destruction and prohibition of certain fortifications on the Bulgarian side of the Greek-Bulgarian frontier [C.P.(Gen)Doc.1.J.21]. This proposal is similar to the articles in the Italian treaty dealing with the French-Italian and Yugoslav-Italian frontiers. In the Military Committee the Soviet representative held that this question had already been discussed and that the acceptance of the proposal would modify Article 9 which has already been adopted by the Council of Foreign Ministers. The U.S. representative believed this to be a new proposal which could be examined on the merits and supported by any Delegation. The U.K. and French representatives thought that the Deputies should decide whether it was to be considered as a new proposal or as an amendment to Article 9. The Committee asks instructions on this point.

MR. DUNN: The American position is that this is a new question and should be dealt with as such.

M. VYSHINSKY: Article 9 was first drafted without mention of fortifications. Then as a compromise, I believe that at the suggestion of the U.S. representative the word "fortifications" was added. We agreed on that text in the Council of Foreign Ministers. Now the same question is being raised again. The same proposal previously rejected is being put forward. It may be new to the Greek Delegation but it is not new to us. The Soviet Delegation is opposed to it in substance and also because it represents a modification of an agreed clause. The Greeks are attacking their neighbors and loudly accusing the latter of being aggressive. Bulgaria is not attacking anybody and has no reason or intention to do so. I see no basis for such a restriction as is being proposed. Bulgaria cannot be compared to Italy which is a large country. This amendment therefore cannot be accepted. We should not start the old arguments again; otherwise we should have to begin our whole discussion all over again.

MR. DUNN: We never had a definite proposal along these lines. The general reference to fortifications in Article 9 is not enough to preclude the acceptance of any new definite proposal by an Allied state against an enemy country. I am merely stating our position. We are not willing to reject this proposal on the ground that it is included already in an agreed article.

MR. JEBB: Our position is broadly similar to that of Mr. Dunn. The fact that Bulgaria is a small country has nothing to do with the case. In logic there is every reason to support the Greek proposal. Greece was attacked by Bulgaria just as Yugoslavia was attacked by Italy. Yugoslavia insists on a demilitarized zone. There is no rea-

son why Greece should not do likewise. I think it must be admitted that this is a new proposal.

M. VYSHINSKY: I maintain that in the Military Committee General Balmer made a suggestion concerning the destruction of Bulgarian fortifications. General Slavin tells me this. It was suggested at the time that provisions similar to those to be established on the French-Italian and Yugoslav-Italian frontiers be applied in the treaties with Bulgaria, Hungary, Rumania and Finland. These suggestions were not accepted. A compromise was made by the inclusion of the word "fortifications" in Article 9. Therefore the Greek amendment is not new and cannot be accepted. We have already agreed to a definite text. The Soviet Delegation cannot agree to proposals which change the substance of agreed articles. Therefore I ask my colleagues not to insist that this is a new proposal.

MR. DUNN: I must insist that it is. This proposal was never discussed in connection with the Bulgarian treaty. Similar proposals were discussed for the Italian treaty because they were put forward by the French and Yugoslav governments. The Council of Foreign Ministers gave full consideration to the French and Yugoslav proposals and agreed to the language which appears in the draft treaty with Italy. In connection with the Bulgarian treaty we expect to treat this as a new proposal.

MR. JEBB: I think the only thing to do is to put this question before the Foreign Ministers tomorrow. It is an important point on which we cannot get agreement here.

M. VYSHINSKY: That is up to you. I think it is an amendment. Any other decision would be contrary to our agreement.

MR. JEBB: According to our terms of reference any difference of opinion among us shall be put before the Ministers.

M. VYSHINSKY: I see no reason for a difference of opinion. Article 9 is an agreed article. If there is no agreement on an amendment, the article must stand as agreed. I cannot take the initiative in referring it to the Ministers. Let us go on with the next question.

#### FURTHER CONSIDERATION OF THE MILITARY COMMITTEE'S REPORT

LIEUT. COL. CLEMENTIN: There is a Belgian amendment to Article 12 of the Bulgarian treaty [C.P.(Gen)Doc.1.C.3]. It concerns atomic weapons. The Military Committee recommends that the same position be taken as for the Italian and Rumanian treaties. (This view was adopted.)

There is also a Greek amendment to Article 12 which concerns certain naval armament [C.P.(Gen) Doc.1.J.22]. The Naval Committee will make a report on this subject.

The next item is an Australian amendment to Article 14 [C.P.(Gen)Doc.1.B.35]. It concerns the disposition of excess war material

by the Security Council of the United Nations. The Military Commission has already rejected this amendment for the Italian treaty. It is proposed that the same position be taken on this point for the other treaties. (This was agreed.)

There is also a Greek amendment to Article 14, similar to one proposed by the Greeks to the Italian treaty [C.P.(Gen) Doc.1.J.23]. It provides for restitution to Greece of Greek war material. The Deputies decided to oppose this amendment to the Italian treaty on the ground that the matter was taken care of by the Article on restitution and reparation. At a later meeting of the Military Committee the U.S., U.K. and French representatives thought that the Greek amendment should not be rejected entirely. The Committee thinks that the matter could be dealt with along the lines foreseen in Article 58 of the treaty with Italy and Article 14 of the treaty with Bulgaria. The U.S. representative proposed that mention might be made in the treaty of such disposition of excess war material. The Soviet representative believed it unnecessary. The Military Committee now submits to the Deputies the proposal that a statement be made in the Military Commission that any Allied state can apply to the Allied Powers at whose disposal the war material is placed according to the treaty provisions, making a request for such material. The Military Committee asks for the guidance of the Deputies.

M. VYSHINISKY: The Soviet representative on the Military Committee says that this is not what happened. The Committee decided not to support any proposal.

LIEUT. COL. CLEMENTIN: It is true that after the matter was referred to the Deputies the first time and instructions were received from them, it was decided to reject the Greek amendment to the Italian treaty. All that is proposed now is that a declaration be made in the Military Committee that if any Allied state considers that it has a right to surplus war material, then its request shall be taken into consideration by the Four Allied Powers in the case of the Italian treaty and the Three Powers in the case of the Balkan treaties.

MR. JEBB: I think it is only right and appropriate that the powers which dispose of the surplus equipment should take into account the claims of other Allies.

M. VYSHINSKY: There are two questions before us, the Greek amendment and the proposed declaration. The Military Committee has already decided to oppose the Greek amendment, as we agreed in the case of the Italian treaty. Is it clear that we reject this amendment? On the subject of the declaration, it is not clear to me where, how, and by whom it should be made. We might discuss it later when we have a text before us.

MR. DUNN: I think we should consider both points together.

M. VYSHINSKY: Why? We have the Greek amendment before us, and the Military Committee favors its rejection. We rejected it in the case of the Italian treaty. As for the declaration, we can consider that when the matter is clarified.

M. COUVE DE MURVILLE: This question will come up tomorrow in connection with the Italian treaty. We might ask our experts to draft a declaration now to be made tomorrow to the Military Commission. I understand that we will oppose the Greek amendment in the Commission.

MR. DUNN: That is a good suggestion. The Military Committee, incidentally, has not recommended the rejection of the Greek amendment but has merely asked the advice of the Deputies.

M. COUVE DE MURVILLE: Yes, but on Saturday we agreed to vote against a similar amendment to the Italian treaty.

MR. DUNN: We have some new considerations and suggestions and I think they should all be considered together.

M. VYSHINSKY: The Military Committee has reported that it thinks the Greek amendment should be opposed in the Commission. I suggest that we decide accordingly. As for the declaration, I have no objection to having the experts try to prepare a text. Let us first definitely reject the Greek amendment.

MR. DUNN: I should like to talk about the declaration first.

M. VYSHINSKY: Why? We rejected the amendment to the Italian treaty on Saturday. Why not reject the same amendment to the Bulgarian treaty today.

MR. DUNN: Here we have a reasonable request by an Ally for surplus war material. I do not think that the three Allied Powers concerned will wish to take for themselves any war material which was Greek. I do not see why there can be any objection to providing in the treaty that claims of Allies other than the Four Powers, or Three Powers, to this war material will be considered.

M. COUVE DE MURVILLE: The idea was not to put it in the treaty but to have the representatives of the Allied Powers concerned make a declaration in the Military Commission that in the disposal of war material taken from Italy and from Bulgaria they would take into account the claims of other Allied states to war material taken from them.

MR. JEBB: I suggest our experts try to work out a formula now.

M. VYSHINSKY: I consider that inadvisable. If we cannot agree to reject the Greek amendment I suggest we defer the question and let the military experts report tomorrow. I cannot understand why my colleagues will not agree to oppose the Greek amendment.

M. COUVE DE MURVILLE: We must settle this since the question comes before the Military Commission tomorrow.

M. VYSHINSKY: Let us settle it then. We took a decision in connection with Italy on Saturday. We can do the same for Bulgaria.

MR. DUNN: The declaration would apply to both Italy and Bulgaria. I do not see why any of the Four Powers would be unwilling to make a declaration that they would consider the claims of the rightful owners of such war material.

M. VYSHINSKY: To whom would the declaration be made? I should like an explanation.

MR. DUNN: We should prefer to see the declaration embodied in the treaty.

M. VYSHINSKY: I oppose that categorically.

MR. DUNN: There is no reason not to say that the claims of Allied countries to war material will be considered by the Four or Three Allied Powers concerned. Certainly we will not deny the right of other powers to material which was theirs.

M. VYSHINSKY: Not if it belongs to them.

MR. JEBB: If it does come up tomorrow, we can probably make a unilateral statement.

M. VYSHINSKY: What kind of a statement?

MR. JEBB: A statement to the effect that we would dispose of our share of the war material as we saw fit.

M. VYSHINSKY: That is already in the treaty. Article 58 of the Italian treaty says that all Allied war material in excess of that allowed to Italy will be placed at the disposal of the Allied or Associated Power concerned according to the instructions to be given to Italy by the Allied or Associated Power concerned. We also have the Article on restitution, Article 65. What else do we need?

M. COUVE DE MURVILLE: I do not think that this is the point in question. It is paragraph 1 of Article 58 which is concerned. Also I think that if a declaration is to be made, it is better to have an agreed declaration than a unilateral declaration.

MR. JEBB: It would be better, but the question is whether an agreed declaration would be ready in time.

M. VYSHINSKY: What would we declare? Paragraphs 1 and 2 of Article 58 deal with this question, paragraph 1 with the placing of war material at the disposal of the Four Powers, and paragraph 2 with the placing of war material at the disposal of the Allied and Associated Powers concerned. If it is British material, it will be given to the British authorities; if American material, to the American authorities for disposal. What else is necessary? Do you suggest adding something to Article 58?



M. COUVE DE MURVILLE: The French Delegation does not propose changing Article 58. I suggest that the Four Powers at whose disposal war material will be placed under paragraph 1 of Article 58 will not need or want this material. I think we could give part of it to the countries which need it such as Yugoslavia and Greece.

M. VYSHINSKY: I understand paragraph 1 of Article 58 in the following way. Italian excess war material will be handed over to the Four Powers. The Four Powers will by mutual agreement dispose of it. If they decide to give part of it to the U.S. or to the U.S.S.R., either of those powers would be able to give it to any other state if it desired to do so.

M. COUVE DE MURVILLE: That is my interpretation. I just thought that it could be explained that way to the Military Commission.

MR. DUNN: Let us agree to have that explanation given to the Military Commission.

M. VYSHINSKY: In what form?

MR. DUNN: Somebody could make a speech. Lots of people here like to make speeches.

M. COUVE DE MURVILLE: One of us could make a declaration to the Military Commission.

M. VYSHINSKY: I am ready to authorize M. Couve de Murville.

M. COUVE DE MURVILLE: I do not generally attend the meetings of the Commission.

MR. DUNN: Let the French representative make the declaration.

M. VYSHINSKY: All right. Let him prepare a text now.

M. COUVE DE MURVILLE: I will ask Lieut. Col. Clementin to go into the next room and prepare a text. (Exit Lieut. Col. Clementin.)

(At a later point in the meeting Lieut. Col. Clementin presented to the Commission a draft declaration which the French representative would make on the authorization of the Four Powers responsible for drafting the Italian treaty. The declaration would read as follows:

“War material in excess of that permitted to Italy under the articles of the peace treaty will be placed at the disposal of the U.S.S.R., U.K., U.S. and French governments under paragraph 1 of Article 58. In the disposal of this material by joint decision of the Four Powers, the latter will take into consideration the claims of other Allied and Associated Powers, especially those from which war material had been taken by Italy.”)

M. VYSHINSKY: I have no objection to that, but I would like to have a text.

MR. DUNN: I think there should be a reference to the fact that this declaration does not refer to surplus units of the Italian navy referred to in Article 48.

M. COUVE DE MURVILLE: That is quite another question. Obviously it does not refer to that.

M. VYSHINSKY: Nevertheless I think it should be mentioned so that no wrong impression will be created. (It was agreed that the declaration should also mention that Article 48 was not affected by this statement. The Deputies then agreed to reject the Greek amendment subject to the making of the above declaration in the Military Commission.)<sup>26</sup>

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WEDNESDAY, SEPTEMBER 4, 1946

THIRTEENTH MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR ITALY, SEPTEMBER 4, 1946, 10 A. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)33

Consideration of Article 3 (frontier between Italy and Yugoslavia) was continued. The representative of Czechoslovakia supported the Yugoslav amendment thereto (CP Gen Doc. 1 U 3). The South African representative spoke in favor of his Delegation's amendment (CP(IT/P) Doc. 21).<sup>27</sup> Senhor Fernandes (Brazil) spoke in favor of the Brazilian memorandum (CP Gen Doc. 1 E 2). He reserved the right to submit an alternate Brazilian amendment to Articles 3 and 4 (CP(IT/P) Doc. 23)<sup>28</sup> if the first amendment met with effective opposition from the four sponsoring powers, which he foresaw. The representative of Byelorussia presented and supported his Delegation's amendment to Article 3 (CP Gen Doc. 1 D 1).

Senator Connally said that the United States Delegation believed that Sections 3, 4, and 16 should be treated as one question since the new frontier and the organic structure of the Free Territory were inextricably bound. He said that his Delegation wished to see the creation of a free state which would command the respect of both Yugoslavia and Italy and would protect the people, their fundamental liberties, and their property in the new territory. The Senator made an effective plea for tolerance, patience and understanding in the settlement of the delicate question of Trieste and the Italo-Yugoslav frontier, reminding the delegates that they were at a peace conference where immediate selfish national interests should be replaced by long-range policies in the interest of a durable and stable peace in that area and in the world.

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<sup>26</sup> The declaration was presented to the 10th Meeting of the Military Commission, September 4, by General Catroux (France); for the United States Delegation Journal account of that meeting, which includes the text of the declaration as actually delivered, see p. 360.

<sup>27</sup> For substance, see the first item in Chapter IV of C.P.(Plen) Doc. 24, the report of the Commission, vol. iv, p. 323.

<sup>28</sup> Not printed.

TENTH MEETING OF THE MILITARY COMMISSION,  
SEPTEMBER 4, 1946, 10 A. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 33

The Delegate of the United Kingdom said he was prepared to accept the French redraft of Article 47 (see USDel(PC) (Journal) 31)<sup>29</sup> with one slight change, i.e. delete "part A" in the second paragraph. The correction was accepted and Article 47 as amended was adopted unanimously.

The Greek Delegation put forward an amendment to Article 58 (CP Gen Doc. 1 J 8) which was intended to ensure that Italy return or replace war matériel which she had stolen or destroyed in the war with Greece. General Catroux (France) read a declaration of the Four Great Powers as follows:

"War matériel delivered under Article 58, paragraphs 1 and 3, will in its entirety be put at the disposal of the USSR, USA, UK and France.

"In the disposal of this matériel by joint decision of the Four Powers they will take into consideration the demands made by other Allied and Associated Powers and in particular by powers from whom Italy took matériel.

"The present declaration does not concern the questions treated in Article 48 of the draft treaty."

Mr. Dragoumis (Greece) said that if the interpretation given Articles 58, 65, and 75 by the Four Great Powers was accepted as official, he would withdraw the Greek amendment. He was particularly concerned that the term "property" in Article 65 should include "war matériel". Mr. Alexander (U.K.) assured that "war matériel" was included, but that the question could be referred to the *rapporteur* who could ask the Economic Commission for confirmation. General Slavin (U.S.S.R.) opposed the idea that the Commission seek confirmation but believed that the Greek Delegate could ask the Economic Commission on his own responsibility. Eventually, it was decided to postpone the vote on Article 58 until confirmation of Mr. Alexander's interpretation of "property" was received by the Commission [from the Economic Commission for Italy].

During the course of the debate on the Greek amendment the Delegate of the Netherlands asked if vessels listed under Annex 4 B (referred to in Article 48) could be disposed of in a manner similar to other war matériel specified in Article 58. The Netherlands Delegate felt that there was a contradiction between the declaration of the

<sup>29</sup> *Ante*, p. 339.

Four Great Powers and Section 6 [Part VI—Claim Arising Out of the War] of the Draft Treaty in view of the definitions of category IV under Annex 5(C).<sup>30</sup> Mr. Alexander replied that the Great Powers reserved the right to dispose of excess war matériel and that the procedure had already been adopted in Article 48. He thought that the Netherlands should present claims to the Council of Foreign Ministers in accordance with Article 48, paragraph *e*.<sup>31</sup>

Articles 59, 60, and 61 were adopted without amendment.

The meeting was adjourned at 12:40 p. m.

The next meeting will be held at 10:00 a. m., September 5, 1946.

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**SIXTH MEETING OF THE POLITICAL AND TERRITORIAL COMMISSION FOR BULGARIA, SEPTEMBER 4, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)33

The statement made by the Bulgarian Delegation at the previous meeting<sup>32</sup> was translated into Russian, after which the Bulgarian Delegation left the room, it having been agreed to dispense with the English translation. M. Pipinelis (Greece) then made a speech in reply to the Bulgarian statement. He expressed astonishment at Bulgaria's demand for Western Thrace and regarded it as a new proof of aggressive expansionist tendencies. He said that the Greek Delegation was ready to accept the first part of Article 1 of the Draft Treaty dealing with Bulgaria's frontiers with Rumania and Yugoslavia on condition that Greece obtained satisfaction in connection with the Greek-Bulgarian frontier. He referred to the Greek claim to a change in the frontier as set forth in a memorandum to the CFM in May 1946.<sup>33</sup> This represented a suggestion, Greece did not wish to define exactly its proposal, as the details might be left for settlement by the Conference and the Council of Foreign Ministers. The only motive of the Greek claim was to ensure the defense of the Greek national territory. He characterized this frontier as one of the most fragile in Europe. At present it made Bulgarian aggression easy and made it impossible for Greece to defend itself.

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<sup>30</sup> Category IV defined naval vessels considered war matériel.

<sup>31</sup> Mr. Alexander stated that the Four Power Declaration just made did not apply to the warships treated in article 48.

<sup>32</sup> For the United States Delegation Journal account of the 5th Meeting of the Political and Territorial Commission for Bulgaria, September 2, see p. 341.

<sup>33</sup> Presumably the reference is to C.F.M.(D) (B) (46) 15, April 11, 1946; see the bracketed note, vol. II, p. 50.

M. Pipinelis devoted considerable time to discussing Bulgaria's role in the second Balkan war, the first world war and the second world war. He said Bulgaria's occupation of Greek and Yugoslav territory had been carried out as part of a concerted plan of aggression agreed upon with the Germans. He noted that the population of the Greek territory occupied by Bulgaria diminished by 100,000 between 1940 and 1942, the difference being represented by 100,000 Greek refugees who were forced to flee.

In conclusion M. Pipinelis suggested that the Commission ask for a clarification from the Military Commission or from a committee of experts, which could study the strategic necessities of Greece and make a recommendation concerning the frontier. The Greek Delegation reserved the right to propose at a later meeting the solution which it believed to be the best one.<sup>34</sup>

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**SEVENTH MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR HUNGARY, SEPTEMBER 4, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 33

The record of the 5th meeting was approved. There then followed an hour's discussion regarding the record of the 4th meeting, which did not tally with the understanding of several delegations, particularly the Australian. The U.S.S.R. Delegate took the point of view that since the preamble had already been approved, the Australian amendment [C.P.(Gen)Doc.1.B.1] noted in paragraph 3 of the 4th meeting's record of decisions could not at a later date be inserted in the preamble. The Chairman proposed that any further debate on this matter be postponed until the pertinent article was under discussion. Since the U.S.S.R. Delegate could not agree, the Australian Delegate, seconded by the U.K. Delegate, proposed that a vote be taken on the record of decisions of the 4th meeting as it now stood. Seven votes were cast in favor of accepting the record; the Czechoslovak and French Delegations abstained; and the Ukrainian, U.S.S.R., Yugoslav and Byelorussian Delegations voted against acceptance. The record was therefore adopted.

The Chairman then suggested that any further discussion of the frontier between Hungary and Rumania (Article 1, para 2) was primarily a matter for the Rumanian Commission. He said it was that Commission which had initiated the action to hear the Hungarian and

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<sup>34</sup> For a more detailed summary of this speech, see Xydis, *Greece and the Great Powers*, p. 323.

Rumanian Delegations. Moreover, the Hungarian Commission had already approved Article 1, paragraph 2. He would inform the Hungarian Commission of any decisions taken in the Rumanian Commission in this respect. This procedure was approved.

The Chairman then read a letter from the Hungarian Delegation requesting to be heard on all amendments to political and territorial clauses. The Commission was of the opinion that it would decide on what points the Hungarian Delegation should be heard, and it then approved a Czechoslovak proposal that the Hungarians table their views at this time only on the second Czech amendment to Article 1, paragraph 4 (the territorial claim) [C.P. (Gen.) Doc.1.Q.3].

Mr. Clementis (Czechoslovakia) then presented his first amendment to paragraph 4 (C.P.(Gen) Doc. 1.Q.2) to add the words "with all the consequences ensuing therefrom" to the draft article declaring the Vienna award null and void. He argued that it was necessary to express specifically in the treaty the principle that the material consequences of this award be nullified, since it was impractical to insert all the details involved. In fact, these details were mostly connected with Article 22, which was of an economic character and would not be considered by this Commission. Unless this clause was incorporated in the treaty, the Hungarians would never willingly approach the Czechs with a view to negotiating a settlement.

Both the Byelorussian and Yugoslav Delegations supported the Czech proposal. The French Delegate pointed out that there might be certain technical consequences to this amendment that only legal authorities could adjudicate. He recommended that discussion either be postponed or that the question be referred to the Legal and Drafting Commission. The Commission agreed to accept the French proposal to defer discussion, until such time as the legal experts of each delegation would formulate an opinion.

The Commission then proceeded to examine Article 2, which had been carried over from the previous meeting. The Chairman read a letter from the Hungarian Delegation stating that it had no objection to the amendment proposed by the Yugoslavs (cf. Journal No. 29) [C.P.(Gen.) Doc.1.U.30] but pointing out that the parallel article in the Rumanian treaty should also be amended in the same way to afford protection for the Hungarian minority. The Ukrainian Delegation supported the Yugoslav proposal on the grounds that the Hungarians had no objection the amendment. General Smith (U.S.) pointed out that the Ukrainian Delegation had neglected to mention the statement made by the Hungarians to the effect that the Yugoslav amendment was acceptable but that it also should be incorporated in other treaties. He understood that the pertinent article in the Rumanian Commission had already been approved without such an

amendment and assumed that it could not now be reopened. Furthermore the Yugoslav amendment in reality accentuated the minority problem. In any case, the present language of Article 2 gave ample protection to all minorities. Viscount Hood (U.K.) agreed with General Smith, and stated that the drafters of the Treaty had not attempted to cover every eventuality. Such an amendment was only justified if the Hungarian Government had evidenced an intention of oppressing the Yugoslav minority. This was not the case. Moreover, another Yugoslav amendment designed to reduce the minority in Hungary by an exchange of populations would be inconsistent.

The Yugoslav Delegation, after hearing the statement of the Hungarian Delegation expressed in its letter, was satisfied that Yugoslavia had obtained its objective. The Delegate was constrained to point out that the assimilation of minorities was exceedingly difficult in present-day Europe, and any forced assimilation would cause new frictions and disputes. In order to expedite the Commission's work he was willing to withdraw the amendment.

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**SECOND INFORMAL MEETING OF THE COUNCIL OF FOREIGN MINISTERS AT THE PARIS PEACE CONFERENCE, SEPTEMBER 4, 1946, 4 P. M.**

CFM Files

*United States Delegation Minutes*

SECRET

**PRESENT**

**U.S.**

Secretary Byrnes  
Senator Connally  
Senator Vandenberg  
Mr. Bohlen

**U.S.S.R.**

Mr. Vyshinsky  
Mr. Gusev  
Mr. Troyanovski

**FRANCE**

Mr. Bidault  
Mr. Couve de Murville  
Mr. Latour du Pain  
Interpreter

**GREAT BRITAIN**

Mr. Bevin  
Mr. McNeil  
Mr. Jebb  
Interpreter

M. BYRNES was in the chair and said that the only matter on the agenda was the question of the General Assembly. He asked if there were any observations.

M. VYSHINSKY said the Soviet Government had thought the matter over and still thinks that it would be extremely difficult for the Soviet

Government and for other governments to hold two international conferences at the same time. He, therefore, had two suggestions to make: (1) that the General Assembly be postponed until the first part of November in order to give time to the Peace Conference to complete its work and (2) that it should then be held in Paris if the French Government were agreeable, or in Geneva. In this fashion even if the Peace Conference overlapped the meeting of the General Assembly, it would be possible to hold the two simultaneously. He said the Secretary General of this Conference had already in a letter pointed out the technical difficulties involved in holding two gatherings together and had suggested that the General Assembly be postponed until October 20. The Soviet Delegation, however, felt that the middle of November would be more suitable in order to make sure that the Peace Conference would be over by then. He said there were 32 questions on the General Assembly agenda, some of which were minor but others of great importance which would require extensive preparation.

M. BEVIN said the British Government felt that the four powers here could not take the responsibility for postponing what after all was the major body in international affairs. He thought that if an adjustment had to be made, it should be the Peace Conference which should adjust itself to the General Assembly and not vice-versa. However, he did feel that it might be possible to suggest a shorter agenda for the General Assembly, but that frankly he was nervous about the effect of attempting to tell the United Nations that they should postpone their meeting.

M. BIDAULT said he wished to make it clear that the letter of M. Fouques Duparc had been sent in his capacity as Secretary General of the Conference and did not reflect the views of the French Government which had not been consulted.<sup>35</sup> He said he wished to know whether Mr. Vyshinsky's proposals were alternatives or whether they were cumulative. He said while reserving his right to express the views of his Government later on at this meeting, he felt that whatever the decision, care has to be taken to avoid creating any impression of dictating to the United Nations.

M. BYRNES said he had restated the United States position that we believed it was feasible to hold the General Assembly while the Peace Conference was concluding its work here. We, however, realize the difficult position of some delegations. He inquired whether anyone had discussed the possibility of reducing the agenda and having the

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<sup>35</sup> Fouques Duparc's letter of September 2 to the members of the Council of Foreign Ministers had recommended that the General Assembly be postponed in order to give the Peace Conference until October 20 to complete its work (740.0011 EW Peace/9-246).



first part of the General Assembly deal with technical and non-controversial questions, such as the budget, and then the more important questions at the end of the session the last part of October. He said he heartily agreed with Mr. Bidault that there should be no question of dictation. He said he thought that Mr. Lie could poll the members of the United Nations in regard to their attitude on postponement, and if so for what day. He went on to say that he did not see any advantage in moving the General Assembly to Paris; that the technical difficulties of moving the United Nations Secretariat from New York would be very great. He said that, of course, his country would be glad to welcome the Peace Conference in New York, but he felt that further consideration should be given to the possible reduction of the agenda of the General Assembly. Mr. Lie, for example, had asked the members of the United Nations whether they favored the holding of the United Nations meeting with a reduced agenda on the date set or preferred postponement.

M. VYSHINSKY said first of all there was no question of any dictation and that if the four nations here agreed on the matter of postponement, it would not be a decision, but merely a request subject to the consent of the other members. If, however, the four could agree he felt that they exercised sufficient influence to persuade the others without any suggestion of dictation. As to dividing the agenda, he felt that this was impracticable since there was no method of guaranteeing what questions any given delegation would raise. Furthermore, if as all agree it was impossible to dictate the postponement, how could we dictate the agenda? He said frankly that the Soviet Union did not have enough people to do both and that he understood the other delegations, such as the Ukraine, Byelo-Russian, Polish and Czechoslovak, were in the same position. Furthermore, the General Assembly had very important work before it. In fact, Mr. Bevin's proposal to limit the agenda in effect recognizes the impossibility of holding both simultaneously. If November 15 was not suitable, the Soviet Delegation could agree to November 1, especially if it were to be held in Paris, or in Geneva, where ample facilities existed. He said he recognized the technical difficulties of moving the organization, but as a matter of fact it had already moved once from London. He repeated that the Soviet Government did not have sufficient personnel to have two conferences of such importance going at the same time. There was, of course, no question of setting a precedent or making the move to Europe permanent, but merely to facilitate the work under present circumstances, which were exceptional. He concluded that on looking over the agenda, he found that there were only seven or eight minor questions out of thirty-two. The others were of a serious nature, such as elections, trusteeship and the report of the various commissions, all of which could not be regarded as secondary.

M. BEVIN inquired whether Mr. Vyshinsky's suggestions were two or really one, that is to say, both postponement and transfer, or one or the other.

M. VYSHINSKY replied that they were two parts of the same proposal. He said that we must be realistic and recognize that the slow work of the Peace Conference made it doubtful that they would be through by October 20. He said, however, that if the General Assembly was to be held in Europe, there could be some overlapping.

M. BEVIN said that if it were necessary to transfer one or the other, he thought it would be more correct to move the Peace Conference to New York.

M. BYRNES said that he felt that the Soviet Union already had able representatives in New York, for example, Mr. Gromyko and Mr. Manuilsky. He said he did not believe there could be any question of moving the United Nations Assembly to Europe.

M. BIDAULT said that, frankly, the twenty-third of September was a difficult date for him. There was the French Constituent Assembly, shortly followed by the elections in France. As to moving the General Assembly, the French had always felt that it should be on the old continent and that, therefore, they could not oppose the suggestion to hold it in Paris, but nevertheless the decision having been taken the French Government would not depart from that agreement unless everyone was in favor. He thought the way out would be to adopt Mr. Byrnes' suggestion to consult the other members as to postponement and location. Obviously, no precedent would be established thereby.

M. VYSHINSKY stated that it was clear to all that it would be too difficult for some countries to have one delegation in New York and another in Paris. He said the first question was, therefore, that of postponement. The location, however, was not an independent question but was linked to the date. He repeated that if the two conferences despite postponement of the General Assembly should overlap, it would be easier the nearer they were together. He agreed with Mr. Bidault that this would constitute no precedent. The location of the United Nations had been the subject of long debate and there was, therefore, no question of reversing the decision, especially in view of the attitude of Panama, and particularly the Philippines.<sup>36</sup>

M. BEVIN inquired if he was correct in his understanding that Mr. Vyshinsky saw no reason to discuss postponement unless we agree to transfer the General Assembly to Europe.

M. VYSHINSKY had thought it was better to join the two questions,

<sup>36</sup> For documentation regarding the permanent location of the seat of the United Nations Organization, see *Foreign Relations*, 1945, vol. I, pp. 1433 ff.; see also *ibid.*, 1946, vol. I.

that is to say, the date and the location. He said the Peace Conference might not possibly be finished by the new date and that the location was important in order to avoid any danger of a third postponement.

M. BEVIN remarked that when he suggested to hold meetings in New York, this was regarded as impossible, but that Mr. Vyshinsky thought it possible to hold both in Europe.

M. VYSHINSKY pointed out that this was not his proposal. He merely felt that it was impossible to hold both together, but that there could be some overlapping, and that the purpose of moving to Europe would be to take care of any possible overlapping.

M. BEVIN said he wished to know what would happen to other questions, such as Germany and Austria, if the General Assembly was postponed. He said if the General Assembly was postponed, no matter how valid the reason, the people would think it was for some political purpose.

M. BIDAULT said that having no aptitude for procedural questions, he felt that the real issue was not the date or place, but that of postponement. He said that if we could agree we could use our influence, and that there would be no protest on the part of other nations if it was clear that the proposal for postponement could not come from the Council of Foreign Ministers, but from the United Nations itself.

M. BYRNES said that as he had remarked, we would, of course, be glad to welcome the Peace Conference to America, but seriously he thought that the suggestion to move one or the other of the conferences did not aid in the solution of the question of postponement. He repeated that he felt that this was a matter for the United Nations organization to have its members decide. He wished to avoid any impression that four or five members were attempting to tell the United Nations what to do. He said that any suggestion of postponement should come from the Secretary General of the United Nations and not from the Council of Foreign Ministers.

M. VYSHINSKY agreed that any impression of dictation or pressure must be avoided, but that if a blank piece of paper were sent to the various members without an indication of our attitude it would lose time and complicate matters. He felt that we should state our opinion to the Secretary General that we were in favor of postponement and then ask the twenty-one nations represented at the Peace Conference for their views. He felt that there were other delegations in favor of postponement.

M. BIDAULT inquired whether the twenty-one nations could not be consulted first and then the others afterward.

M. BYRNES replied that he would prefer to have the conference make the request rather than the Council.

M. BEVIN said that we were really faced with an extraordinary situation the last time the Secretary General had asked the opinion of the Council of Foreign Ministers, but now we are told to make a suggestion on our own initiative. He felt that it would be a bad precedent for the Council of Foreign Ministers or the Peace Conference to decide the question of the date of the General Assembly. Mr. Spaak and Mr. Sobolev had been in touch with the delegations here on the question, but they had received no communication from the Secretary General. Furthermore, the new question had now been added concerning the place of meeting, which in effect would reverse a previous decision of the General Assembly. He said his Government could not have said this. He said he was prepared to discuss postponement, but not the fundamental issue of location.

M. BYRNES said that the last time Mr. Lie had asked our opinion concerning postponement we had answered, Mr. Sobolev had been here and had talked to all of us. He, for example, had told Mr. Sobolev that from the point of view of the United States, there was no reason to postpone the General Assembly. Furthermore, now that Mr. Sobolev was back in New York it was up to the Secretary General to make his decision after consulting the other members. He said he had talked to Mr. Spaak but to no other delegations. He felt that in view of the apparent impossibility of reaching a unanimous decision, they should tell Mr. Sobolev that it was up to the organization of the United Nations to decide. He said as a matter of fact virtually every member state was represented in New York in some form or other either on the Security Council or on one of the other commissions of the United Nations. He repeated that we saw no difficulty in having two delegations. The only two members who were to be on both were Senators Vandenberg and Connally. Senator Vandenberg had said he would go to the General Assembly, but that Senator Connally had told him he would remain at the Peace Conference. He repeated that he thought the only way was to let the appropriate officials of the United Nations decide the question.

M. VYSHINSKY said that in reply to Mr. Bevin he wished to state that Mr. Sobolev had been sent here by Mr. Lie to ascertain our views and that he felt Mr. Lie would not be able to make any decisions without our help. He said that obviously the four here could not decide the question, but he felt that if we expressed a common view in conformity with the realities of the situation, it would be accepted as the sensible decision in the common interest. He said it was true, for example, that at this conference the members of the Council could not do anything without the twenty-one, but, conversely, the twenty-one could not do anything without the Council. This had been revealed at the conference itself, and that whenever the Council was in

agreement there were good solid majorities but if they were not, the vote was only of a formal nature and without substance. He said they could adopt the policy of *laissez-faire* and let the matter drift on, but he felt that this was not realistic.

M. BEVIN said that we have two linked proposals before us, one to postpone and one to move the Assembly.

M. VYSHINSKY said that he must ask that these two proposals be considered together.

M. BEVIN in reply to the Secretary's question said he was not in favor of Mr. Vyshinsky's proposals in the form put forward.

M. BIDAULT said he was not opposed either to delay or to the transfer of the General Assembly, but he felt that it could only be done with the consent of the United Nations. He said he understood that the difference between Mr. Vyshinsky's and Mr. Bevin's proposals was largely related to the question of transfer.

M. VYSHINSKY pointed out that that was true, but that there was also a difference as to postponement—in other words, there were two differences.

M. BYRNES said it was clear that they would not reach any decision today on it in view of the difference of opinion. He suggested they should think it over.

M. BIDAULT proposed that at the next meeting on the subject Mr. Spaak, the President of the General Assembly, and China, as a member of the Council, should be present. This was agreed to.

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#### SMITH-NAGY CONVERSATION, SEPTEMBER 4, 1946

CFM Files

*Memorandum of Conversation, by Mr. Frederick T. Merrill of the United States Delegation*

PARIS, September 4, 1946.

Participants: Mr. Ferenc Nagy, The Prime Minister of Hungary  
Mr. Szegedy-Maszk, Hungarian Minister in Washington  
Ambassador Smith  
Mr. Bonbright  
Mr. Merrill

The Prime Minister explained at some length the extremely difficult and delicate course he had been forced to adopt in Hungary in order to preserve what he described as the western idea of democracy. He pointed out that in this respect he had been more successful to date than any other democratic leader in Eastern Europe. He then illustrated some of his difficulties, particularly the Slav pressures on

Hungary. Moreover, in three neighboring countries—Czechoslovakia, Yugoslavia and Bulgaria—the Communists were now in control, whereas in Rumania there too the Communists held the real reins of power. He said that he and Mikolajczyk were the only peasant leaders in Europe (in addition to several in Rumania) who were leading the fight against the eastern form of democracy. Hungary, he said, needed a period of political calm for reconstruction, but there had lately been a feeling of hopelessness among the Hungarian people as a result of the negotiations on the peace treaty in Paris. Nagy intimated quite clearly that unless Hungary could get Western support for the easement of the treaty's provisions, he could not hold out much longer as prime minister. This would mean a serious political situation in Hungary, leading possibly to civil strife. He implied it was in the interest of the U.S. to prevent this situation as Hungary was in fact a bulwark of western culture and political ideas.

Ambassador Smith replied that it was the Secretary's firm opinion that the ex-enemy states of Eastern Europe must be given a chance to breathe again, and that this was not possible until the occupation forces were withdrawn. This was the foremost objective of the U.S. Government. Moreover, he wished to reassure the Prime Minister that the U.S. had no intention of receding from its previously expressed policy of assisting the peoples of Eastern Europe to reconstruct their countries on a sound economic and political basis. The American Government had therefore taken a great interest in Hungary, particularly in regards to its economic problems and this had been well illustrated during the past year. As the Prime Minister knew, the U.S. had always believed in the right of all nations to trade freely. International waterways such as the Danube should be accessible to all on an equal basis. Ambassador Smith then asked Nagy to be specific as to what Hungary wanted in the proposed peace treaty.

The Prime Minister said that it was most important to Hungary that a part of Transylvania be returned. He admitted that there were certain economic difficulties involved, should certain large cities be returned to Hungary without their hinterland and in reply to a question put by Ambassador Smith, confessed that Hungary wished frontier rectification largely for political and psychological reasons. The Prime Minister then went on to say that it would be impossible for Hungary to receive the 200,000 people the Czechs proposed to expel from Slovakia. He stressed particularly the economic aspects involved in the resettlement of these people at a time when there was growing unemployment resulting from a standstill in the building industry and the recent dismissal of 100,000 government employees. He said these expelled people would always be a very difficult problem

for Hungary, resentful, impoverished and disillusioned. He understood that the U.S. opposed this proposal of the Czechs. Ambassador Smith reassured him on this point.

A discussion then ensued regarding the Czech territorial claim on Hungary, i.e., the Bratislava "bridgehead". According to the Prime Minister, the Czechs had made this demand primarily for strategic and prestige reasons. Ambassador Smith expressed the hope that it might serve as a basis for some give and take, and that both sides should be willing to make concessions in order to reach some agreement on the outstanding problems between the two countries.

The Prime Minister concluded by expressing for the second time his disappointment at not being able to see the Secretary. He said he was greatly appreciative for the encouragement given him by the Ambassador.

(Actually it was learned later that he returned to the Hungarian Legation in a deeply pessimistic mood and expressed the opinion to several members of the Hungarian Delegation that the western democracies apparently were either unable or unwilling to oppose Soviet policies in Eastern Europe.)

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#### THURSDAY, SEPTEMBER 5, 1946

##### FOURTEENTH MEETING OF THE POLITICAL AND TERRITORIAL COMMISSION FOR ITALY, SEPTEMBER 5, 1946, 10 A. M.

CFM Files

##### *United States Delegation Journal*

USDel(PC) (Journal) 34

The Commission listened to a fifty-five minute speech by M. Vyshinsky (USSR) on the Italo-Yugoslav frontier and the future status of Trieste. Most of M. Vyshinsky's speech consisted of a rebuttal of M. Bonomi's statements on Monday, including a personal attack on Bonomi himself. The rest of the speech was designed to prove the reasonableness of the Yugoslav position contained in its memorandum (CP(IT/P)Doc. 25) and M. Bebler's speech on Tuesday.<sup>37</sup> In rebutting Bonomi's statement that the Italian contribution in the First World War had caused the downfall of the Austro-Hungarian Empire and brought about the liberation of the Slovenes, Croats and Serbs, M. Vyshinsky said that the downfall of the Austro-Hungarian Empire

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<sup>37</sup> C.P.(IT/P) Doc. 25, which defended the Yugoslav position on article 3, is not printed. The Yugoslav amendment to that article was proposed in C.P.(Gen) Doc.1.U.3. For summaries of the speeches by Bonomi and Bebler, see the United States Delegation Journal accounts of the 11th Meeting, September 2, and the 12th Meeting, September 3, pp. 331 and 342, respectively.

had in fact been caused by Russian advances on the eastern front in 1914 and by the brilliant tactics of a Russian General in 1916 who had routed the entire German front. These, he said, were the reasons for the downfall of the Austro-Hungarian Empire, which Bonomi had ignored. Actually, the Italian armies had been saved by their Allies from being crushed and the whole world knew that the Italian army was better at running than fighting. He said that Bonomi followed the same line as former Italian leaders, such as Marshals De Bono and Graziani, who had tried to make Italian soldiers look like "triumvirs" but had only succeeded in making them look like asses rather than lions. The Soviet representative quoted an Italian statesman and a British professor <sup>38</sup> to prove that Trieste and Western Istria were fundamentally Slovene in character and should belong to Yugoslavia. He described the CFM decision to create a free state as one containing a minimum of justice. The Yugoslav memorandum (CP(IT/P) Doc. 25), he said, was useful and fully justified. While the Soviet Delegation believed the CFM solution represented minimum justice, they felt that they must support it and hoped that the other three representatives on the CFM would do likewise.

The translation of the Soviet Delegate's speech consumed the rest of the morning and the Commission adjourned at 1:00 p. m.

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**TENTH MEETING OF THE ECONOMIC COMMISSION FOR THE  
BALKANS AND FINLAND, SEPTEMBER 5, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)34

The representatives of the USSR, Yugoslavia, Byelorussia, and the Ukraine spoke in opposition to the United States proposal in para. 4, Article 24, for full compensation for damage or loss to United Nations property in Rumania. The representatives of Canada and the U.K. spoke in support of the American proposal. M. Gerashchenko (USSR) argued for partial rather than full compensation on the following grounds: (1) the same principle adopted for reparation in Article 2 should be applied to compensation; (2) it was unfair that people whose property in a United Nation was destroyed by enemy action should get only partial payment while persons in ex-enemy countries should get full payment for their losses and damages. He also argued that the United Nations' failure to specify the actual amount of damages left Rumania open to exorbitant claims which

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<sup>38</sup> Professor Arnold J. Toynbee.



might harm her economic recovery; that payment in local currency would be as much a burden on the Rumanian economy as reparation; and that it was unfair to claim damages for events occurring after Rumania joined the Allied war effort. The Yugoslavian representative spoke along the same lines as the Soviet, pointing out that the people in invaded territory would gain little under Article 22 and little also under Article 23 because of the difficulty of identifying looted property. M. Chijov (Byelorussia) spoke in similar vein. Mr. Wilgress (Canada) spoke in favor of the American proposal. The investments made by United Nations nationals in Rumania had been made in good faith and without reference to Rumania's war-making policy. As Mr. Thorp had pointed out, reparation and compensation payments were two different problems: the former required transfers of assets from Rumania; the latter, involving payments in local currency, meant simply transfers of property within Rumania and would result in an ultimate gain to the Rumanian economy through the operation of reconstructed industries. Mr. Gregory (U.K.) associated himself with the Canadian view, pointing out that full reparation payments in the case of Rumania were not possible because they involved an undue foreign exchange burden whereas compensation was purely an internal budgetary problem which could be handled within Rumania's economic capacity. The Ukrainian representative then spoke and followed the Soviet line of argument in favor of partial compensation.

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**ELEVENTH MEETING OF THE MILITARY COMMISSION,  
SEPTEMBER 5, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 34

Approval of the records of the previous two meetings was deferred until the next session.

The deadline for tabling amendments based on the Italian memorandum on the draft peace treaty was set for midnight Thursday, September 12.

The debate on the Greek amendment to Article 58 [C.P.(Gen.) Doc. 1.J.8] and on the question of whether to vote on Article 58, at once, was resumed and occupied the rest of the meeting without any decision. The Delegate of the USSR supported by the Ukrainian and Yugoslav Delegates argued that a vote on Article 58 should be taken at once without waiting for a definitive interpretation of the word

"property" requested from the Economic Commission for Italy.<sup>39</sup> Mr. Alexander (UK) opposed the Russian proposal on the ground that it would not be keeping good faith with the Greek Delegation who had withdrawn their amendment with the reservation that the word "property" would be interpreted as including war matériel.

There was some discussion on the merits of the substance of the Greek amendment, the Soviet bloc maintaining that the war matériel taken from Greece by Italy was war booty, and after the defeat of Italy all such matériel passed to the control of the Four Great Powers and that the Greek amendment proposed handing back responsibility for the matériel to Italy. They further maintained that the Greek proposal was a camouflaged reparations claim, that Greece was trying to get the matériel twice, and that satisfaction of the Greek demands would result in the building up of Italian war industries.

The meeting was adjourned at 1:05 p. m., after some opposition to its adjournment by Mr. Alexander.

The next meeting is to be held at 10:00 a. m., Saturday September 7.

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**EIGHTH MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR RUMANIA, SEPTEMBER 5, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 34

The Commission considered Article 2 dealing with the Hungarian-Rumanian frontier. Mr. Officer (Australia) referred to the statements made by the Hungarian and Rumanian Delegations<sup>40</sup> and suggested that before the Commission came to a decision it hear from the representative of one of the states responsible for drafting the article so that the Commission would know the reasoning which guided the Council. Mr. Harriman (U.S.) said that he considered the Australian request legitimate and reasonable. He said that the United States had not been a strong supporter of the proposed text but wished to make it clear that he would vote for it since it had been

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<sup>39</sup> General Mossor, the Chairman of the Military Commission, had requested Sir Joseph Blore, the Chairman of the Economic Commission for Italy, to render an interpretation. The latter declined, but suggested that the Military Commission present its request in writing. General Mossor then proposed that Greece accept the statements made by members of the Council of Foreign Ministers at the 10th Meeting, September 4, regarding the definition of the word "property." (CFM Files: United States Delegation Minutes) For the United States Delegation Journal account of the 10th Meeting, see p. 360.

<sup>40</sup> The statements under reference were delivered at the joint meetings of the Political and Territorial Commissions for Rumania and Hungary, August 31 and September 2; for the United States Delegation Journal accounts of those meetings, see pp. 330 and 339, respectively.

agreed by the Council. He said that during the discussions in the Council the United States Delegation had made certain proposals for a study of possible modification of the frontier which might, by reducing the number of persons under alien rule, contribute to stability and to mutual cooperation between Hungary and Rumania. The other members of the Council of Foreign Ministers had not shared this view and, in view of the desirability of reaching unanimous agreement, the U.S. had not insisted on its position. Mr. Harriman reiterated his statement that he would vote for Article 2 as drafted but wished to take the occasion to say that, in view of the differences on various subjects evident in the statements of the Hungarian and Rumanian representatives, the United States hoped that progress might be made through direct negotiations between them toward a mutually satisfactory settlement of the outstanding questions. M. Bogomolov (USSR) said that the Australian Delegation had made no proposal on the substance of the question and therefore he saw no necessity to comment. Mr. Jebb (U.K.) said that in the Council no one Member had been sufficiently convinced of the justice of the Hungarian claim to insist that some satisfaction be given to it. He thought that it had been generally felt in the Council that Transylvania should remain as a unit within Rumania as there were strong economic reasons against cutting off any part of it. He hoped that in time the minority problem in Transylvania would become less acute, particularly if the Rumanian legislation on this subject were fully carried out. General Catroux (France) favored the adoption of Article 2 as the best solution in view of the complex ethnic and economic factors involved and the desirability of annulling the Vienna Award.

Mr. Officer said that Australia wanted the decision to be just. This frontier had been a sore spot in Europe for years and the Conference should seek the best possible solution. He proposed that Article 2 be adopted with a rider in the form of a recommendation that the Council of Foreign Ministers, before putting it into the final Treaty, make a further effort to secure, in cooperation with the two interested parties, an adjustment by which some additional Hungarian centers might be incorporated in Hungary. M. Bogomolov opposed the Australian proposal on the grounds that Article 2 as drafted, annulling completely the Vienna Award, was the proper solution, and that the Council needed no further advice on it. The Ukrainian Delegation supported M. Bogomolov. Mr. Officer said that he did not propose any change in the text and would vote for the Article as drafted subject to the Commission placing in the Record the recommendation to the Council which he had suggested. He wished to have a vote first on this recommendation. The Chair ruled that the Commission must vote first on the text of Article 2. It was adopted by 10 votes with 2

abstentions (Australia and South Africa). Mr. Officer then said that he would have voted for the Article if he had had the opportunity before the vote to propose and secure a vote on his draft resolution referred to above. He wished his statement incorporated in the Record of the meeting as an explanation of the Australian abstention. The Chairman agreed that it should be so inserted.

Consideration of the U.K. amendment in the form of an additional paragraph to Article 3 was deferred until the next meeting.

The Commission then adopted Article 6 unanimously. The amendment of the Australian Delegation (CP(Rou/P) Doc. 7)<sup>41</sup> was reserved pending a decision on the Australian amendment concerning a Treaty Executive Council. The Commission then agreed to invite the Rumanian Delegation to present its views on Articles 7, 8, and 10

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**TENTH MEETING OF THE ECONOMIC COMMISSION FOR ITALY,  
SEPTEMBER 5, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 34

The Commission met to hear statements by countries submitting claims for reparation from Italy under Article 64B. After a long discussion as to where the Albanian Delegation should sit, the Commission accepted the following French proposal: "As to the problem of reparation, the states concerned, other than ex-enemy states, will sit at the table of the Commission: (1) during their speech; (2) during the general discussion which, if necessary, will follow their speech." The Commission then heard the representative of Greece state the Greek case for reparation from Italy. At the conclusion of this speech, the Albanian Delegation was invited to enter the hall and take a place at the table. The Commission then heard the Albanian case for reparation from Italy.<sup>42</sup> No new points of interest were developed in either of these speeches.

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**BYRNES-NAGY CONVERSATION, SEPTEMBER 5, 1946**

[EDITOR'S NOTE—The Secretary of State and Hungarian Prime Minister Ferenc Nagy reviewed the political situation within Hungary, the possible effect of the peace treaty upon it, and the attitude of the United States regarding these matters. For an account of the meeting, see telegram 4479 (Delsec 908), September 7, 1946, from Paris, volume VI, page 332.]

<sup>41</sup> For text, see footnote 51, p. 394.

<sup>42</sup> Memorandum Submitted by the Albanian Government on the Draft Peace Treaty with Italy, C.P.(Gen) Doc. 7, is printed in vol. iv, p. 799.

FRIDAY, SEPTEMBER 6, 1946

**FIFTEENTH MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR ITALY, SEPTEMBER 6, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 35

The representative of Poland spoke on the problem of Trieste and the Italo-Yugoslav frontier, supporting the Yugoslav claims (CP Gen Doc. 1 U 3 and CP(IT/P) Doc. 25)<sup>43</sup> and the Byelorussian amendment (CP Gen Doc. 1 D 1). M. Winiewicz drew a parallel between the 1919 solution for Danzig and the CFM solution for Trieste, elaborating this similarity in its physical, economic and political aspects throughout his speech. He disagreed with Senator Connally's statement that Trieste should be a "new independent state", declaring that in Poland's views Trieste's ties with Yugoslavia should be close and its territory small. Finally the Polish Delegate declared a complete lack of bias in his Delegation's point of view.

Mr. McNeil (U.K.) said that his Delegation had, of course, studied the Danzig plan closely and desired to avoid the dangers inherent therein. In reply to M. Winiewicz's concern for the "corridor" between Trieste and Italy proper, Mr. McNeil pointed out that Trieste to be viable must have a common frontier with Italy as well as with Yugoslavia. The British Delegation did not like the "French line" either, he said, but it was the best that could be found, when ethnic, economic and political conditions were equally considered. The Delegates must bring an international spirit to the consideration of this problem, which was unhappily lacking from M. Vyshinsky's speech of yesterday. It is no crime to be an Italian, he said, and the United Kingdom Delegation is not without gratitude to Italy for her part on the Austrian front in the First World War. The U.K. cannot accept the text of "how much can we punish Italy." Turning to the Free Territory and Free Port of Trieste, Mr. McNeil said that they must be placed strictly under the control of UNO, and this thought is reflected in the British draft statutes. He could not say the same for the Soviet and Yugoslav drafts and referred to the many provisions in those two proposals linking the Free Territory to Yugoslavia or providing for Yugoslav domination. If the statute of Trieste comes out of the Conference warped and the independence of the Free Territory impaired, the U.K. reserves its right to review its attitude not only

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<sup>43</sup> C.P.(IT/P) Doc. 25, a memorandum defending the Yugoslav claim, is not printed.

on the Free Territory but on all related subjects when the statute comes before the CFM for final decision.

M. Couve de Murville (France) said that the settlement of the status of Trieste and the Italo-Yugoslav frontier would prove the most difficult question of all the peace treaties until we reached the German settlement. Trieste, he said, is equally important to Yugoslavia and to Italy, as well as having a great importance for Central Europe. The French Delegation has a special responsibility for the present solution, although not all of its suggestions had been accepted. The so-called French line has been accepted by the CFM and is now the Anglo-Soviet-French-American line. The French Delegation opposed the Brazilian as well as the Yugoslav amendments (CP Gen Doc. 1 E 2 and CP(IT/P) Doc. 25, respectively). Italy must not be embittered and the satisfaction of her needs must likewise be considered, he said. Turning to the statute of Trieste, the French representative declared that the Free Territory was the core of the problem and that it was essential to guarantee to the new little state independence and the respect of its two great neighbors.

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**ELEVENTH MEETING OF THE ECONOMIC COMMISSION FOR THE  
BALKANS AND FINLAND, SEPTEMBER 6, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 35

The Commission agreed to invite the Rumanian Government to express its observations on Article 24, paragraph 4 (compensation) in general and then to answer concrete questions in connection with paragraph 4 which the members of the Commission would submit beforehand to the Chairman. The Commission approved Article 24, paragraphs 5, 6, 7, 8 *b*, and 8 *c*. It agreed to defer consideration of paragraph 8 *a* (definition of United Nations national) until it had completed its consideration of paragraph 4. The Australian Delegation had proposed the deletion from paragraph 8 *a* of the words "provided that they also had this status at the date of the Armistice with Rumania", in order to afford protection to ex-enemy nationals who had lived in United Nation territory during the war and who had been unable to complete their naturalization because of the war. After some discussion, the Australian Delegate requested that a final decision on the amendment be postponed until he had had an opportunity to obtain additional information from the Rumanian representatives during their appearance in connection with paragraph 4. This request was granted.

**TWENTY-SIXTH PLENARY MEETING, SEPTEMBER 6, 1946, 3 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 35

The session was devoted to the presentation of the views of the Government of Iraq on the subject of the Peace Treaties. The text of the address may be found in CP Plen 26.<sup>44</sup>

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**SEVENTH MEETING OF THE POLITICAL AND TERRITORIAL COMMISSION FOR BULGARIA, SEPTEMBER 6, 1946, 4:30 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 35

The meeting was devoted to two lengthy speeches by the Soviet and Yugoslav Delegates. M. Novikov (USSR) said that the Soviet Delegation categorically opposed the Greek demand which, although not put in concrete terms, appeared to be for one tenth of Bulgaria. He said that to accept such a claim would undermine the basis of peace in the Balkans. He then stated that the Soviet Delegation believed that the Bulgarian proposal for the cession of Western Thrace to Bulgaria was worthy of serious consideration. Bulgaria had been forcibly deprived of this territory in 1919 with disastrous economic results to Bulgaria and to the area itself. He referred to the series of decisions taken between 1913 and 1923 whereby Bulgaria had lost territory to which it was rightfully entitled. He recalled that the Soviet Union had participated in none of these decisions and that the United States Delegation at the Paris Peace Conference had favored the retention of Western Thrace by Bulgaria. The Soviet Delegation believed that the satisfaction of Bulgaria's present claim would contribute to world peace and security. He invited the Commission to study the matter with great care and earnestness.

M. Pijade (Yugoslavia) noted that the Greeks had made no concrete proposal but had merely presented an ill-defined claim to a large Bulgarian territory, which gave evidence of their insatiable appetite. He then said that Bulgaria's claim to Western Thrace was justified, and that the Yugoslav Delegation would support it. He referred to Greek territorial demands on all three northern neighbors and said that the problem of the Greek-Bulgarian frontier was not an isolated one. Greece was a dangerous source of trouble in the Balkans. He recalled that Greece had in the past acquired not only Western Thrace but also

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<sup>44</sup> For text, see *Paris Peace Conference, 1946*, p. 394.

a part of Macedonia. Greece was now making further attempts to acquire more Macedonian territory and thus was raising this age-old problem in a new form. M. Pijade then reserved the right of Yugoslavia to pose the question of Aegean Macedonia (i.e. Greek Macedonia). He reviewed the history of the Macedonian question, pointing out that the Macedonian people had been partitioned among different Balkan states, but that they had a right to liberty and national unity like other nations. The Yugoslav peoples were helping in the struggle for national liberation of Macedonia and its unification in the Peoples Republic of Macedonia within the Yugoslav Federal Republic. The Yugoslavs were working for peace in the Balkans and for fraternal relations with the Greek people but not with the present rulers of Greece, who had imperialistic designs on neighboring nations and were a danger to international peace.<sup>45</sup>

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**EIGHTH MEETING OF THE POLITICAL AND TERRITORIAL COMMISSION FOR HUNGARY, SEPTEMBER 6, 1946, 4: 30 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)35

The record of the previous meeting was approved as well as a proposal by the General Secretariat to dispense with translations of lengthy argumentations when written texts in three languages were available.

The Commission resumed discussion of the first Czechoslovak amendment to paragraph 4, Article 1 [C.P. (Gen.) Doc. 1, Q.2], which had been postponed in the last meeting. Viscount Hood (U.K.) believed the implications of the amendment too sweeping, pointing out that the present wording could for that matter be interpreted to affect even marriages contracted since 1938. Though receptive to further explanations or a different phraseology, he felt the amendment unnecessary. The USSR Delegation requested that discussion on the amendment be deferred.

M. Slavik (Czechoslovakia) then supported the second Czech amendment [C.P. (Gen.) Doc. 1.Q.3], a small territorial claim opposite Bratislava, which he described as a mere adjustment of the frontier. He stressed the economic justification for the territory, contending it was necessary for the proper development of the city and port of Bratislava, which when accomplished would contribute greatly to the economic life of the Danube basin. He disposed briefly of the

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<sup>45</sup> For a more detailed summary of Pijade's speech, see Xydis, *Greece and the Great Powers*, p. 328.



anticipated objections by Hungary that the main highway to Vienna would be cut and that more Hungarians would by necessity have to be transferred to Czechoslovakia.

The Yugoslav and Ukrainian Delegations supported the Czech claim. After some discussion as to whether Hungary should be given an opportunity to state its case orally, it was agreed to invite the Hungarian Delegation into the Commission.

M. Sebestyen of the Hungarian Delegation then presented his Government's views and requested the Commission to reject the Czech claim on the grounds that 1) Bratislava's development had never been in the direction of the south bank and during the past twenty years the existing small bridgehead available to Czechoslovakia had not been utilized for this purpose; 2) the territorial claim was contrary to the Atlantic Charter and accepted ethnic principles and, moreover, the people living in the territory had no desire to be attached to Czechoslovakia; and 3) it would be a serious economic hardship to Hungary, particularly the problem of constructing a detour for the main highway to Vienna, which in any case would lengthen the mileage between Budapest and Vienna by 25 kilometers.

The New Zealand Delegation referred to a previous proposal by Australia that a subcommission be appointed to study the documentation. He thought a small commission of three to make a survey of the disputed territory on the spot would be more desirable.

General Smith (U.S.) moved adjournment.

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**ELEVENTH MEETING OF THE ECONOMIC COMMISSION FOR ITALY,  
SEPTEMBER 6, 1946, 4: 30 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 35

The Polish representative in presenting his Government's claim of ten million dollars for reparation from Italy, said that Poland in assessing its claim had held in mind the difficult economic situation in Italy and the heavy burden of reparation Italy would have to pay to those countries suffering great damage as the result of Italian invasion and occupation. He asked for settlement of the claim through cancellation of the loan of 1924 from Italy to Poland and the remainder of the balance owed to Italy as a result of a pre-war agreement for construction by Italy of two transatlantic liners, one of which was sunk by an Italian submarine. He stated that it would be most unjust if Poland, whose economic situation is far worse than Italy's, had to service pre-war debts to Italy, particularly since this could only be done through commodity exports to Italy.

The representative of Yugoslavia described the Yugoslav claim for 1 billion 300 million dollars as representing only a portion of the damage resulting from Italian invasion and occupation. Furthermore, it amounted to a mere fraction of Italian pre-war budget expenditures for the Army and Navy. On the basis of Italian pre-war expenditures for military purposes and "official" Italian estimates of present industrial capacity, he asserted that any arguments to the effect that Italy could not bear a heavy reparation burden were specious. Pointing out that Italy had suffered comparatively little damage in the industrial north, he said that, if liberated from the burden of the occupation forces, Italy could not only pay reparation but increase its standard of living.

The Belgian representative said that Belgium had not submitted a claim against Italy and would only put forward a claim in the same measure that other countries in the same position as Belgium (countries not having suffered invasion and occupation) were granted reparation.

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**THIRD INFORMAL MEETING OF THE COUNCIL OF FOREIGN MINISTERS AT THE PARIS PEACE CONFERENCE, SEPTEMBER 6, 1946, 5 P. M.**

CFM Files

*United States Delegation Minutes*

TOP SECRET

**PRESENT**

**U.K.**

Mr. Bevin, Chairman  
Mr. McNeil  
Mr. Jebb  
Mr. MacAfee

**U.S.A.**

Mr. Dunn  
Mr. Caffery  
Mr. Reber  
Mr. Page

**CHINA**

Dr. Wang  
Dr. Quo  
Mr. Chang

**FRANCE**

M. Bidault  
M. Couve de Murville  
M. Seydoux

**U.S.S.R.**

M. Molotov  
M. Vyshinsky  
M. Gusev  
M. Pavlov

MR. BEVIN stated that M. Bidault had called the Foreign Ministers together to consider the postponement of the General Assembly. It

had been suggested several days ago that an open meeting of the Foreign Ministers be convened with participation of M. Spaak. However, M. Spaak is not in Paris at the present time.

M. BIDAULT stated that M. Spaak was at Brussels and that his assistant had informed him that M. Spaak had suggested that the meeting take place without his participation.

M. Molotov stated that he had requested a meeting of the Foreign Ministers with the participation of the Chinese Foreign Minister and M. Spaak. Unfortunately Mr. Byrnes was absent,<sup>46</sup> M. Molotov wished, however, to discuss the substance of the matter at issue. The Soviet Delegation felt that the General Assembly of the United Nations should be postponed to a later date which should be agreed upon by the Council of Foreign Ministers. This date, of course, should be one which would be agreeable to the General Assembly. The present situation was exceptional and one without precedent. It would be extremely difficult to carry on the Paris Conference and the General Assembly at the same time. In the first place, it was most unusual to convene two international conferences concurrently. Sufficient personnel on the part of most of the Delegations would not permit simultaneous meetings. In addition, M. Molotov believed that more favorable conditions would prevail if the General Assembly were convened after the signing of the peace treaties in Paris. M. Molotov was of the opinion that the Council of Foreign Ministers must decide whether the Paris Conference should continue its work, thus requiring the General Assembly to postpone its meeting or whether the General Assembly should be convened and the Paris Conference adjourned. The Soviet Delegation believed that it would be impossible to hold both conferences at the same time. If the other Foreign Ministers believed that it would be desirable to adjourn the Paris Conference in order to make it possible for the General Assembly to hold its meeting the Soviet Delegation would go along with that. It did not believe, however, that this was the desirable course. The Soviet Delegation believed that the Paris Conference could terminate its work in a month or five weeks. It recommended, however, that the General Assembly be postponed in order to permit the Paris Conference to terminate its work.

DR. WANG stated that he did not wish to repeat the arguments for or against postponement of the General Assembly. He did not wish to suggest that the Council of Foreign Ministers should recommend postponement. However, it was his understanding that some of the

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<sup>46</sup> The Secretary of State was in Germany consulting with military and civilian leaders of United States occupation forces. He delivered a major policy statement at Stuttgart on September 6, which is printed in Department of State *Bulletin*, September 15, 1946, p. 496. For documentation on United States policy with respect to Germany, see vol. v, pp. 481 ff.

members of the United Nations Organization in Paris had expressed a desire to postpone the General Assembly until the beginning of November. Dr. Wang was of the opinion that the Council of Foreign Ministers should transmit the views of these members to the Secretary General and request him to obtain the views of all members in respect to the postponement of the General Assembly. Dr. Wang stated that he would like to submit a draft resolution reading along the following lines:

"In view of the fact that the Paris Conference cannot be expected to conclude its work in time and that a number of the United Nations represented on the Paris Conference have expressed the desire to have the General Assembly postponed to the beginning of November 1946, the Council of Foreign Ministers requests the Secretary General of the United Nations to ascertain immediately the views of the members of the United Nations concerning the suggestion of the Chinese Foreign Minister for the postponement of the General Assembly to November 11, 1946."

M. BIDAULT stated that he had previously said that he had no objection to postponement. If he understood the Chinese proposal correctly it referred to a procedure for postponement. He did not object to this procedure. He did not believe, however, that it would be advisable to interrupt the work of the Paris Conference.

MR. DUNN stated that Secretary Byrnes had authorized him to appear at the present meeting to represent him. Mr. Byrnes had given Mr. Dunn strict instructions not to change the position of the U.S. Government, as expressed by Mr. Byrnes at the last meeting. Mr. Dunn could only refer to the Secretary what was happening at the present meeting.<sup>47</sup>

MR. BEVIN stated that his Government had considered the entire problem from a different angle. It thought that the General Assembly could convene on September 23 on condition that it work on a restricted agenda. His Government felt that if the General Assembly limited itself to the business items and postponed the political items the session would not be of long duration. Mr. Bevin did not believe that any great difficulty would arise in having the General Assembly and Paris Conference in session simultaneously. It was, however, very difficult to ascertain when the Paris Conference would terminate its work. The Secretary General had suggested that the Paris Conference would end by October 20. If the CFM could agree on that

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<sup>47</sup> "Dunn reported this discussion to Secretary Byrnes in a telegram of September 7, text of which was included in telegram 4487 (Delsec 912), September 8, from Paris (not printed). In the telegram Dunn stated: "As I understand it, you, in the role of representing the host government, would not wish to change your position one way or another as to postponement but would wish any decision on that to be based on a canvass of the members of the UN by the Secretary General." (740.00119 Council/9-846)

date it could equally agree on the date for the opening of the General Assembly. Mr. Bevin stated that M. Molotov had referred to the fact that the General Assembly would be assisted by the signing of the peace treaties. But would this be necessary to the convening of the General Assembly? The final drafting of the peace treaties would be done by the Council of Foreign Ministers. They could carry on this work simultaneously with the General Assembly. In addition, there were two important questions which the CFM had to consider; i.e., the peace treaty with Austria and the German question. The United Kingdom considered these questions as very vital and desired to know what effect the postponement of the General Assembly would have on them. The British Government would like to have the whole picture in front of it before it made up its mind. Mr. Bevin was not adverse to meeting the wishes of his colleagues as long as he knew what the general plans were for the future. When did they envisage the end of the work of the Paris Conference? When would the CFM meet again to study the Austrian and German questions? When would the General Assembly meet? Mr. Bevin was especially interested to ascertain whether the CFM would continue its work to complete the treaties and to go on to the Austrian and German questions parallel with the convening of the General Assembly. In conclusion, Mr. Bevin stated that he had two proposals: (1) that the General Assembly meet with a restricted agenda, and (2) that the General Assembly be postponed on condition that it did not interfere with the work of the CFM on the peace treaties, on Austria and on Germany.<sup>48</sup>

M. Molotov stated that the Soviet Delegation supported the Chinese proposal to postpone the General Assembly until November 11. If this date were unacceptable another one could be agreed upon. With respect to Mr. Bevin's proposal concerning a restricted agenda, M. Molotov did not believe that it would be advisable for a General Assembly to be convoked to discuss second-rate questions. In addition, it was difficult to foresee what questions would be placed on the agenda. M. Molotov stated that Mr. Bevin had inquired whether it was necessary to sign the peace treaties prior to the convocation of the General Assembly. There was, of course, no obligation that the peace treaties be signed. However, it would be preferable if they were signed for this would improve the atmosphere of the General Assembly and facilitate its work.

M. Molotov referred to Mr. Bevin's statement concerning the necessity to fix certain dates and added that according to his understanding

<sup>48</sup> In the telegram cited in the preceeding footnote, Dunn also reported that Bevin had told him afterward that he considered it more important to obtain firm dates for consideration of Austrian and German problems than to agree to postponement of the General Assembly (740.00119 Council/9-846).

Mr. Bevin had agreed to a postponement of the General Assembly on condition that such dates were determined. The CFM could endeavor to reach agreement on these dates although this would be difficult since everything was not dependent upon them. All the Foreign Ministers wished to expedite the work of the Paris Conference. In addition, it had been agreed upon by the CFM that the German question would be discussed in November. The Soviet Delegation adhered to this agreement. M. Molotov did not wish to include Austria on any agenda since there had been no definite agreement on this question.

M. Molotov continued that three Delegations (Soviet, French and Chinese) had come out in favor of postponement of the General Assembly. A number of other United Nations Delegations had also favored postponement. M. Molotov stated that the CFM should endeavor to reach agreement on this question in order not to interrupt the work of the Paris Conference. It would, of course, be necessary to ascertain the views of the other members of the United Nations on this question.

M. Molotov stated that it would be possible for the General Assembly and the Paris Conference to carry on their work in Paris or Geneva at the same time. He pointed out that the General Assembly had never adopted a decision to the effect that it could not meet outside of New York. There were, of course, difficulties in connection with the convening of two conferences simultaneously.

Dr. Wang stated that Mr. Bevin had advanced two proposals. With respect to the first (restricted agenda for the General Assembly), he wished to point out that at the beginning of the year the General Assembly had before it a limited agenda. If it were now to discuss another limited, technical and non-political agenda a bad impression on world opinion would be created concerning the functions of the General Assembly. Dr. Wang did not consider that Mr. Bevin's proposal in this respect was acceptable. With respect to Mr. Bevin's second proposal (simultaneous meetings of the General Assembly and the CFM), the Chinese Delegation wished to support this proposal. He suggested that a date for the future meeting of the CFM be fixed, on which occasion it would discuss the Austrian and German questions. Dr. Wang continued that if the majority of the members of the United Nations agreed to a postponement of the General Assembly until November 11 the CFM and the Paris Conference should stick to this date notwithstanding the status of the work in the Paris Conference. With respect to M. Molotov's proposal that the two bodies meet in Geneva or Paris, Dr. Wang stated that the Chinese Delegation could not concur with this suggestion.

M. Molotov inquired whether he understood that Mr. Bevin had agreed in principle to the postponing of the General Assembly provided the other questions relative to the CFM were settled.

MR. BEVIN stated that he would report this evening's conversation to his Government immediately. Up to the present time, his instructions had been not to postpone the General Assembly. He had been authorized to put forward the restricted agenda. He was always ready to listen to any favorable proposal and the Chinese proposal was the first practical one he had heard. He wished to emphasize that his Government opposed any transfer of the General Assembly to Europe at this time. It did not dispute the right of the Assembly to determine where it would meet. But to suggest a change at this time would only cause misunderstanding and suspicion. His Government was also concerned with the postponement of the Austrian discussions which it considered an urgent matter. His Government did not wish anything to happen which might cause the CFM to postpone this question. It also was anxious not to postpone consideration of the German problem which had caused so much trouble between the British and Soviet Governments. His Government was interested in the over-all picture—it wished to solve all the problems and difficulties which had risen out of the war and which were causing so many difficulties between the two governments.

MR. BEVIN stated that if he could advance some constructive suggestion in respect to the date for the future CFM meetings, for the termination of the Paris Conference and for the General Assembly he believed that his Government might look favorably on M. Molotov's suggestion. He suggested that the CFM meetings on Austria and Germany and the meeting of the General Assembly might well dovetail together. His Government would be greatly surprised if Austria were not discussed in the CFM meetings. Mr. Bevin could see no reason why the Foreign Ministers could not tackle the outstanding problems at the same time the General Assembly was in session in New York. Mr. Bevin stated that he could not give M. Molotov a firm answer this evening, but that he could promise him one on Monday.

M. MOLOTOV stated that the matter was urgent and that a decision should be made by Monday evening. He hoped that a meeting of the CFM might be convened at which M. Spaak and Mr. Lie would be present. He was of the understanding that M. Spaak thought it possible to postpone the General Assembly.

M. BIDAULT stated that there was some doubt that Mr. Lie could arrive in Paris by Monday evening.

MR. BEVIN stated that he believed it to be a grave mistake to request Mr. Lie to attend such a meeting. It would be misunderstood if the Secretary General of the United Nations were asked to attend a meeting of the CFM at which United Nations matters were to be discussed. M. Spaak was being asked to attend unofficially.

M. MOLOTOV suggested that Mr. Lie be invited by the five permanent members of the Security Council and not by the Council of Foreign Ministers.

MR. BEVIN stated that if Mr. Lie were invited he could see many members of the General Assembly protesting most vigorously. In addition, needless suspicion would be aroused. Mr. Bevin thought that only trouble would be caused by inviting Mr. Lie to a Council meeting.

MR. DUNN stated that he was sure that Mr. Byrnes would not wish to be a party to the issuance of an invitation to Mr. Lie.

MR. BEVIN stated that he would have to report the evening's meeting to his Government. He wished to know the attitude of the CFM on the Austrian and German questions. It was his understanding that the CFM had agreed to take up these questions at their next meeting. He was now disturbed in hearing M. Molotov remark that the Austrian question would not be on the agenda.

M. MOLOTOV suggested that the CFM postpone the consideration of this matter until they met to discuss it specifically.

MR. BEVIN suggested that the CFM adjourn until Monday.

M. MOLOTOV inquired whether Mr. Lie would be present.

MR. BEVIN stated that Mr. Lie's presence had not been agreed upon.

M. MOLOTOV suggested that Mr. Lie be informed that the CFM was going to discuss the question of the General Assembly.

MR. BEVIN stated that M. Spaak could inform Mr. Lie accordingly. Mr. Bevin did not like to make any decision regarding this question without Mr. Byrnes' concurrence.

M. MOLOTOV suggested that M. Spaak inform Mr. Lie that the CFM was going to hold a meeting for the above indicated purpose.

MR. BEVIN stated that he opposed M. Molotov's proposal. He did not wish it to be thought that the CFM was taking on any powers it did not possess. He believed it a great mistake for the CFM to request M. Spaak to advise Mr. Lie of the meeting. M. Spaak would receive an invitation to attend the CFM meeting and if he wished to inform Mr. Lie accordingly that was entirely within his province. It was not up to the CFM to request M. Spaak to do so. Mr. Bevin thought that it would be preferable to adhere by the decision, with which Mr. Byrnes had concurred that M. Spaak, and M. Spaak alone, be invited to attend the meeting.

MR. DUNN stated that he knew that Mr. Byrnes would desire it to be known that he could not associate himself with any communication addressed to Mr. Lie concerning the meeting.

M. MOLOTOV suggested that the Foreign Ministers meet on Sunday in order not to lose any time.

MR. DUNN stated that he did not know whether Mr. Byrnes would be in Paris.



Mr. BEVIN suggested that the CFM meet on Sunday evening at 9:00 on condition that Mr. Byrnes had returned.

His suggestion was agreed upon.

M. BIDAULT suggested that the Chairman, Mr. Bevin, should inform M. Spaak of the matter.

The meeting adjourned at 7:30 p. m.

**111TH MEETING OF THE DEPUTIES OF THE COUNCIL OF FOREIGN  
MINISTERS, SEPTEMBER 6, 1946, 9:30 P. M.<sup>49</sup>**

CFM Files

*United States Delegation Minutes*

[Extract]

**SECRET**

**CFM(D) (46) 111th Meeting**

**PRESENT**

FRANCE

M. Couve De Murville (Chairman)  
M. de Courcel  
Prof. Gros  
M. Beaumarchais

U.S.A.

Mr. Dunn  
General Smith  
Mr. Reber  
Mr. Bonbright  
Mr. Campbell

U.K.

Mr. Jebb  
Lord Hood  
Mr. Sterndale-Bennett

U.S.S.R.

M. Vyshinsky  
M. Gusev  
M. Novikov  
M. Stetsenko  
M. Gerashchenko

**ITALIAN-AUSTRIAN AGREEMENT ON SOUTH TYROL**

Mr. JEBB: Count Carandini called on us today and left a letter from Signor de Gasperi enclosing a copy of the recent agreement between Italy and Austria on the subject of South Tyrol.<sup>50</sup> We received a similar letter from Herr Gruber. I understand that both letters were sent to all four delegations. The Austrian Government is anxious that the terms of this agreement be embodied in the peace treaty with Italy. This proposal has been put forward in a formal letter to the Secretary General of the Conference who will probably circulate the

<sup>49</sup> The meeting was held at 78 Rue de Lille.

<sup>50</sup> For text of the agreement, see *Treaties and Other International Acts Series* No. 1648, p. 183, or 61 Stat. (pt. 2) 1245.

documents to all the delegations. We might discuss here the attitude which we may take concerning the Austrian suggestion to embody the agreement in some way or other in the peace treaty.

**M. COUVE DE MURVILLE:** The French Government received the text of the agreement. Do the Soviet and American Delegations have it?

**M. VYSHINSKY:** The Soviet Delegation has not received it, but I can say as a preliminary observation that the Soviet Delegation would consider it inappropriate to include in the peace treaty reference to such an agreement. We are signing a peace treaty with Italy not with Austria. Austria will not be a signatory to the Italian treaty. That agreement would have no relation to the Italian peace treaty. I can say that the Soviet Delegation objects in principle to the Austrian suggestion if the document is as Mr. Jebb has described. The Soviet Delegation objected to the issuance of an invitation to Austria to appear at the Paris Conference. Whatever agreements Austria may conclude has no connection with the Conference. I object in principle to considering such a document which is an agreement between two former enemy states.

**MR. DUNN:** My Delegation received communications from Signor de Gasperi and Herr Gruber enclosing the text of this agreement. It refers to the inhabitants of Bolzano Province and the neighboring bilingual townships of Trento Province. There is included an agreement to make special arrangements concerning frontier traffic between North and South Tyrol. I see a direct relation between this document and Article 10 of the Italian treaty. We are most gratified to know that these two countries have come to an agreement on the treatment of the inhabitants of South Tyrol. We see every advantage in having it included in the treaty. We believe that the accomplishment of this agreement by mutual consent will be an inspiration to all countries in similar situations for the improvement of their mutual relations.

**MR. JEBB:** I understand M. Vyshinsky to say that we should not put into the treaty anything regarding the relations between Italy and Austria. We have Article 10 which says that: "Italy shall enter into or confirm arrangements with Austria to guarantee free movement of passenger and freight traffic between the north and east Tyrol". That is an agreed article. The present agreement between Italy and Austria incorporates that and other ideas. If it was in order to put Article 10 into the treaty, why should not an expanded version of it be in the treaty? Apart from the technical aspect, we feel that there is every reason to put this admirable arrangement into the treaty. That would give it additional sanction. If we wish to have good relations between these two countries, I think we should put the agreement into the treaty. If on the other hand we want to encourage ill will between them that is another matter.

M. VYSHINSKY: Article 10 provides that Italy shall enter into or confirm certain arrangements for frontier traffic. There is no need for additional provisions on the same subject. If the Italian-Austrian agreement covers Article 10 and fulfills it, then it will be logical to delete Article 10 from the treaty. There would be no need to include a recommendation or obligation whereby Italy should do something if Italy has already done it. However, I do not make any specific proposals now since I have not seen the document in question. We must postpone consideration of the matter, but I thought it advisable to state the Soviet position in principle.

M. COUVE DE MURVILLE: I suggest that we defer the question until later. (This was agreed.)

#### SETTLEMENT OF DISPUTES

M. COUVE DE MURVILLE: We have the following three questions before us: 1. The settlement of disputes, a subject which has come up in connection with Article 33 of the Finnish treaty; 2. The Hungarian-Czechoslovak frontier; and 3. The British proposal on human rights, connected with Article 3 of the Rumanian treaty. Let us begin with the first point.

M. VYSHINSKY: There is a difference of views on that Article. I am ready to try to find a compromise. The difference between the U.K. and Soviet proposals concerns the reference to the International Court of Justice. Are there any proposals for solving that difficulty? Last June a suggestion was made that the Soviet proposal be accepted for the Balkan treaties and the U.K. proposal for the Italian treaty. Is there any possibility of agreement on that basis? If so, the Soviet Delegation would support the U.K. proposal in the Italian Commission and the other Delegations would support the Soviet proposal in the Balkan Commissions.

MR. JEBB: That is an ingenious solution. Suppose that we agreed on it. How should we explain it in the Commissions?

M. COUVE DE MURVILLE: In the Italian treaty, in which France is primarily interested, M. Vyshinsky proposed a formula acceptable to France. For the other treaties he puts forward a formula with which France does not agree. I think we might do well to re-examine the whole question at a later meeting.

M. VYSHINSKY: The Soviet Delegation cannot agree to the reference to the International Court. You may remember that when the question of the Court was discussed in the United Nations, we spoke against compulsory jurisdiction and agreed only to voluntary jurisdiction. We do not object to the using of the Court for cases of this nature. However, we consider it inappropriate to have disputes referred to the Court by virtue of provisions in the peace treaties as it

violates the principle of voluntary jurisdiction. Nevertheless, since we are less interested in the Italian treaty, we would have no objection to including in it this reference to the Court, provided that in the Balkan and Finnish treaties, where our interest is greater, our formula is accepted. This reason I have just given could be explained to the Commissions as the basis for the difference in the texts. Such a solution might put an end to our difficulties over this Article. But if my colleagues cannot agree we shall have to let the Article remain in disagreement.

MR. DUNN: I recall that M. Vyshinsky's proposal was made in the Council of Foreign Ministers and that the Ministers were unable to reach agreement. We should be glad to consider it again.

M. COUVE DE MURVILLE: I wonder whether we should keep this question on our agenda or put it aside as unagreed. Also, should we try to have postponed the consideration of Article 33 in the Finnish Commission?

M. VYSHINSKY: I think we should.

MR. JEBB: I do not see any harm in having it come to a vote. That may be of use to us. We shall have to settle the question somehow some day.

MR. DUNN: The U.S. will have no objection to a vote and would like to have the expression of the opinion of the Conference on the subject.

M. COUVE DE MURVILLE: I think we can keep the question on our agenda and any Delegation can bring it up again. (This was agreed.)

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## SATURDAY, SEPTEMBER 7, 1946

### NINTH MEETING OF THE POLITICAL AND TERRITORIAL COMMISSION FOR RUMANIA, SEPTEMBER 7, 1946, 10 A. M.

CFM Files

#### *United States Delegation Journal*

USDel(PC) (Journal) 36

The Rumanian Delegation expressed its views on Articles 7, 8, and 10 of the Draft Treaty. In connection with Article 7 the Rumanian representative raised several questions outstanding between Rumania and Hungary. He requested that the Conference take them into consideration in connection with the Peace Treaty with Hungary and said that Rumania did not ask consideration of the proposal, which it had made in its written memorandum, for the conclusion of a separate protocol ending the state of war between Rumania and Hungary. Mr. Harriman (U.S.) stated that he supported Articles 7 and 8 as

drafted, but that the United States Delegation would also welcome the conclusion of a protocol or other bilateral agreements between Rumania and Hungary which would tend to improve their relations and settle outstanding questions such as those raised by the Rumanian Delegation in connection with Article 7. He said that the United States Delegation would favor a resolution by the Conference to this effect and suggested that the Commission in its report to the Conference recommend such a resolution. M. Lysicky (Czechoslovakia) saw no reason to discuss Mr. Harriman's statement since the Rumanians had withdrawn their proposal connected with Article 8. The United States and Czechoslovak Delegations asked that their respective statements be annexed to the record of the meeting. Articles 7 and 8 were then adopted unanimously.

After Lord Hood (U.K.) gave an explanation on some points in Article 10 (Bilateral Treaties), on which a request for clarification made by the Rumanian Delegation was supported by the Czechoslovak Delegation, the Commission unanimously adopted Article 10 as drafted by the Council of Foreign Ministers. Mr. Officer (Australia) then moved the Australian amendment to Article 9 (CP(Rou/P) Doc. 7)<sup>51</sup> concerning Rumanian membership in certain international organizations. Mr. Harriman suggested that the Commission take account of the debate and action taken in the Finnish Commission on a similar amendment. He wished to add the view of the United States Delegation, which had not been present at that debate, that the subject was adequately covered in the Preamble and that it was undesirable to include a detailed provision such as the Australian Delegation proposed. While agreeing fully with the motives which had prompted the Australian amendment, he felt that it was not entirely appropriate for inclusion in the Treaty and that, in view of the previous debate referred to, his Australian colleague might wish to withdraw it. M. Bogolomov (USSR) opposed the amendment on the ground that it would represent a limitation on Rumania's sovereignty after that country became a member of the United Nations. Mr. Officer withdrew the Australian amendment, and Article 9 was unanimously accepted as drafted by the Council of Foreign Ministers.

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<sup>51</sup> The amendment was as follows:

*Article 9.* Add new paragraph 3.

"3. The Government of Roumania shall apply for membership of the Food and Agricultural Organisation of the United Nations, the International Wheat Council, the International Health Organisation, and such other economic and social organisations as shall be brought into relationship with the United Nations, and shall co-operate with all those bodies in carrying out their decisions and recommendations. The Governments signatory to this Treaty undertake to support any such application made by the Government of Roumania".

**TWELFTH MEETING OF THE ECONOMIC COMMISSION FOR THE  
BALKANS AND FINLAND, SEPTEMBER 7, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

## USDel(PC) (Journal) 36

Mr. Reinstein (U.S.) explained the general peacetime restoration intentions of the provisions in Annex 4A (Industrial Property). Paragraph 6, he said, was aimed at Rumanian wartime collaborators with the Axis. The disagreed portion of paragraph 4 was felt by the United States to be necessary in order to avoid the effect of otherwise obligating certain countries to grant Rumania greater benefits than they granted under their own laws to the Allies. Paragraph 7, the second disagreed provision, simply recognized that it was only fair to the other United Nations not signatories to the Treaty that they should obtain the benefits of the Annex to the extent that they granted reciprocal benefits to Rumania. The United States was thinking here especially of the American Republics which had broken relations with the Axis and in other ways had supported the Allied war efforts. M. Lychowski (Poland) asked why Annex 4A referred for the most part to Allied and Associated Powers while Article 24 referred to United Nations. Mr. Reinstein said that the Annex referred to the restoration of rights additional to those restored under Article 24 and that if paragraph 7 of the Annex were adopted, the Annex likewise could apply to other United Nations prepared to grant reciprocity to Rumania. M. Lychowski said that a United Nations national in Rumania would not get the same rights under the Annex to sue third parties in Rumania as an Allied national. M. Alphand (France) suggested the appointment of a technical group to consider legal questions of the type just raised. M. Gerashchenko (USSR) saw no need for a special subcommittee since the main questions at issue, he felt, were not technical but involved rather the issue of reciprocity and Rumania's relations to other countries. The USSR opposed the last part of paragraph 4, he said, because it annihilated the first part granting full reciprocity to Rumania. The USSR thought paragraph 7 unnecessary since the subject matter could be handled outside of the Treaty by bilateral agreements. Mr. Gregory (U.K.) also saw no need for a subcommittee but supported the United States position on paragraphs 4 and 7. M. de Carbonnel (France) likewise favored the United States position, pointing out that France was one of the non-signatory United Nations which would only gain benefits from the Annex by a provision similar to paragraph 7. Mr. Reinstein said that unless language along the lines of the disagreed portion of paragraph 4 were adopted by the Conference, the

United States would ask for special exemption from the application of certain parts of the Annex. In reply to M. Gerashchenko's statement on reciprocity he said that the United States Delegation had originally proposed complete reciprocity when the Annex was being drafted but that its proposal had not been accepted. He offered to present to the Commission for its consideration at the next meeting the exact proposal originally circulated at the CFM committee meetings. The Commission accepted this offer and agreed to consider the United States proposal as the first item on its agenda at the next meeting.

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**SIXTEENTH MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR ITALY, SEPTEMBER 7, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)36

The Commission's attention was called to the Italo-Austrian agreement on the South Tyrol (Upper Adige) submitted to the Conference and circulated as CP(Sec)NS 119.<sup>52</sup>

The Commission continued consideration of Articles 3, 4, and 16. The representative of the Ukraine supported the Yugoslav position and the Byelorussian amendment (CP Gen Doc. 1 D 1). M. Kardelj (Yugoslavia) spoke for one hour in an effort to discredit the South African and Brazilian amendments and their sponsors and in review of the Yugoslav position. In summary, his principal points were:

1. The Yugoslav Delegation rejects the South African and Brazilian amendments (CP(IT/P)Doc. 21<sup>53</sup> and CP Gen Doc. 1 E 2, respectively).

2. The Yugoslav Delegation cannot accept the CFM solution, i.e. either the frontier between Italy and Yugoslavia or the frontier between the Free Territory of Trieste and Yugoslavia.

3. In order to reach agreement Yugoslavia is prepared to accept a special international statute for Trieste as a free city but only if its frontiers are reduced to the area of Trieste and immediate environs and if it is closely linked to Yugoslavia and the countries of its hinterland. For these reasons, M. Kardelj concluded, Yugoslavia will not recognize any decision taken nor sign the peace with Italy unless the injustices of the French line are rectified along the lines indicated in Yugoslavia's earlier declarations and in the present statement. This

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<sup>52</sup> For text, see vol. IV, p. 808.

<sup>53</sup> For substance, see the first item in Chapter IV of C.P.(Plen) Doc. 24, the report of the Commission, *ibid.*, p. 323.

attitude, he declared, applies equally to the statute of Trieste. The representative of Belgium felt that internationalization of this disputed area afforded opportunities for permanent settlement which had not been fully explored. Since the CFM had started the plan of ethnic frontier and subsequently ended with a policy of internationalization its solution was fundamentally inconsistent. Therefore he declared that he would abstain from voting on the various amendments submitted and on the Article itself. The representative of Australia declared that his Delegation would support the CFM frontier (including the American variation near Gorizia) down to the Free Territory. From there south, however, the Australians disagreed with the French line and would support the South African amendment (CP (IT/P) Doc. 21). Finally, the Australian Delegation would vote against the Yugoslav and Byelorussian amendments. The representative of Brazil said that after careful consideration his Delegation had been unable to comply with the suggestion of the British Delegation to withdraw the amendment to postpone a decision on the Yugoslav-Italian frontier. He reproved the Yugoslav Delegation for unjust criticism of the Brazilian Delegation in presenting an amendment looking toward an ultimate equitable solution of the frontier dispute.

The Chairman put the Brazilian amendment (CP Gen Doc. 1 E 2) to the vote and it was defeated by 18 votes to 1, with 1 abstention.<sup>54</sup>

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**TWELFTH MEETING OF THE MILITARY COMMISSION,  
SEPTEMBER 7, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)36

The records of the 9th and 11th meetings were accepted with some minor changes in wording but approval of the record of the 10th meeting was adjourned to the end of the meeting for clarification and was further adjourned to the next meeting. A time limit for the tabling of amendments based on the Finnish and Balkan memoranda was set at midnight, September 11. Discussion was resumed on whether to vote on Article 58 immediately or whether to await interpretation of the word "property" by the Economic Commission for Italy. The Commission authorized the *Rapporteur* to address a letter requesting this interpretation to the Chairman of the Economic Commission for Italy and rejected a motion of General Slavin (USSR) to vote at once on Article 58 and in so doing, accepted Mr. Alexander's (U.K.)

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<sup>54</sup> Belgium abstained.



proposal to defer the vote until interpretation of the word "property" had been received.<sup>55</sup> The meeting was adjourned at 7:45 p. m. The next meeting will be held at 10:00 a. m. September 9.

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## SUNDAY, SEPTEMBER 8, 1946

### FOURTH INFORMAL MEETING OF THE COUNCIL OF FOREIGN MINISTERS AT THE PARIS PEACE CONFERENCE, SEPTEMBER 8, 1946, 9 P. M.

CFM Files

#### *United States Delegation Minutes*

SECRET

#### PRESENT

##### U.S.S.R.

Mr. Molotov  
Mr. Vyshinski  
Mr. Novikov  
Mr. Pavlov

##### U.S.

Mr. Byrnes  
Senator Connally  
Senator Vandenberg  
Mr. Bohlen

##### FRANCE

M. Bidault  
M. Couve de Murville  
M. Latour du Pain

##### U.K.

Mr. Alexander  
Mr. McNeill  
Lord Hood  
Interpreter

##### CHINA

Dr. Wang  
Dr. Quo Tai-Shi  
Mr. Chang

#### ALSO PRESENT

Mr. Spaak, Foreign Minister of Belgium

MR. MOLOTOV, who was presiding, said he wished to recall that this was the fourth time they had met on the question of the General Assembly. This time, however, they had the Representative of China and Mr. Spaak, the President of the General Assembly. They should exchange views and endeavor to reach a decision on this question. He wished to repeat that it was impossible in the view of the Soviet Government to hold the two gatherings simultaneously. The Soviet Delegation therefore proposed to postpone the General Assembly to

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<sup>55</sup> Regarding earlier discussion of article 58, the Greek amendment thereto, and the definition of "property," see the United States Delegation Journal accounts of the 10th Meeting, September 4, and the 11th Meeting, September 5, pp. 360 and 374, respectively. The Economic Commission for Italy rendered an interpretation at its 15th Meeting, September 12. The Military Commission took final action on article 58 at its 21st Meeting, September 19. For the United States Delegation Journal accounts of these meetings, see pp. 444 and 485, respectively.

a suitable date. But if that should be absolutely impossible then it would be necessary to adjourn the Conference. He emphasized, however, that the Soviet Delegation thought it would be a mistake to adjourn the Conference. He stated that at the previous meeting Dr. Wang had suggested November 11 as the date and that the Soviet and French Delegations had expressed no objection. He urged that they attempt to reach an agreement on this point.

DR. WANG said that at the last meeting no decision had been reached since the other members desired time to study his suggestion, particularly in the absence of Mr. Byrnes. He said he wished to point out that he did not believe that the Council should actually request postponement but merely suggest that the Secretary General ascertain the views of the members of the United Nations. November 11 has been forwarded merely as a basis for discussion.

THE SECRETARY said that he had already attended two or three meetings to discuss this subject and had expressed the views of the United States. Through no fault of any of them it has not been possible for all the Foreign Ministers to be present at any one meeting on this subject. From the first it had been the United States view that it was not the business of the Council of Foreign Ministers to settle this question. The Council had been set up at Potsdam to work on the question of treaties. The matter of the General Assembly was for the United Nations to settle. There was, however, no reason why the countries represented at this table could not in their capacity as members of the United Nations make known their views. It is true, he said, that on previous occasions when the Council of Foreign Ministers was in session the Secretary General in the United States had asked their opinion as to the advisability of postponing the General Assembly and that the Council had stated its opinion. This time the Secretary General had sent his Assistant to ascertain these views and he assumed that the others had given them as frankly as he had. Thus these views were now known and he felt it was now up to the appropriate officials of the United Nations to decide. He pointed out he had no written request from the Secretary General. The United States position remained that the Council had no right to decide this question. He did not know how many delegations here at the Peace Conference were for or against the proposal. At the last meeting he attended he had suggested that Mr. Spaak, as President of the Assembly, might report to Mr. Lie the opinions of the various governments here or, if preferred, any government here could request an adjournment. He did not feel, however, that the Council as a body should do this.

MR. SPAAK said that since the middle of August, in view of the progress of the Conference, he had been worried about this question.

He said he had no authority to deal directly with the matter but he merely desired to call it to the attention of the heads of delegations here. He agreed with Mr. Byrnes that the Council had no right to order a postponement. The Council of Foreign Ministers was one organization and the United Nations another. He said he thought the solution would be for the five powers here as members of the United Nations to ask the Secretary General to ascertain the views of the other states member concerning the postponement because of the continued session of the Peace Conference. He said he did wish to emphasize that time was short and that many delegations to the General Assembly would be getting under way in the next few days. For example, the Belgian Delegation would have to leave on Tuesday. He felt that if no decision was reached tonight the General Assembly would go ahead. He felt, therefore, that the five should make their views known to the Secretary General tonight as it would take him at least 48 hours to ascertain the wishes of the other states member. He felt that if only one country proposed postponement it would not get a majority, but if the representatives of the five great powers did so a majority of the other members would be obtained.

MR. ALEXANDER said he wished to express Mr. Bevin's regrets that he could not be here. The British Government in general shared the views here set forth by Mr. Byrnes, namely, that it was up to the members of the United Nations to initiate and decide a question of this kind. He hoped that this principle would be kept clearly in mind. If the two conferences were to be held simultaneously the British Government felt that they could be adequately represented at both. But he recognized this might be difficult for a number of countries. Therefore, his government would not take a hard and fast line, and if a free decision was taken to postpone by other nations they would support. He thought there were two important aspects of this problem: (1) that the Secretary General should freely ascertain the wishes of the other members, whereas if the members of the Council of Foreign Ministers requested it as a body it would be resented by the other members. Therefore, any request or requests should be done individually or by several states but not by the members of the Council. (2) The second aspect was the future program of work of the Council of Foreign Ministers and that any date must be regarded in that light. The Council had the treaties to finish and then came the question of territories under Allied control, that is to say, Germany and Austria. He felt that the date to which the General Assembly would be postponed was of great importance. He said he doubted if his government would agree to postpone unless they had some guarantee as to the future work of the Council. He said if Mr. Molotov would recall at the last meeting Mr. Bevin had put certain questions to him on this point.

THE SECRETARY inquired if Mr. Spaak had informed Mr. Lie of the views he had expressed here tonight.

MR. SPAAK replied that he had told Mr. Sobolev when he was in Paris.

THE SECRETARY then said that he thought it might be advisable if Mr. Spaak would telephone Mr. Lie tonight and advise him of the views of the countries represented here.

MR. MOLOTOV said that it would be a good idea for Mr. Spaak to inform Mr. Lie but first of all we should ascertain and try to bring together our views here. This would facilitate Mr. Lie's task. He recalled that we had not thought it improper previously to request a postponement from September 3 to 23 because we felt that the Conference would not have completed its work. The same reason underlay his present proposal and he thought it was equally proper in this instance. The Conference needed more time in view of the complexity of the problems. He repeated that having the two run simultaneously would adversely affect the work of both. He could see that it would be less inconvenient for the United States since Washington is near to New York, but if the General Assembly could not be postponed he and Vyshinski would have to go to New York, leaving here in Paris only Junior assistants. This would only further delay the conference. He felt in those circumstances it would be necessary to adjourn the Peace Conference while the General Assembly was in session. The Soviet Delegation did not wish to do this but would have to insist on an adjournment of the Conference if a meeting of the General Assembly was to take place. He added that everyone here was in agreement that the Council had no right to decide this question. It was up to the United Nations. But so far he had heard no arguments concerning the impossibility of postponement. It was only necessary to consider to what day it should be postponed. As to the other questions raised by Mr. Alexander, they would of course find time to discuss those. As to the form of approach to the Secretary General, the Soviet Delegation would accept any form agreeable to the others. As to substance, the views of China, France and tonight the British Delegation, as well as Mr. Spaak, were in favor of postponement. If it were possible to reach agreement with the American Delegation then it would be unanimous among the five powers. Mr. Spaak could address the Secretary General and would probably obtain the support of a majority of the United Nations. The date of November 11 or any other suitable date would be acceptable to the Soviet Delegation.

THE SECRETARY said he merely wished to recall that the last time when the Secretary General had written him a letter he had released in the United States a separate communication stating that the build-

ing for the Assembly would not be ready by September 3. He repeated that if the United Nations officials desired postponement he would not object. He said he had one qualification and that was as to the date. He did not believe it should be too far distant. He had said before that he felt that either Mr. Spaak as President of the Assembly or any members of the United Nations who so desired could make the request and he would not oppose it.

MR. MOLOTOV inquired if that meant that no unanimous decision could be reached.

THE SECRETARY said that the fact was they had not reached a common agreement but that he was sure that if say four members here made known their desire to the Secretary General for postponement the United States said it would not object, that this would have the same influence as a unanimous decision. He said the United States could not participate in the request for a postponement since it would have no difficulty in attending two conferences, but recognizing the difficulties of others it would not oppose.

MR. ALEXANDER said he was in complete agreement with Mr. Byrnes. He said that the British Government would likewise have no objection and would even support postponement if a suitable date could be selected and the matter of the future work of the Council be cleared up. He said he would like to restate the three questions which Mr. Bevin had put to Mr. Molotov. He added, however, that his government could not agree to a date later than October 23.

MR. SPAAK said it appeared to him that there was agreement on the following two points: (1) that it was not for the Council as such to make the request, and (2) Mr. Lie could only make his decision after consulting the other members of the United Nations. He said he wondered if he could not communicate to Mr. Lie the fact that a number of governments would find it difficult to have two delegations in two places at the same time and he must state that as far as Belgium is concerned it would be indeed difficult to have a delegation in New York and one in Paris and at the same time run the business of the Ministry of Foreign Affairs in Brussels. He understood that in addition to the three or four here who wished postponement there were some 12 or 15 governments at the conference who shared that view. He said he had prepared a draft communication to Mr. Lie to the effect that the governments of . . . . . because of the Peace Conference would find it difficult to give the necessary attention to the General Assembly which it deserves and therefore request Mr. Lie to ascertain the views of the other members as to postponement to . . . . . date. He said it could be added that the United States would not raise any objection to this suggestion.

MR. MOLOTOV said he would like to answer Mr. Alexander. He thought that the four governments could continue to consider ques-

tions which have already been discussed in accordance with the schedule already agreed upon. The Soviet Delegation was not suggesting any change in any decisions taken as to this program. As to the date of the General Assembly postponement he felt it should be one which would permit the Conference to finish its work. The Soviet Delegation would want a unanimous decision on this point or else they would be forced to insist on a recess of the Conference. He said that the reason for suggesting Paris or Geneva was merely to make it possible to take care of any overlap.

MR. BIDAULT said he felt it was impossible to adjourn the Peace Conference. As to postponement of the Assembly the French Delegation had no objection. It was known to all that the political situation in France made the end of September difficult, and furthermore the Secretary General of the Conference had pointed out the technical difficulties, particularly in respect to interpreters, if the two were held simultaneously. He said he felt the main difficulty was in the question of unanimous decision. Dates he felt were of secondary importance. On the question of unanimity he inquired whether Mr. Byrnes' statement that there would be no objection on the part of the United States could not be regarded as falling within the scope of unanimity and in the form of adherence to the wishes of the others.

MR. ALEXANDER said he felt that there was only one point outstanding, but first of all he wished to state that his Delegation felt it was not up to the Council to decide a recess of the Conference but up to the Conference itself. The British Government would not consider the question of transfer of the United Nations Assembly to Paris or Geneva. He said he felt they had made some progress, that all agreed that it was up to the United Nations but that if the question of the future work of the Council could be cleared up he would support postponement to not later than October 23. He would like to see the text of the communication proposed by Mr. Spaak, but he would like to obtain more specific answers to the questions concerning the future schedule of the work of the Council.

MR. MOLOTOV repeated that they would stand by their agreements, but that while in general November had been agreed upon for discussion of the German question no date had been set for the Austrian discussion. As to the treaties, he felt that they should be completed by the Council as soon as possible after the Conference.

MR. ALEXANDER said that his three points were as follows: (1) that the Council of Foreign Ministers should complete the treaties as an urgent matter even while the General Assembly was in session; (2) Germany should be discussed in November by the Council even though the General Assembly was in session; (3) that while no date had been fixed for the Austrian discussion the Council at its next session should

discuss at what date it would be possible to consider the Austrian question.

After some further discussion Mr. Molotov agreed that the treaty with Germany could be discussed by the Council while the Assembly was in session if necessary and that the British Delegation or anybody else could bring up at an early session the question of the fixing of a date for discussion on Austria.

Mr. Spaak then reread his proposed communication with the addition that the United States would have no objection to postponement if the majority members so desired.

Mr. Alexander questioned the need for the last phrase since it was obvious that if the majority were in favor of postponement the United States could have no objection. He said that in view of Mr. Molotov's clarification as to the program of the work of the Council he could provisionally agree to join in this request subject to confirmation by his government.

Mr. Molotov then proposed that in Mr. Spaak's communication there should be a statement of the position of the Soviet Delegation that if there was no postponement of the Assembly the Soviet Government would insist upon a recess of the Peace Conference.

Mr. Alexander pointed out that this position of the Soviet Government had already been stated but that if the individual views of the delegations were to be included in the message all would have to be included.

Mr. Spaak said he felt that a recess of the Peace Conference had nothing to do with the United Nations.

After further discussion it was decided that individual views of any government could be communicated separately to Mr. Lie in addition to or apart from the general message from Mr. Spaak to Mr. Lie.

Mr. Bidault said that the French Government accepted October 23 although that was a very inconvenient date.

Mr. Spaak said he proposed to call Mr. Lie by telephone this evening and inform him that the governments of the Soviet Union, France, China, Belgium and provisionally Great Britain requested Mr. Lie to ascertain the views of the other members concerning postponement. He pointed out that inclusion of Belgium showed that it was not a request of the Council of Foreign Ministers. He proposed to tell Mr. Lie that the United States while not joining in the request was not opposing and that Mr. Byrnes was sending him a message to that effect.

The Council agreed to this procedure and each member reserved the right to send any separate or individual message to Mr. Lie in order to make its position clear.<sup>56</sup>

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<sup>56</sup> Secretary General Lie announced on September 12 that since 37 of the 51 members of the United Nations had agreed to postponement, the General Assembly would now convene in New York on October 23.

MONDAY, SEPTEMBER 9, 1946

SEVENTEENTH MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR ITALY, SEPTEMBER 9, 1946, 10 A. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 37

The Chairman said that the Commission was now ready to hear the final defense, in brief and pertinent terms, of the various amendments submitted on Article 3. Those amendments relating only to the Italo-Yugoslav frontier would be considered first. Baron de Gruben (Belgium) recommended the establishment of a small drafting committee for Articles 3 and 4 but the Chairman suggested that this be deferred. At the request of the Australian and Yugoslav representatives the Chairman agreed to ask the General Secretariat to distribute (1) the Report of the C.F.M. Commission of Experts on Venezia Giulia, and (2) Observations of the Yugoslav Government on the Report of the Commission of Experts.<sup>57</sup> M. Bebler (Yugoslavia) formally proposed the establishment of a subcommission to consider all amendments relating to the first part of Article 3, but in the face of obvious defeat finally withdrew his motion. He thereupon proceeded to the final defense of the Yugoslav amendment (CP(Gen) Doc 1U3), dividing his statement, however, into four parts geographically, and limiting his remarks this morning to the northern-most sector of the line, that is, the Kanal Valley. He merely elaborated on Yugoslav claims already advanced. He was not prepared to speak on the other three (southern) sectors of the Yugoslav line in today's meeting.

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THIRTEENTH MEETING OF THE ECONOMIC COMMISSION FOR THE  
BALKANS AND FINLAND, SEPTEMBER 9, 1946, 10 A. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 37

The Commission considered a U.S. draft to be substituted for the disagreed portion of paragraph 4 of Annex 4A (industrial literary and artistic property) of the Rumanian treaty, which provided for reciprocity as between Rumania and the Allied and Associated Powers

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<sup>57</sup> The Report of the Commission of Experts, C.F.M. (46) 5, April 27, 1946, is printed in vol. II, p. 140. For a summary of the Yugoslav observations, C.F.M. (46) 42, May 4, 1946, see telegram 2142 (Delsec 458) from Paris, May 4, 1946, *ibid.*, p. 224.



in the extension of rights under the Annex. The Commission requested the representatives of the U.S., U.K., U.S.S.R., and French Delegations to meet and prepare an agreed draft for submission to the Commission on the basis of the U.S. proposal, which was acceptable in principle to each of these Delegations.<sup>58</sup> The Commission then considered paragraph 7. The representatives of the U.S.S.R., Yugoslavia, and Poland objected to the provision, but indicated that it might be acceptable if the extension on a reciprocal basis of the benefits of the Annex to the United Nations other than Allied and Associated Powers were made permissive rather than mandatory and if its application were limited to United Nations which had broken off diplomatic relations with Rumania. The representatives of the U.K., France, and the U.S. defended the provision and emphasized that its purpose was not to grant special privileges, but to settle problems which had arisen as a result of the disruption of commercial communications during the war. The Commission approved paragraphs 1, 2, and 3 of Annex 4A and deferred final decision on the remainder of the Annex until the four drafting powers had reached agreement on a text for paragraph 4 and until the Rumanian Delegation had expressed its views on the paragraph. The Commission rejected a proposal by M. Gerashchenko (U.S.S.R.) to hear the Rumanian Delegation on Annex 4, Sections B, C, and D, before the Commission had had a general discussion of these Sections.

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**THIRTEENTH MEETING OF THE MILITARY COMMISSION  
SEPTEMBER 9, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 37

It was agreed that the stenographic notes of the 10th meeting, as reviewed by the Secretariat, showed that the record should read that the vote on Article 58 was adjourned and also that the Greek Delegation had initially withdrawn its amendment [C.P.(Gen)Doc.1J.8] with a reservation and not that the reservation had been added later. The Brazilian Delegation withdrew its amendment to Article 62 (CP(Gen)Doc 1E8). Following an explanation by the U.K. Delegate of the difficulties encountered in the reparation processes, the Greek amendment (CP(Gen)Doc 1J9) proposing a new Part 4 was considered in two parts, i.e., naval and military. A proposal of the

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<sup>58</sup> Representatives of the four delegations met after the meeting and agreed upon a text which is printed in C.P.(Plen) Doc. 29, the Report of the Commission on the Draft Treaty with Rumania, vol. iv, p. 344.

U.K. Delegate for substituting a new text for the first part was adopted as follows:

“As from the entry into force of the present treaty Italy will be invited to become a member of the International Central Board for Minesweeping of European Waters (Mediterranean Zone). She undertakes to maintain the whole of her minesweeping force at the disposal of the Board until the end of the minesweeping period as determined by the International Central Board for Minesweeping of European Waters.”

The French Delegate opposed the second part of the Greek amendment on the grounds that it created an undesirable precedent because mine clearance was very far advanced in many countries and had up to now been accomplished by national means only. He argued that Greece could present claims for the cost of minesweeping as reparations. He further argued that a bad juridical situation would be created by the amendment; for instance, if there were accidents it would be difficult to determine who was responsible for them. M. Dragoumis, the Greek Delegate, withdrew the second part of the amendment. The first part was inserted in the treaty as a new Section 9, Article 62*b*[62*a*].

Since the corresponding articles had been adopted, Annexes 4 A, B and 5 A, B and C were considered adopted provisionally.

The Chairman announced that the Italian memorandum <sup>59</sup> would be distributed the next day and that it was necessary to postpone the time limit for tabling amendments to the 14th of September instead of the 12th.

General Slavin asked if Article 63 should be considered by the Commission. The matter was referred to the Secretary General for clarification.

A debate developed on the motion of the South African Delegate, General Theron, to invite the Italian representative to present his views before the Commission.<sup>60</sup> Admiral Conolly's proposal was eventually adopted as follows:

“That the Commission invite the Italian representative to speak in answer to questions addressed to him by the Commission and also upon subjects within the mandate of the Military Commission which he might volunteer.”

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<sup>59</sup> For Observations by the Italian Government on the Draft Peace Treaty with Italy, see vol. iv, p. 117.

<sup>60</sup> The Delegates of France, Yugoslavia, Byelorussia, Czechoslovakia, and the Soviet Union contended that according to the rules of the Commission the Italian representative should be heard only on matters the Commission wished clarified. The Delegates of South Africa and the United Kingdom expressed the opinion that the Italian Delegate should be allowed to speak on any subject within the competence of the Commission.

A time was set for hearing the Italian representative at 24 hours after receipt of the memorandum. This would probably be Thursday, September 12.

The next meeting will be held at 10 a.m., September 11. The agenda will be discussion of the Italian memorandum, but members will be prepared to discuss the Rumanian treaty as well.

The meeting was adjourned at 1:27 p. m.

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**EIGHTH MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR BULGARIA, SEPTEMBER 9, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)37

The Delegate of the Union of South Africa <sup>61</sup> characterized the Bulgarian claim to Western Thrace as outrageous and expressed surprise that it had received support in the Commission. He said that South Africa would not take part in any action which would place a premium on aggression. He was sympathetic toward the Greek claim, but before stating any final view on it wished to wait until the Greek proposal was properly formulated and information was available concerning the minority problem which might result. Mr. Warner (U.K.) also expressed surprise that Bulgaria should have made a claim to Greek territory and that some delegations had supported that claim. He characterized it as wholly unjustified on either ethnic or economic grounds. He understood that no delegation had actually sponsored the Bulgarian amendment as such and accordingly hoped that it could be disposed of without further discussion. Mr. Warner believed that the Greek claim deserved consideration because of Greece's record in the war and special need for security at the present time. Since the Greek claim was based on strategic considerations, the U.K. Delegation wished to have a military opinion before expressing its views on that aspect. With reference to the statement of the Yugoslav Delegate concerning a claim to territory in Greek Macedonia, the U.K. Delegation hoped that no claim would be put forward by one Allied state against another.<sup>62</sup>

M. Bondar (Byelo-Russia) stated the view of his Delegation that the award of Western Thrace to Bulgaria would correct an historic injustice. He reviewed the history of this territory characterizing it

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<sup>61</sup> Jan Ruiter Jordaan.

<sup>62</sup> The reference is presumably to remarks by Mosa Pijade of the Yugoslav delegation at the 7th Meeting of this Commission, September 6; for the United States Delegation Journal account of that meeting, see p. 380.

as having been, until its incorporation into Greece and the consequent reign of terror brought about by the Greeks, Bulgarian in population and in its economic ties. He expressed the certainty that the Commission would consider Bulgaria's case favorably. M. Bondar characterized the Greek claims as absolutely unfounded and illustrative of the aggressive character of the Greek Government. M. Pipinelis (Greece) replied to the statements made by the Soviet Delegation at the previous meeting. He expressed astonishment that a great Allied power had backed the unjustified claims of Bulgaria against an Allied state. He also expressed surprise and bitterness that the Yugoslav Delegation had added a new demand for Greek Macedonia. M. Pipinelis dealt in detail with the various points made in the statement of M. Novikov, stressing particularly the argument that Bulgaria did not need an economic, much less a territorial outlet to the Aegean. In defense of the Greek claim he pointed out that the present Greek frontiers had been established in 1923 after Greece had lost the war. Greece had accepted its frontiers but now demanded the right to a better frontier in the north because of the recent Bulgarian aggression. M. Pipinelis put forward the Greek amendment describing the proposed new frontier line in rather general terms (CP(Bul/P) Doc 9).<sup>63</sup> He said that, if this proposal were accepted in principle by the Commission, he would propose then that the Commission request the Military Commission to examine the strategic advantages for the defense of the northern Greek provinces which would be brought about by a rectification of the present frontier within the limits of the Greek amendment. The Military Commission should also be asked to recommend to the Political Commission for Bulgaria any modification as an alternative to the existing frontier which would afford to Greece the necessary measure of security. M. Nosek (Czechoslovakia) then said that his Delegation could not regard favorably the Greek claim to Bulgarian territory as a guarantee of protection. This claim, based on strategic considerations, touched upon the important question of the nature of international relations in the future. These relations must be based on confidence. The Czechoslovak Delegation believed that Bulgaria, which had now entered upon the democratic path, should not be suspected of aggression in the future and that territorial demands should not be made on those grounds.

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<sup>63</sup> C.P.(Bul/P) Doc. 9 proposed that article 1 be revised to read as follows: "The frontiers of Bulgaria, as shown on the map annexed to the present Treaty (Annex 1), shall be those which existed on January 1, 1941, with the exception of the frontier between Bulgaria and Greece, which shall follow the line:

- a) Pirim Planina,
- b) Mt. Rhodope (Dospat Dag)
- c) Karlek Balkan
- d) Chain of Besh Tepe with the Arda Valley."

**NINTH MEETING OF THE POLITICAL AND TERRITORIAL COM-  
MISSION FOR HUNGARY, SEPTEMBER 9, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)37

After adopting the record of the 8th meeting and hearing a letter from the Chairman of the Rumanian Commission regarding the desire of the Rumanian Delegation to make certain observations regarding the frontier with Hungary, the Commission continued discussion of the Czechoslovak amendment to paragraph 4 of Article 1, the territorial claim opposite Bratislava [C.P.(Gen.)Doc.1.Q.3]. General Smith (U.S.A.) stated that the U.S. Delegation felt the Czechoslovak proposal deserved some sympathetic consideration, although a reduction in the size of the territory might help to meet the economic and ethnic objections raised by the Hungarian Delegation.<sup>64</sup> However, the proposal involved the transfer of Magyars to Czechoslovakia at a time when that country was proposing to transfer Magyars to Hungary. Therefore, the two Czechoslovak amendments were a part of the larger and unsettled problem between the two countries and should be examined simultaneously. Although sympathizing with a desire of the Czechoslovak Government to establish a homogeneous state, the transfer of the minority would place an additional economic burden on Hungary aside from the humanitarian considerations involved. Moreover, the U.S. Delegation felt very strongly there should not be inserted in a peace treaty the principle of a forced transfer of populations. Such a transfer should be made dependent on the acquiescence and ability of the receiving country to absorb the minority in question. General Smith believed it would be possible, however, to effect an arrangement whereby a limited number of Magyars could be transferred to Hungarian soil and suggested that the Commission (1) consider at the next meeting the Czechoslovak amendment concerning the transfer of population [C.P.(Gen.)Doc.1.Q.5], (2) invite the Hungarian Delegation to express its views orally after the Czecho-

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<sup>64</sup> A memorandum by Mr. Merrill to Ambassador Smith and Messrs. Matthews, Reber, and Bonbright, August 5, included the following: "The Czechoslovak claims for expansion of 'the bridgehead' on the southern bank of the Danube opposite Bratislava appears to be justified on economic grounds and we might well consent to the inclusion of this small territorial adjustment in the Hungarian treaty, particularly providing it could contribute to a general solution of the Magyar minority problem. As indicated by Mr. Reber's conversation with Masaryk August 4 [3], an exchange of territory would now seem more possible. The Czech claim on ethnic and strategic grounds does not appear reasonable, but the need for improved dock and warehouse facilities connected with the growth of the river port seems justified in view of the greatly increased tonnage handled by the port in recent years. The southern bank of the Danube appears to be the only direction this expansion could take." (CFM Files)

Reber's memorandum of the August 3 conversation is printed on p. 122.

slovak presentation and (3) invite the Czechoslovak and Hungarian Delegations to meet together to endeavor to work out urgently a mutually satisfactory arrangement which would take into account both the boundary and population questions. General Smith concluded by hoping that the Commission would defer a formal decision on both the Czechoslovak amendments until an opportunity had been afforded the two governments concerned to place before the Commission a joint recommendation.

Mr. Stirling (Australia) recalled that in the last meeting a motion had been made to set up a subcommittee. He felt such a committee should not only study the facts involved but serve as liaison with the Hungarian and Czechoslovak Delegations. The subcommittee might also settle other matters which might arise subsequently between the two countries. M. Clementis (Czechoslovakia) did not oppose the setting up of a subcommittee and supported the Australian proposal. He said he intended to reply to the U.S. statement at a later date.

The New Zealand and U.K. Delegations also supported the proposal to form a subcommittee while adjuring discussion of the U.S. statement as did M. Novikov (U.S.S.R.), who specifically stated that the transfer of population should not be linked with the territorial claim. When the Commission had taken up Article 4 it could then consider the Czechoslovak amendment to expel the Magyars [C.P. (Gen)1.Q.5] and could also hear the Hungarian point of view. The Chairman then suggested that discussion should continue on paragraph 4 of Article 1.

M. Slavik (Czechoslovakia) then rebutted the Hungarian statements made in the previous Commission meeting, pointing out that a small territorial adjustment had no connection with the Atlantic Charter. Bratislava had actually expanded across the river until 1938 when the territory was occupied by the Germans. No expansion had occurred since then because the Czechs had felt themselves menaced on the right bank of the Danube. He stated that the Czechs were not influenced by strategic considerations whatsoever and concluded by stating that he had no objection to the formation of a subcommittee but could not agree that a question of "town planning" should be connected with the transfer of a minority. Consequently there should be an independent decision on the bridgehead.

General Smith (U.S.) stated that he would not oppose the formation of a subcommittee. He preferred, however, that the subcommittee should consider also, if it seemed desirable, the question of the minority. It did not seem right to inflict more penalties on Hungary, and it was best in his view that the two countries negotiate and settle such problems between themselves. The terms of reference of the subcommittee should be broad and it should decide whether or not

an on-the-spot investigation was necessary. The Czechoslovak Delegation, supported by the U.K. and U.S.S.R., proposed that the subcommittee's terms of reference include only investigation of paragraph 4, i.e., that part of the frontier which concerns the bridgehead, but including both Czechoslovak amendments to that paragraph. The Australian proposal to form a subcommittee was then adopted unanimously with the understanding that it should examine all pertinent documents and maintain close connection with the Czechoslovak and Hungarian Delegations. The U.K. reserved the right to expand the terms of reference of the subcommittee.

General Smith (U.S.) nominated Australia, New Zealand and the Ukraine to be members of the subcommittee. The Ukraine proposed that Czechoslovakia also be a member of the subcommittee. The U.S. Delegate pointed out that the Czechs would probably be embarrassed to sit on a subcommittee in which they were the most interested party.

M. Clementis (Czechoslovakia) then stated that his Delegation must be present at all deliberations and proposed extending the subcommittee to five members. France then proposed that Czechoslovakia and Canada be elected members of the subcommittee. General Smith (U.S.) said that in his original nomination he was influenced by his understanding that the Czechoslovak Delegation had always wished to retain complete impartiality in discussions of certain articles of the Treaty in which it was closely concerned. He pointed out that for that very reason the Czechoslovak Delegation had resigned its position on the Commission as *rapporteur*. Of course, Czechoslovakia had the right to attend the meetings of the subcommittee as did anyone.

There being no further objections, the Chairman announced that a subcommittee would be formed to include Australia, New Zealand, Canada, Ukraine and Czechoslovakia.

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**TWELFTH MEETING OF THE ECONOMIC COMMISSION FOR ITALY,  
SEPTEMBER 9, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)37

The representatives of Brazil, U.K., Ethiopia and the Netherlands made statements on their claims for reparation from Italy (reference: CP(IT/EC) Docs. 12, 11, 18 and 8, respectively).<sup>65</sup> Brazil expects to meet its claims out of Italian property in Brazil in accordance with

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<sup>65</sup> None printed.

Article 69. The U.K. does not expect Italy to meet its claim (over \$11 billion) except to the limited extent possible under Article 69, and submitted its claim as a basis for judging other claims. The Ethiopian Representative explained the basis for the Ethiopian claim of approximately \$740 million. The Netherlands wants full compensation for damage (amounting to \$2 to \$3 million) to Netherlands property and interests caused by measures for which it holds the Italians responsible in the Netherlands and is prepared to negotiate a bilateral agreement on this subject. In settlement of damages (estimated at \$40 million) suffered by the Netherlands in the course of military operations against Italy, the Netherlands will be satisfied with certain goods from the surplus war plants and equipment removed from Italy under Article 48. Five more countries, Norway, France, Egypt, Mexico and Iraq, are to make statements on their reparation claims, after which the Italian Representative is to reply. It was agreed not to permit general observations on reparation claims until after that time. There was considerable discussion as to expediting the work of the technical subcommittee on reparation, the Chairman of which is to make every effort to have the report ready for the Commission by Thursday, September 12.

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112TH MEETING OF THE DEPUTIES OF THE COUNCIL OF FOREIGN  
MINISTERS, SEPTEMBER 9, 1946, 9:30 P. M.<sup>60</sup>

CFM Files

*United States Delegation Minutes*

[Extract]

SECRET

CFM(D) (46) 112th Meeting

PRESENT

U.K.

Lord Hood (Chairman)  
Mr. Sterndale Bennett

U.S.A.

Mr. Dunn  
Mr. Reber  
Mr. Page

FRANCE

M. Couve de Murville  
M. Seydoux  
M. Laloy

U.S.S.R.

M. Vyshinsky  
M. Novikov  
M. Stetsenko

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<sup>60</sup> The meeting was held at the Quai d'Orsay.



REPORT OF THE SPECIAL COMMISSION FOR THE STATUTE OF TRIESTE  
(CFM(46) (D)186)<sup>67</sup>

LORD HOOD stated that he understood that the Experts had agreed to a description of the French line.<sup>68</sup> The Deputies must now decide how this report would be communicated to the Italian Commission and how the Deputies would pursue an examination of the U.S. proposals regarding this line.<sup>69</sup> He hoped that the Experts might be instructed to examine these proposals. He suggested that the French Delegation explain Articles 3, 4, and 16.

M. VYSHINSKY stated that he noticed that a previous mistake concerning the town of San Piedro had been rectified but the Report contained a mistake concerning the town of Merna. The French line passed between Merna and the highway leaving San Piedro to Yugoslavia and the cemetery of Gorizia to the Italians. The present line did not leave the highway in Italian territory and consequently was not in accord with the agreement. He proposed that the question of Merna be referred back to the Experts. This sector must be checked since the French line cut across road number 55 which should be left to Italy.

LORD HOOD suggested that the Experts be instructed to look into the two proposals tabled by the U.S. Delegation.

M. VYSHINSKY stated that he did not understand the proposal of the Chairman. Articles 3, 4, and 16 had been agreed upon. The U.S. Delegation was now proposing amendments to these Articles. M. Vyshinsky suggested that the Experts limit their work to rectifying certain areas. It would be inadvisable for them to discuss the U.S. amendments to an agreed-upon line.

MR. DUNN stated that the Council of Foreign Ministers had agreed that the U.S. proposals would be placed before the Conference for consideration. He was not asking the Experts to look into them.

M. VYSHINSKY stated that the U.S. proposals were amendments. One of them proposed that San Piedro be left to Italy.

MR. DUNN stated that the U.S. proposals set forth the U.S. view on the French line. There was no question of amendments or changes. They adhered to the French line except for a few kilometers around Gorizia.

M. VYSHINSKY maintained that the U.S. Delegation was endeavoring to change the French line. He wished the Merna section to be confirmed. But with respect to San Piedro the French line placed this town in Yugoslavia and now the U.S. Delegation was proposing that it be left to Italy. This was not right.

<sup>67</sup> Not printed.

<sup>68</sup> See footnote 7, p. 46.

<sup>69</sup> The United States proposals are printed in the Draft Treaty for Italy, vol. IV, p. 1.

LORD HOOD stated that it would be desirable for the Four Delegations to examine the proposals and to present one definite line to the Conference.

M. VYSHINSKY stated that he desired that the Experts look into the Merna section. There could be no question of San Piedro as agreement had been reached on this matter. M. Vyshinsky wished to fulfill the decision of the Ministers. If any amendments were proposed to the French line they would have to be referred to the Ministers.

M. COUVE DE MURVILLE suggested that the Experts meet tomorrow and study the modification of the French line as suggested by the U.S. Delegation. If changes were possible the four Experts could agree in advance. If no agreement were reached the matter should be referred to the Council of Foreign Ministers.

M. VYSHINSKY stated that the Soviet Delegation opposed any changes or any amendments to the French line. If there were mistakes in this line they should be corrected. The Experts should not be authorized to study the American proposals.

MR. DUNN agreed but recalled that the proposals had been placed before the Conference for study and decision. There was no need to refer them to the Council of Foreign Ministers.

M. VYSHINSKY stated that the Council of Foreign Ministers had not discussed the proposals. They should not be referred to the Conference before being discussed by the Council of Foreign Ministers.

MR. DUNN stated that he had no intention of referring the proposals to the Ministers. They should be considered by the Conference.

M. VYSHINSKY inquired whether the U.S. Delegation would support the proposals. He maintained that they were amendments and could only be supported if general agreement were reached on them by the Council of Foreign Ministers. No amendments could be supported by one of the Deputies unless they constituted new proposals. The American proposals did not. They had never been discussed by the Ministers. They could be discussed now but they could not be supported unless common agreement were reached on them.

MR. DUNN stated that he was not asking that all the Deputies support the proposals.

M. VYSHINSKY maintained that Mr. Dunn could not support them since they were amendments to agreed-upon Articles. If Mr. Dunn were loyal he would withdraw the proposals unless agreement were reached upon them. M. Vyshinsky opposed the Experts discussing any agreed-upon Articles or amendments thereto. They should only look into the Merna sector.

MR. DUNN stated that he could not understand M. Vyshinsky's argumentation. The Council of Foreign Ministers had agreed that

the proposals would be put before the Conference for consideration. Did M. Vyshinsky now maintain that the U.S. Delegation could not support its own proposals? No objection had been raised to these proposals by the Council of Foreign Ministers and it had been agreed that they should go before the Conference.

M. VYSHINSKY stated that he had never seen the proposals. There had only been a general discussion on them. He suggested that they be referred to the Council of Foreign Ministers. He stated that he must oppose the view that one Delegation had the right to support the proposal if common agreement had not been reached on them.

LORD HOOD suggested that the meeting be adjourned.

M. VYSHINSKY stated that he was very disappointed in the work of the Deputies. Mr. Dunn continually argued that certain matters were new proposals when they were in fact amendments. How could the Deputies continue on this basis? M. Vyshinsky wondered whether it was worth while for the Deputies to work under such conditions. They could not even agree on the simplest points.

The Deputies agreed to meet on Wednesday night.

The meeting adjourned at 12:30 a. m.

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## TUESDAY, SEPTEMBER 10, 1946

### EIGHTEENTH MEETING OF THE POLITICAL AND TERRITORIAL COMMISSION FOR ITALY, SEPTEMBER 10, 1946, 10 A. M.

CFM Files

#### *United States Delegation Journal*

USDel(PC) (Journal)38

The Chairman suggested October 5 as a probable date for the completion of the Commission's work and, in order to facilitate its deliberations, proposed the appointment of a subcommission to study and report on the Statute for Trieste. The proposal was put in the form of a motion by Mr. Officer (Australia) and debated for 2½ hours. Finally, it was passed unanimously in the following form:

"A subcommission composed of representatives of Australia, the United Kingdom, the United States of America, France, the Union of Soviet Socialist Republics, the Netherlands, Poland and Yugoslavia shall be appointed to investigate the Statute for Trieste and report on this subject to the Commission as soon as possible."

A U.K. proposal advanced during the discussion was likewise adopted unanimously but modified by a Yugoslav amendment. The British proposal and the Yugoslav amendment are, respectively:

(1) "The Delegates are invited to submit their views in writing on the Permanent Statute of Trieste for the guidance of the subcommis-

sion. As Commission documents they will be available to the press and public."

(2) "The Commission, after finishing discussion on the Italo-Yugoslav frontier, will discuss the Statute of Trieste. The subcommission will be established immediately and will ascertain on what points there is agreement and on what points there is disagreement. The subcommission cannot deal with questions of substance on which there is disagreement before the general debate in the Commission is concluded."

Mr. Dunn (U.S.A.) withdrew the American proposals, which had not yet been discussed by the C.F.M., to Article 3, paragraph 2; Article 4, paragraph 2; and Article 16, Section II, paragraph B-1 and paragraph B-2.

M. Bebler (Yugoslavia) addressed the Commission in defense of the second sector of the proposed Yugoslav line, i.e., the Venetian Slovenia portion.

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**FOURTEENTH MEETING OF THE ECONOMIC COMMISSION FOR THE  
BALKANS AND FINLAND, SEPTEMBER 10, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 38

The Commission adopted the draft paragraph agreed to by the U.K., U.S., U.S.S.R. and France in substitution for the second subparagraph of Annex 4A, paragraph 4.<sup>70</sup> The previously disagreed second subparagraph of paragraph 4 and the U.S.S.R. and U.S. comments were deleted from the Annex. Paragraphs 5 and 6 of Annex 4 A were adopted without discussion. The U.S. Representative suggested that a provision based on the principles set forth in Article 32 of the Treaty would be used as a formula to avoid the difficulties concerning paragraph 7 of Annex 4 A. The U.S.S.R. Representative spoke in favor of this method of procedure and it was decided that a text along this line should be discussed at the meeting on Thursday.

The Rumanian Delegation was admitted to the meeting and M. Jean G. Maurer, Under Secretary of State for Rumania, gave the oral views of Rumania on Article 24, urging that Rumania should pay only partial compensation for war damages and that the period for which it should be held responsible should extend only to August 23, 1944. He based his contention on Article 11 of the Armistice and on the fact that Rumania entered the war on the side of the Allied and Associated Powers on August 23, 1944. He also argued that some

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<sup>70</sup> For text, see C.P.(Plen) Doc. 29, Report of the Commission on the Draft Treaty with Rumania, vol. iv, p. 434.

firms in Rumania who were United Nations nationals had made large profits during the war. The Rumanian Representative said that it was not certain that payment of compensation not involving transfer of property out of the country would react to the economic betterment of Rumania, pointing out that the benefit of reinvestment would depend on whether the reinvestment was made in a field where investments are needed or was made in an already over-developed field.

The Rumanian Delegation was opposed to paragraph 3 of Article 24 on the grounds that it is an invasion of the Rumanian sovereignty to indicate treatment to be granted to Rumanian nationals, that the use of the words "during the war" in subparagraph *a* would result in treating nationals of Axis powers in the same manner as nationals of the United Nations since Rumania was at war with the Axis after August 23, 1944, and that there would be discrimination against a great majority of Rumanian nationals under the terms of the paragraph.

The Commission decided that the Rumanian Delegation should submit the answers to the questions propounded to them by the Commission in writing and that if the Commission decided it is necessary to do so the Rumanian Delegation will be requested to attend another meeting of the Commission for further discussion of the answers.

The Commission will meet again on Thursday at which time it will examine the Rumanian answers; Annex 4 A, paragraph 8; and if possible sections B, C and D of Annex 4.

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**TENTH MEETING OF THE POLITICAL AND TERRITORIAL COMMISSION  
FOR RUMANIA, SEPTEMBER 10, 1946, 3 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 38

The Commission adopted the record of the 7th meeting. After a protracted discussion in which the Czechoslovak, Soviet and Ukraine Representatives spoke against and the U.K. and U.S. representatives spoke in favor of the U.K. new proposal on an additional clause covering human rights (C.P. (Rou/P) Doc. 9 Revised, September 4),<sup>71</sup> the proposal was carried by 7 votes to 5. The White Russian, Czecho-

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<sup>71</sup> The amendment was as follows:

*Article 3 A*—"Roumania further undertakes that the laws in force in Roumania shall not, either in their content or in their application, discriminate or entail any discrimination between persons of Roumanian nationality on the ground of their race, sex, language or religion, whether in reference to their persons, property, business, professional or financial interests, status, political or civic rights, or any other matters."

slovak, Ukraine, Soviet and French Delegations voted against the proposal; the French Delegate stating that he wished it to be entered in the record that if a similar proposal were tabled for all the draft peace treaties he would be in favor of it. The Commission thereupon passed to consideration of the Australian proposal on a Court of Human Rights. The Australian Representative stated that he wished to withdraw this proposal pending consideration of it in the Legal and Drafting Commission. The Commission thereupon considered Article 35 (Execution of Treaty). The Australian Delegation, after expressing views similar to those which were set forth in the Finnish Commission, withdrew the Australian amendment. Article 35 was then adopted.

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**THIRTEENTH MEETING OF THE ECONOMIC COMMISSION FOR ITALY,  
SEPTEMBER 10, 1946, 3 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 38

The Representatives of Norway, France, Egypt, Mexico and Iraq made statements on their claims for reparation from Italy. Norway's only reparation claim was for 20 million for 12 ships, the loss of which was directly attributable to the Italians. Unless the Conference establishes a general body to take care of such cases, Norway will settle this claim through direct negotiation with the Italian Government. France claims (reference: C.P.(IT/EC) Doc. 6)<sup>72</sup> Italian property in French territory not already subject to retention under Article 69, a part of the surplus war plants to be removed from Italy under Article 58, and certain Italian undertakings in the territory to be ceded to France under the Treaty. The Representative of Egypt referred to C.P.(Gen) Doc. 10<sup>73</sup> and said that his country expected payment of \$40 million for damage caused by Italy. He asked that consideration be given to extending the principle of Article 69 to Egypt, which was a member of the United Nations although not considered one of the Allied and Associated Powers. The Representative of Mexico developed the statement in C.P. (Gen) Doc. 8<sup>74</sup> and asked only for settlement of outstanding commercial claims amounting to \$5.4 million. The representative of Iraq estimated the damages to Iraqi property and holdings at approximately \$6.4 million. He said that Iraq considered compensation should be made for these losses by Italy, Ger-

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<sup>72</sup> Not printed.

<sup>73</sup> For text, see *Paris Peace Conference, 1946*, p. 343.

<sup>74</sup> For text, see *ibid.*, p. 335.

many and Japan and hoped the Commission would determine the Italian share.

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WEDNESDAY, SEPTEMBER 11, 1946

NINETEENTH MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR ITALY, SEPTEMBER 11, 1946, 10 A. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 39

The Commission continued for the third consecutive day consideration of the Yugoslav amendment to Article 3. The proposed Yugoslav line in the "Venetian Slovenia" sector was supported by M. Petrovsky (Ukraine). M. Bebler (Yugoslavia) then proceeded to the defense of the third sector of the Yugoslav line in the Gorizia area. His position in this respect subsequently was supported by the Representatives of Czechoslovakia and Poland. The Representative of Czechoslovakia further proposed the establishment of a subcommission of nine members to study the frontier around Gorizia and the Yugoslav and Byelo-Russian amendments (C.P.(Gen.) 1 U 3 and 1 D 1) [C.P. (Gen.) Doc.1.U.3 and C.P.(Gen.) Doc. 1.D.1]. Senhor Fernandes (Brazil) favored the creation of a subcommission but only if it studied and reported on the entire Italo-Yugoslav frontier and all amendments proposed thereto. Mr. Dunn said that the United States Delegation was not convinced of the need to transfer consideration of the Gorizia section of the proposed Italo-Yugoslav frontier to a subcommission; that a full exposition of the subject had already been heard and that documentation and statistics were before the Commission. He concluded that the United States Delegation would prefer to have further development of the question remain in the full Commission. Mr. Officer (Australia) agreed with the U.S. view. Mr. Jordaan (South Africa) asked the Czech Delegate to defer consideration of his motion until after the Yugoslav defense of the fourth and last part of their proposed line is heard tomorrow. The Delegate of Czechoslovakia agreed.

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FOURTEENTH MEETING OF THE MILITARY COMMISSION,  
SEPTEMBER 11, 1946, 10 A. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 39

The record of the 12th meeting was adopted but adoption of the record of the 13th meeting was deferred until a representative of the

International Central Board for Mine Clearance of European Waters should have clarified the title of the organization which the Italians would be invited to join. A representative of Admiral King was expected in the afternoon.

A proposal of the South African Delegate, General Theron, that the representatives of the ex-enemy states be heard on specific articles, which he listed, of the relevant treaties was rejected for the Italian Treaty and decision on it deferred for the other treaties. A proposal by Mr. Alexander (U.K.) to: (1) give one-half hour to the Italian Representative to speak on questions of his own choice, (2) one-half hour to answer written questions submitted beforehand and, (3) that questions arising spontaneously as a result of the Italian declaration to be submitted to the Chairman in writing was accepted unanimously. Admiral Conolly accepted the U.K. proposal with the provision that it not furnish a bar to further hearing of the Italian Representative if that became necessary.

On a request by General Pika (Czechoslovakia) the deadline for tabling amendments to the Rumanian Treaty based on the Rumanian memorandum<sup>75</sup> was delayed until midnight September 12, replacing midnight September 11. Articles 11, 12 and 13 of the Rumanian Treaty were adopted without amendment or discussion.

The Delegates agreed to adopt the provisions of the Belgian amendment to Article 14 regarding atomic armaments [C.P. (Gen) Doc. 1.C.1] and also the provisions regarding torpedoes which the U.K. Delegation had introduced for Article 44 of the Italian Treaty.<sup>76</sup> Captain Pryce (U.S.A.) asked that provisional adoption of Article 14 be deferred until after discussion of the Greek amendment to the Bulgarian Treaty forbidding motor torpedo boats to Bulgaria. This proposal touched off a fairly long and acrimonious debate with General Slavin (U.S.S.R.), the Byelo-Russian Delegate, General Pika (Czechoslovakia) and General Catroux (France) opposed to it while the U.K., Indian, Australian and Belgian Delegations supported it. The motion was carried 11-8 with 2 abstentions. France and China voted with the Soviet bloc and Ethiopia and Norway abstained.

General Pika asked that discussion of an invitation to Rumania to be heard be inserted in the agenda for the next meeting. He said that the Czechoslovakian Delegation would present amendments based upon the Rumanian memorandum.

The next meeting was set for 10:00 a. m., September 12. The meeting adjourned at 1:10 p. m.

<sup>75</sup> The reference is presumably to C.P. (Mil) Doc. 5, September 10, not printed, which proposed amendments to articles 15 and 16 in furtherance of comments contained in C.P. (Gen) Doc. 3, August 26, Observations on the Draft Peace Treaty with Rumania by the Rumanian Government, printed in vol. iv, p. 217.

<sup>76</sup> For substance of the British amendment, see the United States Delegation Journal account of the 8th Meeting, September 2, p. 335.



NINTH MEETING OF THE POLITICAL AND TERRITORIAL COMMISSION  
FOR BULGARIA, SEPTEMBER 11, 1946, 4 P. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)39

The Commission continued its discussion of Article 1 on the Greek-Bulgarian frontier. Mr. Caffery (U.S.) stated that the U.S. Delegation, although feeling that the text of Article 1 represented the best basis for general peace and security and for friendly relations between Greece and Bulgaria, had wished that every opportunity be given for full discussion of both claims. The U.S. Delegation had not been impressed by the arguments advanced in favor of the Bulgarian claim and did not think that such a claim, after Bulgaria's invasion and occupation of Western Thrace, should even have been advanced. Mr. Caffery praised Greece's contribution to the Allied cause in the war and recognized fully the stupendous problems facing Greece in repairing the devastation caused by the war. The United States understood the desire of the Greeks for security and had considered with full sympathy the Greek claim to a rectification of the frontier. The strategic consideration upon which the claim was based might require further study and the obtaining of the expert opinion of military advisers. This study might enable the Commission to consider whether some variation of the Greek proposal which would not entail the acquisition by Greece of an important new ethnic element, for example, some arrangement for demilitarization of the Bulgarian side of the frontier, might not meet Greece's security requirements.<sup>77</sup>

The Delegate of the Ukraine stated that Bulgaria's claim to Western Thrace was just since this territory had always been linked with Bulgaria and since the whole economic life of Bulgaria had been threatened as a result of being cut off from the Aegean Sea. The Ukrainian Delegation believed that the acceptance of the Greek claim would be a great blow to Bulgaria and would result in no advantages to Greece. Peace could not be assured by the perpetration of another historical

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<sup>77</sup> In connection with Caffery's statement, see telegram 4642 (Delsec 951), September 16, from Paris, vol. iv, p. 865. That telegram was in response to telegram 731, September 13, from Sofia, *ibid.*, p. 859, reporting on the reaction in Bulgaria to Caffery's statement. The full text of the statement was released as USD(PC) (PR)-21, September 11.

In telegram War 99285, September 4, to Bonesteel, the War Department had urged support for the Greek request for demilitarization of the Bulgarian side of the frontier. The telegram included the following:

"As to demilitarization of the Bulgar side of the Greek-Bulgar frontier, from the narrow military point of view there appears to be no strong arguments for it. The nature of modern war is such that demilitarization of narrow terrain strips is not likely to be an important element. However, from the broader political-military standpoint, support for Greece is considered valuable in the interests of US security." (CFM Files)

For other documentation on the United States position regarding the Greek-Bulgarian frontier question, see vol. vii, pp. 88-288, *passim*.

injustice in addition to the one which was inflicted upon Bulgaria in 1919. The basis of the Greek claim was in fact not to assure peace but to prepare for war.

The Delegate of Australia was not convinced that even a *prima facie* case had been made in support of the Bulgarian claim. He saw no good ethnic or economic reason to support it. Bulgaria's need for an economic outlet to the Aegean Sea was an entirely different question from the question of direct territorial access to the sea. The Australian Delegation believed that the Commission should give careful consideration to the Greek claim although it was not quite clear just what territory Greece was demanding. The Greek proposal to send the question to the Military Commission for a report on technical military aspects seemed justified. On the other hand, these were not the only aspects on which the Commission's decision must be based, and the Australian Delegation therefore suggested that a subcommission might be set up to report on the economic and population factors involved.

The Delegate of France said that he could not support the Bulgarian claims to Western Thrace. The decisive reason against it being the fact that it would be unreasonable and unprecedented for an ex-enemy state to acquire territory at the peace settlement from an Allied state. As to the Greek claim the French Delegation had serious reservations and felt that the satisfaction of the claim would not benefit Greece but would contribute to bad relations between Greece and Bulgaria.

M. Vlahov (Yugoslavia) then shifted the discussion to Greek-Yugoslav relations, pointing out that Greek Government circles had designs on Yugoslav as well as on Bulgarian and Albanian territory. He accused the Greek Government of pursuing a policy of extermination of the Slav element in Greek Macedonia and of planning to seize other parts of Macedonia now beyond the frontier of Greece.

Mr. Warner (U.K.) asked the Chairman to restrict the discussion to Article 1 and also asked for a ruling on how matters stood with respect to the Bulgarian claim. It was his understanding that no one had sponsored it. The Chairman replied that the Commission would at the next meeting wind up the general debate on Article 1 and would proceed to vote on the amendments and other proposals before it.

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**TENTH MEETING OF THE POLITICAL AND TERRITORIAL COMMISSION  
FOR HUNGARY, SEPTEMBER 11, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)39

The Chairman announced that the Commission would proceed to examine the two amendments to Article 2 submitted by Australia and

Great Britain. Mr. Stirling (Australia) stated that the Australian amendment (C.P.(H/P)Doc. 6)<sup>78</sup> would add three additional paragraphs to Article 2. The first paragraph was in effect a restatement of the principles of the minority treaties. There had been criticism in some quarters that Australia was "trying to break in an open door". However, doors sometimes closed and the Australian Delegation was looking to the future. The Delegate of the U.S.S.R. and Byelo-Russia spoke in no uncertain terms against the amendment, arguing that the Hungarian Government had already taken action to repeal laws of a discriminating nature. Moreover, the preamble of the new democratic constitution of Hungary gave sufficient protection. The Australian amendment trespassed on the sovereignty of Hungary, while the draft treaty and the U.N. Charter covered all eventualities.

The Australian Delegate stated he had hoped to have some positive support for his amendment. Australia, even if 17,000 miles away, was able to see clearly that the question of minorities in Europe was of great importance, particularly after his Delegation's experience in Paris. He said he would not press for paragraphs 1 and 3 of his amendment. However, the second paragraph of the Australian amendment was designed to give rights to the inhabitants of any "restored" territory. Viscount Hood (U.K.) moved that discussion be deferred until such time as the Commission had taken a decision on the question of ceding territory. M. Novikov (U.S.S.R.), contending that the Australian proposal had been rejected as a whole in two other commissions (Finland and Rumania) stated that there was no purpose in discussing it in connection with ceded territory, since in the case of Hungary, territory would be ceded to an Allied country (i.e., Czechoslovakia). After considerable argument in which the Czech Delegation also spoke in opposition to the Australian amendment, a point of order was raised on the motion for deferment after 2 members had spoken for the U.K. amendment and 2 against. A vote

<sup>78</sup> The proposals contained in C.P.(H/P) Doc. 6 were as follows:

*Article 2.*

Renumber present Article 2, Article 2 Paragraph (1).

Add following paragraphs:—

(2) "Hungary undertakes that in order to fulfil the obligations under paragraph 1 of this article, those obligations shall be recognised as fundamental laws and that no law, regulation or official action shall conflict or interfere with those obligations, nor shall any law, regulation or official action prevail over them."

(3) "The State to which territory is restored under Article 1 (4) of this Treaty shall take all measures necessary to secure to all persons within the territory, without distinction as to race, sex, language or religion, the enjoyment of human rights and of the fundamental freedoms, including freedom of expression, of press and publication, of religious worship, of political opinion and of public meeting."

(4) "Such State undertakes that, in order to fulfil its obligations under paragraph 3, those obligations shall be recognised as fundamental laws, and that no law, regulation or official action shall conflict or interfere with those obligations, nor shall any law, regulation or official action prevail over them."

was then taken on the question of postponing further consideration, which resulted in 9 delegations against postponement and 4 in favor (U.K., U.S., Australia, India). Discussion then continued on the Australian amendment. M. Bebler (Yugoslavia) spoke for twenty minutes against the Australian amendment. He restated the arguments of the Czechoslovak and U.S.S.R. Delegations, but sharply attacked Australia's motives, pointing out its amendment would support reaction in Hungary. The Australian Delegate said rather bitterly that Australia had not made amendments with the idea of helping Australia or any group of countries, but only to further the economic and political stability of Europe. In the future if the treaties broke down, it could not be said that Australia had not attempted to establish at least some principles for peacemaking. The question then came to a vote, in which all members of the Commission were against the second paragraph of the amendment except Australia.

The Chairman proposed that the Commission proceed to examine the U.K. amendment to the same article <sup>79</sup> but before discussion could be opened the U.S.S.R. Delegate (M. Novikov) raised a point of procedure, contending that in accordance with a letter from the General Secretariat no amendments could be offered after the deadline of August 20, unless they were new proposals or unless amendments were designed to reach a compromise on controversial amendments.<sup>80</sup> There then followed a two hour discussion on the question of procedure which had all the earmarks of a filibuster. The Chairman suggested this question of procedure be referred to a plenary session of the Conference. The Czechoslovak Delegate moved adjournment, with the U.K. Delegate making it clear that the question should remain on the agenda of the next meeting. The Commission finally adjourned at 8 p. m.

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**FOURTEENTH MEETING OF THE ECONOMIC COMMISSION FOR ITALY,  
SEPTEMBER 11, 1946, 4 P.M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 39

The Representatives of Canada, South Africa, India, Australia and China spoke briefly, indicating the extent of war damage caused to them by Italy and stating that they were not claiming any reparation payments from Italy. All of them recognized Italy's limited capacity

<sup>79</sup> The amendment was proposed in C.P.(H/P) Doc. 10; for text, *mutatis mutandis*, see footnote 71, p. 418.

<sup>80</sup> Regarding the August 20 deadline, see the extract from the Verbatim Record of the 19th Plenary Meeting, August 15, p. 236.

to pay reparation, as compared to the claims against Italy and emphasized the dangers of overtaxing that capacity, particularly in view of the claims which had been submitted by the countries which had suffered most severely from Italian aggression.

Mr. Thorp stated that the United States was not requesting any reparation from Italy although the direct war cost of the United States was estimated at \$335 billions and perhaps as much as \$20 billions of this might be allocated against Italy. The total war cost incurred by the U.S. Government was approximately equal to the entire pre-war national wealth of the U.S. These costs included primarily those expenditures incurred for the subsistence and maintenance of personnel of the American armed forces, the cost of producing armaments and other military equipment, and the cost of certain measures to increase the military strength of our Allies. They did 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. Mr. Thorp said that the U.S. agreed that the treaty should provide for the payment of reparation to certain countries in limited amounts. He pointed out that no possible reparation arrangement could be fully compensatory, providing an offset to the costs and burdens of war. He said that reparation should not 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. Mr. Thorp went on to say that as an occupying power the U.S. felt certain special responsibilities and that since the Armistice, close to \$1 billion had gone to Italy from the U.S. in one form or another, assisting the Italian civilian economy through this difficult period. The interest of the U.S. went beyond the point of renouncing reparation claims for the U.S. asked in return that the burden of reparation should not be transferred to it. The U.S. did not wish its assistance to Italy merely to pass through Italy and go out to other countries as reparation. The U.S. had renounced its claim but not its interest in the reparation problem. It was concerned with finding a fair and equitable balance between tremendous claims on the one hand and exceedingly limited resources on the other. The U.S. recognized that its position was not always similar to other countries at the Conference and was not suggesting that all other countries should likewise renounce their claims. Mr. Thorpe also pointed out that in some cases the U.S. would not wish to take full advantage of certain treaty provisions and referred to occupation costs as an example. He said that

the U.S. had paid the Italian Government more than \$100 million for expenditures by American troops in Italy, although Italy could be required to bear this cost under the Armistice. The U.S. realized that other nations which maintained large occupation forces in various countries might not be in the same financial position as the U.S. It had not asked other countries to take similar steps. In closing, Mr. Thorp said that the United States was withholding any claim for reparation against Italy in the interest of easing the heavy burdens which Fascism and its consequences had 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 and no country which had fought the war had any economic interest which compared with its interest in creating the conditions essential to an enduring peace.<sup>81</sup>

The Italian Representative (M. Tarchiani) then spoke at some length on his Delegation's view of the reparation claims. He said that the Italian people had been deeply disappointed when they had heard they must pay reparation but that this news was softened when it became known the sum would not exceed \$300 million. Now there were "fabulous" claims. M. Tarchiani defined the term "reparation" and named some countries that were overlooking the treaty principle that reparation should be so arranged as to avoid interference with the economic reconstruction of Italy. He gave an account of the present economic situation in Italy and then requested the Allied and Associated Powers in making their decisions: (1) to limit the right to reparation to those countries which suffered direct, actual and large-scale damages as a consequence of Italian military operations, (2) not to grant reparation claims presented by countries, to the economic development of which Italy had contributed enough to compensate for any damage, (3) to exclude the possibility of giving the economic clauses, other than Article 64 such an extensive interpretation and application as to transform other obligations of the treaty into reparation payments, (4) to determine the exact sum to which each country has a right as reparation, this sum not to jeopardize Italian economy and to come within the limits of \$200 or \$300 million, (5) to establish clearly for each country the ways and means of payment, giving preference to the supply of manufactured goods, and (6) to divide payment over an appropriate number of years, and above all, to grant a moratorium of at least five years.

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<sup>81</sup> The text of Thorp's statement was released to the press September 11, 1946.

113TH MEETING OF THE DEPUTIES OF THE COUNCIL OF FOREIGN  
MINISTERS, SEPTEMBER 11, 1946, 9:30 P. M.<sup>82</sup>

CFM Files

*United States Delegation Minutes*

[Extract]

SECRET

CFM(D) (46) 113th Meeting

PRESENT

U.S.S.R.

M. Vyshinsky (Chairman)  
M. K. Novikov  
General Slavin  
Admiral Karpunin  
M. Gerashchenko  
M. Stetsenko

U.S.A.

Mr. Dunn  
Mr. Reber  
Captain Pryce  
Mr. Achilles  
Mr. Guthe  
Mr. Campbell

FRANCE

M. Couve De Murville  
M. Wolfrom  
M. de Courcel  
Lt. Colonel Clementin  
M. de Beaumarchais

U.K.

Lord Hood  
Mr. Sterndale Bennett  
Mr. McAlpine

ITALIAN-YUGOSLAV FRONTIER IN THE REGION OF MERNA

M. VYSHINSKY: The next item is the Italian-Yugoslav frontier. Will the chairman of the appropriate Committee make a report.

M. GERASCHENKO: The report of our Committee to the Deputies (CFM(D) (46) 191)<sup>83</sup> gives the results of our examination of the description of the French line in the region of Merna. The French, British and American representatives think that the description given by the French Delegation should be left as it was. They believe that the map submitted to the Council of Foreign Ministers on July 3 was not sufficiently detailed in the Merna region. The French representative pointed out that the French Delegation had not intended that the line should cross highway no. 55. The Soviet representative believes that the line on the map of July 3 should be described as fully as possible and that the description given by the French Delegation does not correspond to the map.<sup>84</sup> The report to the Deputies includes the

<sup>82</sup> The meeting was held at 78 Rue de Lille.

<sup>83</sup> Not printed.

<sup>84</sup> With regard to the "French Line" and the map under reference, see footnote 7, p. 46.

description of the line in the Merna region as the Soviet representative believed correct.

**M. COUVE DE MURVILLE:** The French Delegation thinks that there is no doubt on this question. Highway no. 55 does not appear on the map (scale 1:500,000) which was submitted to the Foreign Ministers. On the other hand, this highway is mentioned in the records of the Commission of Inquiry, more particularly in the minutes of the meeting when the French representative made clear his position. Therefore, there is no doubt about the intentions of the French representative who drew this line. We always thought that it was not necessary to cut highway no. 55 needlessly. We thought that the frontier should go along next to the highway leaving it entirely on Italian territory. Therefore, there is no contradiction between the map and the description of the line in the French memorandum.

**M. VYSHINSKY:** I raised this question in our last meeting because the description did not correspond to the map. We instructed our experts to see if it did. I think that their answer is "no". Since the map was approved by the Foreign Ministers, it should be the basis of drawing the line. The question of whether in certain places it is convenient or not should be decided in the process of demarcation. There might be an agreement between Italy and Yugoslavia to make certain changes but now we must be guided by the map, or else refer the matter back to the Ministers and have them change it. In the region of Merna the line on the map bulges toward Italy while in the French description the bulge is toward Yugoslavia. Since the map should be the basis we should change the description and take account of the fact that the road would be crossed twice by the frontier. We cannot change a decision already made by the Council of Foreign Ministers.

**M. COUVE DE MURVILLE:** As highway no. 55 was not on the 1:500,000 map, we cannot draw the conclusion that the French line cuts it in two places. This is clear also from the map submitted by the Yugoslav Delegation. Although the Yugoslav Delegation did not sign the French memorandum it drew the same conclusion that we did.

**M. VYSHINSKY:** I should like to ask M. Couve de Murville whether the description given by the French Delegation corresponds to the map which the Ministers accepted. Our experts say that it does not. The description should be changed accordingly. If the map is not correct, I should like to see a correct one. On the map the line is very near the railway. In the description the line is far from the railway. If the line was not plotted accurately on the map, we should appoint some new experts.

**LORD HOOD:** We are arguing about a line running on the ground, which is not the same as a line drawn on a map. The line on the map



which was considered by the Ministers, if put on the ground would be one kilometer or more in width. It seems to me that, without departing from the decision of the Ministers, we have to make up our minds without those limits where the actual frontier is going to run. If highway no. 55 had been on the map shown to the Ministers, I am sure that they would have decided that it would be inconvenient to have it cut twice within such a short distance. It is inevitable that drawing on a larger scale map the line which was drawn on a smallish map would involve certain changes. We are not departing from the decision of the Ministers but merely trying to interpret that decision clearly and reasonably in drawing the agreed line on a large scale map. In view of the explanation given by M. Couve de Murville, I think it is clear that the French description of the line is correct.

M. VYSHINSKY: We are arguing not on where the line goes on the ground which involves certain questions of delimitation, but on its description on paper. The French description says that the line leaves highway no. 55 in Italian territory. Why does it say that? What is the basis for that? The map does not show it, and this was the map on which the Ministers agreed. If the line on the map is incorrect, we shall have to refer it to the Ministers again. But we cannot change their decision. In the region of San Pietro also the description given by the French Delegation does not correspond to the map. There is obviously an error in the description, this time in favor of Italy, but the French Delegation does not want to change it. I suggest that we make the description correspond to the map or else refer the matter to the Ministers.

M. COUVE DE MURVILLE: I don't agree that the description of the French line does not correspond to the map. The map does not give an exact idea of the situation because highway no. 55 is not on it. Since there is a doubt, I propose that we refer to the document which shows what the author had in mind. This document is the record of the 73rd meeting of the Commission of Inquiry, Annex A, Section 1, paragraph B, and the French expert says that the line leaves to the west the highway from Gorizia to Duino, leaving Merna to the east.

M. VYSHINSKY: Was that record before the Council of Foreign Ministers?

M. COUVE DE MURVILLE: All these records were submitted to the Council.

M. VYSHINSKY: Was it reported that that was where the line would run?

M. COUVE DE MURVILLE: You know that the report of the Commission was before the Council of Foreign Ministers.

M. VYSHINSKY: Here is the line on the map and the Council approved the map. If we cannot agree, let us refer it to the Ministers.

M. COUVE DE MURVILLE: I have no objection.

MR. DUNN: Our feeling is that we accepted the French line. I feel that the French Delegation knew what the French line was better than we did. They had given us a description of it, we have studied that description, and had hoped that we could agree on the line as the French described it. If we cannot, I am willing to let it stand as "the French line". I don't see why we need spend so much time on this. The French are the authority on where the French line runs. My Delegation knows what the American line was and I would hope our description of that would be accepted. In a spirit of reasonableness I should like to see us all agree to the French description of the French line.

M. VYSHINSKY: If we had a text in Article 4 describing the French line then Mr. Dunn's observation would be correct. But we are now trying to draw up a more detailed description. In the Council of Foreign Ministers we took a map, plotted a line, and said that it was the French line. Now we have the problem of describing it in detail. The question is whether the description will correspond to that line on the map. If there is no agreement here we should refer it to the Ministers. Perhaps they may suggest other changes which would be favorable to Yugoslavia.

LORD HOOD: I am afraid that I could not agree to refer it to the Ministers. This is the sort of thing which my Minister expects me to settle here. When they made their decision, the Ministers did not draw the line on the map. The French line was something we all knew about for weeks beforehand. It was the result of careful investigation on the spot.

M. VYSHINSKY: The French line was not considered on the spot.

LORD HOOD: The French Delegation had given to the other three Delegations a clear indication of where the French line was supposed to run.

M. VYSHINSKY: The idea is on this map. I know of no other. That is the decision of the Ministers.

LORD HOOD: Each Delegation explained to the other Delegations where its line ran. The map on which the Ministers took their decision was an illustration of the four proposals. It was a part of the French proposal that the French line should run east of highway no. 55. Every Delegation was aware of that as is shown by the minutes which M. Couve de Murville read. It seems to me that when the four Ministers accepted the French line, they accepted the point that the frontier would run to the east of highway no. 55.

M. VYSHINSKY: With the situation as it is, I see no possibility of agreement. I have given my reasons. Let the Ministers decide our argument. M. Couve de Murville does not object to that.

M. COUVE DE MURVILLE: Before having the Ministers meet to consider this important question, should not each of us consult his own Minister on it.

LORD HOOD: Could Mr. Vyshinsky say why he thinks that the French line does not represent the decision of the Ministers? It is clear that highway no. 55 is not on the map on the basis of which they took their decision.

M. VYSHINSKY: I am talking about the line on the map. When transferred to a larger scale map it does not leave the highway on Italian territory. Each of us can consult his own Minister, and then we will see what to do next. I am ready to check again on whether or not my idea is correct. But if there is an error in the description, it should be corrected regardless of what is said in any report. Is the suggestion of M. Couve de Murville accepted?

MR. DUNN: I know what my Secretary of State will say. He will say: "What do the French say?" Since it is a question of the French line, he would accept the description given by the French as long as it reasonably follows his understanding of the French line. However, I agree to consult him.

M. VYSHINSKY: I think my Foreign Minister will say that we should follow the map.

MR. DUNN: I say that we should follow the French line on the map. I think the French are right when they describe their own line.

M. VYSHINSKY: We should follow the French line on the map, not in the description. (It was then agreed to defer further consideration of this question until the Deputies had had an opportunity to consult their respective Foreign Ministers.)

#### MOTOR TORPEDO BOATS FOR BULGARIA

M. VYSHINSKY: We shall next consider the Greek amendment to Article 12 of the Bulgarian Treaty proposing the prohibition of MTB's [C.P.(Gen)Doc.1.J.22]. This is a question which we have already discussed. Are there any new suggestions or will we merely engage in a repetition of what has already been said. If we take the 15th report of the Naval Experts (CFM(46)260),<sup>85</sup> we note that it says the Committee has agreed to reject the amendments and proposals which had been made. The report says that the Committee agreed to submit new clarifying amendments and suggests which delegation should sponsor them in the Military Commission. I believe their rejection of amendments includes the Greek amendment as well. On the question of substance the Soviet Delegation is opposed to the Greek amendment. We have an agreed Article in which no mention is made of MTB's. Why should Bulgaria be deprived of them? They are

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<sup>85</sup> Not printed.

rather important for the small Bulgarian Navy which is somewhat different from the U.S. Navy or the Italian Navy or even the Rumanian Navy. I see no reason to change the agreed Article and suggest we reject the Greek amendment.

LORD HOOD: The Ministers took a decision last September on which all the military, naval, and air clauses are based. This was the principle that the maintenance of land, sea, and air armaments and fortifications should be closely restricted to tasks of an internal character and local defense. That principle appears in the opening article of the military clauses in each of these treaties. Its general purpose has been to enable these ex-enemy countries to maintain sufficient armaments to defend themselves but not to threaten or harm their neighbors. In our view MTB's are essentially an offensive weapon. British MTB's in the war were used entirely for attacking German coastal shipping. The Germans used them to attack our coastal shipping, and very tiresome they were too. In the Italian Treaty we have prohibited Italy from constructing, employing, or experimenting with MTB's. We should like to see a similar prohibition included in the Balkan treaties. It has always been our intention that it should be included but the actual words were not put in because we thought the subject was covered by the reference to specialized types of assault craft. Looking at the several treaties, however, one will notice the discrepancy between the Italian Treaty and the others. The Greeks spotted this difference and tabled this amendment. As it is in accord with our intentions and with the original decision of the Ministers, the U.K. Delegation would like to accept it.

M. VYSHINSKY: In none of these treaties is there any mention of MTB's except in the Italian Treaty. I think our sailors can confirm the fact that MTB's cannot be classified as assault craft. The latter are for landing operations, whereas MTB's are an independent category of vessels. We prohibit them in the Italian Treaty because Italy used them during the war. And the experts tell me that Bulgaria did not use them during the war. Why should we then punish Bulgaria in this way? Bulgaria's war against the U.S., the U.K., and France was an original kind of war. Even Bulgaria's war with the U.S.S.R. came about through our declaration. The treaty prohibits Bulgaria from having battleships, aircraft carriers, and various other types including assault craft. If MTB's are assault craft, we can leave the text as it is. If you ask that they be specifically mentioned, then you are assuming that they are not assault craft. Why should we put this obligation on Bulgaria? Bulgaria is not in the same position as Italy. We all know about Italian imperialists, but I have not heard of any Bulgarian imperialists. The Soviet Delegation opposes this amendment because this is an agreed article.

MR. DUNN: There is a definition of MTB's in the Italian Treaty: they are boats with a displacement of less than 200 tons and capable of a speed of over 25 knots and of operating torpedoes. It cannot be contested that vessels of that type are assault craft or at least offensive craft. If they were defensive, they need not carry torpedoes. The Italian Treaty prohibits MTB's or specialized types of assault craft; consequently MTB's are a type of assault craft. This is the technical naval view and was agreed to by our experts, by the Deputies, and by our Foreign Ministers. In connection with the Bulgarian Treaty there was no mention of or discussion on MTB's. It may be said that there was no agreement to prohibit them or not to prohibit them. Therefore, we have a new proposal, to prohibit Bulgaria from having MTB's. There is everything to justify our giving consideration to the acceptance of this new suggestion. In view of the provision in the Italian Treaty and in view of the spirit of the first paragraph of Article 9, I hope we can agree to accept the insertion of a provision prohibiting Bulgaria from having MTB's. The U.S. Delegation feels strongly that the ex-enemy states should not be allowed to have such vessels.

M. VYSHINSKY: It is suggested that MTB's be prohibited because they are offensive. But what about destroyers? They also carry torpedoes and have greater speed. Are not destroyers offensive? The only difference is that between an automobile and a bicycle, if each is armed with a machine gun. Italy can have destroyers and cruisers with torpedoes, but apparently Bulgaria cannot even have any little boat with torpedoes. If my technical knowledge is incorrect, it is the fault of Admiral Karpunin who is sitting next to me.

MR. DUNN: Does Mr. Vyshinsky admit that MTB's are offensive or are assault craft?

M. VYSHINSKY: In the same measure as destroyers.

MR. DUNN: Then why not allow Italy to have MTB's?

M. VYSHINSKY: We are allowing Bulgaria to have only 7,250 tons of war ships, while Italy will have some 100,000 tons. The experts understand the difference between the two situations. Admiral Karpunin tells me that Captain Pryce understands that as long as Bulgaria is allowed only 7,250 tons it might as well be allowed to have 100 MTB's. If we deprive Bulgaria of that, it will not have anything. What danger does the Bulgarian Navy represent? Its bases are only on the Black Sea and could be of danger only to Black Sea powers. If Greece fears a Bulgarian Naval attack that fear is unfounded because the Bulgarian Navy is in the Black Sea and cannot go through the Straits. Since we are leaving Bulgaria only 7,250 tons, there is no sense in having a limitation on MTB's. All weapons, except the atomic bomb, are both offensive and defensive. It is obvious to me

that the Greek amendment is incorrect in substance. The Soviet Delegation objects to it on those grounds and also because it is an amendment to an agreed Article. If we have no agreement here let us leave it at that. It is an amendment to an agreed Article.

MR. DUNN: No, the U.S. Delegation thinks it is something new.

M. VYSHINSKY: It is possible to think anything. Anything can be thought. But this thought doesn't happen to be acceptable to us.

MR. DUNN: It is not an amendment to an agreed Article since there was never any agreement not to prohibit MTB's.

M. VYSHINSKY: That is right. It was never suggested that we add that prohibition.

MR. DUNN: It is a new suggestion.

M. VYSHINSKY: It is a new amendment.

MR. DUNN: I do not consider it as such.

M. VYSHINSKY: Let us refer it to the Academy of Science. At least I hope that Mr. Dunn will have a change of humor tomorrow and a new opinion.

MR. DUNN: I do not think so.

M. VYSHINSKY: We have a precedent for which I am grateful. The amendments to Articles 3, 4 and 16 were withdrawn.

#### DELIMITATION COMMISSIONS

M. VYSHINSKY: The next question is the proposed addition to Article 5 of the Italian Treaty. Is this suggestion a new proposal or an amendment? The Article provides that the Commission shall have two members. The U.S. proposal refers to a third member appointed by the Security Council. We are opposed to this and consider it an amendment to an agreed Article. We oppose all three paragraphs of the U.S. proposal except the first part of paragraph 4 up to the words "and provided that no village . . ."

MR. DUNN: The agreed part of Article 5 was agreed to before there was any question of a Free Territory of Trieste. If the Security Council has a certain responsibility in connection with the Free Territory of Trieste, it seems proper to have the Security Council take part in the delimitation of its boundaries.

M. VYSHINSKY: That does not follow from the decision, we have Article 16. It sets forth the relation between the Security Council and the Free Territory. But what does the Security Council have to do with the demarcation of frontiers?

LORD HOOD: Article 5 is based on the idea that there will be delimitation commissions composed of one representative each of the two parties concerned. These commissions will start their work on the coming into force of the Treaty. The Free Territory will then have

ceased to be a part of Italy or Yugoslavia. It is logical that the commissions should contain representatives of the existing authorities of the Free Territory. All our statutes provide for a provisional regime, and the representative of that regime should, I feel, be represented on the boundary commissions. Therefore, it seems in keeping with the agreed Article 5 to provide for that.

M. VYSHINSKY: Article 5 is clear. It says that the new frontier shall be determined on the spot by boundary commissions composed of the representatives of the two Governments concerned. There is nothing about a third member. Therefore, the U.S. proposal is an amendment to an agreed text. The Council of Foreign Ministers did not think that there should be a representative of the Security Council on the commissions. If you desire to have this matter discussed in the Council of Foreign Ministers, it can be brought up there. The Soviet Delegation has already made some concessions on Article 5, we did not originally wish to have the provision whereby the four Ambassadors might appoint an impartial third commissioner. It is obvious that this is an agreed text. An amendment can be accepted only by agreement among us, otherwise we are breaking up the basis of our cooperation.

M. COUVE DE MURVILLE: Does the reference to the two Governments concerned mean representatives of Italy and Yugoslavia or representatives of each together with representatives of the Free Territory?

M. VYSHINSKY: It seems clear to me. It means representatives of the governments between whose territories the lines are being drawn. It is proposed now that the Security Council be in on it, but we reached no agreement on that idea. It is not within the competence of the Security Council.

MR. DUNN: But Article 16 states that the integrity and independence of the Free Territory of Trieste shall be assured by the Security Council.

M. VYSHINSKY: That is right. That is not a question of frontier demarcation.

MR. DUNN: The reference to integrity means that the Security Council guarantees the territory within the boundaries which are drawn. Thus it is connected with the question of boundary delimitation.

M. VYSHINSKY: When the frontiers are delimited and the Free Territory constituted, the Security Council then guarantees its integrity.

MR. DUNN: We feel that when we ask the Security Council to insure the integrity and independence of the territory it will be proper for the Security Council to have some part in the demarcation of the boundary.

M. VYSHINSKY: That does not follow.

MR. DUNN: I think it is only proper particularly when you come to paragraph 4 of the U.S. suggestion which requires that the commission not depart more than  $\frac{1}{2}$  kilometer from the line laid down. Thus there is not much leeway. We think that the Security Council should be brought into the picture at least to that extent. However, if you feel that this is a modification of an agreed Article, I shall be glad to take up that point with my Secretary of State. I do not think it is an amendment, but I am willing to take it up with him if you wish.

M. VYSHINSKY: The Article clearly provides for representation by the two parties directly concerned. These would be Italy and the Free Territory for one section of the frontier, and Yugoslavia and the Free Territory for the other section. The Security Council does not come into it at all. There is no mention of a third member. You claim that this is not an amendment but a new proposal. But a change from two to three members is an amendment, not a new proposal. We have agreed that agreed articles could not be changed except by common agreement among all of us. I see no more use in arguments of this kind.

MR. DUNN: Neither do I, as we would not agree. I am prepared to mention this to my Foreign Minister.

M. VYSHINSKY: That is your right, you need no permission from me to consult Mr. Byrnes, but I wish to say that the Soviet Delegation will never agree to consider this a new proposal. It should be treated as an amendment. Can we go on to the next item?

LORD HOOD: There are two questions at issue here. The U.S. Delegation proposed that this boundary commission deal with the whole frontier of the Free Territory of Trieste and consist of three members. You suggest, on the other hand, that there should be two commissions, each consisting of two commissioners.

M. VYSHINSKY: I have proposed merely what Article 5 provides, namely, that there be boundary commissions to delimit the frontier on the spot. They shall be made up of two members in each case. The U.S. proposal is that there shall be three members of the commission; that is, that there shall be representatives in one case of Italy, the Free Territory, and the Security Council, and in the other case of Yugoslavia, the Free Territory and the Security Council. That does not follow from Article 5; it is an amendment and even in substance it is incorrect. The Security Council will guarantee the integrity of the Free Territory after it is constituted, but it is not concerned with the demarcation of the frontiers. Therefore, the Soviet Delegation cannot agree to the appointment of a third member by the Security Council.



LORD HOOD: Would you object to the appointment of the second member by the Security Council?

M. VYSHINSKY: I cannot agree to that. It is contrary to Article 5. There will be a representative of the Government of the Free Territory.

LORD HOOD: Would there be at that time a government there comparative to the Governments of Italy or Yugoslavia?

M. VYSHINSKY: The Soviet Government has existed from the day of the October Revolution. If there is a Free Territory of Trieste, there will be a government. The Peace Treaty assures us that there will be a Free Territory. Within a few months after the Treaty is in force the Free Territory will be constituted and governing authorities established. The frontier lines are laid down by the Treaty. The actual demarcation might not take place until much later.

LORD HOOD: I should think they would be delimited on the ground as rapidly as possible. Article 5 says it must be done in six months.

M. VYSHINSKY: Yes, that is right. It will be done as soon as possible. Since Mr. Dunn wishes to consult his Foreign Minister on this matter, I do not insist on continuing the discussion.

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#### THURSDAY, SEPTEMBER 12, 1946

##### TWENTIETH MEETING OF THE POLITICAL AND TERRITORIAL COMMISSION FOR ITALY, SEPTEMBER 12, 1946, 10 A. M.

CFM Files

##### *United States Delegation Journal*

USDel(PC) (Journal)40

The Commission continued for the fourth consecutive day consideration of the Yugoslav amendment to Article 3 [C.P.(Gen.)Doc. 1.U.3]. A member of the Yugoslav Delegation made a further statement on Gorizia. He was followed by M. Bebler (Yugoslavia), who presented the Yugoslav defense of the fourth and last sector of the Yugoslav line, that is, the Lower Isonzo. The Czechoslovak motion of yesterday proposing the establishment of a subcommission to study the frontier around Gorizia and related amendments was defeated by 11 votes to 9. The Commission then heard a final defense of the Byelo-Russian amendment (C.P.(Gen.)Doc. 1D1). It was supported in statements by the Ethiopian, Polish and Ukrainian Delegates.

M. Kardelj (Yugoslavia) made a statement for the record and for history: Yugoslavia has presented a detailed exposition of each sector of its proposed frontier. A few delegates have taken the floor in

support thereof, but no one has spoken against the Yugoslav amendment. This important question has therefore not been discussed. Silence has characterized the Commission's attitude, which ordinarily might signify agreement, but, in this case, signifies opposition, he observed. It means the intention to achieve an objective in spite of reality and in the face of contrary facts which have not been refuted. The Yugoslav Delegation submitted its most recent proposal in a spirit of compromise, but no proposals have come from the other side, he said, and it would appear these states do not wish to come to an agreement with Yugoslavia. Peace would not be furthered by imposing decisions on smaller countries, and nothing would be solved through the fiction that peace settlements can be achieved by formal decisions. He concluded that Yugoslavs were not accustomed to accepting "alien will" and appealed to the members of the Commission to consider that it was not yet too late to reach an agreement with Yugoslavia.

Senhor Accioly (Brazil) spoke in favor of the Brazilian amendment (C.P.(IT/P)Doc. 23).<sup>86</sup> His remarks and amendment were contested by the Representatives of Yugoslavia and Poland. In reply to certain Yugoslav charges Senhor Fernandes (Brazil) declared that his country had no reparation claims against Italy, that Brazil would not keep any Italian merchant ships nor confiscate Italian property. The Chairman declared discussion on the Yugoslav, Byelorussian and Brazilian amendments to Article 3 closed.

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**FIFTEENTH MEETING OF THE ECONOMIC COMMISSION FOR THE  
BALKANS AND FINLAND, SEPTEMBER 12, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 40

The Chairman drew the Commission's attention to the necessity of speeding up its work in view of the October 5th deadline and urged the members to consider what measures might be taken. He suggested that it might be necessary to have evening meetings or to arrange for longer sessions.

Mr. Gregory (U.K.) explained the basis of the special provisions for insurance proposed by the U.K. Delegation (Annex 4B of the Rumanian treaty),<sup>87</sup> emphasizing the special character and problems of the insurance business and the importance either of enabling the

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<sup>86</sup> Not printed.

<sup>87</sup> The British proposals are contained in the draft treaty for Rumania as unagreed provisions; see vol. iv, p. 86.

companies to resume their business with their present reserves, which would be accepted by Rumania as adequate cover, or of requiring Rumania to reconstitute their reserves. M. Rasovitch (Yugoslavia) spoke against the U.K. proposal, asserting that it would grant exceptionally favorable treatment to certain U.N. nationals and thus violate the principle of equality of treatment, and that the provisions of Article 24 adequately safeguarded the interests of U.N. property owners in Rumania. M. Hajdu (Czechoslovakia) said that either the insurance business was adequately protected by Article 24, in which case no special provisions were necessary, or that the U.K. proposal was intended to secure exceptionally favorable treatment for the insurance business, in which case the proposal was contrary to equality of treatment. He also described as a dangerous precedent the provision which would exempt U.N. insurance companies from any legislation more onerous than that to which they were subject before the war. M. Gerashchenko (U.S.S.R.) also objected to the U.K. proposal, adducing the arguments made by the previous speakers and asserting that the proposal was designed to secure a monopoly of the Rumanian insurance business by foreign companies.

Mr. Gregory spoke again in defense of the proposal. He withdrew paragraph 2 (regarding compensation for payments of claims arising out of the war) and indicated that paragraph 1 could be modified to provide national treatment for U.N. insurance companies. Mr. Thorp (U.S.) asked for a clarification of the following points: (1) the nature of the special difficulties confronting the insurance companies which required special provisions; (2) whether the insurance companies in question were ones operating on the reserve principle or on the pooling principle; (3) the meaning of the grant of "full facilities"; (4) whether the reserves in question were nominal only or were related to safety; (5) the effect as between individual companies of the provisions concerning the restitution of reserves. He concluded by saying that, although it was recognized that special problems might arise, the discussion had not indicated the special insurance problems which were not covered by Articles 24 and 30.

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FIFTEENTH MEETING OF THE MILITARY COMMISSION,  
SEPTEMBER 12, 1946, 10 A. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)40

Three prepared statements were delivered by the Italian Representatives: the first by General Trezzani (Doc. 4(A)), the second for

Admiral De Courten (Doc. 5(a)) and the third by General Ajmone-Cat (Doc. 6(A)).<sup>88</sup> The general tenor of the three statements was to the effect that Articles 40 through 44 were too strict and that a time limit should be included in Article 39; that the Italian Fleet should not be treated as war booty and that reserve aircraft should be allowed to the Italian Air Force.

The U.S. Delegation asked what governmental reorganization would be required to permit Italy to man the navy permitted to her and what the size of the personnel for manning shore stations should be. The Italian Representative replied that in regard to the personnel for manning the fleet, 14,000 officers and men, and that 18,000 would be needed to man the shore stations.

The New Zealand Delegation had a question regarding the provision included in Article 46 prohibiting the employment of former officers and non-commissioned officers of the Fascist republican army in positions of trust in the new Italian armed forces; had any action been already taken to effectuate this provision and, if not, what did the Italians propose to do to effectuate it. The Italian Representative replied that the first act of Marshal Badoglio after the Armistice had been to close down on Fascist organizations; there were now no more Fascist officers in any of the armed forces. The South African Delegate asked what percentage was indicated in the Italian memorandum where it referred to a reserve quota of armaments in Article 52. The Italian Representative replied between 20 and 30% for arms and war material but for the air force the reserve consisting of aircraft only, should be 14% [40%]. The U.K. Delegate asked if the Italian recognized that the Allied Powers had given full consideration to the post-Armistice services of the Italian navy when they allowed Italy to maintain a permanent navy whereas other ex-enemy states had been deprived of navies completely. The Italian Representative replied that the main objection of Italy with regard to Article 48 was that it treated the Italian navy as war booty. Such a concept was not in accord with the actions of the Italian fleet after the Armistice. The Italian objection to Article 47 was that it left a minimum of homogeneity and organization to the Italian fleet and that the spirit of concession to Italy was very much diminished by it. There were no more questions and the Italian Delegation was shown out.

On a motion by Admiral Conolly to satisfy General Pika (Czechoslovakia) the time limit for tabling amendments to the Balkan treaties was extended to midnight September 14.

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<sup>88</sup> None printed. The document symbols are Italian designations.

General Catroux (France) offered a corrected French text for the last sentence of Article 15 of the draft peace treaty with Rumania. This correction was adopted for all the Balkan treaties and the Finnish treaty.<sup>89</sup>

Article 15 was adopted unanimously.

The Australian amendment to Article 16 [C.P.(Gen.)Doc.1.B.21], similar to the ones proposed for Articles 48 and 58 of the Italian treaty which were defeated [C.P.(Gen.)Doc.1.B.8], was considered to have been rejected and the Polish amendment to Article 16 [C.P.(Gen.)Doc.1.0.6] was withdrawn because a Polish amendment to Article 24 of the economic clauses had been already adopted [C.P.(Gen.)Doc.1.0.8]. General Balmer issued a statement for the three drafting powers regarding disposal of excess war materials. The text was exactly similar to the declaration made by General Catroux during the discussion of the Italian treaty.<sup>90</sup>

Articles 16, 17, 18, 19 and 20 were adopted without discussion or amendment.

General Balmer said that the U.S. Delegation withdrew its reservation regarding war graves.<sup>91</sup>

Annexes 2 and 3 were adopted.

The Chairman then proposed to invite the Rumanian Representatives to be heard according to the same procedure which had been followed in hearing the Italian Delegation. General Pika delivered a half-hour speech emphasizing the contributions of the Rumanians to the Allied victories in comparison to the smaller contributions of Italy which had much greater resources in manpower. Mr. Alexander suggested that it was not appropriate for a delegate to seize this occasion to make a propaganda speech and hoped that General Pika would not repeat his declaration when he introduced his amendments to Articles 15 and 16. Mr. Alexander also maintained that the Italians had made contributions to Allied victory which compared very favorably with anything that Rumania had done.

The next meeting will be held September 12, 10:00 a. m.

The meeting adjourned at 1:40 p. m.

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<sup>89</sup> The French wording accepted here appears in C.P.(Plen) Doc. 18, Report of the Military Commission on the Draft Peace Treaty with Rumania, vol. iv, p. 476.

<sup>90</sup> For earlier discussion on the question with respect to the Italian treaty, including the text of the statement by Admiral Catroux, see the United States Delegation Journal account of the 10th Meeting, September 4, p. 360.

<sup>91</sup> The United States reservation follows article 20 in the Draft Peace Treaty with Rumania, vol. iv, p. 68.

**ELEVENTH MEETING OF THE POLITICAL AND TERRITORIAL COMMISSION FOR RUMANIA, SEPTEMBER 12, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

## USDel(PC) (Journal) 40

The records of the 8th, 9th and 10th meetings were adopted. Mr. Harriman (U.S.) made a statement in support of the U.S.-U.K. proposal for article 36 of the draft treaty. He said that the U.S. supported the principle of referring to the International Court of Justice disputes on interpretation of the treaty as these were primarily legal questions and appropriate for a court of justice in the event that they could not be settled by direct negotiation or by the three heads of missions in Bucharest. The Court could be counted on to ascertain the facts and to reach just decisions, whereas if questions were left entirely to the heads of missions, as provided under Soviet proposal, delays would result and no provision was made in case of their failure to agree. M. Bogomolov (U.S.S.R.) defended the Soviet proposal for Article 36 on grounds that it would be more practical than the U.S.-U.K. proposal and more in the spirit of the Charter of the United Nations and of the Statute of the Court of International Justice. M. Petrovsky (Ukraine) supported the Soviet proposal giving the same reasons as M. Bogomolov. A vote was taken on Article 36 and the U.S.-U.K. proposal was accepted by 8 votes to 4. The following Delegations voted in favor of it: U.S.A., Australia, Canada, France, Great Britain, India, New Zealand, Union of South Africa. The following Delegations voted against it: Byelo-Russia, Czechoslovakia, Ukraine, U.S.S.R.

Mr. Officer (Australia) then gave the view of his Delegation on the proposed Article 36A concerning the revision of the treaty in the future. He said that revision might be desirable or necessary at some time and that some delegations could more easily accept some of the articles in the treaty if they knew that there was a possibility of their revision in the future. He hoped that this Conference could learn a lesson from history and provide a practical method for revision of the treaty, since conditions in Europe were not static and provision for change was only sensible. However, since a similar amendment had been rejected by the Political Commission for Finland, which had the same membership as this Commission, the Australian Delegation did not insist on putting its amendment to a vote and would content itself with the incorporation in the record of the present statement of its views.<sup>92</sup>

<sup>92</sup> For text of a similar Australian amendment for the treaty with Italy, proposed in C.P. (IT/P) Doc. 88, see footnote 68, p. 572.

There were no amendments to Article 37, but M. Lisicky (Czechoslovakia) referred to the observations made thereon by the Rumanian Delegation (C.P.(Rou/P)Doc. 16).<sup>93</sup> He considered the first point raised by the Rumanians to be valid. He was not clear as to what was intended by the second point and suggested that the Rumanian Delegation be invited to express its views orally on it. Lord Hood (U.K.) explained that Article 37 as drafted was hardly open to the interpretation suggested by the Roumanians and proposed the adoption of the text in its present form. The Commission then voted on the Czechoslovak proposal to hear the views of the Rumanian Delegation; the proposal was defeated by 8 votes to 4, Byelo-Russia, Czechoslovakia, Ukraine and the U.S.S.R. voting in the negative. Article 37 was then adopted by 11 votes to 1, only Czechoslovakia voting in the negative.

Article 38 concerning ratification was then adopted unanimously.

M. Lisicky, speaking as *rapporteur*, called attention to several points which he wished to clear up. The first was the Australian amendment on human rights in connection with the preamble [C.P. (Gen.)Doc. 1.B.18], which has been deferred but which he understood was now being dropped. The second was the Australian drafting amendment to the last sentence of the preamble, which he understood also had been dropped. Finally, he requested the delegations which had expressed the desire to have certain statements included in the Commission's report to communicate to the *rapporteur* the texts of those statements.

The Chairman declared that the Commission had completed its consideration of the articles which had been referred to it by the Secretary General of the Conference, and that the Commission would meet again at a later date to consider its report to the plenary conference.

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**FIFTEENTH MEETING OF THE ECONOMIC COMMISSION FOR ITALY,  
SEPTEMBER 12, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)40

The Chairman read a letter from the Chairman of the Political and Territorial Commission for Italy stating that the Commission had approved Articles 8 and 9 and Annex 2 but was referring these to the Economic Commission since they had economic aspects. The Economic Commission agreed to the approval of the articles and annex.

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<sup>93</sup> Not printed.

The Chairman asked the Commission to be ready the next day to discuss a reply to a letter from the Secretary General requesting measures which it might take to facilitate the Commission's business so it might finish its work by October 5.

Following a request from the Military Commission (C.P.(IT/EC) Doc. 19),<sup>94</sup> the Commission agreed that "property", as used in Article 65 included war materials. It will so inform the Military Commission.

The Commission then considered Article 65, Restitution. It approved paragraph one as amended to include the words "in the shortest possible time" after the word "return" and before the word "property", i.e., to provide that restitution would be made in the shortest possible time (this amendment having been accepted by the Yugoslav Delegation in place of its amendment, 1.U.18 [C.P. (Gen.) Doc. 1.U.18] par. 1 proposing a time-limit of 6 months). The Yugoslav amendments to paragraphs 2 and 3 were also withdrawn. There was then considerable discussion of the Greek amendment to paragraph 2 (1.J.10) [C.P. (Gen.) Doc. 1.J.10], providing for restitution or replacement of works of art. Mr. Thorp (U.S.) spoke on behalf of the agreed text and gave reasons for being unable to support the Greek amendment, pointing out that the amendment did not conform to the general scheme of the treaties and involved serious administrative difficulties. The representative of Byelo-Russia then spoke in favor of the principle expressed in the Greek amendment, but proposed it be extended to cover not only works of art looted from Greece but from all countries whose territory was occupied by Italian forces. He thought the Greek proposal for replacement would be difficult, however. The Czechoslovak Representative expressed agreement with the Byelo-Russian views, as did the Yugoslav Representative. The latter proposed that the amendment be revised along the lines of the pertinent provision of the Paris Reparation Agreement.<sup>95</sup> There being no further speakers on behalf of the agreed text, Mr. Thorp suggested that in view of the substantial support expressed for modification of, or addition to, Article 65 along the lines of the amendment, consideration of paragraph two should be adjourned to permit the Greek Delegation and others interested to prepare a draft taking into account the views expressed in the course of discussion. The Commission agreed to defer the question.

Paragraphs 3, 4, 5 and 6 of Article 65 were then approved. The Yugoslav amendment to paragraph 4 (1.U.18, par. 5) to require Italy

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<sup>94</sup> C.P.(IT/EC) Doc. 19 is not printed. Regarding the request, see the United States Delegation Journal account of the 12th Meeting of the Military Commission, September 7, and footnote 55, p. 397.

<sup>95</sup> Regarding the Paris Reparation Agreement, see footnote 65, p. 170.



to pay the maintenance costs of Restitution Delegations of the Allied and Associated Powers in Italy was withdrawn after the Representatives of the U.S.A., U.K., France and the U.S.S.R. had agreed that the text of paragraph 4 as drafted already covered the Yugoslav amendment.

Paragraph 7 of Article 65 was deferred for consideration with paragraph 7 of the Yugoslav amendment (1.U.18). Paragraph 8 on restitution of gold was also deferred after the Ukraine Representative had raised the question of inviting Albania to appear before the Commission to present information regarding the application of this paragraph to Albanian gold transferred to Italy.

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### FRIDAY, SEPTEMBER 13, 1946

#### TWENTY-FIRST MEETING OF THE POLITICAL AND TERRITORIAL COMMISSION FOR ITALY, SEPTEMBER 13, 1946, 10 A. M.

CFM Files

#### *United States Delegation Journal*

USDel(PC) (Journal)41

The Commission began consideration of the statute of the Free Territory of Trieste. M. Molotov opened the discussion by putting two questions to the American Delegation on its draft statute (CFM (46)253).<sup>96</sup> (1) Regarding the phrase in the covering memorandum to the special and direct relationship between the Free Territory and the Security Council and the means necessary to guarantee the Territory's integrity and independence. (2) Regarding alleged differences in Article 3 paragraph B of the U.S. and U.K. draft statutes.

Mr. Dunn replied: (1) by referring to paragraphs 2 and 6 (1) of Article 16 of the draft treaty and the relationship between these two paragraphs. The Governor, he said, becomes the instrument to implement the authority of the Security Council and he consequently must be in a position to give effect to the will of the Council. (2) by stating that he could find no difference between the British and United States proposals for Article 3 of the draft statutes.

The Representative of Czechoslovakia emphasized two considerations in connection with the statute (1) that the administration and

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<sup>96</sup> C.F.M. (46)253, August 9, was also designated C.P. (IT/P) Doc. 40, September 13. This document, the Report to the Paris Peace Conference by the Special Commission on Trieste of the Council of Foreign Ministers, included U.S., U.K., U.S.S.R., and French drafts for the permanent statute for the Free Territory. For text, see vol. iv, p. 592. Regarding the establishment and functioning of the Special Commission, see the following documents: the Record of Decisions of the 33rd Meeting of the CFM, July 3, 1946, vol. II, p. 751; telegram 3554 (Delsec 727), July 19, from Paris, *ante*, p. 3; and telegram 3653 (Delsec 740), July 26, from Paris, *ante*, p. 19.

form of government of Trieste must be determined by the people of the city and (2) that the relations between Trieste and its hinterland (Yugoslavia) must be cordial and close.

M. Couve de Murville (France) said that the French draft statute was based on the following three considerations: (1) necessity of real independence for the Free Territory of Trieste (2) Trieste does not serve only local interests and must be placed in position to fulfill its mission as central European port (3) locally, passions have been aroused and it will be difficult to form a government according to normal procedures. It will, therefore, be necessary, he said, to combine universal principles of free elections and control by the Security Council. Mr. Hodgson (Australia) argued that the Security Council did not have authority nor was it capable of assuming the responsibility envisaged by the C.F.M. and advocated the course outlined in the Australian amendment to Article 16 (CP (Gen) Doc. 1B6).

Mr. Bennett (U.K.) reviewed the areas of agreement between the four drafts and then discussed the fundamental problems on which there was disagreement, usually between the U.S., U.K. and French drafts on the one hand and the U.S.S.R. and Yugoslav drafts on the other. On the fundamental divergencies, such as the power of the Governor and the independence of the territory, he explained and defended the British draft and pointed out the inconsistencies and dangers in the Soviet and Yugoslav drafts.

The Chairman's efforts to hold two meetings tomorrow in order to clear up general discussion on the statute before next week were defeated by M. Vyshinsky who refused to be hurried through this portion of the treaty.

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**SIXTEENTH MEETING OF THE ECONOMIC COMMISSION FOR THE  
BALKANS AND FINLAND, SEPTEMBER 13, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 41

The Commission continued discussing Annex 4b on insurance. M. de Carbonnel said it was reasonable to provide in the treaty that insurance companies whose reserves had fallen below legal requirements as a result of the war, should be given the opportunity to carry on their business. He suggested certain amendments might be made clarifying the British draft and requiring the Rumanian Government temporarily to suspend the legal requirements for a specific sum as reserve.

Mr. Gregory (U.K.) said the British Delegation merely wished to provide in the treaty that United Nations insurance companies would

be able, if they so desired, to carry on their business and to provide that in cases where, on account of the war, guarantee deposits had dwindled below the legal reserve the insurance companies would not be required to make up the loss. He emphasized that the legal reserve was not to be confused with the general financial position of the company, and that in Rumania the requirement for a guarantee deposit, which was not an actuarial reserve obligation, amounted to 4 million lei.

M. Gerashchenko (U.S.S.R.) argued that Article 24 covered the special needs of the insurance companies but asked that the Commission should hear the Rumanian Representative on the position of the United Nations insurance companies and the Rumanian legal requirements on guarantee deposits. After some discussion as to whether the Rumanian Representative should be heard or whether the Rumanian views should be presented in writing the Commission agreed with Mr. Thorp's suggestion that the Rumanian Delegation be requested to present in writing answers to the two questions posed by M. Gerashchenko.

The Commission proceeded to Annex 4 (c) (shipping). Mr. Gregory (U.K.) explained the special character and problems of the United Nations shipowners and said that discriminatory treatment of United Nations ships both during the war and prior to the outbreak of the war, could best be resolved by special provisions.<sup>97</sup> He pointed out that the particular position of ships had been recognized in the Armistice.

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SIXTEENTH MEETING OF THE MILITARY COMMISSION,  
SEPTEMBER 13, 1946, 10 A. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)41

The record of the 15th meeting was adopted with one small correction and then the Rumanian Delegation was brought in and General Damaceanu delivered a prepared statement dealing with Articles 15 and 16 of the draft treaty. The Russian Delegation asked for an explanation of the Rumanian request for a change in the size of the armed forces set in Article 11 of the draft treaty and of the request for permission to instruct naval personnel in the operation of submarines.<sup>98</sup> Reference was made to Article 14. The Rumanian Dele-

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<sup>97</sup> The British proposals are contained in the Draft Peace Treaty With Rumania as unagreed provisions; see vol. iv, p. 87.

<sup>98</sup> The Rumanian requests referred to were contained in C.P.(Gen) Doc. 3, Observations on the Draft Peace Treaty with Rumania by the Rumanian Government, *ibid.*, p. 217.

gate said that the Army had already begun to be reorganized according to the limitations of Article 11; that the process had started between June and July 15; a law had been passed under which 16,000 officers and non-commissioned officers passed to the Reserve. Rumania needed 5,000 more men to complete the reorganization because some formations had had to be kept in the interior of the country to deal with a situation resulting from postwar difficulties. First-line troops had been reduced but 5,000 officers and men above those allowed were needed. In answer to the question regarding Article 14 he said that Rumania only had one submarine now and that they would like to be allowed to keep it as a training ship only.

The Rumanian Delegation was shown out and the Chairman read a letter from General Hoxha (Albania) asking to be given a hearing. Mr. Alexander proposed that the attention of the Albanian Delegation be drawn to the fact that Yugoslav amendments to Articles 47 and 52 [C.P.(Gen) Docs. 1.U.15 and 16] of the Italian treaty were precisely the same as the proposed Albanian amendments to the same articles and had already been dealt with by the Commission. General Slavin supported a Czechoslovak proposal that the Albanian Delegation be invited to be heard without any warning or limitation in time or subject. General Slavin maintained that he represented the new democracy and that the old democracy represented by the U.K. and the U.S. was ancient and behind the times. The Czechoslovak proposal prevailed by a vote of 15 to 4 with France, Greece, U.K., and U.S.A. being voted down, Belgium abstaining and Brazil absent.

The next meeting will be held at 10:00 a. m. September 14.

The meeting adjourned at 1:27 p. m.

#### **TENTH MEETING OF THE POLITICAL AND TERRITORIAL COMMISSION FOR BULGARIA, SEPTEMBER 13, 1946, 4 P. M.**

CFM Files

#### *United States Delegation Journal*

USDel(PC) (Journal) 39

M. Pipinelis moved the Greek Delegation's draft resolution whereby the Commission would request the Military Commission to give an opinion on the military aspects of the Greek territorial claim on Bulgaria.<sup>99</sup> A long discussion ensued on whether the Greek amendment to Article 1 was properly before the Commission. M. Novikov (U.S.S.R.) held the view that this amendment had not been submitted

<sup>99</sup> The Greek claim was contained in C.P.(Bul/P) Doc. 9; for text, see footnote 63, p. 409. For a description of the proposed communication to the Military Commission, see C.P. (Plen) Doc. 22, Report of the Political and Territorial Commission for Bulgaria, vol. iv, p. 478.

by August 20 and therefore, under the rules adopted by the Conference, could not be considered by the Commission.<sup>1</sup> The Chairman said that the Greek amendment had been presented too late and therefore had no official standing before the Commission, but that since it had actually been distributed by the Secretariat, it was up to the Commission to make what disposition it desired of it. The Soviet view was supported by the Ukrainian, Byelo-Russian and Yugoslav Delegations. M. Pijade (Yugoslavia) proposed that the Commission proceed immediately to vote on Article 1 as drafted by the Council of Foreign Ministers. Mr. Hodgson (Australia) took issue with the Soviet point of view, saying that the rules of procedure of the Conference clearly allowed the submission of amendments after August 20. M. Nosek (Czechoslovakia) said that he had the impression that the Commission was looking for an acceptable solution of the problem, and that several delegations favored the text proposed by the Council of Foreign Ministers. The Czechoslovak Delegation considered it a reasonable solution.

Mr. Warner (U.K.) said that if the Chairman did not feel justified in making a ruling on whether the Greek amendment was before the Commission, the Commission itself could judge what it wished to consider. He therefore proposed that a vote be taken on the question whether the Greek amendment was before the Commission and should accordingly be discussed and voted upon. After a speech by the Ukrainian Delegation, Mr. Caffery (U.S.) invoked rule 62 and called for a closure of the debate and a vote on the proposal of the U.K. Delegation. The Chairman said that the Commission had fully discussed Article 1, but that since difficulties had arisen concerning procedure, he was going to close the meeting in order to be able to discuss with the Secretary General this complex procedural matter; on Monday the Commission would re-assemble and proceed to a vote. Mr. Caffery did not agree to the adjournment and insisted that the Commission proceed to vote on the motion of the U.K. Delegation. The Chairman said that he could not agree with Mr. Caffery, and that the meeting was closed. Mr. Hodgson (Australia) protested against the Chairman's ruling. As Delegations began to file from the room, the Chairman said that he would appeal the matter to the five presidents of the Conference. The Chairman left the room as did all members of the Delegations of Byelo-Russia, Czechoslovakia, Ukraine, U.S.S.R., and Yugoslavia. The Delegations remaining in the room then called on the Vice Chairman, Brigadier Park (New Zealand) to take the chair and continue the meeting. Mr. Caffery wished to

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<sup>1</sup> Regarding the August 20 deadline, see the extract of the Verbatim Record of the 19th Plenary Meeting, August 15, p. 236. The Rules of Procedure, C.P. (Plen) Doc. 1, are printed in vol. iv, p. 796.

have it noted that the Commission had not supported the Chairman's ruling and had not expressed a wish to adjourn. The Vice Chairman announced that in the present rather difficult circumstances he thought it would be advisable to adjourn. Mr. Hodgson said that the Australian Delegation wished it to be placed in the record that the Chairman had refused to put to a vote the U.K. motion and the motion by the U.S. Delegation that the debate be closed and a vote taken; also that the Chairman had wrongly adjourned the meeting without the approval of the Commission. The Vice Chairman said that the Australian statement would be put in the record. The Greek Delegation requested that it also be put in the record that eight Delegations did not agree with the decision of the Chairman. The Vice Chairman then adjourned the meeting.

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**ELEVENTH MEETING OF THE POLITICAL AND TERRITORIAL COMMISSION FOR HUNGARY, SEPTEMBER 13, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)41

The Commission continued discussion of the right of the U.K. to submit its amendment to Article 2 (the so-called Jewish amendment).<sup>2</sup> The Chairman read a letter from the Secretary General who had given an opinion on the admissibility, and then stated that he personally thought the amendment did not conform to the rules of procedure and should be referred to the Plenary Conference. However, the Commission was master of its own agenda and could decide on this point. Viscount Hood (U.K.) agreed that the Commission should itself decide and moved that a vote be taken on whether or not his amendment could be introduced as a new proposal. The Ukraine, Yugoslav, and U.S.S.R. Delegations argued against the right of the U.K. to submit its amendment subsequent to the deadline of August 20, on the grounds that no new point had been raised nor was it a compromise of previous amendments. The New Zealand Delegate said he had just heard it said that votes were used to stifle voices. Nevertheless, the Commission had now discussed this matter for over two hours and it should now come to a vote. The Chairman then proposed that the Commission vote on his suggestion, i.e., referring decision to the Plenary Conference. Eight Delegations voted against and five in favor (Byelo-Russia, Ukraine, U.S.S.R., Czechoslovakia and Yugoslavia).

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<sup>2</sup> The British amendment was proposed in C.P.(H/P) Doc. 10; for text, *mutatis mutandis*, see footnote 71, p. 418.

Viscount Hood (U.K.) was therefore permitted to speak in favor of his amendment. He reminded the other delegates of the serious plight of the Jews and their many sufferings. He said that great sympathy had been shown in the Rumanian Commission for the substance of the U.K. amendment. Byelo-Russia and Czechoslovakia spoke against the U.K. amendment arguing that it was unnecessary inasmuch as Articles 2, 3 and 4 afforded sufficient protection for the Jewish people. M. Slavik, the Czech speaker, took the occasion to give a history of anti-semitism in Hungary. Moreover, fascism had not yet been uprooted in Hungary and a new anti-semitism had already appeared. Czechoslovakia was still deeply suspicious of the present Hungarian Government. Nevertheless, he hoped it would be able to rid itself of anti-semitism and so he would support the U.S.S.R.'s conclusion that the present wording of Article 2 was adequate. France expressed great sympathy for the suffering of the Jews. It had voted against the U.K. amendment in the Rumanian Commission but reserved the right to reverse itself should the amendment be accepted in the other treaties. The French Delegate had been impressed with the statement of the U.K. and would vote in favor of the amendment. The amendment was then brought to a vote with eight delegations in favor, three against (Byelo-Russia, Ukraine and U.S.S.R.) and two abstentions (Czechoslovakia and Yugoslavia). Article 2 was then adopted with one amendment (C.P.(H/P) Doc. 10).

The Commission then passed to Article 3. The Yugoslav Delegate, having considered the statements made previously by other delegations on his amendment (C.P.(Gen.) Doc 1.U.31.) and in order to expedite the Commission's work withdrew the amendment, requesting that his remarks be incorporated in the record of the Commission. Article 3 was then adopted without amendment.

The Commission then commenced discussion of Article 4 and in particular the Czech amendment (CP(Gen.) Doc. 1.Q.4), which aimed at suppressing revisionist propaganda in Hungary. M. Clementis (Czechoslovakia) described in some detail the history of revisionism in Hungary and its disastrous consequences and pointed out that there still existed traces of revisionist mentality. A specific provision was therefore necessary to eradicate the symbols of revisionism and prevent teaching in schools which would reawaken this dangerous mentality, which was nothing more than a special brand of fascism. M. Kardelj (Yugoslavia) supported the Czech amendment pointing out that the documents and speeches of the Hungarian Delegation in Paris were ample evidence that revisionism still existed in official circles. He suggested that the word "Czechoslovakia" in the Czech amendment be replaced by the words "neighboring states". The Czechoslovak Delegation accepted this suggestion. Further discussion on the amendment was adjourned.

SIXTEENTH MEETING OF THE ECONOMIC COMMISSION FOR ITALY,  
SEPTEMBER 13, 1946, 4 P. M.

CFM Files

*United States Delegation Journal*

## USDel(PC) (Journal)41

The Commission, after an exchange of views, designated the Chairman, Vice Chairman and *Rapporteur* as a working group to consider and recommend means of expediting the work of the Commission. The Commission agreed to hear the Albanian Delegation on Article 65 on Monday, September 16. The Commission considered the Greek proposal to add a new paragraph to Article 65, providing that any contract between Greek and Italian nationals concluded during the occupation and purporting to transfer Greek property, subsequently removed to Italy, should be null and void [C.P.(Gen.) Doc.1.B.11]. The Greek Representative justified the proposal on the grounds that psychological pressure by Italian occupation authorities had often amounted to force or duress. M. Vyshinsky (U.S.S.R.) opposed the amendment on the ground that it was not necessary, in view of the United Nations Declaration of January 5, 1943, and, if accepted, would so broaden the right to declare acts of occupation authorities null and void as to endanger bona fide property owners. Mr. Glenvil Hall (U.K.) supported the views expressed by M. Vyshinsky. The Yugoslav Representative said that he had intended to support the Greek amendment as Yugoslavia had been in the same position as Greece, but that, if the interpretation of Article 65 made by the Soviet Representative was accepted by the Commission and a note to that effect inserted in the Record of Decisions, the position of Greece, and of other countries in the same position, would probably be satisfied. Mr. Reinstein (U.S.) supported the views which had been expressed by M. Vyshinsky and added that the United Nations Declaration of January 5, 1943 provided a clear interpretation of the meaning of Article 65. After a further exchange of views, the Greek Representative withdrew the amendment (1 J 11), with the understanding that a note giving the reasons for the withdrawal would be included in the Record of Decisions. The Greek Representative then withdrew the second Greek amendment to Article 65 (1 J 12) [C.P.(Gen.) Doc.1. J.12] on the same understanding, as the principle underlying this amendment was the same as for the amendment which had been discussed previously. After a brief exchange of views the Yugoslav Representative withdrew the amendment contained in paragraph 7 of CP(Gen) Doc. 1 U 18 with the same understanding as in the case of the Greek amendments. The Commission then accepted Article 65, paragraph 7. The Yugoslav Representative explained the reasons for



the Yugoslav amendment (1 U 18, paragraph 7, new paragraph 9 of Article 65), providing for the replacement of non-restitutable vessels. He defended the proposal on legal and economic grounds. Mr. Thorp requested deferment of the consideration of this amendment until the Italian Delegation could submit a memorandum on the incidence of this amendment on Italy and the Commission accepted this proposal. A final decision on paragraph 8 of Article 65 was deferred until the Albanian Delegation should have had an opportunity to express its views on the article. The Byelo-Russian Representative informed the Commission that the Byelo-Russian and Greek Delegations had reached agreement on a draft of paragraph 2 of Article 65, but, at the suggestion of the Chairman, consideration of this draft was deferred until the members of the Commission would have had an opportunity to study it. The Commission approved paragraphs 2 and 3 of Article 66, but deferred a final decision on paragraph 1 until the proposal of the Albanian Delegation relating to this paragraph could be considered. The Commission agreed to invite the Italian Delegation to express its views on Monday, September 16, on Articles 65-69 and Annex 3, on the condition that copies of its statement be submitted to the Secretariat in advance for translation in order to avoid the necessity of oral translations.

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#### SATURDAY. SEPTEMBER 14, 1946

#### SEVENTEENTH MEETING OF THE ECONOMIC COMMISSION FOR THE BALKANS AND FINLAND, SEPTEMBER 14, 1946, 10 A. M.

CFM Files

#### *United States Delegation Journal*

#### USDel(PC) (Journal)42

The Commission approved a revised text of paragraph 7 of Annex 4A (industrial, literary and artistic property), which was submitted by the U.S. Delegation and which provided for extension of the provisions of the Annex, on a reciprocal basis, to France and other United Nations whose diplomatic relations with Rumania were broken off. The Commission approved paragraph 8 and then approved Annex 4A as a whole.

The Commission continued its consideration of Annex 4C (shipping). M. Gerashchenko (U.S.S.R.) indicated that the Soviet Delegation was prepared to consider a definition of U.N. ships for inclusion in Article 24, but objected to the rest of the U.K. proposal on the ground that the requirement that vessels should be returned in "complete good order", that compensation should be paid in convertible currencies for loss of use and profits, and that non-restitutable vessels

should be replaced, were contrary to the provisions of Article 24 and would create a specially preferred position for ship owners. The Greek Representative proposed an amendment broadening the definition of ships. Having received permission to be heard on Annex 4C, the Netherlands Representative supported the U.K. proposal as modified by the Greek amendment. The Polish Representative said that if the principle of compensation for loss of use and profits were accepted in the case of ships, the Polish Delegation would be obliged to ask for the extension of this principle to other fields, particularly rolling stock. He noted that Rumania had used a large number of Polish locomotives and railway wagons for seven years. M. de Carbonnel (France) supported the inclusion of a definition of ships as proposed by the U.K. Delegation and modified by the Greek amendment. Mr. Gregory (U.K.), exercising his right to conclude the general discussion, defended the U.K. proposal on the ground that it was in conformity with the obligations imposed on Rumania by the Armistice. He acknowledged that the provision requiring compensation for loss of use and profits was susceptible to a wider interpretation than had been contemplated or intended and stated that he would be prepared to modify this provision to require compensation only for losses actually incurred by U.N. nationals after Rumania had taken charge of their vessels. The Commission agreed to consider the definition of ships separately from the rest of Annex 4C and to decide where this definition should be included in the treaty after reaching a decision on the rest of Annex 4C. The Chairman urged the members of the Commission who were interested and who had participated in the discussion, to work out a common text of a definition for submission to the Commission at its next meeting. Following an announcement by the Yugoslav Representative that he wished to propose an amendment to the definition, the Commission engaged in a general discussion as to whether or not members were still free to submit amendments. The Chairman stated that a strict adherence to the Rules of Procedure adopted by the Plenary Conference would enable him to reject all new amendments.<sup>3</sup> The Greek, U.K. and U.S. Representatives disagreed with this interpretation and reserved their positions on this question. The Yugoslav Representative supported the Chairman's interpretation and stated that he had not intended to propose a new amendment but only a modification of the Greek amendment and only wished to reserve his right to propose such a modification or sub-amendment. The Chairman defended his interpretation but stated that he would consider all amendments in a very liberal way. The Commission adjourned without further discussion of the question.

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<sup>3</sup> With respect to the August 20 deadline for amendments, see the *Verbatim Record of the 19th Plenary Meeting*, August 15, *ante*, p. 236.

SEVENTEENTH MEETING OF THE MILITARY COMMISSION,  
SEPTEMBER 14, 1946, 10 A. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)42

The record of the 13th meeting was adopted.

The U.K. Delegate gave notice that his Delegation thought that the Treaty with Finland should be amended to invite Finland to join the International Mine Clearance Organization as Italy would be invited. He said a text similar to the U.K. amendment to the Italian Treaty would be presented to the Secretariat as soon as the U.K. and U.S.S.R. Representatives had agreed that Finland should be invited.

The Albanian Representatives, Colonel Hysni Kapo and M. Beban Shtylla, were present throughout the session. Colonel Kapo delivered a prepared speech stating the Albanian view that the size of the Italian armed forces should be reduced in order to guarantee the security of Albania who had suffered two invasions in 22 years at the hands of the Italians. Colonel Kapo refused to answer a question of the Indian Delegate as to the size of the Albanian armed forces. He said it was well known that Albania had a population of only one million and consequently her army was much smaller than the Italian army.

General Pika (Czechoslovakia) proposed that the *rapporteur* give an explanatory statement on the reasons for the Commission's decision on the Yugoslav amendments to Articles 47 and 52 of the Italian Treaty [C.P.(Gen.) Docs. 1.U.15 and 16]. He asked that a representative of the Four Great Powers, whose declaration General Catroux had read during the discussion of Article 58, be asked if the declaration applied to Albania.<sup>4</sup> Admiral Manola (Yugoslavia) seconded General Pika's request to a representative of the Four Great Powers and said that Yugoslavia would sponsor the amendments to Articles 47 and 52 which were suggested in the Albanian memorandum.<sup>5</sup> Admiral Rebuffel (France) said that he thought that the declaration of the Four Great Powers would not preclude Albania, but that if Albania had a claim she should address herself to the Four Powers. This statement resulted in the appearance of a difference of opinion amongst the Four Powers and General Balmer said that he supported the point of view of the French Delegate rather than that of General Slavin as regards the procedure to be followed; the Albanians should send a letter to the Four Powers who would convene to discuss it rather than voluntarily getting together.

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<sup>4</sup> For text of the Four Power Declaration, see the United States Delegation Journal account of the 10th Meeting, September 4, p. 360.

<sup>5</sup> The Albanian proposals are contained in C.P.(Gen) Doc. 7, August 30, Memorandum Submitted by the Albanian Government on the Draft Peace Treaty with Italy, vol. iv, p. 799.

In response to a question from General Slavin (U.S.S.R.) the Chairman said that two proposed amendments had been received based on the Italian memorandum, one from the United States and one from New Zealand.<sup>6</sup> The *rapporteur* read the response (CP(Mil)Doc. 6) of the Economic Commission on Italy to the request of the Military Commission for an interpretation of the word "property" in Article 65 of the Draft Treaty with Italy. The Economic Commission interpreted "property" to include "war material removed by Italy from the territory of one of the United Nations". The question of the withdrawal of the Greek amendment dependent on this interpretation will not be brought up until discussion of Article 58 is resumed. The Chairman said that he had been informed there were 10 amendment[s] based on the Italian memorandum still being drafted.

The next meeting was set for 10:00 a. m., September 16.

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**TWENTY-SECOND MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR ITALY, SEPTEMBER 14, 1946, 3 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 42

The Representative of Poland presented his country's views on a Statute for Trieste. (See CP(IT/P)Doc. 42).<sup>7</sup> He was followed by M. Petrovsky (Ukraine) who spoke on the same subject and in the same vein. (CP(IT/P)Doc. 43).<sup>8</sup> M. Molotov then delivered a 65 minute speech on the Soviet Government's position with respect to a Statute for Trieste.<sup>9</sup> During the course of his statement he defended the power of the veto in the Security Council asserting that repudiation of the veto right would render U.N.O. as ineffective and unworkable as the old League of Nations. In conclusion he listed the following conditions to be taken into account in connection with the Statute of Trieste "for the purpose of implementing the decisions taken on July 3, 1946 by the C.F.M.":<sup>10</sup>

1. The Free Territory of Trieste will be neutral and demilitarized.
2. All foreign troops found in the Free Territory must be withdrawn within 30 days from the entry into force of the Peace Treaty with Italy.
3. The international regime of the Port of Trieste must assure that all international commerce can equally utilize the port and enjoy

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<sup>6</sup> The Commission considered the two amendments at its 19th Meeting, September 17; for the United States Delegation Journal account of that meeting, see p. 470.

<sup>7</sup> Not printed. The Polish representative supported the Yugoslav position.

<sup>8</sup> Not printed.

<sup>9</sup> For text, see Molotov, *Problems of Foreign Policy*, p. 173.

<sup>10</sup> The United States Delegation Record and Record of Decisions of the 33rd Meeting of the Council of Foreign Ministers, July 3, are printed in vol. II, pp. 730 and 751.

transit privileges, with free zones being placed at the disposition of Yugoslavia and Italy.

4. Economic collaboration between the Free Territory and Yugoslavia will be established (customs union, common administration of railroads, etc.).

5. The Governor's duty is to assure respect of the Statute.

6. Legislative power is exercised by the Popular Assembly elected by universal suffrage.

7. Executive power belongs to the government of the Free Territory which is created by the Popular Assembly and responsible to it.

8. Right of acquisition of citizenship of the Free Territory is accorded to Italian residents domiciled therein June 10, 1940 and still residing there on the effective date of the Treaty. However this excludes persons active in the Fascist regime in Italy, active members of the Fascist party, war criminals, Italian police and Italian state officials who arrived after 1922.

9. An interallied commission composed of representatives of the U.K., U.S.A., U.S.S.R. and France will after the effective date of the Treaty establish a provisional government of the Free Territory.

10. The provisional government shall fix within three months the date for elections to the Popular Assembly.

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### MONDAY, SEPTEMBER 16, 1946

#### TWENTY-THIRD MEETING OF THE POLITICAL AND TERRITORIAL COMMISSION FOR ITALY, SEPTEMBER 16, 1946, 10 A. M.

CFM Files

#### *United States Delegation Journal*

USDel(PC) (Journal)43

M. Kardelj (Yugoslavia) spoke for sixty-five minutes on a statute for the Free Territory of Trieste. At the outset he emphasized that the economic future of Trieste depends upon a "right solution" of the problem of Trieste's and Yugoslavia's relationship. Yugoslavia cannot be expected to undertake obligations for a city which are dangerous or harmful to her interests he said. He referred to the concern of certain states for the rights of the people of Trieste and quoted: the French, American and British press, during the past few months, to prove that the real preoccupation of these states was with the problem of British versus Soviet domination of the Mediterranean. While recognizing the help and assistance which Yugoslavia had received from the Soviet Union, he insisted that the Soviet role was entirely disinterested, and denied that it was the intention of his country to put Trieste at the service of the U.S.S.R. The Yugoslav draft statute, based on three principles, internationalization, real union (with Yugoslavia), and democratic rights, was outlined by Kardelj along the following lines: 1) sovereignty of the Free Territory rests with the

people of Trieste; 2) executive power belongs to the Council of Government, which is nominated by and responsible to the Popular Assembly; 3) the Constitution must guarantee the human rights; 4) judiciary power organized on basis of complete liberty and independence of judges; 5) nationality accorded to persons domiciled in Trieste on October 28, 1918 and during the census of 1936, excluding, however, Italian immigrants who have been war criminals, notorious Fascists, Fascist officials, or beneficiaries of Fascism; 6) Trieste must be an international free port, Yugoslavia having the right to establish a free zone therein; 7) a real union between Trieste and Yugoslavia consisting of monetary agreement, customs union, common railroad, post and telegraph administration, freedom of traffic and immigration across the frontiers and protection of Trieste's interests abroad; 8) complete independence assured by the Security Council within a "real union with Yugoslavia"; 9) the Security Council shall supervise the observance of the Statute; 10) the Governors of the city will represent Yugoslav interests therein and handle the problems of "real union"; 11) neither the High Commissioner nor the Governor have the right to restrict the right of the people of Trieste to autonomy; 12) the Provisional Government will be based on the following considerations, *a*) the present military government will cease its functions within one month from the effective date of the Treaty, and *b*) an inter-Allied commission composed of the four Sponsoring Powers will exercise the powers of High Commissioner until a Constituent Assembly is elected.

Kardelj declared that the Soviet draft statute was in full agreement with the Yugoslav draft, which had its basis in true democracy, and that the Soviet draft, of course, corresponded to the decisions of the CFM. The structure of the British, American, and French drafts, however, was entirely different and he then proceeded to argue that these three drafts were undemocratic and would reduce the Free Territory of Trieste to the status of a colony or a mandated territory. He repeated M. Molotov's expressions of concern that Trieste would become a military base for foreign powers. He quoted British constitutional law, the U.S. Declaration of Independence, and the French Revolution's declaration of the rights of man to prove that the British, American, and French draft statutes for Trieste did not assure those principles to the citizens of the Free Territory.

Senator Connally presented the U.S. view on a statute for Trieste. He referred to the decision of the CFM to accept the French line as the boundary between Italy and Yugoslavia and then subsequently to establish a Free Territory of Trieste on the west side of the line. He emphasized the interest of the United States in adequate guarantees for the independence and integrity of the Free Territory as well as

the provisions in the United States draft for free and secret election of a legislative assembly from which the Governing Council would be chosen. Regarding a customs union with Yugoslavia, the Senator surmised that the United Nations would have an interest in the customs arrangements of the Free Territory as a source of revenue, and that this problem should be worked out later between the Free Territory and UNO. He replied to M. Molotov's concern about the demilitarization and neutralization of Trieste by quoting those parts of the United States draft which provide that no military forces or installations shall be maintained or manufactured in the Free Territory nor shall the military forces of any state be permitted to enter therein. The Conference, he said, was not convened to serve the interests of Italy or Yugoslavia; that both were subordinate to the peace of the area and of the world. The failure on the part of either country to accept entirely the settlement of this issue will be a failure in their duty to the world and ultimately react to the detriment of their own welfare. Europe, the Senator said, must do its part for peace since two wars have started in Europe involving the rest of the world. He concluded that Trieste must be in fact free—free from Yugoslavia and free from Italy, and that it should be a symbol of peace and security in the world.<sup>11</sup>

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EIGHTEENTH MEETING OF THE ECONOMIC COMMISSION FOR THE  
BALKANS AND FINLAND, SEPTEMBER 16, 1946, 10 A. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 43

M. de Carbonnel (France) said that it had not been possible to consult all the Delegations interested in the question of the definition of UN shipping and therefore suggested that the question be adjourned and that a subcommittee be created to prepare an agreed text for submission to the Commission. The Byelo-Russian representative proposed that the subcommittee be composed of representatives of the USSR, US, UK, France, Czechoslovakia, Yugoslavia, and Greece. The Commission approved these proposals. After a brief discussion, it was also agreed that the Netherlands representative would attend the meeting with the right to be heard.

M. Hajdu (Czechoslovakia) appealed to the United States representative to bring about a reconsideration of the U.S. position with regard to the identified Czech ships which were being held by U.S.

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<sup>11</sup> For text of Senator Connally's statement, see Department of State *Bulletin*, September 29, 1946, p. 570.

authorities. He said that the U.S., without any legal or other pretext, was retaining 48 identified Czech ships, or more than one-third of Czechoslovakia's Danubian fleet. He noted that Czechoslovakia was very dependent on the Danube and was put in a difficult position by this action. The U.S. attitude was especially difficult to understand in view of the fact that the U.S. had returned identifiable property to Hungary, an ex-enemy. He hoped that all the members of the Commission would share Czechoslovakia's point of view. He noted that Czechoslovakia was raising this matter before ECOSOC. M. Bartosh (Yugoslavia) said that the Yugoslav Delegation associated itself with the statement of the Czech representative and spoke briefly on the subject of restitution of Yugoslav vessels.

Mr. Thorp (U.S.) said that there had been no suggestion that this matter was related to the Rumanian treaty and that the discussion had merely wasted the Commission's time. He observed that the matter had been placed on the agenda of the Economic and Social Council with the consent of the United States, where it would receive a full consideration. He suggested that, if these Delegations were really concerned with a solution of this problem, they should participate constructively in the settlement of Article 34, which related to the Danube regime. He then suggested that the Commission continue with the day's agenda. M. Hajdu replied that the Czechoslovak Delegation considered the problem of justice, friendly relations, and peace as one and indivisible.<sup>12</sup>

The Commission then continued its consideration of Annex 4C, paragraphs 2, 3, and 4 (Shipping). Mr. Gregory (UK) and M. Politis (Greece) supported the inclusion of these provisions in the treaty with the amendments they had put forward.<sup>13</sup> M. Geraschenko (USSR) and M. de Carbonnel (France) indicated that the three paragraphs were not necessary and were objectionable in certain respects. Mr. Thorp said that the U.S. Delegation had real difficulty in understanding why ships should receive privileged treatment. A proper and accurate definition of UN ships was necessary, but the treatment of ships should be the same as that provided in Article 24 for other types of property.

<sup>12</sup> In telegram 4693 (Delsec 963), September 18, from Paris, Thorp in reporting the events of the meeting stated the following: "As far as peace treaties are concerned, Danube barges are no longer valuable as bargaining point. In fact, they are being exaggerated in adverse criticism and publicity, and will undoubtedly be used as diversionary subject when Danube clauses are reached." (CFM Files). For documentation on the question of the restitution of barges and on the Danube question in general, see vol. v, pp. 223 ff.

<sup>13</sup> The British proposals are printed in the draft treaty with Rumania as unagreed provisions; see vol. iv, p. 87. The Greek amendment is not printed.



**EIGHTEENTH MEETING OF THE MILITARY COMMISSION,  
SEPTEMBER 16, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)43

A proposal of Admiral Conolly's which modified that of Colonels Haya-Ud-Din (India) and Clementin (France) was accepted to insert in the record of the 16th meeting<sup>14</sup> the fact that a vote had been taken on the procedure to be followed in inviting the Albanian representatives to be heard before the Commission. Admiral Conolly proposed also that the motions of the French Delegation and of the British Delegation be inserted in the record. The object of this proposal was to show that there had been no opposition to the principle of inviting the Albanian representatives to be heard but only to the method for hearing them.

Admiral Conolly's insistence that the rules of procedure laid down for the Commission by the Plenary Conference be followed resulted in the modification of a Ukrainian proposal to invite the Albanian representatives to join in the discussion of the final form for the Italian Treaty. General Slavin (U.S.S.R.) proposed a modification of the Ukrainian proposal so that the Albanians would be invited to join in the discussion of the Italian Treaty when the amendments based upon the Albanian memorandum were taken up. He suggested that if the Albanians wished to be heard later on other points that the question could be discussed when the occasion arose. Everyone agreed to this procedure. The next meeting was set for 10:00 a. m., September 17th.

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**SEVENTEENTH MEETING OF THE ECONOMIC COMMISSION FOR  
ITALY, SEPTEMBER 16, 1946, 3 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)43

The Albanian representative presented his views on Article 65 (Restitution). He requested that where restitution could not be made, Italy should be required to "restitute at the equivalent value." He declared that Italy was responsible for the Albanian gold during the war. However, if the Commission could not agree that the Albanian gold claim was covered by paragraph 8 of Article 65 he suggested certain language be added to the draft requiring Italy to return Albanian gold.

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<sup>14</sup> For the United States Delegation Journal account of the 16th Meeting, September 13, see p. 448.

The Italian representative expressed his views on the economic provisions of the peace treaty other than reparation. He voiced the concern of the Italian Delegation over the wave of alarm that has spread through Italy at the realization of the consequences that would ensue from a harsh Peace Treaty, and expressed dismay that the amendments proposed by certain delegations, whose purpose was to replace a "harsh draft by a still harsher Peace Treaty." He noted with regret that the Conference was making no attempt to evaluate the total economic burden Italy would have to bear. He asked that if Italy was to be required to return all gold then it would only be fair that the gold removed by Germany be returned; that restitution of rolling stock be reciprocal; that paragraphs 1(c), 2, 4, and 5 of Article 66 be deleted; that Article 67 be modified so as to acknowledge Italy's right to restitution and right to claim other credits from Germany; that the Soviet suggestions with respect to compensation had some merit; that Article 69 should not be used for the purpose of exacting further reparation; that compensation should be received from the successor State for publicly owned property in ceded territory; and that the French amendment to Annex 3 proposing that the successor State take over free of charge the property, rights and interests of all Italian firms engaged in public services, be rejected.

The Commission then discussed for three hours the question of when Albania should be permitted to remain in the Commission meeting and assist in the discussion. M. Aroutiunian (USSR) asserted that the Albanian representative had been treated shabbily by the Commission and he requested that the Albanian representative be present during discussion of paragraphs 2 and 8 of Article 65 any general discussion of Article 65 and Article 66. After many exchanges between the Chair and M. Aroutiunian the Commission agreed that the Albanian representative should be present during the discussion of paragraphs 2 and 8 of Article 65 and any general discussion of Article 65 as well as paragraph one of Article 66.

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**ELEVENTH MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR BULGARIA, SEPTEMBER 16, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 43

The Secretary General of the Conference<sup>15</sup> appeared to give the Commission his views on the procedural questions which had arisen at the preceding meeting. He stated that amendments submitted

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<sup>15</sup> M. Fouques Duparc.

later than August 20 had been considered by other commissions which had given a liberal interpretation to the decision taken by the Conference on August 15. He said that the Greek resolution, proposing reference of the Greek amendment to the Military Commission, appeared to be a suggestion concerning procedure and that there should be no objection to the Commission adopting such procedure if it wished. The Chairman then said that it was clear that the Commission was entitled to decide for itself whether to consider the Greek amendment filed on September 7.<sup>16</sup> The Commission decided by vote of 8 to 5 to consider that amendment. The following Delegations voted in the affirmative: U.S., Australia, France, U.K., Greece, India, New Zealand, South Africa. The following voted in the negative: Byelo-Russia, Czechoslovakia, Ukraine, USSR and Yugoslavia.

Brigadier Park (New Zealand) proposed the addition at the end of the Greek draft resolution of the words "or by any other means". This would enable the Military Commission to recommend some other means of giving added security to Greece than by a transfer of territory. M. Diamantopoulos (Greece) accepted this amendment. A long discussion ensued on whether the Commission should vote first on the draft resolution or on the Greek amendment proposing a change in the frontier. The Yugoslav and Byelo-Russian Delegations believed that the Commission should vote first on the substance of the question of changing the frontier. They spoke in favor of maintaining the pre-war frontier as proposed by the Council of Foreign Ministers. The Soviet Delegation said that the Greek amendment was without any foundation, was calculated to endanger peace in the Balkans, and was not worthy of any consideration by the Commission. He proposed the adoption of Article 1 as it appeared in the draft treaty minus the annexed note. Mr. Hodgson (Australia) believed that the Greek resolution should be voted on first. He criticized the text of the resolution but said that his Delegation would support it since the views of the Military Commission would be helpful to the Commission in reaching its final decision. M. Roux (France) said that his Delegation still believed that a revision of the frontier in favor of Greece would be unwise but that he would vote for the resolution in order to have expert military opinion before the Commission when it made its decision. M. Pijade (Yugoslavia) attempted by various means to secure a vote on the substance of the frontier question rather than on the Greek resolution as drafted, but the Chairman ruled that the resolution should be voted first. The Soviet Delegation supported this ruling. When the Greek resolution was put to a vote, it was adopted

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<sup>16</sup> For text of the amendment, C.P.(Bul/P) Doc. 9, see footnote 63, p. 409.

by 8 votes to 5.<sup>17</sup> The Delegations voted in the same way as they had on the motion to consider the Greek amendment and resolution as properly before the Commission.

During the course of the discussion the Vice Chairman, Mr. Jordan of New Zealand, took the occasion to reprove the Chairman for his method of conducting the meeting, saying that he was responsible for the slow progress of the Commission and that they would die of old age before Article 1 was disposed of. In reply the Chairman defended his conduct of the meeting and said that the long time spent on Article 1 was the consequence of the seriousness of the question under consideration and the fact that all Delegations had the right to speak freely on it. M. Novikov (USSR) suggested to the Chairman and Vice Chairman that in the future they discuss procedural matters somewhere else and not take up the time of the Commission. Mr. Caffery (US) proposed more frequent meetings to speed up the work. The Chairman announced that the next meeting would be held on the next day.

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CFM Files

*United States Delegation Minutes*

[Extract]

USDel(CP) (Bul/P)11

The Vice-Chairman (Mr. Jordan of New Zealand) then rose and upbraided the Chairman for the manner in which he was conducting the meeting. He lamented that the Commission was still on Article 1, and said that the Australian Delegation reserved the right to go back to the Preamble. It looked as if it were all part of the Chairman's five-year plan. The people in London were looking at this Commission, and they thought that the members were all squatters who were there in the Commission room because they didn't have anywhere else to go. He, Mr. Jordan, had never seen anything like this before. He did not know how affairs were conducted in the parliaments of M. Kisselev's country and countries like it, but it was clear that according to the rules he should put to the vote the sub-amendment to the Greek amendment, then the Greek amendment itself, then the original proposition, which was Article 1. The way the Chairman was running the meeting, he would die of old age before they got anywhere. After all, they had thirty-six amendments to consider and here they were still on the first article. Mr. Jordan had to admit that he was

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<sup>17</sup> For substance of the resolution, see C.P.(Plen) Doc. 22, the Report of the Political and Territorial Commission for Bulgaria, vol. iv, p. 478. The Military Commission considered the request at its 29th Meeting, September 28; for the United States Delegation Journal account of that meeting, see p. 586.

not very happy about the Chairman. He was there to help the Chairman and wished to help him. His present advice was that the Chairman should deal with the Greek amendment immediately. The Chairman answered that there was nothing strange about discussing at great length an important territorial question. The question of the Greek-Bulgarian frontier was a vital question which Mr. Jordan apparently did not understand. It involved a Greek claim to one-tenth of the Bulgarian territory which had always been Bulgarian. As for the reference to parliamentary procedure, there was full freedom of speech in M. Kisselev's own parliament, and after questions were discussed, they were voted on and decided by a majority vote. Perhaps things were different in New Zealand where it might be that discussion was stifled. M. Novikov remarked that today was not the first day that the Vice-Chairman had spoken in such a way to the Chairman. He felt that if the Chairman and Vice-Chairman wished to discuss procedural matters, they should do so somewhere else than before the Commission in order not to waste time.

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**TWELFTH MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR HUNGARY, SEPTEMBER 16, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)43

Discussion was continued on the Czechoslovak amendment (C.P. Gen. Doc. 1. Q. 4.) to add to Article 4 a provision to prevent revisionist propaganda. The Delegates of Byelo-Russia, Ukraine, and Yugoslavia spoke in favor of the Czech amendment, all three pointing out that revisionism was still alive in Hungary and only if eradicated could peaceful relations be established between Hungary and its neighbors. The French Delegate thought the wording of Article 4, which provided for the dissolution of all Fascist and similar organizations, would be sufficient to prevent any further outcropping of revisionism and therefore felt the Czech amendment was unnecessary. Mr. Masaryk (Czechoslovakia) expressed surprise at the French point of view. Article 4 did not adequately prevent the revival of revisionism. Moreover, there was still evidence of this mentality in the present Hungarian Government. He said he did not move in top level circles and so could not explain why the French had objected. However, he would be willing to withdraw his amendment, providing the Commission could accept instead a phrase "or especially against neighboring states on revisionist lines", which would be incorporated in the Article itself. The French Delegate assured Mr. Masaryk that

France well understood the dangers of revisionism and said in view of what Mr. Masaryk had said, he would like to reconsider, and therefore suggested that discussion be deferred until the next meeting. The Commission voted in favor of postponing discussion.

Mr. Masaryk (Czechoslovakia) then made a statement in reply to the U.S. Delegate's suggestion made in the ninth meeting of the Commission to the effect that consideration of the two Czech amendments: i.e., the territorial claim [C.P. (Gen.) Doc. 1.Q. 3] and the expulsion of the Magyar minority [C.P. (Gen.) Doc. 1. Q. 5] be merged.<sup>18</sup> He said he was opposed to this procedure and surprised that anyone could suggest utilizing the Vienna Award to interfere in the internal affairs of Czechoslovakia. The proposal of the U.S. Delegate that the two countries get together on an equal basis and negotiate what would presumably involve a cession of territory would in effect raise Hungary to the same level as a victorious Allied power. He was not opposed to bilateral agreement. In fact there had already been an agreement between the two countries not only on the question of population exchange but also regarding trade. Even now there was no closed door for further negotiation. However, he could not accept the linking together of the two questions. The expulsion of the Hungarian minority from Czechoslovakia was of such far-reaching importance to the peace of Central Europe that it should be considered at the Conference.

The Chairman stated that the Commission had already decided to deal with the two Czech amendments separately. He proposed that the Commission should hear the Czech Delegation, and then it might decide to hear the Hungarians after there had been a discussion. Viscount Hood (UK) recalled that he had reserved the right previously when proposing the formation of a Subcommittee to study the bridge-head question, to enlarge the scope of the Subcommittee if it seemed desirable, to consider both Czechoslovak amendments together. The Chairman could not agree, contending that the Commission had never decided that the two questions could be linked together. General Smith (US) pointed out that nevertheless the Commission had never decided they were not linked, and suggested that the Hungarians be heard immediately after the Czechs subsequent to which there could be a discussion. The Commission could then decide on what procedure to follow. The Czechoslovak Delegation and the Chairman both stated that this was agreeable.

Mr. Clementis (Czechoslovakia) spoke for half an hour in support of amendment (C.P. Gen. Doc. 1. Q. 5) to incorporate a new Article in the Treaty providing for the expulsion of some 200,000 Hungarians

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<sup>18</sup> For documentation on United States policy with respect to the question of Hungarian-Czechoslovakian exchange of populations, see vol. VI, pp. 361 ff.

from Czechoslovakia. He traced the history of the minority problem, stressing the fact that the Magyars had enjoyed equal citizenship rights for twenty years and then in the moment of Czechoslovakia's crisis had turned against her, joining with the quislings. After dwelling on the discrepancies in the numbers actually involved, minimizing the hardships, refuting Hungary's argument that it had no room to receive 200,000 deportees, and accusing the Hungarians of having failed to live up to the exchange of population agreement, he concluded by stating that the Czechoslovak people had determined to rid themselves of the Magyar minority once and for all. It was in the interest of all of Europe to solve this minority problem, as it was the only hope of peace between Hungary and Czechoslovakia. Czechoslovakia was the first victim of aggression and the last to be liberated; it felt entitled to receive some credit. He urged the Commission Delegates to remember Munich, to remember the sufferings of the Czech people and its history of democracy before passing final judgment.

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**TUESDAY, SEPTEMBER 17, 1946**

**TWENTY-FOURTH MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR ITALY, SEPTEMBER 17, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)44

The Commission began consideration of the boundary between the Free Territory of Trieste and Yugoslavia and related amendments. M. Bebler (Yugoslavia) spoke for an hour on this (the Southern) portion of the French line. His arguments included the economic necessity of close relations between Trieste and its hinterland (Yugoslavia); the alleged Slovene majority in northwest Istria and an attack against the British draft statute for the Free Territory. He deplored the shabby treatment that Yugoslavia would receive from her Allies by imposition of the French line as Yugoslavia's western frontier. He reiterated a previous Yugoslav's declaration that the French line was unacceptable and if adopted Yugoslavia could not sign the peace treaty. In this connection, he emphasized that the Yugoslav people would never understand its Government's agreement to a frontier which required the withdrawal of Yugoslav forces from northwest Istria, "a part of Yugoslavia", which had been liberated by the Yugoslav army, administered and occupied by it for over a year.

Mr. Jordaan (South Africa) spoke in support of the South African

amendment to Article 3 (CP(IT/P) Doc. 21)<sup>19</sup> (For full text of his remarks see CP(IT/P) Doc. 48).<sup>20</sup> M. Busmann (Netherlands) also spoke in favor of the South African amendment. Mlle. Gertrude Sekaninova (Czechoslovakia) supported the Yugoslav position and opposed the South African amendment.

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NINETEENTH MEETING OF THE ECONOMIC COMMISSION FOR THE  
BALKANS AND FINLAND, SEPTEMBER 17, 1946, 10 A. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 44

The Commission adopted by a vote of 9 to 4, with one abstention, a USSR proposal to reject paragraphs 2, 3 and 4 of Annex 4 C (Shipping) of the Rumanian treaty. Those opposed were Australia, Greece, South Africa and the UK. The Yugoslav Delegation abstained.

The question of a definition of UN shipping (paragraph 1, Annex 4 C) was postponed because the subcommittee established the previous day to prepare an agreed text had been unable to meet for lack of a Russian interpreter.

The Commission then resumed discussion of Annex 4 B (Insurance) and discussed a proposal put forward by M. de Carbonnel (France)<sup>21</sup> in substitution for the UK proposal, which permitted insurance companies to resume their businesses with their present guarantee deposits and reserves and required Rumania to recognize these reserves as fulfilling the legal requirements. Mr. Gregory (UK) withdrew the UK proposal in favor of the French proposal with the reservation that the period over which existing guarantee deposits and reserves should be accepted as complying with legal requirements should be extended from 18 months to three years. M. Gerashchenko (USSR) spoke in opposition to the proposal, primarily on the grounds that the subject was adequately covered by Article 24 (Restoration of Property), and moved that Annex B be deleted from the treaty. This motion was rejected by a vote of 9 to 5. Those favoring deletion were Byelo-Russia, Czechoslovakia, Ukraine, USSR and Yugoslavia. The Commission then adopted the first paragraph of the French proposal, which required Rumania to grant UN insurance companies every facility to resume possession of their former portfolios, by a vote of 9

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<sup>19</sup> For substance, see the first item in Chapter IV of C.P.(Plen) Doc. 24, the report of the Commission, vol. iv, p. 323.

<sup>20</sup> Not printed.

<sup>21</sup> For text of the French proposal in the form adopted by the Commission, see C.P.(Plen) Doc. 29, the Report of the Commission on the Draft Peace Treaty with Rumania, *ibid.*, pp. 432, 449.



to 5. Mr. Wilgress (Canada) moved an amendment to paragraph 2, extending from 18 months to three years the period during which Rumania would recognize existing guarantee deposits or reserves as fulfilling the legal requirements. In answer to a question by Mr. Thorp (US), Mr. Gregory (UK) gave as a chief reason for this extension of time the need for foreign insurance companies to ascertain whether or not they could resume their business in Rumania. This sub-amendment was then adopted by a vote of 7 to 6, with one abstention. Those opposing the extension were the U.S., Byelo-Russia, Czechoslovakia, Ukraine, USSR and Yugoslavia. The French Delegation abstained. The Commission then adopted paragraph 2 of the French proposal as amended, by a vote of 9 to 5. Those opposing adoption were Byelo-Russia, Czechoslovakia, Ukraine, USSR, and Yugoslavia. Before proceeding to the proposal as a whole, the Commission rejected by a vote of 9 to 2 (Yugoslavia and France), with three abstentions (Byelo-Russia, Czechoslovakia and Greece), a Yugoslav proposal to add a final paragraph to the effect that nothing in Annex 4 B was to be interpreted as being in conflict with Article 30 (General Economic Relations). The Commission then voted by 9 to 5 to adopt the French proposal, as amended, the positions being the same as on paragraph 2.

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NINETEENTH MEETING OF THE MILITARY COMMISSION,  
SEPTEMBER 17, 1946, 10 A. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 44

The Commission began final approval of the Italian Treaty.

General Theron, (South Africa) proposed that Articles 49, 50, 51 and Annex 4 A of the Italian Treaty be discussed by a naval subcommittee. This proposal was withdrawn when it was opposed by General Slavin (USSR) and Admiral Conolly. General Theron then introduced his amendment to Article 39 which proposed a five-year time limit for maintenance in force of the provisions of the article after which time the Security Council could modify them.<sup>22</sup> After some

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<sup>22</sup> All South African amendments to the military clauses of the Italian Treaty were contained in C.P. (Mil) Doc. 9, September 14. The introduction of that document was as follows:

"The South African Delegation, after hearing the observations of the Italian Delegation on the following articles, submits that they merit further consideration and therefore moves that they be considered as amendments, as revised in certain instances. The South African Delegation in bringing these proposals as amendments before the Commission, is weighed thereto by the fact of Italy's two years' co-belligerency with the Allies, and which we regard as having been given but scant recognition in the proposals by the Council of Foreign Ministers."

The amendments proposed were those contained in Part II of Observations on the Draft Peace Treaty with Italy by the Italian Government, vol. iv, p. 117.

debate during which Mr. Alexander (UK) and General Slavin opposed the amendment, a vote was taken and the South African amendment was defeated by a vote of 16-4, with Australia, the Netherlands and New Zealand supporting South Africa and Brazil absent. Article 39 was then finally accepted. The South African amendment to Article 40 was defeated with the French Delegation being most prominent in opposition. The vote was 19 against, 1 for, and 1 absent. Article 40 was then adopted with the amendment of the French [US] Delegation previously accepted by the Commission.<sup>23</sup>

General Theron withdrew his amendments to Articles 41 and 43 since the principles involved had been rejected by the Commission. Article 41 was then adopted with the correction which had been accepted in the 7th meeting. Article 42 was accepted unanimously.

The New Zealand amendment to Article 43 was withdrawn following explanation of the wording of the Article by the French Delegate and Article 43 was adopted.<sup>24</sup> Articles 44 (new draft by UK), 45, 46, 46A and 46B were adopted without discussion.

Admiral Manola (Yugoslavia) asked that discussion of the Yugoslav amendment to Article 47 [C.P.(Gen.) Doc.1.U.15], based upon the Albanian memorandum, be discussed in connection with Annex 4A, rather than with Article 47. The Chairman proposed going on to Article 48. General Theron said that the draft treaty treated the Italian fleet as war booty and moved the amendment suggested by the Italian memorandum as a new paragraph. Captain Pryce (US) spoke in opposition to the South African amendment saying that the U.S. Delegation believed it was in disagreement with the terms of surrender signed by Italy, and General Theron withdrew his amendment following this statement. Article 48 was adopted in its original form. The South African amendment to Article 49 which proposed that Italy be allowed to salvage submarines and their equipment for use of the steel, machinery, etc., was rejected by 17-1, with 2 abstentions (Belgium, Netherlands), Brazil absent. The U.S. amendment to Article 48 [49]<sup>25</sup> was accepted by a vote of 19-1, after Mr. Alexander had said there was no disagreement between UK and US, Byelorussia against,<sup>26</sup> Brazil absent. Article 49 was adopted as amended,

<sup>23</sup> Regarding the Commission's previous consideration of article 40, see the United States Delegation Journal accounts of the 6th Meeting, August 29, and the 7th Meeting, August 31, pp. 309 and 329, respectively.

<sup>24</sup> The amendment proposed to revise paragraph 4 as follows:

"4. In Sicily and Sardinia Italy shall be prohibited from constructing any *permanent* naval, military and air-force installations or fortifications except for such accommodation for security force as may be required for tasks of an internal character."

<sup>25</sup> For text of article 49 as revised by the United States amendment, see C.P. (Plen) Doc. 17, Report of the Military Commission on the Italian Treaty, vol. IV, p. 412.

<sup>26</sup> The United States Delegation Minutes indicate that Byelorussian negative vote was inadvertent (CFM Files).

the word "ships" being replaced by the words "naval vessels". Next meeting was set for 10:00 a. m., September 18.

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**TWELFTH MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR BULGARIA, SEPTEMBER 17, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)44

Mr. Hodgson (Australia) presented his amendment to Article 2 on Human Rights [C.P.(Gen)Doc.1.B.34]. The Australian amendment provided that the obligations of Article 2 should become part of the fundamental law of Bulgaria. Mr. Hodgson characterized the present text of the Article as a pious expression of an objective and argued that his amendment would provide some possibility of its being put into effect. He denied that his proposal represented an infringement of Bulgarian sovereignty any more than did the obligations contained in Articles 3 and 4. M. Rotomskis (USSR) spoke against the Australian amendment, calling it a restriction on Bulgarian sovereignty and arguing that there was no need for it since the new democratic Bulgaria had already repealed discriminatory laws and was ready to fulfill the obligations concerning human rights. The Yugoslav and Byelo-Russian Delegations stated the same view. Mr. Hodgson then withdrew the amendment not because it was useless, as had been said by its opponents, but because he saw little likelihood of its adoption. He continued to think that it represented a noble concept which should be kept in mind for the future.

The Commission then discussed the UK proposal for a new article aimed at protecting the position of the Jews (C.P.(Bul/P Doc. 8).<sup>27</sup> Mr. Jebb (UK) stated that this was a new proposal on which there was no agreement among the members of the CFM and that each was at liberty to vote as it wished. M. Novikov (USSR) considered the position of the UK Delegation strange, since this was obviously an amendment to an agreed article for which the UK Delegation was bound to vote. He believed that in any case the subject covered by the UK proposal was already taken care of in Article 3 of the draft treaty. The Delegate of Czechoslovakia proposed that the UK amendment be transmitted to the Bulgarian Delegation for comment. It was then decided that it would be sent officially to the Bulgarian Delegation, which would be asked to present its views in writing within two days.

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<sup>27</sup> For text, *mutatis mutandis*, see footnote 71, p. 418.

The Commission then adopted without discussion Articles 2, 3, 4, 5 and 6.

Mr. Hodgson spoke in support of the Australian amendment to Article 7 providing for Bulgarian adherence to certain international organizations. He said that it was advisable to make sure that Bulgaria cooperate in the work of rehabilitation and reconstruction alongside the United Nations. In view of the lack of support of this amendment in other Commissions, the Australian Delegation was willing to withdraw the amendment if its statement could be included in the Record. Article 7 was then adopted.

Articles 8 and 19 were then adopted without discussion.

Mr. Hodgson presented the Australian amendment [C.P.(Gen.) Doc. 1.B.43] to Article 33 (C.P.Bul/P Doc. 6).<sup>28</sup> He set forth the view that there should be uniform procedures for the execution and interpretation of the treaty and for the settlement of disputes arising under it. These arguments were valid not only for the Bulgarian Treaty but for all five treaties. Australia believed that there should be a Treaty Executive Council which would serve as a body to maintain uniformity and consistency in dealing with problems arising from the treaties. Such a body would be a step toward a better organization of European affairs. Mr. Hodgson, after stating his Delegation's reasons for making such a proposal, then said he was willing to withdraw it in view of the opposition to it if his statement could be included in the Record. The Commission then adopted Article 33 without further discussion.

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#### EIGHTEENTH MEETING OF THE ECONOMIC COMMISSION FOR ITALY, SEPTEMBER 17, 1946, 4 P. M.

CFM Files

#### *United States Delegation Journal*

#### USDel(PC) (Journal)44

The Commission accepted suggestions put forward by the Chairman, Vice-Chairman, and *Rapporteur* in CP(IT/EC) Doc. 44<sup>29</sup> regarding the scheduling of its work, with the exception that further consideration of Article 64B (Reparation to countries other than the USSR) would be deferred until Monday, September 23, and that Articles 66-74 would be considered this week. The Commission also agreed to begin its meetings at 3:30 p. m., to submit written translations whenever possible of prepared speeches in order to avoid oral translations, and to make speeches as brief as possible. The Commission accepted the report of the Subcommission on Reparation (CP

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<sup>28</sup> Document C.P.(Bul/P) Doc. 6 included all Australian amendments to articles being considered by the Commission.

<sup>29</sup> Not printed.

(IT/EC) R Doc. 22) <sup>30</sup> and agreed to dispense with the oral presentation of the report. The Greek representative put forward an amendment to Article 65, paragraph 2, requiring the replacement by Italy of objects of art, etc., removed from United Nations' territory occupied by Italy, which could not be restituted, or which, though restitutable, were damaged, or which were destroyed on United Nations' territory by Italian forces. The Byelo-Russian representative supported the amendment and moved that the provision be extended to Albania. Mr. Thorp (US) then moved an amendment, to be included as paragraph 9 of Article 65, in substitution for the Greek amendment, which provided that where restitution could not be made of objects of art, etc., belonging to the cultural heritage of the United Nation from which the works were removed by force or duress by Italian forces, authorities, or nationals ("nationals" were added at the suggestion of the Czech representative), Italy would replace these objects with comparable objects so far as such objects were obtainable in Italy. After an exchange of views, the Greek and Byelo-Russian amendments were withdrawn and the US proposal was adopted unanimously by the Commission. The Commission then unanimously adopted paragraph 2 of Article 65 and paragraph 8 of the same article with reservations by the Ethiopian and Soviet representatives as to their right to return to it if necessary in view of subsequent decisions on other matters. The paragraph is also subject to the reservation by the US that the paragraph is accepted subject to the question of the settlement of disputes. The Commission agreed that Article 65 should apply to Albania, but deferred a decision as to whether provision should be made for this in Article 65 or elsewhere in the treaty. The Commission then took up paragraph 1 of Article 66 (Renunciation of Claims by Italy). The Soviet representative proposed that the provision should extend to Albania and that, in the case of Albania, the date should be April 7, 1939. He suggested that the Commission approve this in principle, deferring a decision as to how to give effect to the principle until later, but, as he did not have a written text of his proposal to present to the Chair, he requested that further consideration be deferred until the next meeting. The Commission then took up Article 66, paragraph 4, (assumption by Italy of full responsibility for all Allied military currency issued in Italy by Allied Military Authorities). The Yugoslav representative proposed that the text be amended to include currency issued by Allied or Associated Military Authorities. Mr. Gregory (UK) said that he was not aware that any

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<sup>30</sup> Not printed; it indicated that the Subcommittee was transmitting the various reparation claims to the Commission, having examined and classified them. The Subcommittee had not attempted to compare or evaluate the claims. (CFM Files)

military currency had been issued in Italy by other than Allied Military Authorities. The Yugoslav representative explained that Yugoslav Military Authorities in the Julian March had issued military currency. Mr. Gregory requested that the matter be deferred to allow further study by the members of this problem. The Commission agreed to defer the question.

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WEDNESDAY, SEPTEMBER 18, 1946

**TWENTY-FIFTH MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR ITALY, SEPTEMBER 18, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)45

The Commission continued consideration of the Yugoslav-Free Territory frontier and related amendments. The representative of Byelo-Russia spoke in favor of his Delegation's amendment to Article 16 (CP Gen. Doc. 1 D 2) which reduces the limits of the Free Territory to the City of Trieste. Sir Samuel Runganadhan (India) considered that the frontier established by the Council of Foreign Ministers was the one most likely to ensure peaceful relations between Italy and Yugoslavia and for that reason the Indian delegation would support the pertinent draft articles in the Treaty and vote against all amendments. (For full text of his remarks see CP(IT/P)Doc. 50).<sup>31</sup> The representative of Yugoslavia spoke against the South African amendment [C.P. (Gen.) Doc. 1.S.2] and in favor of the Yugoslav position with respect to the Free Territory. M. Winiewicz (Poland) supported the Byelo-Russian amendment and argued against the South African.

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**TWENTIETH MEETING OF THE MILITARY COMMISSION,  
SEPTEMBER 18, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)45

The records of the 16th and 17th meetings were adopted. General Slavin proposed a change to a statement of a proposal he had made at the 18th meeting which would have changed the sense and this touched off quite a long debate. General Slavin's original proposal had been to invite the Albanian representatives to take part in the

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<sup>31</sup> Not printed.

discussion of the Yugoslavian amendments based on their suggestions and that the Albanians should submit requests to be heard if they wished to speak on other matters subsequently. The change he proposed would have made the statement of his proposal at the 18th meeting read that the Albanians were invited to a meeting of the Commission without specifying the subject of discussion. The UK Delegate first pointed out this change of meaning and noted also that the Albanian representatives were already in the Commission Room and said he believed this was out of order. He said he was not under the impression that the Albanians had been invited to be present throughout the meeting.

Admiral Conolly proposed immediate consideration of Articles 47, 52, and Annex 4 A which were affected by the Yugoslav amendment proposed on the Albanian suggestion.<sup>32</sup> General Slavin objected to this proposal and shifted his attack to the Secretariat for their alleged inaccuracy in reporting his proposal. Admiral Conolly's proposal to take up Article 47, then Article 52, then Annex 4A was adopted by a vote of 15-6.

Admiral Manola said that he had no objection to Article 47 and noted that he had asked that discussion of the Yugoslav amendment to Article 47 be deferred until Annex 4A was discussed. Article 47 was adopted in its new draft which had been proposed by the French Delegation.<sup>33</sup> Admiral Manola repeated the same arguments for reducing the number of carabinieri as he had put forward in the original discussion of Article 52. Mr. Alexander said that it was as he had feared, the discussion was repeating that of the 9th meeting of September 3. He asked for a vote immediately. Admiral Manola withdrew his amendment to the article and General Theron stated the case for his amendment to the article.<sup>34</sup> General Balmer said that the armed forces authorized by Article 46 automatically included reserves and that it would be very difficult to work out proper percentages for every type of armament. General Theron withdrew his amendment and said that he agreed with General Balmer's suggestion that authorization from the Council of Ambassadors could be applied for regarding specific percentages for reserves. Mr. Alexander asked that General Balmer's statement be put in the record and General Slavin said that he agreed with the statement and hoped that it would apply to the other peace treaties the Commission would study. Article 52 was adopted.

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<sup>32</sup> Regarding the Yugoslav amendment, see the United States Delegation Journal account of the 17th Meeting, September 14, p. 456.

<sup>33</sup> For text, see the United States Delegation Journal account of the 8th Meeting, September 2, p. 335.

<sup>34</sup> Regarding South African amendments, see footnote 22, p. 470.

The South African amendment to Annex 4A was rejected 20-1. Admiral Manola said that he had no wish to force a vote on his amendment to Annex 4A but requested that the following statement be put in the record: "The Yugoslav Delegation which supported the amendments based on the Albanian memorandum considers that the fleet left to Italy in the peace treaty constitutes a menace to the safety of Yugoslavia and Albania." Admiral Manola withdrew his amendment when it was agreed to insert this statement in the record. Annex 4A was adopted. The next meeting was set for 10:00 a. m. September 19, 1946.

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**NINETEENTH MEETING OF THE ECONOMIC COMMISSION FOR ITALY,  
SEPTEMBER 18, 1946, 3:30 P. M.**

CFM Files

*United States Delegation Journal*

USDel (PC) (Journal) 45

The Commission unanimously adopted paragraph 1 of Article 66 (Renunciation of Claims), with a reservation by the Soviet Delegation that it accepted the paragraph subject to the inclusion of a special provision in the treaty regarding the extension of this and certain other economic clauses to Albania. The Yugoslav representative explained the reasons underlying the Yugoslav amendment to Article 66, paragraph 4 [C.P.(Gen.)Doc.1.U.19], by which Italy would be required to assume responsibility for military currency issued by Yugoslav occupation forces in Zone B. At the suggestion of Mr. Gregory (U.K.) the Commission agreed to consider this proposal in connection with Annex 3 (Economic and Financial Provisions Relating to Ceded Territories). The Commission unanimously adopted paragraph 5 of Article 66 without discussion. The Yugoslav representative spoke in support of a Yugoslav amendment to Article 66, paragraph 6 (submarine cables) [C.P.(Gen.)Doc.1.U.19], by which Italy would renounce ownership rights over Italian cables connecting points in the territory of an Allied or Associated Power and over one-half of cables connection [*connecting?*] a point in the territory of an Allied or Associated Power and a point in Italy. At the suggestion of Mr. Thorp (U.S.) the Commission agreed to consider this problem in connection with Article 69 (Italian Property in Territory of Allied and Associated Powers) and to adjourn discussion of paragraph 6 until Article 69 had been considered. The Commission considered at length a Greek amendment providing for payment to Greece by Italy of \$783,000 (in gold), a sum which had been advanced to Italian nationals as a war indemnity. The representatives of France, the USSR and the U.S. explained that the problem was not related to Article 66 and that it should



be regarded as an item in the Greek claim for reparation and urged that the amendment be rejected. The Commission rejected the amendment without a roll-call vote by 16 votes to 1 with 3 abstentions.

The Commission then considered Article 67 (Renunciation of Claims against Germany) and the Yugoslav amendment providing that Italy would recognize the full rights of Inter-Allied Reparation Agency over German property in Italy, which was placed at the disposal of IARA in accordance with the Potsdam Agreement, and providing that Italy would undertake to facilitate the transfer of such property. The Yugoslav representative attempted to demonstrate, by reference to Potsdam and the Final Act of the Paris Conference on Reparation, that the allocation of German property in Italy among reparation recipients was to be determined by the Peace Conference. As the draft treaty contained no reference to German assets in Italy, the Yugoslav amendment was designed to remedy this omission. He regarded this problem as of such importance that he wished to circulate the relevant documents to the members of the Commission before a final decision was taken. This proposal to defer consideration was accepted by the Commission.

The Commission considered and rejected, without a roll-call vote, by 10 votes to 2, with 8 abstentions, an Ethiopian amendment to paragraph 1 of Article 68, providing for the return of UN property in Italy within eighteen months. The Ethiopian representative said that this was necessary to give the provision a legal form. The Yugoslav Delegation withdrew its amendment to paragraph 1 of Article 68 regarding the date on which the Allied and Associated Powers had entered the war against Italy. Subject to a reference to the Legal and Drafting Commission of a minor difference in the drafting of the French, English and Russian texts, the Commission unanimously adopted paragraph 1 of Article 68.

The Commission decided to revise its work program, so that it would take up Articles 64-B (Reparation to countries other than the USSR) on Wednesday, September 25.

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**THIRTEENTH MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR BULGARIA, SEPTEMBER 18, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)45

In connection with Article 34 Mr. Hodgson (Australia) withdrew the Australian amendment [C.P. (Gen) Doc. 1.B.44] in view of the failure to adopt the Australian amendment to Article 33 [C.P. (Gen)

Doc. 1.B.43]. Mr. Caffery (U.S.A.) then supported the US-UK proposal on the ground that it provided for settlement of possible disputes, in the last resort, by an impartial body, the International Court of Justice. He stated that, in contrast, the Soviet proposal made no provision against delay in the case of lack of agreement on the part of the Heads of Missions in Sofia. M. Novikov (USSR) supported the Soviet proposal which provided for the settlement of disputes by diplomatic negotiations and by the three Heads of Missions in Sofia. He considered that most of the disputes would be political rather than juridical and that they could best be solved through the instrumentalities provided for in the Soviet proposal. The Soviet Union could not accept the principle of the compulsory jurisdiction of the Court of International Justice envisaged by the US-UK proposal. M. Novikov believed that the Soviet proposal provided a procedure making for the rapid and effective settlement of all questions concerning the interpretation and execution of the treaty.

The Byelo-Russian and Ukraine Delegations spoke in support of the Soviet proposal.

Mr. Jebb (U.K.) noted that this question had been fully debated in the Finnish and Rumanian Commissions,<sup>35</sup> which had voted in favor of the US-UK proposal. The Soviet and US-UK proposals were quite similar, in his view, but it certainly seemed desirable to provide some means of settling disputes in the event of disagreement among the Heads of Missions. The UK Delegation saw no practical alternative to taking such questions to the International Court of Justice. He hoped that the Commission would see fit to adopt the US-UK proposal.

M. Roux (France) stated that the French Delegation supported the US-UK proposal since it was identical with the US-UK-French proposal for the Italian Treaty.

Mr. Hodgson (Australia) stated that the presentation of Article 34 in the draft treaty proved conclusively that the Soviet proposal would not work. On this article as well as on many other articles the Council of Foreign Ministers had failed to reach agreement. The only way to settle these disagreements arising from the treaty was by reference to some impartial body such as the International Court of Justice. There was really a fundamental difference between the two proposals despite Mr. Jebb's assertion to the contrary. Under the Soviet proposal there might never be decisions on these points. Whereas under the

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<sup>35</sup> See the United States Delegation Journal account of the 11th Meeting of the Political and Territorial Commission for Rumania, September 12, p. 443, and the Report of the Political and Territorial Commission for Finland, C.P.(Plen) Doc. 16, October 2, vol. iv, p. 568.

US-UK proposal there would be decisions by the Court. The Australian Delegation believed that it was proper to submit to the Court all disputes arising out of the treaty.

The Commission then voted by 8 votes to 5 in favor of the US-UK proposal. The following delegations voted in favor of it: U.S.A., Australia, France, U.K., Greece, India, New Zealand, Union of South Africa. The following delegations voted against it: Byelo-Russia, Czechoslovakia, Ukraine, U.S.S.R., Yugoslavia.

M. Novikov then referred to the Rules of Procedure of the Conference and noted that only decisions adopted by a  $\frac{2}{3}$  vote in the Commissions had the status of recommendations to the Plenary Conference. He referred to the statement made by the Soviet Delegation at the first meeting of the Political Commission for Bulgaria to the effect that France should have no vote in the Commission. Thus there were only 7 votes in favor of the US-UK proposal and 5 votes against, and this decision could not be reported as a recommendation on the part of the Commission. M. Roux remarked that the question of the participation of France in the Commission involved interpretation of the Rules of Procedure and was not a matter to be settled by the Commission but by the Plenary Conference or the General Commission. Mr. Jebb agreed with the statement of his French colleague and also pointed out that there was not a  $\frac{2}{3}$  majority in favor of the US-UK proposal even if the vote of France should be counted. Mr. Caffery (U.S.A.) stated that his Delegation took the position which it had set forth in the first meeting of this Commission as well as in other Commissions and agreed with the point of view of the French Delegation.

Article 35 was then adopted unanimously.

Mr. Hodgson referred to the Australian proposal concerning the revision of the treaty [C.P.(Gen.) Doc.1.B.45]. He said that it might be desirable and even necessary to revise some of its provisions in the future. Article 14 of the Charter of the United Nations seemed to him entirely inadequate as a basis for future revision, particularly since several delegations had pointed out that some of the provisions of these peace treaties were unjust and might well require revision. Mr. Hodgson referred to President Roosevelt's Chicago speech of 1937 and to Secretary Hull's letter to the members of the League of Nations pointing out that the United States believed in the modification of treaties in an orderly way when necessary. He felt that the present time provided an opportunity for inserting appropriate clauses in the peace treaties to provide for their revision. However, the Australian Delegation did not wish to press for a vote in the present Commission but reserved its position on this vital question and proposed to put it forward at the appropriate time and in the appropriate place.

Mr. Hodgson also presented the views of his Delegation concerning the Australian proposal for a European Court of Human Rights. He stated his disagreement with the decision of the Legal and Drafting Commission on this question and stated that the present treaty should provide some means of enforcement of the human rights clauses. He remarked that the United Nations Charter did not contain any effective provision for enforcement. In view of the decision of the Legal Commission and of its acceptance by the Finnish Commission,<sup>36</sup> the Australian Delegation felt that it must withdraw its proposal in connection with the Bulgarian Treaty [C.P.(Gen.)Doc.1.B.41]. It also wished to withdraw its amendment to the Preamble concerning human rights [C.P.(Gen.)Doc.1.B.32] which had been deferred.

The Commission adopted Article 36 unanimously without discussion.

The Chairman noted that the Commission had finished its consideration of the articles assigned to it with the exception of two outstanding questions: (1) the U.K. proposal concerning human rights (Article 2 A),<sup>37</sup> and (2) a final decision on Article 1 which had been referred to the Military Commission.

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**THIRTEENTH MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR HUNGARY, SEPTEMBER 18, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)45

The Commission invited the Hungarian Delegation to express its views on the Czechoslovak amendment (CP(Gen)Doc. 1 Q 5) to insert in the treaty a provision to transfer 200,000 Hungarians from Czechoslovakia to Hungary. The entire session was devoted to hearing the speech of the Hungarian representative, Mr. Szegedy-Maszk, who spoke for almost an hour in opposition to the amendment. After questioning the accuracy of the population statistics given by the Czechoslovak Delegation, he replied in detail to the Czechoslovak arguments for the transfer as presented by Mr. Clementis in the previous meeting of the Commission. He pointed out that after the dissolution of the Austro-Hungarian empire, minorities were incorporated without their being consulted in all neighboring states. Only Czechoslovakia, however, had now expressed a desire to get rid of these minorities by such

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<sup>36</sup> For text of the Report of the Legal and Drafting Commission on the Draft Peace Treaty with Finland, see *Paris Peace Conference, 1946*, p. 1326. For text of the Report of the Political and Territorial Commission for Finland, see vol. IV, p. 568.

<sup>37</sup> The proposal under reference is C.P.(Bul/P) Doc. 8; for text, *mutatis mutandis*, see footnote 71, p. 418.

drastic means. The proposal to make a forced transfer of populations part of a treaty of peace created a dangerous precedent. The Council of Foreign Ministers had not accepted such a principle in any of its draft treaties. He described the post-Munich attitude of the Hungarian minority in Czechoslovakia as passive and quoted from published statements of Beneš and Clementis in 1943 to the effect that the Hungarian minority had held different views than the Sudeten Germans and had not been guilty of collaboration. He pointed out that German documents recently uncovered substantiated this viewpoint. Unlike the Slovaks the Magyar minority had not been a factor in the disintegration of the Czechoslovak Republic. Why did they now wish to expel these Hungarians? First the Slovaks wished the world to forget the role the Hitlerite Slovaks played in the disruption of the Republic and secondly they wished to deprive the industrious Hungarian peasantry in Slovakia of their wealth. At Potsdam it had been agreed only that the Germans might be expelled. Czechoslovakia was now endeavoring to have the Potsdam decision extended to include the Hungarians.

Mr. Szegedy-Maszak then elaborated on the economic difficulties involved in receiving a large number of destitute deportees into Hungary, which because of an over-density of population, unemployment and present low standard of living could hardly hope to absorb any more displaced persons. In conclusion he said no other country at the Peace Conference had requested that 200,000 innocent people accept the stigma of collective responsibility or had attempted to persuade other hundreds of thousands of its inhabitants to deny the nationality of their forefathers by accepting Slovak citizenship in order to assure right of life and liberty. He asked the Commission's members to remember instead of Munich, the Atlantic Charter and the Four Freedoms, for which the war was fought. There were too many displaced persons in the world already. On these grounds, he hoped the Commission would reject the Czechoslovak amendment.

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#### THURSDAY, SEPTEMBER 19, 1946

#### TWENTY-SIXTH MEETING OF THE POLITICAL AND TERRITORIAL COMMISSION FOR ITALY, SEPTEMBER 19, 1946, 10 A. M.

CFM Files

#### *United States Delegation Journal*

USDel(PC) (Journal) 46

The Commission continued consideration of the Yugoslav-Free Territory frontier. M. Vyshinsky (USSR) replied to the South African and Netherlands Delegates' arguments in the twenty-fourth meeting.

He referred to the reliance placed by Mr. Jordaan (South Africa) in the censuses of 1910 and 1921 and declared that no one had tried or, indeed, could prove that these censuses were more correct than the census of 1945. M. Vyshinsky attempted to argue that since Italy's sovereignty over Venezia Giulia for the past twenty-five years was based on the Treaty of Rapallo, which was generally regarded as unjust, Italy's title therefore was in effect not valid. M. Vyshinsky asked the indulgence of the Chair to discuss current Greek-Bulgarian differences. He denied that there had been Bulgarian aggression against the Allies and declared that Tsaldaris' Government was now claiming a quarter of Bulgarian territory. He recalled the Treaty of Sèvres which had given Western Thrace to Greece and unjustly deprived Bulgaria of Slav lands belonging to her. He condemned it as one of the many valueless treaties of the Versailles period drawn up by a group of political adventurers. He concluded that the Yugoslav position should be considered and carefully studied in order to arrive at a proper solution.

Mr. Claxton (Canada) spoke in favor of the South African amendment (CP(IT/P) Doc. 21).<sup>38</sup> He referred to the International Joint Commission established in 1909 to work out conflicts of interest along the Canadian-U.S. frontier and recommended a similar judicial procedure ultimately for the settlement of Italo-Yugoslav border disputes. Mr. Mason (New Zealand) likewise supported the South African amendment. Mr. Jordaan (South Africa) made a brief rebuttal of several points advanced by the Indian Delegate yesterday and the Soviet Delegate this morning in opposition to the South African amendment.

In reply to earlier suggestions from the Yugoslav Delegation that the Morgan line implied recognition of Yugoslav rights to the east thereof, Mr. Dunn (U.S.) read out Article 7 of the Belgrade Agreement of June 9, 1945 explicitly providing that the line of demarcation dividing the Allied and Yugoslav zones of occupation of Venezia Giulia was without prejudice to the final disposition of the territory.<sup>39</sup> Regarding the accuracy of the 1945 census conducted in Zone B by the Yugoslav authorities, Mr. Dunn quoted the unfavorable comments of the American experts thereon (CP(IT/P) Doc. 32).<sup>40</sup> In conclusion Mr. Dunn made the following statement for the record with regard to the Venezia Giulia frontiers and the Statute for Trieste.

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<sup>38</sup> For substance, see the first item in Chapter IV of C.P. (Plen) Doc. 24, report of the Commission, vol. iv, p. 323.

<sup>39</sup> For text of a draft similar to the final agreement, see telegram 106 to Belgrade, May 26, 1945, *Foreign Relations*, 1945, vol. iv, p. 1176. For final text of the Agreement and appended map, see Department of State Executive Agreement Series No. 501, or 59 Stat. (pt. 2) 1855.

<sup>40</sup> C.P. (IT/P) Doc. 32, Report of the Commission of Experts for the Investigation of the Italo-Yugoslav Boundary, was presented to the Council of Foreign Ministers on April 27 as C.F.M. (46) 5; for partial text, see vol. II, p. 140.

"When the Council of Foreign Ministers decided, on July 3, 1946,<sup>41</sup> that Italy should cede all territory East of the French line to Yugoslavia, there was contained in the same agreement a provision for the establishment of a Free Territory of Trieste, constituted within that line, under the provisions of a permanent Statute to be approved by the Security Council of the United Nations. This was one decision and one agreement.

"The U.S. Delegation has accepted the French line as the Eastern frontier of Italy and of the Free Territory as part of the comprehensive agreement which included the setting up of a Free Territory of Trieste. The U.S. Delegation wishes to make it clear to all that its agreement to one part of this decision of the Council of Foreign Ministers was contingent upon agreement upon all parts of it, including a satisfactory Statute for the Free Territory which must provide real guarantees for its integrity, its independence and protection for the rights of its citizens."

Mr. Jebb (U.K.) associated his Delegation with Mr. Dunn's remarks on Article 7 of the Belgrade Agreement, the 1945 census, and the consideration of the frontier—Free Territory settlement as a whole.

M. Simic (Yugoslavia) made a final speech on behalf of the Yugoslav position with regard to the Yugoslav-Free Territory frontiers. He appealed for a compromise solution which would receive unanimous support, warning that Yugoslavia would not sign a treaty requiring withdrawal again of its forces "from parts of its Fatherland". (For text of remarks see CP(IT/P) Doc 55).<sup>42</sup>

The Chairman declared discussion on the frontier between Yugoslavia and the Free Territory closed. The Commission voted on the first part of the Brazilian amendment (CP(IT/P) Doc 23),<sup>42</sup> the second part having been withdrawn. The modified amendment was lost by a vote of 17 to 1, with two abstentions. The hour (2:10 p. m.) prevented vote on the other amendments today.

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**TWENTIETH MEETING OF THE ECONOMIC COMMISSION FOR THE  
BALKANS AND FINLAND, SEPTEMBER 19, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)46

The Commission agreed that in order to facilitate its work it would supplement its present schedule of five morning meetings per week, which would permit only 12 more meetings before the deadline of October 5, with 11 additional meetings. These would be held on Wed-

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<sup>41</sup> For the United States Delegation Record and Record of Decisions of the 33rd Meeting of the Council of Foreign Ministers, July 3, see vol. II, pp. 730 and 751, respectively.

<sup>42</sup> Not printed.

nesday mornings, Sundays, and three times a week at night. The suggestion of Mr. Thorp (U.S.) that the evening meetings might be devoted to questions of a technical nature, such as those raised by Annexes 5 and 6, met with no objections.

Mr. Gregory (U.K.) spoke in support of Annex B [D] (Petroleum) of the Rumanian Treaty.<sup>43</sup> He outlined the present difficult conditions for the operation of United Nations oil companies and explained that the main purposes of the Annex were the following: (1) The Rumanian Government should restore and replace destroyed and damaged property of UN nationals operating in the oil business in Rumania with the least possible delay. (2) If it was unable to do this, the Rumanian Government should make available foreign exchange to the extent necessary to import the equipment and materials necessary to effect restoration. (3) The Rumanian Government should repeal the Mining Law of 1942, passed under Nazi duress, and restore the Mining Law of 1937 until it had reviewed the situation and had passed a new law. Mr. Gregory also said that paragraphs 4, 5 and 6 provided for certain logical consequences of the requirement that the Mining Law of 1942 be revoked. The U.N. Delegation would be willing to withdraw paragraph 7, which required compensation for certain expenses incurred by UN companies in connection with deliveries to the Axis Powers during the war, if the Commission thought that these charges should not be laid on the Rumanian Government. Paragraph 8 was necessary in order to permit the UN companies to employ certain senior, essential officials who, under existing legislation, could not be employed.

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**TWENTY-FIRST MEETING OF THE MILITARY COMMISSION,  
SEPTEMBER 19, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)46

General Theron (South Africa) withdrew his amendment to Article 50 of the Italian peace treaty<sup>44</sup> and Article 50 was adopted with the U.K. correction which had been previously accepted.<sup>45</sup> General Theron spoke in behalf of his amendment to Article 51 which would have increased the personnel of the Italian Navy. He asked that the

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<sup>43</sup> The British proposal here under consideration was somewhat different from that contained in the draft treaty. For text of this proposal, see C.P.(Plen) Doc. 29, Report of the Commission on the Draft Peace Treaty with Rumania, vol. iv, p. 434.

<sup>44</sup> Regarding South African amendments to the military provisions of the Italian treaty, see footnote 22, p. 470.

<sup>45</sup> See the United States Delegation Journal account of the 9th Meeting, September 3, p. 344.



question be referred to a Naval Subcommittee. Mr. Alexander (U.K.) was the only Delegate who appeared to favor reference to a Subcommittee. After lengthy explanations by Admirals Karpounin (USSR) and Rebuffel (France), General Theron withdrew his amendment but requested that the four great powers inquire further into this matter and if necessary make recommendations to the Council of Foreign Ministers. He asked that this request be inserted in the minutes. Article 51 was adopted. Captain Pryce assured General Theron that his request would be considered by the United States Delegation and advised the Commission that the original U.S. proposal was that the personnel of the Italian Navy should be set at 25,000 officers and men but that having heard several opinions of naval experts the figure of 22,500 was accepted. Articles 53 and 54 were adopted without amendment.

General Theron withdrew his amendment to Article 55 in view of the four-power declaration delivered by the U.S. Delegate during discussions of paragraph 2, Article 52.<sup>46</sup> He assumed that the procedure for establishing the quantity of reserve material would apply to aircraft. He asked that this statement be recorded in the minutes. Article 55 was adopted. General Slavin (USSR) said that he did not quite understand General Theron's statement. The Article in question talked of planes. General Slavin understood General Theron had been talking about spare parts for planes. General Theron said that he had been understood correctly. Articles 56, 57 and 58 were adopted without amendment. The Greek amendment to Article 58 [C.P. (Gen.) Doc.1.J.8] was withdrawn without reservation in view of the interpretation of the word "property" by the Economic Commission for Italy which included "war material".<sup>47</sup> Articles 59, 60, 61, 62 (Brazilian amendment withdrawn) [C.P. (Gen.) Doc.1.E.8], 62A, (adopted by the Commission as proposed by the U.K. Delegation).<sup>48</sup> Annex 4B, 5A, 5B and 5C were adopted.

The Military clauses of the draft peace treaty with Italy were adopted in their entirety and the Chairman asked the *rapporteur* to prepare a report for the Plenary Conference which would represent the opinion of the Military Commission. The *rapporteur* (Delegate of Ethiopia) suggested that the report be submitted to the Commission before being submitted to the Plenary Conference. The decision on the procedure for submitting the report was deferred until the Secretary General had given his opinion. The next meeting will be at 10 a. m., September 20.

<sup>46</sup> See the United States Delegation Journal account of the 20th Meeting, September 18, p. 475.

<sup>47</sup> See the United States Delegation Journal account of the 12th Meeting of the Military Commission, September 7, p. 397, and footnote 55, p. 398.

<sup>48</sup> For text, see the United States Delegation Journal account of the 13th Meeting, September 9, p. 405.

**TWENTIETH MEETING OF THE ECONOMIC COMMISSION FOR ITALY,  
SEPTEMBER 19, 1946, 3:30 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)46

Mr. Thorp (U.S.) defended at some length the U.S. position on compensation for United Nations property and then informed the Commission that the U.S. Delegation was modifying its position on compensation and would present a substitute draft for paragraph 4, Article 68. Two considerations had influenced the U.S. decision: One, the tendency on the part of many of the delegations to introduce numerous amendments to the treaty, which amounted, in reality, to additional reparation claims and which greatly increased the burden Italy would have to bear; the other, the Italian statement emphasizing the necessity for an evaluation of the total economic burden to be imposed on Italy by the economic clauses. In view of the fact that many countries at the Conference had a direct interest in the amount of compensation to be paid, the new U.S. draft did not specify the percentage of compensation to be paid but would leave that question open for the Commission to decide, although the U.S. would support a figure substantially below 100 percent.<sup>49</sup> M. Alphand (France) agreed with the position taken by Mr. Thorp and pointed out that France had supported full compensation, believing this was just and not an undue obstacle to Italian economic recovery. He agreed, also, that since the original French position had been formulated numerous and cumulative claims had been put forward against Italy. He said that the French would submit a new proposal to the Commission which would fall somewhere between the original U.S. and USSR drafts. Mr. Gregory (U.K.) said that the U.K. maintained its position in asking for 100 percent compensation for damage to the property of United Nations' nationals. M. Aroutiunian then expressed his satisfaction that the U.S. and French Delegations had agreed to the Soviet principle of partial compensation. He said the Soviets had taken the position that compensation should only be partial because of Italian co-belligerency, because damage to other types of property was only to be partially compensated and because full compensation would entail an intolerable burden for the Italian economy. He expressed at some length the previous Soviet position that reparation payments and compensation payments were in fact fully comparable. The Commission approved all of Article 68, except for paragraph 4 which was deferred in view of the new proposals which the French, the U.S., and possibly the U.K., were submitting.<sup>50</sup>

<sup>49</sup> The text of Mr. Thorp's statement was released to the press September 19, 1946.

<sup>50</sup> For texts, see vol. iv, pp. 784, 785, and 786, respectively.

**115TH MEETING OF THE DEPUTIES OF THE COUNCIL OF FOREIGN  
MINISTERS, SEPTEMBER 19, 1946, 9:30 P. M.<sup>51</sup>**

CFM Files

*United States Delegation Minutes*

[Extract]

SECRET

CFM(D) (46) 115th Meeting

## PRESENT

## U.S.S.R.

M. Vyshinsky  
M. Gusev  
M. Stetsenko

## U.K.

Mr. Jebb  
Lord Hood  
Mr. Marjoribanks

## U.S.A.

Mr. Reber  
Mr. Reinstein  
Mr. Page

## FRANCE

M. Couve de Murville  
M. Courcel  
M. Beaumarchais

## DRAFT TREATY WITH ITALY

Mr. Reber referred to Doc. CFM(D) (46)191 on the French line and inquired whether there were any new observations.<sup>52</sup>

M. Couve de Murville stated that the French Delegation desired to circulate a description of the line. It could state in this connection that the U.S., U.K. and Soviet Delegations agreed on this line with the exception of the Merna area.

M. Vyshinsky stated that the French description should state that it was not in accordance with the map and that for this reason the Soviet Delegation opposed it. The map had been agreed upon whereas the CFM had never come to agreement on detailed description of the line. If there had been a mistake in the map this mistake should be changed.

M. Couve de Murville suggested that the description be circulated with the Soviet remarks.

The Deputies agreed that the experts should meet in order to endeavor to reach agreement on a draft description and acceptable statement.

<sup>51</sup> The meeting was held at the Quai d'Orsay.

<sup>52</sup> CFM(D) (46)191 is not printed. With regard to the "French Line", see footnote 7, p. 46.

Mr. Reber referred to Article 5 of the Italian treaty (boundary commissions) and stated that the U.S. Delegation still felt that the U.S. proposal was a new proposal. However in view of the remarks made by the Soviet Delegation the U.S. Delegation was not prepared to press for its adoption. It would not withdraw the proposal but it would not move it.

M. Vyshinsky inquired what would happen if some other delegation moved the U.S. proposal as presently worded.

Mr. Reber stated that he would be very surprised if another delegation moved it.

M. Vyshinsky maintained that the American proposal was an amendment to Article 5 and that no agreement had been reached on it. The U.S. Delegation should follow the principle adopted by the CFM and withdraw the proposal since it never had been agreed upon. It had never been discussed by the CFM.

Mr. Reber stated that the proposal had been placed before the Conference. However the U.S. Delegation would not press for it or move that it be voted upon. If some other Delegation pressed for a vote this would be the responsibility of that delegation.

M. Vyshinsky inquired whether the U.S. Delegation would vote for or against the proposal if presented by another delegation.

Mr. Reber stated that he would reply to M. Vyshinsky if such a move were made. He could not make any statement now.

Mr. Reber referred to the Yugoslav amendment to Article 5 (U.4) [C.P.(Gen.) Doc.1.U.4] and stated that it was similar to paragraph 4 of the U.S. proposal to that Article.

M. Vyshinsky stated that the U.S. proposal was a new proposal which might need some brushing up. He did not agree to it as it stood although it corresponded in parts to the Yugoslav proposal. He agreed that the Commissioners should be allowed to depart  $\frac{1}{2}$  kilometer from the line laid down in the present treaty but could not agree to the words in the U.S. proposal which followed the words "and provided that". He did agree in principle to the first part of the U.S. proposal.

Mr. Reber explained that the U.S. proposal would permit the Commissioners to move the border  $\frac{1}{2}$  kilometer one way or the other but would not permit the Commissioners to move a town from one side to the other.

M. Vyshinsky stated that in view of Mr. Reber's explanation he now agreed to the U.S. proposal. He suggested that the U.S. and Yugoslav proposals be referred to the Drafting Committee for comparison.

The Deputies agreed to this suggestion.

M. Vyshinsky referred to the British amendment concerning human

rights. He recalled that the British had circulated an original proposal at a meeting of the Deputies but that this proposal had never been discussed.<sup>53</sup> It was a pure amendment to an agreed upon article. Although agreement had not been reached on it at a meeting of the Deputies it had been moved and voted upon in several commissions. The Soviet Delegation considered this an outright infringement on the agreement of the CFM not to support amendments to agreed upon articles. The fact that Mr. Jebb had originally raised the question of the British amendment proved that he considered it an amendment. The action of the U.K. Delegation had started a bad precedent which would undermine the work of the CFM. In substance the text of the amendment added nothing new. In addition M. Vyshinsky could not understand why it was being proposed for the Balkan treaties and not also for the Italian treaty. The Soviet Delegation considered the amendment unnecessary and believed it to be a blow to the dignity of the signatory states. The U.K. Delegation by tabling the amendment and the U.S. and French Delegations by supporting it had proved their disloyalty to the Soviet Delegation.

Mr. Jebb stated that the U.K. Delegation considered the new articles on human rights to be a new proposal and not an amendment. As to its substance it did not consider it offensive to the signatory states. It might be a bit redundant but it did cover Jewish property. The U.K. Delegation had not suggested that it be included in the Italian treaty since the Jews, for reasons unknown to themselves, had not requested that it be included in this treaty. Either there were less Jews in Italy or else they did not feel apprehensive in that country. However if M. Vyshinsky desired the inclusion of the proposal in the Italian treaty, Mr. Jebb did not believe that the U.K. Delegation would object. Mr. Jebb continued that he was sorry to hear the charges of disloyalty. There would always be differences of opinion as to what constituted a new proposal or an amendment or as to when the members of the Big Four could act independently. But Mr. Jebb did not think that the situation would be improved if the Big Four indulged in polemics in the public press. He hoped that the Deputies could find some other means to assuage their differences.

M. Vyshinsky stated that Mr. Bevin had made certain remarks to the British press with which the Soviet Delegation could not agree. The Soviet press fought for the truth and would continue to do so. There could be no doubt that the British proposal was an amendment and M. Vyshinsky would be prepared to go before a court to prove his point. It was definitely connected with Article 3. The methods

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<sup>53</sup> The reference is to C.P.(Rou/P) Doc. 9 Revised; for text, see footnote 63, p. 409. The proposal had been brought up but not discussed at the 111th Meeting of the Deputies.

which were being used by the British were most unfortunate and if they wished to work on a friendly basis they should avoid such methods. The British might be able to use them on their colonies but not on the Soviet Union. The Soviet Union was not a British colony.

M. Couve de Murville inquired whether M. Vyshinsky desired the proposal to be included in the Italian treaty.

M. Vyshinsky stated that he did not wish to see it in any treaty. It was an amendment and it was the moral obligation of the Deputies to oppose it.

Mr. Reber stated that the U.S. Delegation considered the article a new proposal and consequently felt free to vote for it.

M. Vyshinsky stated that as he understood the situation in the future each delegation could act in the same way. If the Soviet Delegation wished to see a proposal entered into a treaty it could call it a new proposal, and not an amendment, and act accordingly.

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#### FRIDAY, SEPTEMBER 20, 1946

#### TWENTY-SEVENTH MEETING OF THE POLITICAL AND TERRITORIAL COMMISSION FOR ITALY, SEPTEMBER 20, 1946, 10 A. M.

CFM Files

#### *United States Delegation Journal*

#### USDel(PC) (Journal)47

Before the Commission could resume voting on the remaining amendments to Articles 3, 4 and 16, the representative of Czechoslovakia proposed the appointment of a subcommission to study and report on the Italo-Yugoslav and Free Territory's Frontiers. The proposal was supported by the Yugoslav Delegate and opposed by the U.K. It was defeated by a vote of 10 to 7.

The Yugoslav amendment to Article 3 (CP(Gen)Doc 1 U 3) was put to a vote in four sections and defeated on each count by a vote of 13 to 5 with 2 abstentions. The Yugoslav amendment to Article 16 (CP(Gen)Doc 1 U 11) was voted on in two sections and likewise was defeated by 13 to 5 with 2 abstentions. The Byelo-Russian amendment to Article 3 (CP(Gen)Doc 1 D 1) was defeated by 13 votes to 5 with 2 abstentions, while the Byelo-Russian amendment to Article 16 (CP(Gen)Doc 1 D 2) was likewise defeated by 13 votes to 6 with 1 abstention.

The South African amendment to Article 3 (CP(IT/P)Doc 21) <sup>54</sup> was also lost in a 6 to 12 decision with 2 abstentions.

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<sup>54</sup> For substance, see the first item in Chapter IV of C.P.(Plen) Doc. 24, report of the Commission, vol. iv, p. 323.

At the conclusion of the voting on these amendments M. Kardelj (Yugoslavia) expressed regret that the Czechoslovak efforts at conciliation, through the establishment of a subcommission, had not been successful and that the Commission appeared to prefer the method of voting to one of agreement. He concluded that he wished to make it clear for the record that, with respect to questions which touched Yugoslavia directly, the Yugoslav Delegation would not consider it was bound by any decisions of the Conference of Paris.

The Commission passed to consideration of Article 5 (Boundary Commission for Italo-Yugoslav and Free Territory Frontiers) and related amendments. The Chairman announced that the U.S. did not insist on the first three paragraphs of its proposal to Article 5 but that it would support the fourth paragraph of its proposal thereto. After some discussion as to whether the Australian amendment (CP(Gen) Doc 1 B 3) should be discussed and voted on now, or later in connection with Article 75, it was decided to discuss and dispose of it now in connection with Article 5. Mr. Hodgson (Australia) spoke in favor of his amendment to create a commission composed of the four sponsoring powers and three other members of the Conference to deal with possible disputes arising from the treaty and, in this particular case, from the findings of the Boundary Commission. M. Vyshinsky (USSR) and M. Bebler (Yugoslavia) opposed the amendment. It was subsequently defeated by 14 votes to 5 with 1 abstention.

Senator Connally pointed out that there was a slight difference between the U.S. proposal (paragraph 4) to Article 5 and the Yugoslav amendment to that Article (CP(Gen) Doc 1 U 4) since the latter omitted mention of the boundary between the Free Territory and Italy. M. Bebler pointed out a further difference, namely, the following phrase in the American draft proposal: "except where the line follows Italian provisional boundaries and". The Senator agreed to the elimination of this phrase from the American draft and to the Chairman's suggestion that the American and Yugoslav drafts be amended to refer to "the boundaries established by Articles 3, 4 and 16" rather than to name the countries to be bounded. The Yugoslav amendment as thus modified was adopted unanimously. Article 5 was also adopted without further comment or objection.

The Commission then began consideration of Article 10 (Special Clauses for Austria). The Belgian and Netherlands Delegates introduced and spoke in favor of their amendment to this Article (CP (IT/P) Doc 44)<sup>55</sup> which would incorporate within the treaty a reference to the recent Italo-Austrian agreement with regard to the Ger-

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<sup>55</sup> The amendment proposed in C.P.(IT/P) Doc. 44 is not printed; for text of the amendment proposed in C.P.(IT/P) Doc. 44 Revised, see footnote 66, p. 501.

man-speaking population of the South Tyrol as well as include a text of the agreement among the annexes to the Peace Treaty.

The Chairman interrupted discussion of this amendment on Article 10 to obtain the Commission's agreement to his suggestions contained in CP(IT/P) Doc 53<sup>56</sup> for more expeditious procedure. With some modifications of his suggestions on limitation of speech and of the list of articles to be referred to the Legal and Drafting Commission the Chairman's suggestions were adopted. The Chairman further obtained approval for two meetings of the Commission tomorrow to consider Articles 10 to 14, inclusive, as well as to invite the Egyptian, Iraqi and Italian Delegations to be ready to make statements on the Italian colonies (Article 17) on Monday.

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**TWENTY-FIRST MEETING OF THE ECONOMIC COMMISSION FOR THE BALKANS AND FINLAND, SEPTEMBER 20, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 47

M. Gerashchenko (USSR) spoke in opposition to the British amendment to Annex 4 D (Petroleum) of the Rumanian Treaty and to the Annex itself.<sup>57</sup> He said that the property of United Nations' oil companies had already been returned, that Rumania was liable for damaged property, and that Article 24 made adequate provision for this. The UK proposal went beyond the provisions of Article 24, however, and would confer special privileges on United Nations' oil companies. M. Gerashchenko said that paragraph 3, requiring repeal of the Rumanian Petroleum Law of 1942 primarily on the grounds of this law's ethnic discrimination, was unnecessary as the only such discrimination had been revoked in 1945 by Rumanian Law No. 86; the other parts of the law were concerned with the natural right of the Rumanian Government to regulate the petroleum industry for the benefit of the Rumanian economy. The UK proposal also went beyond the provisions of Article 24 by requiring payment in foreign exchange for damaged property which had to be replaced from outside Rumania. It was the recognized principle in other parts of the treaty, however, that payment should be made in local currency and there was no reason to depart from this principle. Still another privilege sought by the UK proposal was through paragraph 8 in connection with the entry and activities of foreign technical personnel.

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<sup>56</sup> Not printed.

<sup>57</sup> See footnote 43, p. 485.



Adoption of this paragraph might harmfully affect the employment of Rumanian personnel. In closing, M. Gerashchenko noted that the USSR position was supported by the US and called attention to the note at the end of the Annex to the effect that the US Delegation considered that the problems of the Annex would in general be covered by the agreed provision on UN property, if these provisions made adequate provision for compensation.

M. Van Troostenburg de Bruyn (Netherlands) said that the Dutch had petroleum interests in Rumania, that the Netherlands Delegation considered that special provisions should be made for the petroleum industry, and that his Delegation fully supported the UK proposal. He favored the provision concerning foreign exchange payments as being necessary and as doing nothing more than reestablishing the exchange conditions under which United Nations' oil companies had operated in Rumania before the war. He asserted that the Petroleum Law of 1942 made it necessary to operate under quite different conditions than existed before the war and he therefore favored its repeal and the reenactment of the Mining Law of 1937. In connection with paragraph 8 on the exercise of professions, he said that The Netherlands did not intend to send large numbers of experts or other petroleum employees to Rumania any more than it had before the war.

The representatives of Byelo-Russia and the Ukraine both opposed inclusion of the Annex in the treaty on similar grounds to those presented by M. Gerashchenko. The representative of the Ukraine objected especially to paragraph 7, regarding compensation for charges incurred in delivery of oil to the enemy, by citing huge profit figures adduced from the Rumanian replies. In regard to the provision concerning payment in convertible currency, he said that this was an attempt by dollar and sterling countries to dominate Rumanian economy. The Commission agreed that general discussion on Annex 4 D should be terminated but that Mr. Gregory could make a final reply to criticisms of the proposal that had been advanced.

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**TWENTY-SECOND MEETING OF THE MILITARY COMMISSION,  
SEPTEMBER 20, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)47

The records of the 19th and 21st meetings were adopted with the Annexes. The amendment proposed by the Greek Delegation for Article 9 of the Bulgarian Treaty [C.P.(Gen.)Doc. 1.J.21] was considered in three parts—A, C and D; no change was offered for point

B.<sup>58</sup> Point A, aimed at reducing the size of Bulgaria's ground forces was withdrawn; point C which aimed at reducing the strength of the Bulgarian Navy was rejected by a vote of 10 against, 6 for (Australia, Canada, Greece, India, New Zealand, South Africa) and five abstentions (Belgium, Brazil, Ethiopia, The Netherlands and Norway); point D which was aimed at reducing the number of air force personnel and setting a time limit of five years for renewing air craft was defeated by a vote of 13-3 (Australia, Greece, South Africa) and five abstentions. This wiping out of the Greek amendment to Article 9 was the only business accomplished at the meeting. The next meeting was set for 10:00 a. m. September 23.

## CFM Files

*United States Delegation Minutes*

## [Extract]

[General Balmer made the following statement in the course of the discussion on Bulgarian ground forces:]

"In drafting Article 9, and similar Articles in the other treaties, it was found to be impracticable to list all the types of military and semi-military organizations, under the general limitation of armed forces. Accordingly, Article 11 and the similar Article for other treaties were agreed upon, which prohibits any form of military training except in the army authorized in Article 9.

"Since this Conference started its work in Paris, the Minister of Interior for Bulgaria introduced a law-project which provides for the establishment of a frontier Militia in Bulgaria. The law has been passed and places the frontier Militia under the Minister of Interior. The personnel are to be young men serving with their age group who enter service through army barracks, receive individual training and company exercises. Those who serve in the frontier Militia have equal rights with those who serve in the present army and they are responsible at military courts. The movable and immovable properties of the present frontier troops are to be transferred to the frontier Militia.

"In Article 9 we have included frontier troops, but it appears now that these troops will not be included in the land army and their duties will be taken over by the frontier Militia, operating under the Minister of Interior.

"If the frontier Militia is not included in the total armed strength limited to 55,000, then under Article 11 it will be illegal for Bulgaria to have a frontier Militia with military training when this treaty goes into effect." <sup>59</sup>

<sup>58</sup> Regarding the decisions of the Deputies of the Council of Foreign Ministers with respect to C.P.(Gen) Doc.1.J.21, see the United States Delegation Minutes of the 109th Meeting of the Deputies, September 3, p. 349.

<sup>59</sup> The British representative delivered a similar statement; both statements were annexed to the Record of Decisions of the Meeting.

**TWENTY-FIRST MEETING OF THE ECONOMIC COMMISSION FOR ITALY, SEPTEMBER 20, 1946, 3:30 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)47

The Commission decided that the Greek amendment (1 J 15) [C.P. (Gen.)Doc.1.J.15] to Article 68, requiring Italy to restore all rights and interests of Greek Orthodox Establishments in Italy, should be referred to the Political and Territorial Commission for Italy, as being more closely related to Article 14 than to Article 68.<sup>60</sup> The Commission considered paragraph 1 of Article 69 (Italian Property in the Territory of Allied and Associated Powers). The Yugoslav representative said that the Yugoslav amendment (1 U 22) [C.P.(Gen.) Doc.1.U.22] was designed to make possible the liquidation of property which was Italian at the beginning of the war with Italy or which was acquired by Italians between that date and the entry into force of the treaty. He added that the amendment was necessary in order to get at cloaked transfers of property. Mr. Reinstein (U.S.) said that each country must determine in each case whether there had been a bona fide transfer of ownership. If there had been a bona fide transfer, the treaty should not affect it; if there had not, the property came under paragraph 1. For this reason the amendment was not necessary. The Yugoslav representative thought that the language was too abstract to suit the needs of countries which had been occupied and suggested alternative amendments: (1) an amendment to paragraph 1, providing that the Italian character of property would be determined in accordance with the internal legislation of the country concerned; (2) an amendment to paragraph 2 which would accomplish the same effect as the preceding. The Commission decided to postpone consideration of these amendments until the next meeting.

At the suggestion of the Greek representative, the Commission decided to consider the Greek amendment (1 J 16) [C.P.(Gen.)Doc.1.J.16] to Article 69 in connection with Annex 3, as it dealt with property in territory to be ceded to Greece. The Ukraine representative spoke against paragraph 1 of Article 69 as making possible a concealed form of reparation. He made a 4-point proposal: (1) the Commission should not act on Article 69 without full hearing and consideration of Italian observations; (2) the Commission should establish a subcommission to ascertain the assets concerned and the claims presented; (3) Article 69 should be amended to provide that no action taken under it should be such as to interfere with Italian reconstruc-

<sup>60</sup> See the United States Delegation Journal account of the 39th Meeting of the Political and Territorial Commission for Italy, October 1, p. 617.

tion; (4) Article 69 should be further modified to provide that assets and claims would be assessed by the Four Ambassadors after consultation with their Governments. The Ukraine representative said that Italian property subject to seizure could be valued at \$50 million in China, \$150 million in the U.S. and \$60 million in the U.K. The Chinese representative replied that his Government had already returned Italian property in China to Italian nationals and reserved only the right to claim compensation for losses, amounting to less than \$1 million, suffered by Chinese nationals in Italy. Mr. Thorp (U.S.) said that total Italian assets subject to seizure in the U.S. under Article 69 amounted to about \$59 million. He was surprised to hear criticism of the right of a country which had supplied \$1 billion in aid to Italy, to take such property. The United States would observe the Article as drafted. He said that claims under the Article would probably be rather small and that a considerable amount of Italian property would probably be returned. Mr. Gregory (UK) said that Italian assets in the U.K. subject to seizure under Article 69 could be valued at 10–11 million pounds.

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**FOURTEENTH MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR BULGARIA, SEPTEMBER 20, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 47

After approving the records of its 11th, 12th and 13th meetings, the Commission took up the only item on the day's agenda, i.e., consideration of the text of the prepared additional Article 2a (Protection of Jews) submitted by the British Delegation (CP(Bul/P)Doc 8)<sup>61</sup> in the light of the observations of the Bulgarian Delegation (CP(Bul/P)Doc 10).<sup>62</sup>

Mr. Jebb (U.K.) spoke in support of the proposed new article, answering Soviet and Bulgarian criticisms of the British proposal by saying that, regardless of the rights accorded to Jews in Bulgaria at

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<sup>61</sup> For text, *mutatis mutandis*, see footnote 71, p. 418.

<sup>62</sup> The four-page Bulgarian statement dated September 18 concluded as follows:

"The Bulgarian Delegation is convinced that the British proposal, in the form in which it is submitted, could not serve any useful purpose. Its adoption would rather tend to inflict grave injury on the sovereign rights and dignity of Bulgaria, which aspires to live as a free and independent country, and might give rise to foreign interference in its internal affairs. The Bulgarian Delegation feels that the Bulgarian people has not deserved to be treated in this way. It declares that it accepts the political clauses contained in the Part II of the Draft Peace Treaty, clauses which Bulgaria is carrying out in conformity with the spirit which animates the policy of its Government. These clauses in its opinion are quite adequate to attain the purpose arrived at, and it consequently requests the Conference not to make any additions to them."

present, conditions might change and it was in any case desirable to leave no loophole or obscurity in the treaty which might deprive the Jewish population of protection. Replying to Soviet and Bulgarian questioning of British motives, he said that Great Britain wanted simply to help the unfortunate Jewish people.

M. Novikov (USSR), Mr. Bondar (Byelo-Russia) and Mr. Ristic (Yugoslavia) argued that the Jews needed no protection beyond that already accorded them in Bulgaria and that the new amendment was superfluous in view of the guarantees already provided in Article 3.

M. Roux (France) endorsed the British motives in principle, but did not believe the proposed article was necessary in the case of Bulgaria.

The British proposal (Article 2a) was adopted by 7 votes to 5 (USSR, Ukraine, Byelo-Russia, Yugoslavia, France), with one abstention (Czechoslovakia).

General Park (New Zealand) proposed that the *Rapporteur* be requested to prepare the Commission's report for submission to the Plenary within a reasonable time and asked if the report and various articles treated in the Commission should be referred to the Legal and Drafting Committee to determine if they were in order. After some discussion, in which Mr. Caffery (US) supported the Ukrainian and Soviet view that it was for the Commission to decide which articles should be referred to the Legal and Drafting Committee, it was decided to hold the matter in abeyance pending the outcome of discussions which the Secretary General, M. Fouques Duparc, is having with the various Presidents of Commissions regarding the procedure to be followed in this regard.

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**FOURTEENTH MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR HUNGARY, SEPTEMBER 20, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 47

The Commission considered a revised amendment by the Czechoslovak Delegation to Article 4 to insert the words "especially revisionist propaganda directed against neighboring states".<sup>63</sup> General Smith (U.S.) stated that in view of the strong personal appeal made by Mr. Masaryk at the last meeting, he wished to move that the first three words be included. The USSR Delegate suggested the word "including" instead of "especially", and retention of the other four words. After some discussion the Commission unanimously adopted

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<sup>63</sup> The revised amendment, proposed in C.P.(H/P) Doc. 14, is not printed. The original Czechoslovak amendment was proposed in C.P.(Gen) Doc.1.Q.4.

the U.S. wording, substituting the word "including" for "especially" as proposed by the USSR.

The Commission considered the subcommittee's report on the first Czechoslovak amendment to paragraph 4, Article 1.<sup>64</sup> Viscount Hood (UK) thought the recommended addition to the paragraph now appeared to be economic in content and therefore suggested it be referred to the Economic Commission. Mr. Hajdu (Czechoslovakia) declared that in this case his original amendment to add the words "with all the consequences ensuing therefrom" should be accepted. Canada and New Zealand, which were members of the subcommittee, had considered the report solely as an attempt of delimitation of the field in which the principle should apply. There was considerable discussion between the Czech, U.K., Ukraine and U.S. Delegations. The Commission finally adopted unanimously a U.S. proposal that the first four paragraphs of the report be accepted by the Commission and the fifth paragraph, which had recommended certain wording to be added to paragraph 4 of Article 1, be referred to the Balkan Economic Commission with the recommendation that the amendment be included in the economic section if it were not inconsistent with other decisions under consideration by that Commission.

Mr. Clementis (Czechoslovakia) spoke in refutation of the Hungarian Delegation's statement in the previous session opposing the Czech expulsion amendment [C.P.(Gen)Doc.1.Q.5]. He questioned the accuracy of Hungary's statistics, pointed to its bad faith in carrying out the exchange of populations agreement, and came to the conclusion that revisionism still existed in that country. He assured the Commission that Czechoslovakia had every intention of carrying out the transfer in as humane a manner as possible and suggested that the Czech amendment if accepted could contain a pledge to this effect.

General Smith (U.S.) said the United States did not question the ultimate objective of the Czechoslovak amendment but the method by which it would be accomplished. The U.S. was trying to avoid a situation where it would be necessary to vote against the Czech proposals, which it would have to do if it were necessary to incorporate in a peace treaty the principle of a forced transfer of populations. This principle was unacceptable. In urging a bilateral approach General Smith emphasized that it held the most promise for the future good relations between the two countries. He then proposed that the question be referred to the Commission's subcommittee to reach a con-

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<sup>64</sup> The Czechoslovak amendment under reference is C.P.(Gen)Doc.1.Q.2. The Subcommittee Report, C.P.(H/P) Doc. 13, is not printed. Regarding the work of the Subcommittee and for text of article 1, paragraph 4, as approved by the Commission, see C.P.(Plen) Doc. 27, October 7, Report of the Political and Territorial Commission for Hungary, vol. iv, p. 526.

structive solution. The U.S. Delegation would be more inclined to favor an expansion of the Bratislava bridgehead if it were part of a wider agreement. He hoped that bilateral negotiations under the auspices of the subcommittee would lead to a mutually acceptable recommendation, which might then be adopted by the Commission and subsequently by the Conference.

M. Vyshinsky (USSR) spoke for 45 minutes in support of the Czechoslovak amendment. He referred to the direct negotiations between the Czechoslovak and Hungarian Governments last year, and attributed to the Hungarians the failure of the exchange of population agreement arrived at at that time. He saw nothing unethical about the transfer of populations, pointing out that over half a million people, including Poles and Ukrainians, had been transferred to the USSR. He felt that the return of people to their Motherland should be encouraged and that the best solution of the nationality problem is to free a given state of the nationals of another state. He felt that only two alternatives were presented: (1) to follow the old policy of *laissez faire* and (2) to take the decision in our own hands and assist the country (Czechoslovakia) which is seeking a positive solution. He argued that the previous acceptance by the Commission of an amendment against revisionist organizations justified Czechoslovak fears for the future. He said that 500,000 people had been moved from Hungary to Germany, as General Smith knew, so that there was lots of room in Hungary and even a forced transfer would not be inhumane. He was sure that the Czechoslovak proposal would be carried out in a humane way in accordance with the traditions of the Czechoslovak people and in accordance with the assurance given earlier by Mr. Clementis. (The English translation of M. Vyshinsky's speech took only 20 minutes so it is obvious that a great deal of it was omitted.)

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**TWENTY-SECOND MEETING OF THE ECONOMIC COMMISSION FOR  
THE BALKANS AND FINLAND, SEPTEMBER 20, 1946, 9: 30 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)47

Mr. Gregory (U.K.) speaking again on Annex 4 D (Petroleum) of the Rumanian Treaty, replied to various points in the speeches made in opposition to the British proposal at the morning meeting of the Commission by the representatives of USSR, Byelo-Russia and Ukraine. He argued that the Rumanian Government should compensate for petroleum damage in convertible currency to the extent necessary, since certain industrial equipment could not be purchased

within Rumania and it was essential that this equipment be purchased if the United Nations oil companies were to carry out their operations. He also said that the Petroleum Law of 1942 contained a number of discriminatory passages and had definitely worsened the position of the United Nations oil companies operating in Rumania. In view of the various comments that had been made, Mr. Gregory said the U.K. Delegation was now willing that Annex 4D should take the following form. Paragraph 3 should provide for the elimination of discriminatory features of the Petroleum Law of 1942 rather than for repeal of the Law. Paragraphs 4, 5, 6 and 7 might be deleted. Paragraph 8 should be modified to the extent of requiring entry and unhindered exercise of profession of certain senior officials and technical experts. Mr. Gregory then replied vigorously to Ukranian charges of British imperialism and described Sovram Petrol<sup>65</sup> sufficiently to make his point very clear. Mr. Wilgress (Canada) gave reasons why his Delegation had been unable to support Annex 4D in its original form but was now able to support the Annex as modified in the light of Mr. Gregory's statement. Mr. Thorp (U.S.) suggested that a draft of the new U.K. proposal, which was substantially different from that in the treaty draft should be circulated and that discussion be adjourned until the representatives had had a chance to study and examine the new draft.

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### SATURDAY, SEPTEMBER 21, 1946

#### TWENTY-EIGHTH MEETING OF THE POLITICAL AND TERRITORIAL COMMISSION FOR ITALY, SEPTEMBER 21, 1946, 10 A. M.

CFM Files

#### *United States Delegation Journal*

#### USDel(PC) (Journal) 48

The Commission continued discussion of Article 10 and the Dutch-Belgian amendment referring to the existence of the Italo-Austrian accord of September 5 on the rights of the German-speaking inhabitants of the Upper Adige.<sup>66</sup> The representatives of Byelo-Russia, Yugoslavia and the USSR spoke against the amendment while the

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<sup>65</sup> Joint Soviet-Rumanian petroleum company.

<sup>66</sup> The amendment, proposed in C.P.(IT/P) Doc. 44 Revised, provided for a new article 10 *a* as follows:

"The Allied and Associated Powers have taken note of the provisions (of which the text is annexed to the present Treaty) agreed upon by the Austrian and Italian Governments on September 5, 1946, giving certain guarantees to the German speaking inhabitants of the Province of Bolzano and the neighbouring bilingual townships of the Province of Trento."

For text of the Austrian-Italian Agreement, see C.P.(Sec) N.S. 119, vol. IV, pp. 808, 810.



representatives of Australia, New Zealand, Belgium and The Netherlands supported it. It was adopted by 13 votes to 6 with 1 abstention. Draft Article 10 was then accepted without comment.

A small subcommission consisting of Yugoslavia and France was appointed to consider the necessity of modifying the language of Article 11 to meet a Yugoslav amendment to this Article (CP(Gen) Doc 1 U 5, last para.). M. Bebler (Yugoslavia) introduced and supported his delegation's second amendment to Article 11 (CP(Gen) Doc 1 U 6) regarding the return of archives, art and historic objects removed from Yugoslavia and from territory to be ceded to Yugoslavia. Mr. Jebb (U.K.) pointed out that two parts of this latter amendment were covered by Annex 3 and Article 65 of the treaty and that the remaining parts were too loosely drawn to be acceptable. At Mr. Jebb's suggestion a subcommittee of three members, Belgium, France and Yugoslavia, was established to redraft the amendment in a more restrictive sense and to receive a list of looted objects from the Yugoslav Delegation. Subject to the reports of the two subcommissions, Article 11 was accepted by the Commission.

The representative of Greece introduced and spoke in favor of a new Greek amendment to Article 12 listing by name the various islands in the Dodecanese group. The representative of the Ukraine spoke in support of his delegation's amendment to this article (CP(Gen) Doc 1 R 1). At the suggestion of M. Vyshinsky, and amended by Mr. Jebb, the Ukrainian amendment was referred to the Military Commission with the request that that Commission explain the difference between "demilitarization" and "complete demilitarization" as used in Articles 11, 12 and 42.<sup>67</sup> Action on that part of the Article to which the Ukraine amendment applied (second sentence of Article 12) was reserved for the report from the subcommission. The Greek amendment and the remainder of Article 12 (last paragraph) were accepted without objection.<sup>68</sup>

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**TWENTY-THIRD MEETING OF THE ECONOMIC COMMISSION FOR THE BALKANS AND FINLAND, SEPTEMBER 21, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)48

The Commission continued its discussion on Annex 4D (Petroleum). Mr. Walker (Australia) said that he could accept the U.K. proposal

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<sup>67</sup> Regarding the consideration of this request and the interpretation rendered, see the United States Delegation Journal account of the 31st Meeting of the Military Commission, October 1, and footnote 34, p. 613.

<sup>68</sup> The Soviet Union reserved the right to reopen the subject (CFM Files: Record of Decisions).

as amended<sup>69</sup> and felt in fact that this Annex was necessary if the United Nations' petroleum companies were to resume their business in Rumania. M. Gusev (USSR) said he did not consider the U.K. proposal as amended appropriate to the Treaty. So far as their proposal was related to the question of compensation, he suggested that it should be discussed with the general discussion of paragraph 4 of Article 24. He therefore recommended that the Commission reject points 3 and 4 of the U.K. proposal and defer points 1 and 2 until after the Commission had discussed paragraph 4 of Article 24. M. de Carbone (France) said he had not been able to accept the British proposal. Paragraph 4, he pointed out, appeared to stipulate that visas should be given to certain UN nationals and he did not consider this appropriate to the Peace Treaty. The principles included in paragraphs 1 and 2 were already sufficiently covered in the Treaty. However, he could accept paragraph 3 as amended by the British and therefore asked that the vote be divided.

Mr. Thorp (US) said the U.S. maintained its original position that the points raised in the Annex should be covered in Articles 24 and 30. However, in view of the fact that both of these Articles contained certain disagreed positions, he reserved his right to reconsider his position in the light of the final form in which Articles 24 and 30 were adopted. The Commission then agreed, despite Soviet opposition, to vote on the Annex paragraph by paragraph. The first paragraph was carried 7 to 6, the U.K., India, Greece, Canada, Australia, New Zealand and South Africa voting for and the French representative abstaining. The vote was identical for paragraph 2. On paragraph 3, the voting was identical except that the French representative voted for the paragraph, so that it was carried 8 to 6. On paragraph 4 the voting was again identical with the voting on the first paragraph except that the French voted against the paragraph and the result was a tie, 7 to 7. The Chairman then suggested that the Commission vote on the Annex as a whole. In view of the fact that paragraph 4 had not been carried, Mr. Thorp asked whether the Annex as a whole consisted of 4 paragraphs or 3. The Chairman then suggested that the Commission vote twice on the Annex as a whole, first considering it as consisting of 4 paragraphs and then as 3 paragraphs. The vote was taken on the Annex as a whole, consisting of 4 paragraphs, and the result was a tie, 7 to 7, the vote being identical to that of the 4th paragraph.

The Chair then proceeded to ask the Commission to vote on the Annex as a whole consisting of the first 3 paragraphs, when the Soviet representative objected on the grounds that there had been enough

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<sup>69</sup> See footnote 43, p. 485.

voting and that it was very unusual procedure to vote different combinations of paragraphs in the Annex. He said he was opposed because there was a principle of procedure involved and because the vote would set a precedent.

Senator Vandenberg (US) agreed with the Soviet representative's remarks that the procedure had been rather fantastic. However, he did not agree with his conclusions. He pointed out that the Commission had agreed to separate the paragraphs and vote paragraph by paragraph. The whole point of this procedure was to enable the Commission to express its views definitely on each paragraph. By this procedure the Commission had voted paragraph 4 out of the Annex. Therefore, when the vote was taken on the whole Annex, including paragraph 4, it amounted to a nullification of the procedure of voting paragraph by paragraph. He concluded, therefore, that it was a logical parliamentary conclusion to put to a vote the first three paragraphs as a whole.

The Commission discussed this procedural question for four hours. It was finally agreed that the Chairman should consult the competent authorities of the Conference, first, on the voting problem involved in connection with Annex D and, secondly, on Rules of Procedure to be adopted on voting. The Chairman interpreted this to mean that the Commission agreed that it had voted on 4 paragraphs separately and that the question of voting the Annex as a whole had not yet been concluded.

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**TWENTY-NINTH MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR ITALY, SEPTEMBER 21, 1946, 3: 30 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 48

The Commission considered Article 13 and related amendments. Sr. Accioly (Brazil) introduced and spoke in favor of his Delegation's amendment (CP(Gen)Doc 1 E 3) (for full text of his remarks see CP(IT/P)Doc 61).<sup>70</sup> It was opposed by the Yugoslav Delegate. Senator Connally submitted the United States proposal to Article 13 (paragraph 4) designed to secure for persons within ceded territories equality of treatment as well as the enjoyment of human rights and the fundamental freedoms. The Senator spoke, explaining the general principles involved which had motivated the United States Delegation in making this proposal. Mr. Hodgson (Australia) supported the

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<sup>70</sup> Not printed.

United States Delegate but declared that his amendment did not go far enough in providing for the enforcement of these guarantees in the various states receiving Italian territories. He consequently supported the Australian amendment to Article 13 (CP(Gen)Doc 1 B 4), the first paragraph of which was identical with the United States proposal but contained an additional paragraph providing for enforcement of the obligations assumed thereunder.<sup>71</sup> M. Couve de Murville (France) expressed his delegation's willingness to accept the United States proposal if slightly modified. Senator Connally accepted this drafting change on the assumption that it did not affect the substance of the proposal. So did Mr. Hodgson for the relative part of the Australian amendment which as modified reads as follows:

"The State to which the territory is transferred shall secure to all persons within the territory, without distinction as to race, sex, language or religion, the enjoyment of human rights and of the fundamental freedoms, including freedom of expression, of press and publication, of religious worship, of political opinion and of public meeting."

The representatives of Yugoslavia, Poland, and the Soviet Union spoke against the United States proposal and Australian amendment, while the representative of Belgium supported them.

The representative of Greece introduced and spoke in favor of his Delegation's amendment (CP(Gen)Doc 1 J 2) which would exclude from Greek citizenship Italians who emigrated to the Dodecanese after 1912 and under certain other conditions. M. Bebler (Yugoslavia) supported this amendment, while M. Vyshinsky opposed it. M. Bebler submitted to the Commission his Delegation's amendments to Article 13 (CP(Gen)Doc 1 U 7 and 8) with a defense of each Section thereof. M. Vyshinsky spoke in favor of the Yugoslav amendments.

The Chairman then put all amendments to Article 13 to the vote with the following results:

1. The first part of the Australian amendment (identical with the U.S. proposal) adopted by 14 votes to 6.
2. The second part of the Australian amendment rejected by 6 votes to 14.
3. All three parts of the Brazilian amendment were rejected by large majorities.
4. The Greek amendment was rejected by 3 votes to 17.
5. That part of the Yugoslav amendment (Doc 1 U 7) to change the date of residence mentioned in Article 13 (1) from 1940 to 1936

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<sup>71</sup> At the 109th Meeting of the Deputies of the Council of Foreign Ministers, it was agreed to oppose the Australian amendment, but each delegation was free to vote as it saw fit on the addition to article 13 proposed by the United States (CFM Files: United States Delegation Minutes).

was rejected by 7 votes to 12; while the provision relating to exclusion of war criminals from Yugoslav citizenship (Sec. *a* of Doc 1 U 7) was unanimously adopted by the Commission in the following modified form: "Persons who have been listed by the Inter-Allied War Criminals Commission in London to be war criminals or sentenced as such".

6. Section (*b*) of the Yugoslav amendment (Doc 1 U 7) received a tie vote (8 to 8 with 4 abstentions) and, under Article 76 of the United Nations Rules of Procedure, was postponed to receive a second vote within 48 hours. In view of the late hour (9 p. m.) the remaining section (*c*) of this amendment as well as the second Yugoslav amendment (Doc 1 U 8) was held over for consideration and voting at the next meeting.

#### IV. COMPLETION OF THE WORK OF THE COMMISSIONS; MEETINGS OF THE COUNCIL OF FOREIGN MINISTERS AND THEIR DEPUTIES, SEPTEMBER 22–OCTOBER 5

SUNDAY, SEPTEMBER 22, 1946

**TWENTY-FOURTH MEETING OF THE ECONOMIC COMMISSION FOR THE BALKANS AND FINLAND, SEPTEMBER 22, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 49

Mr. Thorp (US) proposed an amendment to Article 24, adding a new paragraph exempting Rumania from responsibility for compensation of damages caused to UN property in Northern Transylvania during the period of Hungarian sovereignty in the area.<sup>1</sup> The Commission unanimously approved this paragraph as a new paragraph 5 of Article 24. The Commission unanimously adopted Article 25 without discussion.

The Rumanian Delegation was invited to appear to answer questions on Article 24, paragraph 4. In reply to questions asked by Mr. Thorp, the Rumanian representative said that: (1) the estimated value of UN interests in the Rumanian petroleum industry of \$150 million did not take into account offsetting liabilities; (2) the total value of UN property interests in Rumania was well over \$200 million; (3) the petroleum industry had, on the whole, suffered more damage than other sectors of the Rumanian economy; (4) the figure of \$1 billion referred to in previous Rumanian testimony as expenses already incurred by Rumania on behalf of the Allied war effort included \$400 million of expenditures for Rumanian troops, \$300 million of expenditures for Russian troops, and \$300 million for war material; (5) the Rumanian Government had been unable to estimate even approximately the total burden which would be placed on Rumania by the economic clauses of the treaty. In reply to questions put by Mr. Gregory (UK), the Rumanian representative said that reconstruction credits had been granted on the basis of the importance of concerns in the national

<sup>1</sup> For text, see C.P. (Plen) Doc. 29, the Report of the Commission on the treaty with Rumania, vol. iv, p. 434.

economy, that the credits bore interest at the rate of 6 percent, and that, in effect, substantial compensation was involved owing to the depreciation of the lei between the granting of the credits and the present time. The Rumanian representative also confirmed Mr. Gregory's statement that under Rumanian war-time legislation, the profits of enemy (UN) firms were deposited in a special account in the Rumanian National Bank, that Controllers were appointed for such firms, and that an inventory of all enemy property rights and interests was taken. In reply to a question by Mr. Walker (Australia), the Rumanian representative said that Rumanian citizens resident during the war in UN territory had not been treated as enemies under Rumanian legislation.

The Netherlands representative spoke briefly in support of the United States proposal for Article 24, paragraph 4 (compensation) and said that the matter was of considerable importance to the Netherlands as damage to Dutch property in Rumania could be estimated at about \$35 million.

The Commission considered the Australian amendment to Article 24, paragraph 8 *a* (definition of United Nations' national) [C.P. (Gen.) Doc. 1.B.26].<sup>2</sup> M. Gerashchenko (USSR) opposed the amendment on the grounds that it was not necessary and that it would open the door to frauds. Mr. Walker said that the reply by the Rumanian representative clearly indicated that Rumanians resident in Australia, who had not become naturalized Australians until after the Armistice, would not be covered by paragraph 8 *a*. He thought that each of the United Nations would be able to prevent abuses of the provision proposed by Australia.

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**116TH MEETING OF THE DEPUTIES OF THE COUNCIL OF FOREIGN  
MINISTERS, SEPTEMBER 22, 1946, 11 A. M.<sup>3</sup>**

CFM Files

*United States Delegation Minutes*

[Extracts]

SECRET

CFM(D) (46) 116th Meeting

PRESENT

U.K.

Mr. Jebb (Chairman)  
Lord Hood  
Mr. Marjoribanks

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<sup>2</sup> Amendments contained in C.P. (Gen.) Doc. 1 are printed in vol. iv, p. 654.

<sup>3</sup> The meeting was held at the Quai d'Orsay.

## U.S.S.R.

M. Vyshinsky  
M. Novikov  
M. Stetsenko

## U.S.A.

Mr. Cohen  
Mr. Reber  
Mr. Page

## FRANCE

M. Couve de Murville  
M. Courcel  
M. Beaumarchais

## ITALIAN COLONIES

MR. JEBB recalled that he had previously suggested that the declaration on the Colonies be circulated to the members of the Conference and that the Deputies also agree that those countries which participated in the liberation of the Colonies should be consulted regarding the disposition of the Colonies.<sup>4</sup>

M. VYSHINSKY stated that he saw no reason why the declaration should not be circulated. With regard to the South African amendment he saw no reason for accepting it or for giving the assurances requested by Mr. Jebb. Mr. Jebb had stated that it would be well to clarify the paragraph in the declaration regarding the obtaining of the views of the other interested governments. This was a question which only the Council of Foreign Ministers could decide and it would be difficult at this stage to make this paragraph more precise. The C.F.M. alone could decide what to do—that is whether the interested governments would be personally consulted or would be requested to submit their written views.

MR. JEBB stated that when this matter was discussed in the C.F.M. Mr. Bevin had understood that M. Molotov had agreed that the Dominions would be brought in at the time of the discussion of the Colonies.

MR. COHEN stated that the U.S. Delegation believed that the declaration should be circulated as a Conference document and that it should be incorporated in the treaty as an annex or as a part of the article on the Colonies. With respect to the South African amendment Mr. Cohen agreed with M. Vyshinsky that it would be advisable to reject it. He personally did not like the wording of the amendment. The C.F.M. did not wish to limit the phrase to “interested governments”. Mr. Cohen believed that the C.F.M. certainly had intended to include any government which had actively participated in the fighting in North Africa. But it would not be wise to limit the participation to such governments. There were other governments, such as Egypt, which had not actively fought in North Africa. It seemed to him

<sup>4</sup> The declaration, C.F.M. (46) 221 (Revised), July 11, is printed in vol. II, p. 899. The document was circulated at the Peace Conference as C.P.(IT/P) Doc. 65.



that it would be helpful to make some statement to the effect that the views of those governments which had actively fought in North Africa would be taken into account when the Colonial question was being discussed.

M. COUVE DE MURVILLE stated that he did not object to the circulation of the declaration. He did not believe that it would be appropriate to include it in the treaty but he saw no objection to the declaration becoming an annex to the treaty. With respect to the South African amendment he believed that the worries of South Africa were covered by the C.F.M. declaration.

MR. JEBB stated that all of the Deputies objected to the South African amendment. When proposing it the South African would inquire whether its government would be consulted when the Colonial question was being discussed. The British Delegation would of course have to reply in the affirmative. Mr. Jebb hoped that M. Vyshinsky would not say "perhaps". He inquired whether M. Vyshinsky could not pass over this matter in discreet silence.

M. VYSHINSKY stated that it might be preferable for Mr. Jebb to keep silent until the matter had been disposed of by the C.F.M.

MR. JEBB stated that he feared that this would be impossible.

M. VYSHINSKY stated that paragraph 2 of the declaration spoke of the views of the other interested governments. However, the C.F.M. had not definitely decided who these governments were. Therefore it might be preferable to say that the question had not been solved by the C.F.M. If Mr. Jebb so desired he could state his views on this question.

MR. JEBB stated that as he recalled it Mr. Bevin had said that he would not object to the Ukrainian and White Russian Governments submitting their views.

M. VYSHINSKY stated that he did not believe that the question would present any difficulties. He simply did not wish to bind himself on behalf of the C.F.M.

MR. COHEN stated that all the Deputies had agreed that the language of the declaration was preferable to that proposed by the South African Delegation. On the other hand he hoped that M. Vyshinsky would agree that the Deputies did not wish to do anything which would lead the Conference to believe that the views of those governments which had actively participated in the liberation of North Africa would not be taken into consideration.

M. VYSHINSKY stated that he could go no further than the decision of the C.F.M. He was prepared to say that the C.F.M. would fulfill its undertakings. Each Deputy could say what his understanding was of these undertakings but he hoped that such statements would

be based on the declaration. He did not know at the present time who would be invited to discuss the Colonial question. This must be decided upon by the C.F.M.

MR. COHEN suggested that the Deputies agree that Mr. Jebb might say that "other interested governments" included but was not limited to those governments which had actively participated in the liberation of North Africa.

M. VYSHINSKY stated that the Deputies consult their Ministers on this point.

The Deputies agreed to M. Vyshinsky's suggestion.

MR. COHEN stated that he would like to circulate an amendment to the Article on Italian Colonies. This amendment was not a change in substance but an improvement in language. He expressed the hope that the C.F.M. would find the new draft more appropriate.

M. VYSHINSKY stated that paragraph 1 of the U.S. amendment was a very serious change. The article stated that Italy renounced all rights and titles to the Colonies. The new formula was drafted in an entirely new sense and was very vague. It would be difficult to accept it as it went much further than the agreed upon article. With respect to paragraph 2 it repeated the provisions of the declaration. M. Vyshinsky stated that it would be unnecessary to incorporate in the treaty any parts of the declaration. However, this was not his final view since he wished to study the new American proposal.

MR. COHEN stated that the proposed text in the treaty was defective from a legal point of view as no provision was made as to what would happen if the Four Powers failed to reach agreement in one year. With respect to paragraph 1 the Italian Government had requested that it do no more than accept any decision which would be made at a later date regarding the Colonies. In substance paragraph 1 of the U.S. proposal was the same thing as paragraph 1 of the agreed upon article. Mr. Cohen made it clear that if there were no general agreement on the new American proposal the U.S. Delegation would not press for acceptance and would not present the proposal to the Conference.

M. COUVE DE MURVILLE stated that his first impression was that the first paragraph of the proposal went beyond the original agreement. However, he believed that his Delegation would be in favor of it. In addition he believed that the French Delegation would favor the second paragraph of the proposal.

MR. JEBB stated that he would like further time to study the proposal. He could say at the present time that he believed that it was unlikely that the U.K. Delegation would accept the first paragraph. He was of the opinion that if Italy was not obliged by the treaty to

renounce all claims to the Colonies difficulties would arise at a later stage. The second paragraph was of lesser importance and was one of drafting from first sight. Mr. Jebb believed that if the declaration were necessary to the treaty the intention of the article from a legal point of view was quite clear. He suggested that the Deputies revert to this matter at the next meeting.

The Deputies agreed to consider this question at the next meeting.

#### ARTICLE 4 OF THE HUNGARIAN TREATY

MR. COHEN pointed out that a drafting error had crept into Article 4 of the Hungarian treaty which spoke of "organizations conducting propaganda hostile to the Soviet Union". The words "to the Soviet Union" had not been included in the Hungarian Armistice or in former drafts of Article 4 which had been agreed upon.

M. VYSHINSKY stated that Article 4 as contained in the draft peace treaty was a misprint and should be rectified.

The meeting closed at 1:00 p. m. when the Deputies agreed to meet next Tuesday evening.<sup>5</sup>

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### MONDAY, SEPTEMBER 23, 1946

#### THIRTIETH MEETING OF THE POLITICAL AND TERRITORIAL COMMISSION FOR ITALY, SEPTEMBER 23, 1946, 10 A. M.

CFM Files

#### *United States Delegation Journal*

USDel(PC) (Journal) 50

The Commission resumed consideration of the Yugoslav amendments (CP(Gen)Doc. 1 U 7 and 8) to Article 13. Although the first paragraph as well as subsection (a) of the second paragraph of amendment U 7 had already been voted on and disposed of, Mr. Vyshinsky (USSR) asked the Commission to reconsider all of the second paragraph of the amendment including its three subsections (a), (b) and (c). He said that after further consideration the Soviet Union would have to vote against these portions of the amendment and expressed the hope that the Yugoslav Delegation would not press them. Mr. Bebler (Yugoslavia) asked that the Commission vote on the amendment (U. 7) as a whole. It was defeated by a vote of 5 to 13 with 2 abstentions.

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<sup>5</sup> September 24; however, the 117th Meeting did not take place until November 12 in New York. Examination of the records of the Council of Foreign Ministers and the Deputies does not reveal the cause for the September 22 recess.

Mr. Jebb (UK) referred to the second Yugoslav amendment (U.8) to Article 13 and said that after due reflection the UK Delegation could accept the first and third paragraphs. He therefore suggested that the Commission adopt in principle paragraphs (1) and (3) of the amendment and refer them to the Legal and Drafting Commission for more appropriate legal phraseology. There should also be included, he said, some language to provide that persons in Italian territory opting for Yugoslav citizenship may be required to move to Yugoslavia. Paragraphs 1 and 3 of the Yugoslav amendment (U. 8), as modified by the British proposal, were adopted in principle without objection.

Mr. Bebler defended the second paragraph of the Yugoslav amendment but when put to the Commission it was rejected by an 8 to 10 vote with 2 abstentions. Thereafter, all of Article 13 as amended by the US-Australian proposal (para 4) was adopted by a vote of 12 to 2 with 6 abstentions. Most of the abstaining countries had opposed the US proposal which now forms part of the amended article.

The Commission then passed to the consideration of Article 17 (Italian colonies). Sig. Bonomi (Italy) presented the views of the Italian Delegation with respect to the provision of this article. He supported the proposed Italian amendment (Doc. 4 bis (P)).<sup>6</sup> (For full text of his remarks see (CP(IT/P) Doc. 68.)<sup>7</sup> The Italian Delegation was escorted from the room at the conclusion of their statement. M. Wagyp Ghali Pacha (Egypt) spoke on behalf of the Egyptian Delegation with respect to the Italian colonies. (For text of his remarks see (CP(IT/P) Doc. 64.)<sup>7</sup> The Chairman said that in accordance with the rules of the Secretariat he was authorized to invite the Egyptian Delegation to remain during the discussion on Article 17. M. Ato Aklilou (Ethiopia) made a speech in support of his Delegation's amendment (CP(Gen)Doc. 1 H 1) to restore Eritrea in full sovereignty to Ethiopia immediately. (For full text of Ethiopian Delegate's remarks see (CP(IT/P) Doc. 59.)<sup>7</sup> Sr. Fernandes (Brazil) withdrew his Delegation's amendment to Article 17 (CP (Gen)Doc. 1 E 5) in view of the Italian Delegation's acceptance of that part of the CFM decision postponing final disposition of the colonies for a year. (For text of his remarks see (CP(IT/P)Doc. 63.)<sup>7</sup> Mr. McIntosh (New Zealand) introduced and spoke in favor of his Delegation's amendment to Article 17 (CP(Gen)Doc. 1 M 1) providing for the renunciation of Italian sovereignty over the colonies in favor of the United Nations.

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<sup>6</sup> Doc. 4 bis (P) is contained in "Observations on the Draft Peace Treaty with Italy by the Italian Government," vol. iv, p. 117.

<sup>7</sup> Not printed.

**TWENTY-FIFTH MEETING OF THE ECONOMIC COMMISSION FOR THE  
BALKANS AND FINLAND, SEPTEMBER 23, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 50

After a final statement by Mr. Walker (Australia), the Commission rejected by a hand vote of 10 to 3, with one abstention, the Australian amendment to Article 24, paragraph 8*a*, regarding Rumanians who had not become naturalized Australians until after the Armistice [C.P.(Gen) Doc.1.B.26]. The Commission then approved paragraph 8*a* (definition of United Nations' nationals), Article 24 of the Rumanian treaty by a hand vote of 11 for, none against, and 4 abstentions.

The Commission then resumed discussion of Article 24, paragraph 4 (Compensation). Mr. Thorp (U.S.) spoke first on the amount of damage to UN property in Rumania and the relationship it bore to the total economic burden imposed on the country by the Armistice and the treaty. He said that the Soviet and some other Delegations had requested facts and figures bearing on the situation. He proceeded first to give an estimate of \$70 million, based on figures formally presented by the Rumanian Delegation, as the total damage to UN property in Rumania. Of this, \$10 million had been taken care of by credits, as the Rumanian Delegate had said, and since these credits were virtually extinguished by the inflation, there was left \$60 million as a liberal estimate of the burden that would be imposed by paragraph 4. Mr. Thorp then proceeded to picture the total economic burden, after noting that the Rumanians had said they could give no figures and that no one knew the exact figures. Referring to the relevant articles of the Armistice, he estimated that the costs borne to date by the Rumanian Government had been \$325 million for the maintenance of occupation forces, \$100 million for reparation, \$175 million for restitution, and \$425 million for various burdens not appearing in the Government's budget, such as requisitions. Including miscellaneous small items, there was an indicated total of \$1050 million. The burden of obligation yet to be fulfilled Mr. Thorp estimated at \$350 million (current dollars) for reparation, \$350 million for restitution, \$100 million for occupation forces and \$150 million in German and Italian assets to be transferred to other ownership. Adding these future commitments to payments already made, the total Armistice and Treaty burden on the Rumanian economy was about \$2 billion. It might be somewhat less (though it could hardly be much less) or it might be more. The point, Mr. Thorp said, was

the contrast of this total figure with the \$60 million compensation to be paid for damaged UN property. The compensation obligation would be approximately 3% of the total burden. He expressed amazement that the Rumanian Delegation had vigorously protested imposition of this \$60 million, but had never mentioned the \$2 billion total burden. Having established the point that the total burden must be looked at, Mr. Thorp said the U.S. Delegation proposed to file an amendment to paragraph 4, as it had for the Italian treaty, which would aim to reduce substantially the percentage of compensation to be paid.<sup>8</sup> He noted that this would not significantly reduce the total burden, but asserted that the U.S. did not want to have even a small part of the responsibility of participating in the heavy overall burden which the Rumanian economy had to bear. Mr. Thorp went on to defend the provision for compensation to UN nationals with ownership interests in corporations which were not United Nations' nationals by referring to Rumanian practices in connection with ethnic companies. Though it had been said the shares of these companies had risen in market value, the shares of the Rumanian subsidiary companies were not in fact quoted on the market. He also replied to the suggestion that the Rumanian Government should have some kind of control over the disposition of compensation proceeds accruing to UN nationals, for fear that UN owners would use such proceeds in a manner that would create overcapacity in some lines and thus unbalance the Rumanian economy. He said that one of the bases of the system of free enterprise was the assumption that owners of capital would invest it where it was most needed and would be most productive. He gave the development of the Rumanian oil industry as an example. He then explained the differences between the new U.S. amendment and the U.S. amendment to the Italian treaty, and closed his remarks by asserting that the facts showed that the responsibility for the economic burden on Rumania must be placed on other parts of the treaty and on provisions of the Armistice.<sup>9</sup>

Mr. Gregory (U.K.) said that in view of Mr. Thorp's remarks he wished to table a paper stating the U.K. position.<sup>10</sup> M. Alphan (France) expressed general agreement but wished to study the U.S. amendment. M. Gusev (USSR) said that some of the figures seemed fantastic and that he wished to study a transcript of Mr. Thorp's statement. After it was decided that the verbatim transcript would be examined by the U.S. Delegation and submitted to the USSR Delegation, it was agreed to adjourn discussion.

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<sup>8</sup> For text, see C.P. (Plen) Doc. 29, Report of the Commission on the Draft Peace Treaty with Rumania, vol. iv, p. 434.

<sup>9</sup> For text of Thorp's remarks, see *infra*.

<sup>10</sup> C.P. (B&F/EC) Doc. 30, the British paper, is not printed.

The Commission then took up Article 26. The Ukrainian representative considered the article unnecessary and unjust, stressing Rumania's participation in the latter stages of the war on the Allied side. He proposed that the entire article be replaced with a single sentence providing that Rumanian property rights and assets in the territory of the Allied and Associated Powers be restored. Mr. Gregory (U.K.) supported the article as it stood in the treaty draft. Mr. Walker (Australia) said he regarded the article as questionable and that clarification was needed as to whether the Allied and Associated Powers could use Rumanian assets only for commercial claims or if they could also be used as reparation for war claims. He added that Australia wished to submit an amendment providing some alleviation in connection with industrial and literary property rights.<sup>11</sup>

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CFM Files

*United States Delegation Press Release*

[MR. THORP:] Mr. Chairman, the Members of the Commission will doubtless remember that we had a prolonged discussion concerning United Nations property in Rumania several days ago. In the course of that discussion a number of the speakers were disturbed because there was so little factual information available. The Delegate of the Soviet Union declared that he did not have sufficient data to make a satisfactory judgment on the problem. Similarly, the Delegates of Yugoslavia, Byelorussia and Ukraine all indicated their wish to have figures and precise facts as a basis for determining a just solution of the problem. This is a point of view with which I have a good deal of sympathy. We are accustomed in the United States to use facts and figures to guide our policy decisions whenever possible. That is why I have tried to assemble as much and as accurate data as possible bearing on the particular problem dealt with in paragraph 4 of Article 2a, namely the compensation to United Nations nationals for damage to their property in Rumania. We now present to the Members of the Commission the results of our investigations.

In the first place we endeavored to get some sort of estimate for the total damage caused to the property of United Nations nationals in Rumania. We do not have exact figures, but thanks to the replies given by the Rumanian Delegate to my questions yesterday morning,<sup>12</sup> it is now possible for us to reach a fairly good approximation of the total of the damages. Assuming that the figures given by the Rumanian

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<sup>11</sup> Australia did not submit an amendment at this point.

<sup>12</sup> See the United States Delegation Journal account of the 24th Meeting, September 22, p. 507.

Delegate are correct, we have a definite basis on which to approach the problem. The Rumanian Delegate declared that the total value of United Nations property in the petroleum industry is \$150 millions. He said in answer to an oral question that the total value of all property of the United Nations was somewhat more than \$200 millions. On this basis we are justified in placing the value for the total of United Nations property at \$250 millions. As a matter of fact, this figure is somewhat more than that which we had estimated ourselves from other sources, but for our purposes here let us assume that it is correct.

As to the damage, we have a reply given by the Rumanian Delegation placing the damage in the petroleum industry at between \$47 and \$50 millions. You will recall that in response to an oral question from me, the Rumanian Delegate stated that the greatest damage to property in Rumania was done to railroads (obviously no railroad property belongs to nationals of United Nations) and the petroleum industry. In other cases the damage was at a substantially lower rate. Since the figures for the petroleum industry indicate the damage to be about one third of the total value, it would seem to be reasonable to fix the corresponding rate for the remaining property at 20 percent. I am sure this is on the liberal side. At any rate it would indicate that the damage for this remaining property was \$20 millions. We therefore arrive at a figure for total damages of \$70 millions, \$50 millions for petroleum and \$20 millions for all other types of property.

The Rumanian Delegation also indicated that \$10 millions of damages to foreign property in the petroleum industry have already been taken care of by the Rumanian Government through the medium of loans. However, their reply also indicated that these loans were repayable in lei, and in view of the subsequent inflation they have been virtually wiped out. Therefore, of the \$70 millions of original damage, \$10 millions have already been cared for by the Rumanian Government, and there remains a potential cost to the Rumanian Government of \$60 millions under this paragraph in the Treaty.

This figure, I must repeat, is my own estimate based on the facts and statements which I have reported to you. It is obviously an approximate figure, but I am sure that it cannot be substantially above or below the actual fact. I repeat, therefore, that by virtue of paragraph 4 of Article 24 the Rumanian economy would have to meet a charge of approximately \$60 millions.

But this figure alone does not provide the necessary basis for judging the total situation. We must also have some idea of the total burden which the Rumanian economy must carry at the present time. The Rumanian Delegation has alleged that its burdens are tremendous,



and that the compensation demanded by the United Nations nationals when added to that imposed from other sources is more than the Rumanian economy can bear. In order to meet the points made by the Yugoslav and Byelorussian Delegates, it would seem to us necessary to value as correctly as possible the total burden on Rumania so that we could see the burden of this particular paragraph in its true perspective.

You may recall that I asked the Rumanian Delegation to give me their best estimate as to what the total burden growing out of the war on their economy might be, and you also may recall that the answer was that they had no such estimate. Incidentally, it seems to me quite extraordinary to insist that a weight is intolerable if one has no idea of what it is. For this reason I think we can disregard any conclusions which the Rumanian Delegation may have made about this Article, since they clearly were not basing them on anything more than hypotheses.

We have endeavored to make such an estimate based on the best evidence which we could obtain. I would certainly not pretend that we have exact figures, but at least we can give some idea of the general order of magnitude of the burden. Some figures have appeared in the public press; some figures have even been available from official sources. I shall therefore give you the figures which seem to me to give the most accurate picture taking into account the various items in the total burden on Rumania. I shall not give you merely a total figure, but figures for a series of subheadings. While particular subheadings may be greater or less than actual fact as it is ultimately determined, these individual variations should tend to offset each other, and the total figure should be more accurate than the figure for the individual parts.

The main burdens on Rumania are established by certain clauses in the Armistice Agreement and the draft Peace Treaty.

In the Armistice Agreement,<sup>13</sup> Article 10 relates to the maintenance of occupation troops. On the basis of comments made by the Rumanian Delegation, we can establish this figure in the general neighborhood of \$325 millions.

Article 11 relates to reparations payments. We of course all know that the total reparations agreement for Rumania requires delivery of goods worth \$300 millions. However, the goods are to be valued in terms of 1938 dollars. In view of the rise in the world price level, this means that the total amount of goods which will be delivered in connection with reparations will be substantially more than \$300 millions of current dollars. If one considers the \$70 odd millions which I understand have been paid up to now by Rumania, it would

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<sup>13</sup> See footnote 9, p. 50.

be a reasonable estimate that the cost to Rumania in current dollars would be in the neighborhood of \$100 millions.

Passing now to Article 12, that relating to restitution, the best figure which I can establish is that up to the present time approximately \$175 millions have been spent under this heading by the Rumanian Government.

Finally, there is an item which is very difficult to value for requisitions and other direct takings of goods and services which, of course, do not enter into the fiscal records of the Government. This, we understand, is in the neighborhood of \$425 millions.

In addition, there are several smaller items which can be valued at \$25 millions so that I think we can take as a total cost up to the present, a total of \$1,050 millions.

Incidentally, I perhaps might mention briefly that there is another article in the Armistice which has to do with the restoration of rights of United Nations nationals. As far as I can determine, the total expenditure by the Rumanian Government which can be allocated to this purpose, is less than \$100 thousands.

Up to now, I have been discussing only the figures which relate to burdens on Rumanian economy in the past. Now, we must turn to the question of the future. Here, obviously, we are in an area of speculation. We can easily underestimate because the reparations arrangement permits of certain penalties. Of course, we cannot tell what those penalties may amount to but in order to be on the conservative side, let us assume that what we all hope will be true and the Rumanian Government will escape from increasing its already heavy burdens. I have already said that approximately \$70 millions have been credited against the reparations obligation. This leaves \$230 millions yet to be paid in the future. However, again I must remind you that this \$230 millions is that value of goods at 1938 prices but that the Rumanian Government will have to obtain commodities at current prices. Having in mind the increase in world prices since 1938, I should think that we would have to regard the future reparations burden as being in the neighborhood of \$350 millions.

Now as to restitution, I understand that the remaining obligation is for approximately \$200 millions. In this case, we have to make two corrections. Not only is there a price correction since April 1945 (the price base in the convention dealing with this matter) but also an allowance must be made for the cost of transportation and various other charges. It is difficult to know what these additional costs will be and I have seen estimates which bring the total up nearly to \$700 millions. However, again I wish to be conservative and shall suggest that we include for our calculation a figure of \$350 millions for completing the restitution program.

The next item is the continued cost of occupation. Presumably, this will continue in substantial form until 90 days after the Peace Treaty is signed and possibly beyond that in connection with the maintenance of lines of communication with Austria. Again, to be on the low side, I would include \$100 millions for this item.

Finally, there are various German and Italian assets which one might have expected could revert to Rumanian ownership but which are in the process of being transferred to other foreign ownership in connection with relevant international agreements.

It may be that there are other items which should be included beyond these four but they make a total of \$950 millions. When the past and future costs are added together, we get the staggering sum of \$2 billions.

Again, I must say that I am sure that these figures are not exactly correct. The total may be somewhat smaller or it may be somewhat larger, but at any rate, we do have a clear impression of the very substantial character of Rumania's financial obligations.

The exactitude of this figure of \$2 billions is not important. What is important is its contrast with the \$60 millions which would be required for the full compensation for the nationals of all the United Nations. This \$60 millions represents 3 percent of the \$2 billions. It is not important as to whether the figure is 3 percent or 2 percent or 4 percent. What is important is the tremendous difference between the two figures.

I must confess that these estimates reinforce the surprise which I have felt at the attitude taken by the Rumanian Government. Their representatives have protested most vigorously against the heavy burden of the \$60 millions. They have never even mentioned the items involved in the \$2 billions. Under such circumstances I find it very difficult to give any weight to the wailings of the Rumanian Government about the provisions for treatment of United Nations nationals. They remind me of an old saying "One should not be concerned with a fly in the drinking water if there is a hippopotamus in it".

I believe that it is necessary to keep this total picture in mind if we want to appreciate the burden imposed on the Rumanian economy by the Treaty. That burden is so great that the United States does not wish in any way to be responsible in however little measure for increasing the difficulties of Rumania which arise primarily from the various clauses and articles in the Treaty. Though it is not substantial as compared with the total picture, we propose to reduce our own requests for full compensation as presented in Article 24. This will parallel the action which we have taken in the case of the Italian Treaty.

However, I must point out that any such reduction can only remedy in a very slight way the serious situation with which the Rumanian economy is threatened by the totality of all of the clauses in the Armistice and the Peace Treaty. Even if all the United Nations nationals eliminated their demands completely, the reduction of \$60 millions would make only the smallest dent in the \$2 billions total.

There are two other questions which I want to touch upon briefly because they have arisen in the course of this discussion.

In the first place there is the question of the extension of compensation benefits to corporations. It has been said that such an extension is improper because the corporations are not United Nations nationals but rather Rumanian. But we in the United States have frequently found it necessary to "pierce the corporate veil" to use the technical expression—that is, to look behind the corporation and to ascertain its ultimate ownership. It has also been said that corporations in Rumania, particularly oil companies, have not suffered any real net damage because the value of their shares has increased. I am not aware that the shares of the companies operating in Rumania are generally quoted on any stock exchanges. It is the shares of the parent companies which are quoted and I do not think that the situation in Rumania would affect appreciably the value of the shares of these parent companies. Also it is said that the provisions of Paragraph 4 of Article 24, by conferring certain benefits upon corporations owned by United Nations nationals, would establish a continuing discrimination and would in effect create two categories of companies in Rumania. We have, however, heard a good deal of discussion in this Commission of the status under the Petroleum Law of 1942 and otherwise of "ethnic Rumanian companies" and "foreign companies." It is clear that the provision of compensation to United Nations companies would not establish a distinction between two categories of companies. That distinction has already been established.

The second point which I wish to discuss has to do with the suggestion by the Rumanian Government that it would be necessary for them to control the funds that might be received by United Nations nationals as compensation proceeds. The fear was expressed that in the absence of such control foreign industrialists receiving compensation would increase an existing over-capacity in certain lines of industry and would thus unbalance the Rumanian industrial economy. It seems to me, however, that the persons who will receive such compensation funds will be persons who know how to use funds and who will be aware of their own interests and understand their own business. Consequently, if there is an over-capacity in certain lines, these industrialists are not likely to invest their capital in those lines. One

of the basic principles of our private enterprise system is that we rely upon the good sense and judgment of the private investor. He will not invest his funds where capital is not needed, where it will not be productive, where, in other words, he cannot make a satisfactory profit. This has certainly been true in the past. It is exemplified in the entire development of the petroleum industry in Rumania which was established and brought to a high degree of efficiency as the result of wise investment of capital by private investors. I do not think, therefore, that the Rumanian Government has any need to fear that compensation funds will be wasted by being invested where they are not needed.

In conclusion then we have submitted an amendment to Paragraph 4 of Article 24.<sup>14</sup> Unfortunately we have copies only in English.

The amendment is similar to the one that was submitted by the United States Delegation in the Economic Commission for Italy. It differs from that amendment in that it incorporates certain changes which were contained in the French and British amendments submitted in the Economic Commission for Italy. I have not, however, discussed this amendment with my French and British colleagues and I do not know whether it meets their thoughts. I believe, however, that the amendment as now presented will enable us to dispense with discussion of questions merely of form.

As regards the percentage of compensation the question is still open and the percentage has been left in blank.

I should like to stress once more, in conclusion, that we do not want it to be said that the United States is responsible for aggravating the already immense burden placed upon the Rumanian economy. The facts which I have adduced this morning all show that the difficulties which the Rumanian economy will have to cope with and the burden which it will have to bear are the consequence, not of this paragraph of Article 24, but of other clauses and articles in the Armistice and in the Peace Treaty.

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**TWENTY-THIRD MEETING OF THE MILITARY COMMISSION,  
SEPTEMBER 23, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 50

The Greek Delegation withdrew the second and third new articles and paragraphs 1 and 2 of the fourth new article proposed in its amendment (CP(Gen)Doc. 1.J.21) to Article 9 of the draft peace

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<sup>14</sup> For text, see C.P.(Plen) Doc. 29, Report of the Commission on the Draft Peace Treaty with Rumania, vol. iv, p. 434.

treaty with Bulgaria. The first new article had been rejected at the previous meeting. The U.S., U.K. and France supported the remaining paragraph 3 of the fourth new article.<sup>15</sup> The Soviet Union opposed it at great length. No decision was reached. The next meeting would be held at 10 a. m., September 24.

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TWENTY-SECOND MEETING OF THE ECONOMIC COMMISSION FOR  
ITALY, SEPTEMBER 23, 1946, 3: 30 P. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 50

The Commission took up the Yugoslav amendment to Article 65 on replacement of ships and rolling stock (1.U.18) [C.P.(Gen.) Doc. 1.U.18]. Mr. Thorp (U.S.) commented that although he sympathized with the desire of Yugoslavia to re-establish its merchant marine he had some difficulty in seeing why ships should be replaced more than any other objects which were lost or destroyed and suggested that the claim should be set against the reparation account. He added that replacement of ships would favor the maritime countries and for this reason would not be just. M. Aroutiunian (USSR) sympathized with the destruction the Yugoslav merchant marine had suffered as result of the war, but pointed out that the restitution article did not recognize the principle of replacement except for the very limited category of objects of cultural value. He suggested that the Yugoslav Delegation withdraw its amendment. Mr. Bartosh (Yugoslavia) remarked that the Yugoslav Delegation had given full consideration to the special problems of shipping before tabling an amendment and considered that it would be only just for Yugoslavia to have its ships replaced. He said he could not withdraw his amendment but would modify it to ask for replacement only for vessels which were seized by the Italian Government in the territorial waters of an occupied country. The Yugoslav amendment as modified was defeated, 12 to 4, with Yugoslavia, Greece, Ukraine and Byelo-russia voting in its favor.

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<sup>15</sup> General Balmer said the United States delegation supported the paragraph since articles 40 and 41 of the Draft Peace Treaty with Italy contained similar provisions. He pointed out that Czechoslovakia made a similar proposal for the Hungarian Treaty, C.P.(Gen.) Doc. 1.Q.7. The Delegates of Byelorussia and the Ukraine opposed the amendment on the grounds that Bulgaria, now a republic, was no threat to Greece. General Slavin stated that the Soviet delegation opposed demilitarization of the frontiers of small nations and expressed astonishment that the U.S. and U.K. allegedly proposed to break an agreement reached by the Council of Foreign Ministers. General Pika stated that Czechoslovakia was willing to withdraw her amendment regarding the Hungarian border if Greece would now withdraw her amendment. (CFM Files: United States Delegation Minutes)

With respect to the Yugoslav amendment on rolling stock, Mr. Aroutiunian remarked that it consisted of two parts, one providing for return and the other for replacement of rolling stock. The return of rolling stock was already provided for under Article 65, and the principle of replacement had been rejected. He asked the Yugoslav representative to reconsider his position. The Yugoslav representative made a lengthy speech during which he commented that the effect of many of the economic articles which were not called reparation provisions really amounted to reparation. In this category he placed the articles providing for restitution, renunciation of claims, Italian property in the territory of Allied and Associated Powers, the industrial, literary and artistic property annex and the special provisions on insurance. These provisions, he said, all provided for a kind of reparation payment to those powers which were highly industrialized and were capital-exporting countries. He remarked that they would not help Albania, Yugoslavia, Greece and Ethiopia. The economic articles taken as a whole divided the claimants into two categories and provided that the occupied countries would receive an insignificant amount of reparation whereas the other countries would benefit greatly from the articles which he had mentioned. He also pointed out that Italy had not upheld its armistice obligation to restitute rolling stock. The amendment was then defeated by a vote of 12 to 4. The Commission then considered the Australian amendment for restitution to Italy by the Allied and Associated Powers of property of religious, literary, artistic or historical value found on Allied or occupied territory.<sup>16</sup> Mr. Thorp expressed his sympathy with motives behind the Australian amendment but noted that the United States as an occupying power had maintained a strict policy against looting by the armed forces and that the U.S. was pressing in the Allied Control Council in Germany for restitution to the ex-enemy countries. He also remarked that it would be difficult to impose obligations on Germany in a peace treaty with Italy. Mr. Gregory (U.K.) associated himself with Mr. Thorp's remarks. The Australian amendment was withdrawn.

The Commission then resumed discussion of the new proposals for compensation in the United Nations property article. Mr. Gregory (U.K.) explained to the Commission that the U.K. still upheld the principle of full compensation because there were only three means for compensating for the property of United Nations nationals: (1) to ask the United Nations national himself to provide the compensation; (2) to place the claim on the United Nations government; and (3) to place the claim on the Italian Government. To carry out the first proposal he said would result in making U.K. nationals provide Italy

<sup>16</sup> C.P. (IT/EC) Doc. 50, the Australian amendment, is not printed.

with sterling credit for Italian rehabilitation. The second would result in a further claim on the British exchequer. He pointed out that the U.K. internal budgetary war costs amounted to 20 billion pounds and that as a result of the war the U.K. was poorer as regards its external assets by 3½ billion pounds. He suggested that for these reasons U.K. was not sympathetic to any proposal requiring that it should pay the bill for destruction of U.K. property in Italy and he emphasized that compensation for property would not be a great burden on Italy but would merely be part of the general problem of Italian economic reconstruction.

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**FIFTEENTH MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR HUNGARY, SEPTEMBER 23, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 50

The Commission continued discussion of the Czechoslovak amendment to expel 200,000 Hungarians [C.P.(Gen.) Doc.1.Q.5]. The Delegate of Yugoslavia said that a solution for the minority problem in Central Europe was necessary. He then proceeded to trace the history of revisionism in Hungary from 1919 on, reminding the Commission of the Backsa massacres, the twenty years of plotting on the part of the Horthy Government and the fact that Hungary had used the Hungarian minority in Czechoslovakia for the purpose of stabbing that country in the back in its moment of trial. He took note that there still was the same spirit of revisionism in certain circles of the new democratic government in Hungary. He was grieved that the Hungarians had used the argument that there was a surplus of manpower in Hungary and a lack of it in Czechoslovakia. This was not so. The U.S. Delegate at a previous meeting had pointed to the recently concluded agreement between Yugoslavia and Hungary on the minority issue, but it was incorrect to use this as an example since it was an arrangement for voluntary exchange and not a transfer. Moreover, Yugoslavia had solved its minority problem by giving rights to its minority peoples. Here was the chance for the sons of the mother country to return on an organized basis and the net result would be to remove a lack of confidence in Hungary which now existed.

The Delegate of Byelo-russia in a long speech also supported the Czech amendment and contended that it was necessary to have an article in the peace treaty in order to accomplish an effective bilateral agreement between the two countries since no positive results had



occurred after the agreement signed between the two countries last February. He was sure that Czechoslovakia would fulfill its promises to accomplish any transfer in a humane way and that certain economic concessions would be made to Hungary in the form of credits or reduction of reparations. He refuted the Hungarian argument that there was no room in Hungary to receive these Magyars, stressing the fact that Hungarians were in the process of expelling half a million Germans. Should the Hungarians refuse to accept the return of the Hungarians now living in Slovakia, it would demonstrate that they did not wish to cooperate with their neighbors. He had listened to some delegations, who apparently had favored the absorption of minorities, but he could not support this conception. Referring the problem to the subcommittee was no solution. Statistics had already been studied. The Byelo-russian Delegate told the Commission of the successful exchange of populations which had already taken place between Byelo-russia and Poland. He was puzzled by the U.S. statement connecting the bridgehead question with that of the minority, since so few Hungarians were living in that territory. He therefore could not agree that the two questions should be handled together.

Viscount Hood (U.K.) said he was sympathetic with the aims of the Czechoslovak Delegation, but pointed out that it might be more unpleasant for the Czechoslovaks should they insist on the forced transfer of so many people and moreover had it written into a treaty. The Czechoslovak Delegation might well desire to carry out humanely the transfer but the resettlement of so many people in Hungary was quite impossible unless the Hungarian Government could agree to it. Unilateral solutions cannot and should not be imposed. The Czechoslovak contention that an effective exchange of populations had occurred after the last war between Greece and Turkey was not applicable here because in the former case both governments desired it. Viscount Hood hoped that in this case the problem could be solved by bilateral agreement; it was the only way. Merely because the Czechs had once tried and failed was no reason to feel that there could not now be some success. He recalled that the Hungarian representative had stated his country's desire to live in peace with its Czechoslovak neighbors and was willing to seek a solution. Moreover, the Czechoslovak Delegation had indicated that the Conference itself should settle this matter. Consequently the Commission should refer it to its subcommittee for further study. It was not necessary to go into the facts and figures again, but in the light of many of the suggestions aired in the last few meetings, he thought that proposals might be worked out which would meet the approval of the Commission and the Conference. He therefore gave his strong support to the U.S. motion to refer the question to the Subcommittee.

The Ukrainian Delegation questioned the competence of the Commission to handle such a serious matter. He also pointed to the successful experiment in exchanging populations between Poland and Byelo-russia. He suggested that the Commission itself could, of course, make recommendations. He felt that it was not right to refer the question to the Subcommittee.

M. Masaryk (Czechoslovakia) then made an extremely moving speech. He was not a good hater, he said, even though Czechoslovakia had had such a terrible experience with the Nazis. He was resolved to erase hatred from his heart and he wanted nothing more than to have friendship among the nations of Central Europe. He expressed great gratitude to the sympathetic viewpoint of all the delegations who had spoken on the Czech amendment including the U.S. and U.K. He was particularly grateful to M. Vyshinsky as an expert in minority matters and as a friend. The Soviet Union had solved many such problems in Europe today. He said the Czechoslovak Delegation had believed that the transfer of 200,000 Hungarians would be the beginning of a new era and that they would be received in Hungary with open arms as Slovakia would receive its returning sons. He said Czechoslovakia needed these sons and loved them, but this was apparently not so with the Hungarians. If at Potsdam it had been decided to solve the minority problem in the case of the German minority in Czechoslovakia why could not the problem be solved at Paris? Nevertheless, Czechoslovakia craved advice and the leadership of the Big Four. He pledged himself to proceed in an attempt to solve the problem in the very best way possible but described the transfer as the removal of a cancer by surgery, quickly and cleanly. Nevertheless, he accepted the proposal to refer the matter to the Subcommittee and concluded by saying that Czechoslovakia stood upon its record, which was based on friendship and cooperation.

The U.S. proposal to refer the transfer amendment to the subcommittee was then adopted.

The Commission adopted Articles 5, 6, 7, 8 and 9. The Czechoslovak amendment to Article 6 (CP (Gen) Doc. 1 Q 6) was withdrawn by its delegation as was the Australian amendment to Article 8.<sup>17</sup> The Australian Delegate wanted to have incorporated in the record a short statement to the effect that Australia was convinced of the need for

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<sup>17</sup> The Australian amendment, C.P. (H/P) Doc. 8, was as follows: "The Government of Hungary shall apply for membership of the Food and Agricultural Organization of the United Nations, the International Wheat Council, the International Health Organisation, and such other economic and social organisations as shall be brought into relationship with the United Nations, and shall co-operate with all those bodies in carrying out their decisions and recommendations. The Governments signatory to this Treaty undertake to support any such application made by the Government of Hungary".

economic and social cooperation in Europe and its proposal had been designed to have these enemy states join the existing international organizations for economic and social problems.

General Smith (U.S.) read into the record a statement similar to that made by Mr. Harriman<sup>18</sup> in the Rumanian Commission regarding the desire of Rumania to sign a protocol with Hungary or any bilateral arrangement which the U.S. Delegation felt would tend to improve relations and good understanding between the two countries.

The Commission began discussion of a Yugoslav new proposal, to be added after Article 9, to have returned historical documents, cultural property and archives. The Czech delegation supported this amendment and suggested Czechoslovakia be included also. Both the U.S. and Ukraine Delegations felt the Czechs and Yugoslavs should devise some new wording to make the proposed amendment more specific and the Commission agreed to defer this matter until the next session.<sup>19</sup>

The Commission adjourned at 8:15.

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**TWENTY-SIXTH MEETING OF THE ECONOMIC COMMISSION FOR THE  
BALKANS AND FINLAND, SEPTEMBER 23, 1946, 9:30 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 50

The Commission continued its discussion of Article 26 (Property in the Territory of Allied and Associated Powers). The Byelorussian representative spoke in opposition to the article. He said it was unjust to deprive the Rumanian Government and its nationals of all their foreign assets, particularly in view of the other economic obligations imposed on Rumania and in view of Rumania's contribution to the defeat of Germany. He supported the Ukrainian amendment put forward at the morning session.<sup>20</sup> The Yugoslav representative said the treaty should distinguish between two groups of countries. Those countries such as Germany and Italy which had expanded their economies in preparation for war should be made to undergo an economic disarmament. Those which had a limited eco-

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<sup>18</sup> Ambassador Harriman's statement is summarized in the United States Delegation Journal account of the 8th Meeting of the Political and Territorial Commission for Rumania, September 5, p. 375.

<sup>19</sup> The Yugoslav amendment was originally proposed in C.P.(Gen) Doc.1.U.32. The redraft, C.P.(Gen) Doc.1.U.32 b, is not printed. For text of the new article based on the Yugoslav amendment ultimately adopted by the Commission, see C.P.(Plen) Doc. 27, the Commission's Report, vol. IV, pp. 526, 531.

<sup>20</sup> For substance of the Ukrainian amendment, C.P.(B&F/EC) Doc. 31, see the United States Delegation Journal account of the 25th Meeting, September 23, p. 514.

nomic influence, such as Rumania, even though guilty of joining the Axis, should not have such a heavy economic burden placed upon them. The Yugoslav Delegation therefore opposed article 26 and supported the Ukrainian amendment which provided that Rumanian property rights and assets in the territory of the Allied and Associated Powers be restored. The Czechoslovakian representative agreed with the remarks of the Yugoslav representative except that he would make a further distinction in the second group of countries and consider Hungary in a group that deserved less favorable treatment. He said that his Delegation did not wish to vote against the Ukrainian amendment, but would abstain so as not to prejudice the Czech position on this point in the Hungarian treaty, Mr. Reinstein (U.S.) observed that it appeared from the Ukrainian amendment that the Rumanian Government would receive better treatment in respect to its assets in the territory of the Allied and Associated Powers than these powers would receive of their assets in Rumania and gave examples contrasting the Ukrainian amendment to Article 26 and Article 24 to prove his point. He also replied to various remarks that had been made in support of the Ukrainian amendment, asserting that it was incorrect to suggest that Article 26 would deprive Rumania of all its foreign assets, and that it was incorrect to make an analogy with the burden of reparation since the article dealt with debts as well as claims. He said it was clearly impossible for the Allied and Associated Powers to undo all the action they had taken against enemy property during the war and it was also clearly undesirable to accept a proposal which would make it necessary to return assets to German collaborators. Under these circumstances, Mr. Reinstein said, the U.S. Delegation could not support the Ukrainian amendment. The chairman then called on the Ukrainian representative as the last speaker before a vote was to be taken on the amendment. The Ukrainian representative said he considered it essential to know what Rumanian assets existed abroad, particularly in the U.K. and the U.S. He suggested that these figures be given and that the Rumanian Delegation be invited to appear before the Commission on this matter. Mr. Gregory (U.K.) noted that the Ukrainian Delegation had already made a judgment but now was asking for facts. Nevertheless, he presented figures on Rumanian assets in the U.K. Mr. Reinstein (U.S.) gave figures on Rumanian assets in the U.S. There was then considerable discussion as to whether to hear the Rumanian Delegation. A New Zealand motion not to hear the Rumanian Delegation but to vote immediately on the Ukrainian amendment was defeated by 7 to 6 with one abstention. A USSR motion to hear the Rumanian Delegation the next day was defeated 8 to 5, with one abstention. It was

eventually agreed that written questions should be submitted by the Ukrainian, Australian and U.S. Delegations to the chairman and that the replies should be submitted by the Rumanian Delegation not later than Wednesday morning. This decision meant adjournment of discussion of the Ukrainian amendment.

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TUESDAY, SEPTEMBER 24, 1946

**THIRTY-FIRST MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR ITALY, SEPTEMBER 24, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 51

The report of the Subcommission (CP(IT/P) Doc. 62)<sup>21</sup> on that part of the Yugoslav amendment (CP Gen Doc. 1 U 5, paragraph 1 b) defining the maritime frontiers of newly acquired Yugoslav territory in Istria was adopted.

The Commission resumed consideration of Article 17 (Italian colonies). The Representative of Greece submitted and spoke in favor of his Delegation's amendment to Article 17, which replaced the original Greek amendment to this Article (CP Gen Doc. 1 J 4). The revised amendment reads as follows:

"To add to the second paragraph of Article 17 the following words:—

"This Administration shall assure to the nationals of the Allied and Associated Powers the free exercise of fishery rights (including sponge-fishing) in the territorial waters of the Italian possessions in North Africa.'"

Mr. Claxton (Canada) said that his Delegation would support the present draft Article 17 as amplified by the Four-Power declaration on the Italian colonies (CP(IT/P) Doc. 65).<sup>22</sup> He likewise supported the Ethiopian claims to Eritrea by expressing the hope that the Council of Foreign Ministers would decide to transfer this colony to Ethiopia. For the full text of the Canadian Delegate's speech, see CP(IT/P) Doc. 74.<sup>23</sup> Dr. Quo (China) introduced and spoke in favor of the Chinese amendment to Article 17 (CP Gen Doc. 1 G 1) which

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<sup>21</sup> Not printed; for the text recommended by the Subcommission and adopted by the Commission, see C.P.(Plen) Doc. 24, the Commission's report, vol. iv, pp. 299, 309.

<sup>22</sup> For text of the Four-Power Declaration, see C.F.M.(46) 221 (Revised), July 11, 1946, vol. II, p. 899.

<sup>23</sup> Not printed.

recommends to the CFM immediate independence for Libya, or, alternatively, that limited trusteeship under the United Nations be created for Libya, with promise of independence. Dr. Quo likewise supported Ethiopia's claim to Eritrea. Mr. Dunn expressed the sympathy of the United States Delegation with the Chinese objectives, recalling that the United States had taken the position in London that UNO trusteeship, looking toward ultimate independence, for the Italian colonies was the appropriate solution. Having in mind, however, the protracted discussions leading up to the CFM decision on the Italian colonies and now expressed in the present draft Article 17, the United States Delegation he said would be unable to associate itself with any recommendations to the CFM for a final solution at this time and expressed the hope that the Chinese Delegation would not press its amendment now. He concluded that as far as the United States Delegation was concerned, it wished to see these areas given their independence as soon as they were capable to receive it.<sup>24</sup> Sir Samuel Runganadhan (India) said that the first consideration of his Delegation with respect to the Italian colonies was the real wishes of the inhabitants of the territories. He argued against the position adopted by Sig. Bonomi (Italy), the Brazilian amendment (CP(IT/P) Doc. 73)<sup>25</sup> and the Australian amendment (CP Gen Doc. 1 B 7). He supported the Ethiopian claim to Eritrea as well as the Chinese recommendations with respect to Libya. He likewise approved of the New Zealand amendment (CP Gen Doc. 1 M 1) referring decision on the final disposition of the colonies to the Assembly of the United Nations. He concluded that the Indian Delegation would support the CFM draft Article 17. Mr. Jordaan (South Africa) withdrew his Delegation's amendment (CP Gen Doc. 1 S 1) in the light of the Four-Power declaration on Italian colonies, which provided for reference of the colonial issue to UNO in the event the Big Four failed to reach agreement. He asked for an interpretation, however, of the declaration with respect to the phrase in paragraph 2 thereof "taking into consideration the views of other interested Governments". He said

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<sup>24</sup> The text of Dunn's statement was released to the press, September 24.

<sup>25</sup> C.P.(IT/P) Doc. 73 contained the following proposed text for Article 17:

"The final disposal of Italy's territorial possessions in Africa, namely Libya, Eritrea and Italian Somaliland, shall be determined jointly by the Government of the U.S.S.R., U.S.A., U.K. and France, according to the principles laid down in the San Francisco Charter and taking into account Italian interests in said territories, within one year of the coming into force of the present Treaty.

Pending their final disposal, the said possessions shall continue under their present provisional administration.

However, a fair share of this administration shall be entrusted to Italian officials, under control of the military occupation authorities, according to international law.

Said provisional administration shall continue to apply the laws in force in these territories at the moment of their occupation."

the Government of South Africa considered that it was one of those interested governments. Mr. Jebb (U.K.) said that he hoped to have an answer to Mr. Jordaan's question tomorrow after the meeting this afternoon of the Council of Foreign Ministers and suggested that a final vote on Article 17 and related amendments be postponed until tomorrow on that account. Colonel Hodgson (Australia) spoke in favor of his Delegation's amendment (CP Gen Doc. 1 B 7). He concluded, however, that he would not press this amendment, since the expression of other Delegations in favor of draft Article 17 would indicate that the Australian amendment had little or no chance of success. He asked, however, that his views be recorded. **For text of his statement, see CP (IT/P) Doc. 75.<sup>26</sup>** The Yugoslav Delegate supported the Ethiopian claims to Eritrea. Baron de Gruben (Belgium) said that his Delegation would vote for draft Article 17 and against all amendments thereto. He raised a question on drafting of the present Article as it stood. Dr. Quo, in replying to Mr. Dunn, said that his Delegation would not insist on a decision with regard to the Chinese recommendations immediately, but in view of the fact that they were not inconsistent with the present draft Article 17, he urged that the CFM consider the suggestions contained therein in any final disposition of the colonies. M. Vyshinsky (U.S.S.R.) supported the draft Article 17 and attempted to rebutt the arguments advanced by the Australian Delegate. In conclusion, he asked the Commission to reject all amendments to this Article.

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**TWENTY-SEVENTH MEETING OF THE ECONOMIC COMMISSION FOR  
THE BALKANS AND FINLAND, SEPTEMBER 24, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel (PC) (Journal) 51

The Commission first discussed the questions to be asked Rumania regarding assets in Allied territory. The U.S. Delegation had requested data on Rumanian assets in territory transferred to other countries as a result of the war, as well as on debts owed Rumania by persons in such territory (e.g. Bessarabia). M. Gusev (U.S.S.R.) asked under what article of the treaty the U.S. was basing such a request. Mr. Thorp (U.S.) replied that the request was of course in reference to Article 26 (Property in Allied Territory) and was intended to remind Rumania of property which might otherwise be overlooked in supplying the requested information. However he

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<sup>26</sup> Not printed.

said he had not had much sympathy with the proposed inquiry for facts in this connection in the first place, but had voted for it because another Delegation (Ukraine) had wanted it. If any other Delegation found the U.S. question embarrassing, Mr. Thorp said he would be glad to withdraw it. M. Gusev said Bessarabia had been returned to the Soviet Union in 1940, before the war, and was not an object of the present treaty. Mr. Thorp said he was content to withdraw his question, particularly since there seemed to be no doubt but that Bessarabia was in fact Allied territory and accordingly would be covered by the questions of the Ukraine Delegation as to Rumanian assets in Allied territory.

The Commission then discussed Article 27 (Claims against Germany) a non-agreed article. The Australian Representative raised again the question of restitution of Rumanian literary, artistic and historical property found in Germany. Mr. Thorp referred, as in the Italian Economic Commission, to the restitution proposal tabled by the U.S. in ACC<sup>27</sup> Germany, and assured the Australian Representative that the same assurances the U.S. had given in the Italian Commission applied in connection with the Rumanian treaty. The U.K. and French Representatives gave similar assurances. Discussing the substance of Article 27, Mr. Thorp said the U.S. found it difficult to contemplate a situation where a few ex-enemies would be able to maintain their claims against Germany, while the Allies (under the Paris Reparation Agreement)<sup>28</sup> and other enemies (e.g. Italy under the agreed article in the Italian treaty) had renounced all their claims. He therefore thought it necessary to have the renunciation provision as proposed by the U.S., U.K. and French Delegations. M. Gerashchenko (U.S.S.R.) then spoke in support of the Soviet proposal, urging that Rumania not be required to waive claims for debts owed to Germany (which arose largely out of the operation of the German clearing system and which he said constituted in effect looting). He amended the first part of the Soviet proposal to provide that Rumanian property rights would be restored "in so far as no other joint decisions are taken by the Powers signatory to the Armistice . . ." The Netherlands Representative pointed out that the occupied countries had also suffered from the German clearing system and that it would be very unjust if Rumania should be given more favorable treatment than those countries, with respect to debts. The Czech Representative said the Allies had renounced their claims against Germany in the Paris Agreement only after having received reparation shares. But Rumania's claim for reparation had not even been

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<sup>27</sup> Allied Control Council.

<sup>28</sup> See footnote 65, p. 170.



considered. The injustice was therefore in forcing Rumania to renounce all its claims, including reparation. Mr. Gregory (U.K.) urged the desirability of having the same provision in the Rumanian treaty as in the Italian treaty. M. Gerashchenko replied that at the U.K.'s request the Finnish treaty contained the same provision as the Soviet proposal for Rumania.

The Soviet proposal for Article 27 was then defeated and the U.S.-U.K.-French proposal was approved, by votes of 9 to 5.

Article 28 (Debts) was approved unanimously.

Article 29 (Renunciation of Claims) was then taken up. The Australian Representative said he would not press his amendment on restitution of Rumanian property taken by Allied forces. The Polish Representative then proposed a drafting change in paragraph 3, to conform with a change already agreed in connection with paragraph 7 of Annex 4 A.<sup>29</sup> Although no objection in principle was expressed, it was agreed to defer further discussion pending circulation of the text of the Polish proposal.

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**TWENTY-FOURTH MEETING OF THE MILITARY COMMISSION,  
SEPTEMBER 24, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 51

M. Voina (Ukraine) took up discussion of the Greek amendment (CP Gen Doc. 1 J 21) to Article 9 of the Bulgarian Treaty where the discussion had ended at the previous meeting. He repeated with some changes the arguments previously set forth by the Soviet Delegation against the amendment. General Slavin carried on the argument with a long speech and was followed by the Polish Delegate. General Balmer moved a closure of the debate and a vote. General Pika (Czechoslovakia) and Admiral Manola (Yugoslavia) opposed the closure as did General Slavin. General Slavin made a formal proposal that a vote not be taken on the U.S. closure motion. This proposal was voted down 13 to 7 with Norway abstaining, and the closure was voted 11 to 9, Norway abstaining.

The Chairman then proposed a vote on the Greek amendment but the Byelorussian Delegate and General Slavin said they wanted clarification on the amendment before voting. General Pika suggested that the Greeks present a final text of their amendment at the

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<sup>29</sup> For substance of the change approved for paragraph 7 of Annex 4 A, see the United States Delegation Journal account of the 17th Meeting, September 14, p. 454.

following meeting and Admiral Manola proposed an amendment to the Greek amendment. This delaying process went on for some time and General Balmer stated that this was a deliberate filibuster and called for an immediate vote. The Czech proposal was voted down 12 to 8, Norway abstaining. The Yugoslav amendment<sup>30</sup> was voted down 11 to 4 with six abstentions, and the Greek amendment was adopted 11 to 7 with 3 abstentions. General Slavin drew the attention of the Commission to the fact that the vote did not represent the will of the Commission as there had not been a two-thirds majority, and pointed out that the countries which had voted for the Greek amendment were countries far removed from the territory affected.

The meeting adjourned at 2:32 p. m.

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**THIRTY-SECOND MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR ITALY, SEPTEMBER 24, 1946, 3:30 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 51

The Commission considered Article 14 and related amendments. Colonel Hodgson (Australia) withdrew his Delegation's amendment (CP Gen Doc. 1 B 5) which, he pointed out, was identical with the second portion of the Australian amendment to Article 13 which had been defeated in a previous meeting. The Representative of Yugoslavia spoke in favor of his Delegation's amendment to this Article (CP Gen Doc. 1 U 9). It was supported by the representatives of Poland and Byelorussia, while Mr. Dunn and the Representative of the U.K. spoke against it. M. Moutet (France) agreed with Mr. Dunn in opposing the first part of the Yugoslav amendment which would have added instruction in the "mother tongue" to the human rights provisions of Article 14. However, he supported the second part of the Yugoslav amendment, which reads as follows:

"ARTICLE 14a

"Italy agrees not to take any proceedings whatsoever against:

"(a) Persons who expressed themselves in favour of their locality or any parts of Italy being ceded to any Allied Associated Power, who engaged in activities to this end or took action, vis-à-vis international organisations or commissions in favour of a solution of the frontier question detrimental to Italy.

"(b) Italian nationals or members of the armed forces who deserted from the Italian army or joined Allied military units or resistance movements in the rear or under the occupation."

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<sup>30</sup> The Yugoslav amendment was actually a sub-amendment which proposed that the fortification restrictions of the Greek amendment apply only within five kilometers of the border. (CFM Files: United States Delegation Minutes).

The first paragraph of the Yugoslav amendment (U 9) was rejected by a vote of 9 to 5, with 6 abstentions. The second part of this amendment, however, was adopted by a vote of 13 to 6, with 1 abstention (New Zealand).

The Representative of Greece spoke in favor of his Delegation's amendment to Article 68, which had been referred to the Political and Territorial Commission by the Economic Commission for Italy (CP (IT/P) Doc. 79). The amendment provided for the restoration of legal rights and interests of the Greek Orthodox establishments in Italy as well as for the enjoyment of spiritual liberty and freedom of worship. The Representatives of France and the U.K. favored sending this amendment to the Legal and Drafting Commission while Colonel Hodgson proposed sending it back to the Economic Commission. It was finally decided by vote of the Commission to refer the Greek amendment to the Legal and Drafting Commission to give a ruling on whether the substance of the amendment was not in fact already covered by other provisions in the Draft Treaty.<sup>31</sup> Article 14 was adopted without further comment.

The Commission then took up the articles relating to special interests of China (Section IV) and Dr. Quo (China) spoke on them. He described them principally as drafting changes to accord with the existing situation in Italo-Chinese affairs.<sup>32</sup> He was supported by Mr. Dunn and M. Moutet. The Chinese amendments to Articles 18, 19, and 20 were adopted without objection, as well as draft Articles 18, 19, and 20.

The Commission then adopted Article 37 (Section VIII—Bilateral Treaties) and Article 63 (Part 5—Withdrawal of Allied Forces).

In response to a request from the Albanian Delegation, it was agreed to invite it to express its views on Articles 21–26, inclusive, (Section V—Albania). On proposal from Mr. Dunn it was agreed to comply with the Italian Delegation's request to be heard on the articles of the treaty relating to Albania and Ethiopia (Sections V and VI).

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**TWENTY-THIRD MEETING OF THE ECONOMIC COMMISSION FOR  
ITALY, SEPTEMBER 24, 1946, 3: 30 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 51

The Commission continued its discussion of compensation for United Nations property (Article 68, paragraph 4) and took up the

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<sup>31</sup> See Annex 4 to C.P. (Plen) Doc. 28, Report of the Legal and Drafting Commission on the Draft Peace Treaty with Italy, vol. iv, p. 429.

<sup>32</sup> The changes proposed by the Chinese delegation were contained in C.P. (Gen) Doc. I.G.2.

Yugoslav amendment proposing that compensation paid should be proportionately the same as that granted in the case of reparation [C.P.(Gen.) Doc.1.U.21]. The Yugoslav Representative emphasized that he could see no difference between damage suffered by United Nations property within the territory of United Nations and United Nations property in Italy. He pointed out that United Nations property in Italy had been used to contribute to the Axis war effort against the United Nations, and asked that compensation for damage to United Nations property in Italy not be greater than the Commission decided to give for United Nations property in the territory of United Nations. The Byelorussian and Ukrainian Representatives both spoke at some length in favor of the Yugoslav proposal, proclaiming it to be a happy formula for determining the amount of compensation to be paid. The Byelorussian Representative suggested that the United Nations nationals "who poured capital into Fascist Italy" were aware of the risks involved and that these companies probably made profits during the war. He added that total compensation would tend to increase the economic domination of Italy by foreign capital. The Netherlands Representative spoke in favor of the United Kingdom proposal for full compensation pointing out that the Netherlands suffered greatly from the war and was dependent on her foreign investments for reconstruction of her economy.

The Chairman suggested the proposals might be put to a vote. M. Alphand (France) then suggested the French proposed to reduce the number of proposals on compensation by accepting the U.S. draft on paragraph 4 as proposed in the Balkan Commission and asked Mr. Thorp (U.S.) if he would put forward the draft introduced in the Balkan Commission. Mr. Thorp agreed and remarked that this proposal was a modified version in the light of the French and U.K. proposals.<sup>33</sup> The Yugoslav Representative objected that it would be difficult to vote on the United States and French texts which did not stipulate any specific percent of reparation. Mr. Thorp and Mr. Gregory pointed out the difficulty of voting for the Yugoslav proposal in view of the fact that the proportion of reparation to damage could not be ascertained by the Conference because the figures on damage submitted in connection with reparation claims would not be agreed officially by the Conference. M. Aroutiunian (U.S.S.R.) emphasized the importance of the problem of compensation and asked

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<sup>33</sup> For documentation on this matter, see the following items in vol. iv: C.P. (Plen) Doc. 26, Report of the Economic Commission for Italy, p. 338; C.P. (Plen) Doc. 29, Report of the Economic Commission for the Balkans and Finland on the Draft Peace Treaty with Rumania, p. 434; C.P. (IT/EC) Docs. 58, 59, and 60, French, United States, and British proposals, pp. 784, 785, and 786, respectively; and C.P. (IT/EC) Doc. 65, the modified United States proposal presented at the present meeting, p. 787.

the Commission for a further discussion of the question of compensation before the vote was taken. He pointed out that the French proposal was contradictory in that it asked for partial compensation in some cases but for full compensation in cases where Italy took special measures against the property as enemy property. In addition, the French and United States proposals attempted to extend the definition of United Nations nationals, which had already been agreed in paragraph 8, and he did not consider this to be appropriate.

After some urging the Belgian, Canadian, Greek and Netherlands Representatives spoke in favor of full compensation. The Czechoslovak Representative explained that although he was in full sympathy with the Yugoslav proposal he had to keep in mind the position of his Delegation with respect to the Rumanian Treaty. Czechoslovakia, he said, had invested heavily in Rumania and, therefore, would abstain from voting on the Yugoslav amendment to the Italian Treaty.

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**FIFTH INFORMAL MEETING OF THE COUNCIL OF FOREIGN MINISTERS  
AT THE PARIS PEACE CONFERENCE, SEPTEMBER 24, 1946, 4 P. M.**

CFM Files

*United States Delegation Minutes*

SECRET

PRESENT

U.K.

M. Bevin  
M. Alexander  
M. Jebb  
Interpreter

FRANCE

M. Bidault  
M. Couve de Murville  
M. Latour du Pain  
Interpreter

U.S.

M. Byrnes  
Senator Connally  
Senator Vandenberg  
M. Bohlen

U.S.S.R.

M. Molotov  
M. Vyshinsky  
M. Gusev  
M. Pavlov

M. BIDAULT, who was presiding, said that since M. Bevin had taken the initiative in calling the meeting to examine the schedule of the Conference he would ask M. Bevin to outline his views.

M. BEVIN said he had circulated a paper setting forth the suggestions of the British Delegation on the program of the work of the Conference.<sup>34</sup> He said it would be impossible to have the Conference inter-

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<sup>34</sup> Annex 1 to this document, p. 548.

fere once again with the General Assembly or any other international body. If all genuinely desired to terminate the work of the Conference on time, he felt that they could do so. At present certain commissions were not up to schedule and would if left to themselves not have finished their work by October 5. In presenting these suggestions to the Council, he had sought to avoid the procedural debate at the Conference or in the commissions, but at the same time avoid any impression that the Council was taking the matter out of the hands of the Conference. He said further he did not wish to suggest anything which might be utilized for one reason or another to delay the work in the commissions. He said in paragraph 3 his idea was that the Council could meet concurrently with the plenary sessions of the General Assembly, and between the fifth and fifteenth of October the Council could put into final shape a good deal of the treaties, and open questions not decided by the commissions or the plenary sessions could be discussed during that period. He stated he took it to be the clear sense of the Foreign Ministers that they all wished to go to New York for the General Assembly, and he proposed therefore that the Council should work simultaneously in New York. He remarked it would be difficult for him to get to New York before November 1, and he knew that M. Bidault had the problem of the elections, but the Deputies could meet in New York before the Ministers arrived and get the treaties in shape for consideration by the Council.

M. BYRNES said that, as he understood M. Bevin's suggestion, the first two paragraphs applied to the work of the Conference and the last two to the work of the Council of Foreign Ministers. He agreed with M. Bevin that there should be no suggestion of dictation by the Council, but recalled that some two weeks ago the Secretary General had sent a communication to the presidents of the commissions suggesting that the commissions terminate their work by October 5 and the plenary sessions by October 15. He felt, therefore, that any suggestions from the Council should be in the form of a reply to the Secretary General's communication. He said he had not fully studied the proposals but he thought that they were satisfactory as to the work of the commissions, namely, that this work should be completed by October 5, and then the report on any outstanding questions submitted to the Conference. He said he also thought that the suggestion to wind up the work of the plenary sessions by October 15 was satisfactory. The plenary sessions, from October 5 to October 15, would give all members of the Conference an opportunity to state their position on any question. As to the third and fourth paragraphs concerning the Council of Foreign Ministers, he felt that if the Conference should wind up as scheduled, the Council might be able to finish the work

on the final drafts here in Paris. He would, of course, be glad to welcome them to New York, but he felt that this suggestion was not so agreeable to M. Bidault. He mentioned that he did not personally intend to be present at the opening session of the General Assembly nor to be in regular attendance. He was, therefore, quite prepared to remain here, if his colleagues were willing, in order to finish off the treaties. He felt that a good deal could be done by the Council even before the fifteenth. He said he would like to hear M. Molotov's views on this subject.

M. MOLOTOV said that he hoped they could work out a schedule for the work of the Conference as that was the only way he saw to expedite the work and meet the deadline of October 23. The Soviet Delegation felt that they must be free by that date so that he and M. Vyshinsky could get to New York by October 22. He felt that this position coincided with that of many of the other delegates at this Conference who also wish to go to the General Assembly. He said he thought that M. Bevin's suggestion for the commissions to complete their work by October 5 and the plenary sessions by October 15 was acceptable, but, of course, the Conference will have to decide for itself. He also agreed that the Council could meet concurrently with the plenary sessions from the fifth to the fifteenth of October. He said he had an amendment to make to paragraph 1 of M. Bevin's proposal in order to bring it into conformity with the procedure adopted for the Conference, but he would wait to present this amendment until the general discussion was over.

M. BIDAULT said that in his opinion there was no objection to points 1 and 2.

M. MOLOTOV suggested that in place of the second sentence of paragraph 1 the following should be substituted: "The commissions should terminate their work by October 5 and submit their proposals and points of view to the plenary sessions on that date." He said that he had in mind that the commissions should consider all questions which had been presented to them and that no question should be left open by the commissions. He thought, therefore, it might be wise to ask the Secretary General to draw up a concrete schedule for each commission which would be necessary if the commissions were to get their work done on time.

M. BEVIN inquired what would happen if any commission had not despite the plan finished its work by October 5.

M. MOLOTOV said that they should all try to see that a concrete plan was adhered to.

M. BIDAULT said that he had in mind a rigid schedule which would include the possibility of the commissions applying the rule of cloture in order to terminate the debate.

M. MOLOTOV said he could assure his colleagues that the Soviet Delegation would adhere strictly to any plan they agreed on here and would ask for no exceptions to it.

M. BEVIN remarked that he understood that there were only three commissions, namely, the Balkan Economic, the Italian Economic and Trieste, which were behind schedule.

M. BIDAULT said he thought it would be possible to draw up a schedule and in order to ensure compliance provide for the right to close off the debate and to set definite dates in the commissions for voting on all questions.

M. BYRNES said that as he understood it M. Molotov was willing to accept the first sentence of paragraph 1, but had doubts about the second. He said he saw some merit in M. Bevin's suggestion which was to guard against the possibility that a given commission would not for some reason or another have taken action on all the questions before it. Under M. Bevin's suggestion these questions would still come before the plenary sessions.

M. MOLOTOV replied that the Soviet Delegation felt it would be very inconvenient to have the Conference examine questions which had not been dealt with by the commissions. They desired to help the commissions finish their work and they believed that the procedure established for the Conference should be adhered to and that was that the plenary sessions should give consideration to the reports of the commissions. The plenary sessions would have nothing to consider if there were no reports from the commissions.

M. BIDAULT said he understood this to mean that with the right of cloture in the commissions, the various clauses would be voted upon, but that in the event that no vote was taken on a certain question, it would be for the Conference to decide what to do about it. He felt, however, that if a proper schedule was drawn up, the commissions would vote.

M. BEVIN remarked that in both 1 and 2 of the proposal he wished to safeguard against the possibility that a given commission might not have discussed the question before it or had failed to reach a decision on it. He did not wish to deprive the Conference of its right to vote on any question merely because a commission had failed to do its duty. He was afraid that under M. Molotov's amendment some important points might go off the agenda simply because some commission had not done its work.

M. MOLOTOV said he thought that the proper procedure was to make sure that the commissions would complete their work. He said that they could not deprive the commissions of the right to examine the questions which had been put before them.



M. BYRNES said he would like to have a clear understanding of the matter. For example, in the economic commissions, there was the understanding, with respect to reparations, that the Secretary General would fix a given date, say September 30, for a vote on the reparation questions and amendments thereto regardless of debate.

M. MOLOTOV said yes he had some such schedule in mind as the only way of assuring that the commissions would complete their work.

M. BYRNES said he did not object but he wondered if it would not mean that certain commissions would have to vote on two or three questions a day in order to meet the schedule. He, furthermore, did not object to a proposal to limit debate since he felt that for sixty days the Conference had had ample opportunity for unlimited debate. He said he thought that M. Bevin's views were wise since in the event that some questions had not been considered by a commission by October 5, it would be difficult to get the Conference to accept the view that those questions could not be discussed at the plenary sessions. He felt that every Delegation had some pet amendments and that they might be afraid that theirs might be among those left out.

M. BIDAULT said he felt that they had been indulging in a somewhat useless discussion for some time since there appeared to be general agreement as to the aim.

M. BEVIN said that they could add a sentence to paragraph 2 to the effect that the commissions should adopt a timetable which would assure a final vote on all questions before October 5.

M. MOLOTOV said that the main issue before them was that the Soviet Delegation did not think that any question which had not been considered by the commissions should be considered by the plenary sessions. The commissions should complete their work and report to the Conference, but he felt that if the plenary sessions were to take up questions which had not been considered by the commissions, there would be long debates and endless delays.

M. BYRNES said it was for the Conference to determine in plenary session what it would do and not for the Council of Foreign Ministers. He said he was prepared to accept M. Bevin's suggested addition to paragraph 1. He said, however, he wished to know what would happen on October 5 if a commission had not finished its work.

M. MOLOTOV said if the commission had not finished its work, then there would be no reports by that date and the Conference would have nothing to consider. He repeated that the Soviet Delegation would adhere to any plan they had agreed on and would request no postponement of voting.

M. BEVIN said he hoped there was no misunderstanding here, but he understood M. Molotov to say that if the commission had not finished

by October 5 there would be nothing in regard to the work of that commission for the Conference to vote on.

M. MOLOTOV said that they all agreed that the commissions should finish their work and then report to the Conference. If they had not done so, there would be no reports.

M. BEVIN remarked that that meant that if any commission had not considered a question referred to it, then the plenary conference would have nothing to consider in regard to that question. He said it was for this reason that he had included in his draft a reference to outstanding questions.

M. MOLOTOV remarked that if they could not assure that the commissions would be finished by the fifth of October, how could they speak of the Conference finishing on the fifteenth?

M. BEVIN said he agreed, but he wished to avoid any possibility of obstruction in the commissions in order to prevent any given question from reaching the plenary sessions. He said it might provide an excuse for certain commissions not to finish. If certain delegations in a commission were able to obstruct a vote on any given question, there would then be no report to the Conference on that question. He said it was difficult to accept the thesis that the Conference could not consider a question simply because a commission had not done its work.

M. MOLOTOV suggested that they draw up a schedule limiting the number of speakers for or against any question.

M. BEVIN said he merely wished to avoid being "dished" as the English expression went, and he did not wish to play in the hands of those who did not intend to act in the spirit of all of them here. He felt he must reserve his right to raise in plenary session any question irrespective of the action of any commission.

M. MOLOTOV said they could not ignore the procedures which they had adopted.

M. BEVIN said he thought it was understood that any member of the Conference had a right to raise any question at a plenary session.

M. BYRNES again inquired what would happen in respect of any question which the appropriate commission had not considered by October 5. Would the commission be discharged and if so, what would happen to the question?

M. MOLOTOV said in such a case a few more days might be given to the commission in question.

M. BIDAULT then suggested that paragraph 2 might read: "The Conference should begin consideration of the reports of the commissions on October 5 and the final vote on all questions referred to it should take place before October 15."

M. MOLOTOV said he would accept M. Bidault's amendment provided the words "since the commissions shall have finished their work by October 5" be placed at the beginning of M. Bidault's amendment.

M. BIDAULT said he thought the point raised by M. Molotov was covered by his own proposition since the Conference could not examine reports which it did not have and could not examine them all at once.

M. MOLOTOV said he would like to make more precise paragraph 2 of M. Bevin's proposition which he felt should read: "The Conference will discuss the reports of the commissions on each treaty separately and will vote on all reports by October 15." He said he thought each treaty should be considered separately and that they should begin with the one that would be ready first. For example, there are in regard to each treaty three categories of questions: (1) territorial and political; (2) economic, and (3) military. There would thus be reports from three commissions on each treaty, but they should not start with the report of any one of the three commissions, but take all three categories of questions relating to one treaty, dispose of them and then go on to the next treaty.

M. BYRNES said that personally he had thought that it might expedite matters to take it by commission—for example, when the Rumanian Political Committee had completed its work, consider its report in the plenary session without waiting for the economic and military questions relating to Hungary. However, he could see there was much to be said on M. Molotov's point that it should be done by treaties rather than by commissions, but he saw no reason why if all three categories of questions concerning Rumania were ready, say next week, they should wait until October 5 to consider them.

M. MOLOTOV said he agreed with this.

M. BEVIN, however, said he wished time to study the suggestion.

M. MOLOTOV said upon further consideration he would like to think it over before deciding on the order of the treaties since after all the Potsdam decision had set up an order beginning with the Italian treaty.

M. BYRNES then remarked that he had understood M. Molotov to state that he was agreeable to the suggestion to limit debate in the commissions.

M. MOLOTOV said he had no objection to limiting orators if his colleagues agreed. There might be some inconvenience to the orators themselves but it would expedite the work. He also thought it might be possible to limit the number of speakers, say one for and one against, or two for and two against any given question.

M. BIDAULT remarked that that was exactly what he had suggested two hours ago, but no attention had been paid to it.

M. MOLOTOV said they supported M. Bidault's proposal and that it was better late than never.

M. BIDAULT then said he understood that M. Bevin's text, as amended by M. Molotov, was accepted and that it was understood that the Secretary General would make practical suggestions as to the limitation of debate.

M. BEVIN said he could accept M. Bidault's proposal, which provided that the Conference should begin its discussion in plenary session on October 5 and finish all questions by October 15.

M. MOLOTOV pointed out that he had made an amendment to M. Bidault's suggestion. He said, however, he would be willing in place of his opening words to substitute the words "in accordance with paragraph 1". Then the balance of M. Bidault's suggestion would be acceptable.

M. BYRNES said he did not see why it was necessary to refer to paragraph 1.

M. MOLOTOV replied that his proposal was that the Conference should start its consideration on October 5, but after the commissions had voted on all questions and amendments.

M. BEVIN observed that this meant that unless all commissions had finished by October 5, there would be nothing for the Conference to do and any commission which had not finished would have done its work for nothing.

M. MOLOTOV said that he did not mean that all commissions on all treaties must be finished by that date, but if, for example, the three commissions relating to the Italian treaty, that is, political and territorial, economic and military, had already finished, the Conference could discuss the Italian treaty.

M. BEVIN inquired what would happen if, for example, the Political and Territorial Commission for Italy had not finished its work by October, would that mean that there would be no discussion of the political and territorial questions relating to Italy?

M. MOLOTOV said no, but the whole treaty must be ready before the plenary sessions would consider it.

M. BEVIN said he could not agree. He thought that this would open the door to obstruction in the commissions and could prevent certain questions from coming to the plenary sessions. For example, he said that the question of the Danube had not been discussed in the commissions and it might be possible to prevent this question from coming before the plenary. He felt that under this formula any commission could block the consideration by the Conference of any question.

M. MOLOTOV said he felt there was no basis for this interpretation and it was completely excluded that anyone could prevent the discussion of any part of these treaties.

M. BEVIN said there may be a misunderstanding.

M. MOLOTOV said he thought that the fact was that if any commission was not finished by the fifth, they could be given until the sixth or seventh. He said they should all be prepared to use every effort to finish by October 5. The Soviet Delegation was ready to cooperate fully and he did not see why there should be any delay. As a matter of insurance they could say October 3 instead of October 5 as the deadline for the commissions, and the commissions could work day and night, as well as Sundays, and if they limited the time and number of speakers they could adhere to a schedule.

M. BEVIN said he agreed to that but he had not yet gotten an answer to his question as to what happens if a commission breaks down. Would the Conference then have no opportunity to discuss the point in question?

M. MOLOTOV said he had already answered that question.

M. BEVIN said he was ready to accept M. Molotov's amendments, reserving his right to raise at a plenary session any question whether finished by the commission or not.

M. BIDAULT said that he thought that they were in fact in agreement on paragraphs 1 and 2, and that he proposed to add a third paragraph:

"3. With a view to complying strictly with the above-mentioned dates the competent organs of the Conference should establish a procedure which will include, if necessary, limitation on the length and number of speeches and the possibility of applying cloture on any question."

M. Bidault's suggestion was accepted.

M. BYRNES then inquired if it was proposed to discuss paragraphs 3 and 4 dealing with the program of the Conference. If so, he suggested that a clean copy be made of the understanding they had reached with regard to the Conference.

M. BIDAULT said that as to points 3 and 4 his only observation was that as he had already said, October 23 for both personal and national reasons was the worst possible date for him to be in New York. He said it would be impossible for himself or any French Foreign Minister to go to New York until November. In any case, he could not make any definite commitment as to when he could be there. He said he regretted this, but that circumstances which they all understood made it inevitable.

M. BYRNES said that he was willing to stay here in order to finish the treaties, and inquired whether they could not continue after the fifteenth for a short while, say ten days, and then go to the United States.

M. BEVIN said that he was agreeable.

M. MOLOTOV said that the difficulty was that he had to be in New York for the opening of the General Assembly. He said that as he wished to return to Moscow before going to New York, it would be difficult for him to remain in Paris after the fifteenth.

After some discussion, it was decided not to make a definite decision when the Council would convene in New York, but wait and see how much of the final drafting of the treaties had been accomplished by October 15.

M. BEVIN, reverting to the question of Conference procedure, said he merely wished to have it clear so that there would be no misunderstanding in regard to what they had accepted. He said he felt that as written the agreement might be interpreted as giving the commissions the power to prevent a question from coming before the plenary conference, and that was why he made his reservation.

M. MOLOTOV replied that the Soviet Delegation had made its proposal in writing and there was no reason to place a wrong interpretation upon it as he felt M. Bevin had done. In the circumstances, he said that there was no agreement.

M. BEVIN said he did not wish to put any wrong interpretation on anything nor did he wish to prevent an agreement, but he wished to be assured that in agreeing he was not in any sense depriving the plenary conference of its right to discuss any question whether or not the commission had considered it.

M. MOLOTOV said that the Conference was to examine the reports of the commissions when the commissions in question had completed their deliberations. That means that as long as the commissions on a given treaty have not completed their work, the Conference must wait until they had finished. He said this suggestion may be acceptable or not, but that it was quite clear.

M. BYRNES said that he had understood M. Molotov to say that if on October 5 any given commission, say the Italian Political Commission, had not finished its work, it could have some more time to complete it. He wondered what would happen if a commission refused to complete its work by October 15 when the Conference was supposed to end. He thought that this possibility was what was worrying M. Bevin. In his opinion, however, the Conference could then either insist upon the commission's report or else discharge the commission.

M. BEVIN then stated that he felt that if the Deputies were to follow the work of the commission and let the Ministers know if one or another of the commissions was not keeping to the agreed schedule, that might take care of his concern. He said the Ministers were all pledged to this schedule and they could then consult as to what should be done to take care of any commission which was delaying its work.

M. MOLOTOV said he would agree to that.

M. BIDAULT pointed out that in their resolution the commissions were obliged to vote by October 5 and the plenary session by October 15. He felt that this schedule was a safeguard against the possibilities M. Bevin had in mind.

It was agreed that the resolution should be sent to the Deputies for drafting and then to the Secretary General as an answer to his communication concerning a timetable for the Conference. The Secretary General should then call a plenary session and present the suggestion to the Conference for its approval.

[Annex 1]

SUGGESTED PROGRAMME

(British)

(1) Commissions shall report to the Plenary not later than October 5th. Any outstanding points on which by that date no vote has been possible shall be referred to the Plenary for decision.

(2) The Plenary shall vote on all reports or outstanding points by October 15th.

(3) As much work as possible will be done in Paris before October 15th by the Council of Foreign Ministers;

(4) The remaining work will be finished by the Council of Foreign Ministers in New York.

The programme suggested is as follows:

October 5th	Commissions end.
October 5-15th	Plenary to consider reports of Commissions. Council of Foreign Ministers meets to consider recommendations of Plenary as and when adopted.
October 15th	End of Conference.
October 22nd	Deputies meet in New York, and prepare final Treaties.
November 1-7th	Foreign Ministers meet in New York and take up Deputies' work.
November 15-20th	"Final stage" ends and Treaties are signed.
End of November	German talks begin.

[Annex 2]

TEXT TENTATIVELY ACCEPTED BY THE MINISTERS SUBJECT TO DRAFTING

1. The commissions should submit their reports to the plenary conference by October 5. To arrive at this end they should adopt programs of work and timetables which will ensure a vote being taken

in the commissions on all proposals and amendments before that date, after which their reports will be submitted to the plenary conference.

2. In accordance with paragraph 1, the plenary session should begin consideration of the reports of the commissions on October 5 and the final vote on all questions referred to it should take place before October 15.

3. With a view to complying strictly with the above-mentioned dates the competent organs of the Conference should establish a procedure which will include, if necessary, limitation on the length and number of speeches and the possibility of applying cloture on any question.

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**TWELFTH MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR RUMANIA, SEPTEMBER 24, 1946, 9 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 52

*Adoption of Record of Decisions of 11th Meeting.* The Record of Decisions of the 11th meeting contained the action of the Commission in adopting Article 36 (interpretation of treaty) by a two-thirds majority vote of 8 to 4.<sup>35</sup> The Ukrainian and White Russian Delegates stated in this connection that they wished it to be placed on the Record that they associated themselves with the Soviet position in regard to the right of France to vote in the Commission. The U.S., U.K. and French Delegations reiterated the positions of their governments on this matter. The Record of Decisions of the 11th meeting was thereupon adopted.

*Revised Map of Rumanian Frontier.* After prolonged discussion on the revised map of the Rumanian frontier in which the U.S. and U.K. Delegations reserved the right of the CFM to verify and correct the map of the Rumanian frontiers if it found that the map did not conform to Article 1 of the treaty, the map was accepted by the Commission.

*Report of the Rapporteur.* Various amendments of an unimportant character were suggested by the Delegations to the report and in general were accepted by the Commission and the *Rapporteur*. At one stage the Soviet Delegate suggested that two reports be drawn up, one summary report for the Plenary Session and a second detailed report, which would contain all the amendments to the treaty, observations of the Rumanian Government, description of work of the

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<sup>35</sup> For the United States Delegation Journal account of the 11th Meeting, September 12, see p. 443.



Commission, etc., for the CFM. The U.S. Delegate stated that such a report went far beyond the competence of the Commission and would be unnecessary since he assumed that all of the CFM members kept summaries of the proceedings. In addition, the CFM had access to all the documents of the Commission. The Chairman of the Commission suggested that this question be left to the Secretary General of the Conference. The report was unanimously adopted by the Commission.<sup>36</sup>

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REINSTEIN-TARCHIANI CONVERSATION, SEPTEMBER 24, 1946

CFM Files

*Memorandum of Conversation, by Mr. Jacques J. Reinstein of the United States Delegation*

SECRET

SEPTEMBER 24, 1946.

Participants: M. Tarchiani, Italian Ambassador in Washington  
Mr. Reinstein

Subject: Italo-Egyptian Agreement for Settlement of War Damage Claims

M. Tarchiani called on me today to furnish me with information I had requested several days ago regarding the recent Italo-Egyptian Agreement for the settlement of claims relating to war damage. He showed me the text of an agreement signed by M. Bonomi and Wacyf Ghali Pasha in Paris on September 10, 1946. He allowed me to read the Agreement but would not give me a copy. A summary of the Agreement is attached.<sup>37</sup>

M. Tarchiani said that the Italian Government had two motives in signing the Agreement. The first was to obtain the release from sequestration of Italian assets in Egypt which he said amounted to 150 million Egyptian pounds. The other was the hope that the arrangement might help to modify the Egyptian attitude concerning the Italian colonies. He implied that the colonial authorities in Italy had been largely instrumental in putting through this secret Agreement.

M. Tarchiani expressed the hope that the Italo-Egyptian Agreement would not come under discussion in the Conference. I told him that it had already been raised and that it seemed to me quite possible that the Italian Government would be called upon to furnish information concerning the Agreement. M. Tarchiani recognized that the

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<sup>36</sup> The report, C.P. (Plen) Doc. 15, is printed in vol. iv, p. 430.

<sup>37</sup> The agreement was approved by Italian law No. 512, May 16, 1947; for text, see *Gazzetta Ufficiale della Repubblica Italiana*, No. 144 (June 27, 1947), pp. 1930-1933.

signatures of the Agreement might have adverse repercussions on the entire Italian position with regard to reparations. He said that he had personally protested against the arrangement but that M. Bonomi had arrived from Rome with instructions to sign it and had, in fact, signed it three hours after his arrival in Paris. The text of the Agreement has been closely safeguarded and he hoped that it would not be necessary for it to be disclosed.

I asked M. Tarchiani what plans had been made for ratifying the Agreement. He said that he did not know, since the entire matter had been dealt with in Rome.

[Annex]

*Summary of the Italo-Egyptian Agreement*

SUMMARY OF AN AGREEMENT SIGNED AT PARIS ON SEPTEMBER 10, 1946,  
BY SR. IVANOE BONOMI AND WACYF GHALI PASHA ON BEHALF OF  
THE EGYPTIAN GOVERNMENT

1. The Italian Government undertakes to pay to the Egyptian Government the sum of 4,500,000 Egyptian Pounds in compensation for damage suffered as a result of Italian military operations in Egypt.

2. The Italian Government recognizes and assumes responsibility for the repayment of the sum of E.£2,170,000 plus, which was levied on Italian assets in Egypt and used for the assistance of needy Italians, as well as for the maintenance and support of Italian schools and churches. The exact composition of this sum is set forth in an Annex to the Agreement. The two principal items are E.£1,600,000 disbursed through the Swiss Legation in Egypt, and E.£360,000 disbursed for relief of victims of air-raids.

3. The Egyptian Government will lift its measures of sequestration against Italian property in Egypt on coming into force of the Agreement. However, the Egyptian Government will retain under sequestration Italian assets to the value of the sum mentioned in paragraph 1, which will be released as the sum referred to is paid.

4. The Italian Government renounces on its own behalf and on behalf of its nationals all claims against Egypt for exceptional war measures taken against Italian property.

5. The Italian Government undertakes to compensate Egypt and Egyptian nationals for damages suffered in Italy.

6. The Agreement is to be ratified and will enter into force on exchange of ratifications, which is to be effected at Cairo as soon as possible.

## LOFTUS-COSTE CONVERSATION, SEPTEMBER 24, 1946

740.00119 Council/9-2546

*Memorandum of Conversation, by the Chief of the Petroleum Division, Office of International Trade Policy (Loftus)*

SECRET

PARIS, September 25, 1946.

Mr. Coste called at his request last night. He made the following points:

1. The Opposition Group were greatly heartened by Mr. Thorp's statement of September 23<sup>38</sup> whereas most members of the official Rumanian Delegation were disturbed and frightened. He mentioned parenthetically that after the apparently successful performance by the Rumanian Economic Experts in answering oral questions on September 22,<sup>39</sup> Mr. Maurer was sent to Deauville on what was regarded by his colleagues and Mr. Gusev as a well-deserved vacation, from which he has now been abruptly recalled.

2. He said that Mr. Gafencu, head of the Opposition Group, was addressing a letter to Mr. Byrnes urging modification of Article 29.<sup>40</sup> He hoped that Mr. Thorp would give sympathetic consideration to this request. Mr. Thorp had now made it clear to the world that Rumania had been abused through intolerable economic exactions. Therefore Rumania should not be deprived, through a mandatory absolute waiver of claims against Allied powers, of any future opportunity (however improbable and illusory it might now appear) for seeking redress of these injustices. The door should be left a little open.

3. He hoped that Mr. Thorp would recognize the implications of the U.S. draft of Article 27. Rumania's balance in the Rumanian-German clearing arrangement was more than enough to offset Rumania's armament debt to Germany. Waiver of Rumania's claims against Germany would permit the USSR to demand the entire armament debt without reference to the offsetting Rumanian clearing balance. Mr. Coste estimated that this additional claim, when converted into goods as it presumably would be, would permit the USSR to exact another \$500,000,000 from Rumania. He could not explain how the USSR had overlooked this in putting forward an alternative draft which would deprive Russia of this additional claim.

<sup>38</sup> For text of Thorp's statement, see United States Delegation Press Release, p. 516.

<sup>39</sup> A Rumanian representative was questioned at the 24th Meeting of the Economic Commission for the Balkans and Finland, September 22; for the United States Delegation Journal account of that meeting, see p. 507.

<sup>40</sup> On October 9, Mr. Gafencu addressed a letter to Secretary Byrnes (not printed) enclosing memoranda presenting the views of the Rumanian Opposition on various aspects of the draft treaty (CFM Files).

4. He was very anxious that the possibility be explored of broadcasting Mr. Thorp's statement in Rumanian through the Voice of America radio facilities; and asked that this request be brought to the attention of Mr. Cavendish Cannon.

5. He asked that Mr. Thorp's statement be forwarded to the U.S. Mission at Bucharest which would know how to get it into the hands of "the right people" in Rumania.

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WEDNESDAY, SEPTEMBER 25, 1946

**THIRTY-THIRD MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR ITALY, SEPTEMBER 25, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 52

The Commission resumed consideration of Article 17 and related amendments.

Mr. Jebb (UK) replied to yesterday's question regarding the significance of the phrase "interested governments" in paragraph 2 of the Foreign Ministers declaration on Italian Colonies.<sup>41</sup> It meant, he said, that those Allied countries who fought in Africa during the last war will among others be fully consulted on disposal of the Italian Colonies before final decisions are taken by the CFM. The British Delegation, he said, would of course support draft Article 17 and the 4-Power declaration on the Colonies. He outlined British views on the Colonies which, he said, his Government would press on the CFM:

- (1) Ethiopian claims to the greater part of Eritrea were justified;
- (2) Certain rectifications in favor of Egypt "in the West";
- (3) Special recognition of fact that large numbers of Italians are still living in Tripolitania; and,
- (4) The desire for self-government of the Arab communities in Libya.

There was no assurance, he said, that unanimity could be achieved in the CFM and thus the decision would go to the Assembly at UN where the British Government would abide by any solution approved by two-thirds majority. The British would only ask that the CFM or the Assembly not ignore their pledge to the Senussi they would never again be under Italian domination. He defended British Military Government in the African Colonies and recalled the sacrifices

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<sup>41</sup> See the United States Delegation Journal account of the 31st Meeting, September 24, and footnote 22, p. 530.

of the British Empire, particularly the Dominions in defeating the Axis in North Africa. He concluded that any settlement must be worthy of the men who gave their lives on the sands of Africa, but above all that it be so drawn to prevent forever the repetition of those events requiring such sacrifices. Full text of Jebb's speech contained in CP (IT/P) Doc. 82.<sup>42</sup>

M. Moutet (France) outlined the views of France with respect to Article 17 and the Colonies. He recalled that the French Delegation had proposed to the CFM the placing of Italian Colonies under UN trusteeship with Italy acting as trustee. France, however, had finally agreed with the other powers to postpone the final settlement but still felt that the control of the territories should be vested in UN. (For full text of Moutet's remarks see CP IT/P 72.)<sup>42</sup>

The representative of Ethiopia rejected the Egyptian claims to the port of Massawa and explained why his Delegation felt it desirable to withdraw the Ethiopian amendment (CP (Gen) Doc 1 H 1). The Greek amendment regarding fishing rights in North African waters was likewise withdrawn. M. Ghali Pacha (Egypt) replied to the Ethiopian arguments and maintained Egypt's claims to Massawa. He thanked the Commission for having heard Egypt's views and left the Conference hall with his Delegation at the close of discussions on Article 17.

The Brazilian amendment (CP (IT/P) Doc 73)<sup>43</sup> to Article 17 was rejected by 18 votes to 1 with 1 abstention. The New Zealand amendment (CP (Gen) Doc 1 M 1) was likewise rejected by 16 votes to 2 with 2 abstentions. Thereafter Article 17 was adopted with two Delegates abstaining. (Brazil and Australia)

The representatives of Poland and the Ukraine introduced and spoke in favor of their joint amendment for a new article between Articles 14 and 15 of the draft treaty, (see CP (IT/P) Doc 69). This amendment replaces the original Polish amendment (CP (Gen) Doc 1 O 2) and the original Ukraine proposal (CP (Gen) Doc 1 R 2).<sup>42</sup> For full text of Polish Delegate's remarks see CP (IT/P) Doc 67.<sup>44</sup> The amendment, which would write into the Italian peace treaty obligations to prohibit the existence or activities of Fascist political and military organizations and other organizations depriving people of their democratic rights "or engaged in propaganda hostile to any one of the United Nations", was supported by the USSR, Czechoslovakia and Yugoslavia. It was opposed by Mr. Dunn and Mr. Jebb on the grounds that it had been considered by the Four sponsoring

<sup>42</sup> Not printed.

<sup>43</sup> For text, see footnote 25, p. 531.

<sup>44</sup> Regarding this matter, see C.P. (Plen) Doc. 24, report of the Commission, vol. IV, pp. 299, 326.

powers drafting the treaty and deliberately omitted as unnecessary in the light of the measures already taken by the new democratic government of Italy. The amendment was defeated by 9 votes to 8, with 3 abstentions.

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**TWENTY-EIGHTH MEETING OF THE ECONOMIC COMMISSION FOR  
THE BALKANS AND FINLAND, SEPTEMBER 25, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 52

The Commission resumed discussion of Article 29 (Renunciation of Claims). It approved a change in paragraph 3 concerning United Nations whose diplomatic relations with Rumania were broken off during the war and then unanimously approved Article 29 as a whole.<sup>45</sup>

The Commission then took up the U.K. and U.S. proposals for the insertion after Article 24 of a new article requiring Rumania to restore property and rights of persons who had been subjected to racial or religious discrimination.<sup>46</sup> Mr. Gregory (U.K.) referred to the considerable history of discriminatory legislation and action taken by the Rumanian Government on racial and religious grounds. He thought that the written observations of the Rumanian Government as to the steps which had been taken to eradicate the discriminatory legislation were not satisfactory. He believed the U.K. proposal was necessary as a means of insuring the restoration of property to the victims of discrimination and of reminding future Rumanian Governments of this obligation. He said it was a counterpart to some of the political articles. Mr. Thorp (U.S.) set forth the differences between the U.K. and U.S. proposals. While both proposals required the return of property and rights, they differed as to what should be done when return was impossible. The U.K. proposal required full compensation. The U.S. proposal viewed the individuals concerned basically as Rumanian nationals and therefore required compensation in local currency on a basis no less favorable than that accorded to Rumanian nationals. The U.S. proposal also introduced a new concept in its third paragraph. This concerned the disposition of property and rights for which there were no claims, i.e., "heirless property". To a large extent the loss of such property was the result of action by the state and it did not seem right that the state should be enriched

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<sup>45</sup> For text of the revised paragraph 3, see C.P. (Plen) Doc. 29, Report of the Commission on the Draft Peace Treaty with Rumania, vol. iv, pp. 434, 444.

<sup>46</sup> For texts of the proposals, see C.P. (Plen) Doc. 29, *ibid.*, pp. 434, 441.

by such action. The U.S. proposal therefore required that such property be turned over to IRO or any other organization designated by ECOSOC for relief and rehabilitation purposes in Rumania. This principle had already been adopted in neutral countries. Mr. Thorp asked that when a vote was taken it be divided between the first two paragraphs, which he regarded as an alternative to the U.K. proposal, and the third paragraph, which concerned heirless property. M. de Carbonnel (France) said that he supported the principle in both proposals and added that he preferred the U.K. proposal as far as the first part was concerned. M. Gusev (USSR) spoke in opposition to both proposals on the grounds that Articles 3 and 4 adequately covered the situation in connection with human rights and the repeal of discriminatory legislation. Moreover, Rumania had already taken sufficient steps to remove such legislation. M. Simic (Yugoslavia) agreed with Mr. Gusev's remarks and noted that Rumania's high population of 450,000 Jews indicated that persecution had not been as great in Rumania as in Germany and the other European countries.

The chairman then asked for further remarks and since there were none, declared the discussion closed and proceeded to put the U.K. proposal to a vote. At this point M. Gusev (USSR) intervened to ask what the relationship of the new articles to Articles 3 and 4 would be. Mr. Gregory (UK) and Mr. Reinstein (U.S.) replied that the proposals complemented Articles 3 and 4. M. Gusev (USSR) replied. M. Tchijov (Byelo-russia) then asked for the floor. Mr. Walker (Australia), on a point of order, observed that although the debate had been closed, a discussion on the substance of the proposal was taking place. M. Bartosh (Yugoslavia) made a lengthy speech defending M. Gusev's speech as being in reality on a point of order. He proposed that the vote be adjourned until the relationship of the proposals to Articles 3 and 4 had been discussed with the Political Commission for Rumania. Mr. Reinstein (US), on a point of order, asked that the Commission vote on Article 29, as it had already started to do. The chairman ruled that Mr. Bartosh's motion to adjourn discussion took priority. There were then further remarks by Mr. Walker (Australia), who opposed adjournment, and Messrs. Bartosh (Yugoslavia) and Gusev (USSR) who said the proposals would nullify Articles 3 and 4. The Commission then defeated the Yugoslav motion by a hand vote of 8 to 5 with 1 abstention. The chairman recognized Mr. Tchijov (Byelo-russia) and asked him to keep his remarks "in close connection with the vote". Mr. Walker (Australia), on a point of order, requested the chairman's explanation of this phrase which seemed to permit substantive speeches after debate had been closed by agreement. The chairman said that "speaking to the vote" had been

previously practiced in the Commission and meant expressing an opinion in the shortest possible way as to whether or not a vote was going to be supported or opposed. He said that in the future it would be made very clear when discussion was to be closed. Mr. Tchijov (Byelorussia) supported the USSR and Yugoslav Delegations in opposing the U.K. and U.S. proposals. The Commission then approved the U.K. proposal, (B&F/EC) Doc. 26, by a hand vote of 7 to 6 with 1 abstention. The first two paragraphs of the U.S. proposal (B&F/EC) Doc. 37, which had the same general purpose as the U.K. proposal just approved, were rejected by a vote of 7 to 1, with 6 abstentions. The third paragraph of the U.S. proposal, regarding heirless property, was then approved by a hand vote of 7 to 5 with 2 abstentions.

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**TWENTY-FIFTH MEETING OF THE MILITARY COMMISSION,  
SEPTEMBER 25, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 52

General Pika (Czechoslovakia) said that because of the motion of cloture made by the U.S. Delegation at the previous meeting France and the U.K. had not been able to answer his question as to whether there was agreement amongst the four drafting powers with regard to Article 9 and the Greek amendment [C.P.(Gen.)Doc. 1.J.21]. Generals Dove (U.K.) and Catroux (France) both said that they agreed with General Balmer. General Slavin said that the Greek amendment was a liquidation of Article 9 of the draft treaty with Bulgaria and General Balmer said that the U.S. Delegation supported Article 9 *in toto* as drafted and that the U.S. Delegation did not go back on its word; the Greek proposal was a new one and was not a change in the agreed text. Admiral Manola asked in the name of God and truth that the Commission be objective and said he could not believe that General Catroux could place the military problem presented by Italy in the same category as that of Bulgaria. General Dove moved that Article 9 be adopted and that the part of the Greek amendment (CP (Gen)Doc 1 J 21), which was adopted at the previous meeting, be inserted in the treaty as a new Article 9 A. Article 9 was adopted, provisionally, in its original form, but the debate on General Dove's second proposal was not voted and the only statement on this question will be in the two reports to be forwarded to the Plenary Conference by the majority and minority groups who voted on the Greek amendment. The next meeting will be held at 10 a. m. September 26.



**TWENTY-FOURTH MEETING OF THE ECONOMIC COMMISSION FOR  
ITALY, SEPTEMBER 25, 1946, 3:30 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 52

The Commission continued discussion of the question of full as opposed to partial compensation (Article 68 paragraph 4). The representative of Poland declared he was in agreement with the principle of partial compensation and with the principle of the Yugoslav amendment which proposed that compensation should be proportionately the same as adopted in the case of reparation [C.P.(Gen.) Doc. 1.U.21]. He argued that from the economic point of view there was no difference between reparation and compensation, and in fact he felt damage to United Nations property in Italy should receive less compensation than damage to United Nations property in the territory of United Nations.

Mr. Thorp (US) said he still believed there was a fundamental difference between reparation and compensation. In the former case, a clear loss was involved, in the latter a net gain for the reconstruction of the Italian economy. On the question of the amount of damage suffered by United Nations property in Italy, Mr. Thorp pointed out that the Soviet estimate of \$250 million for U.S. property in Italy might be correct but that only \$110 million of this was susceptible to damage. He suggested that twenty-five percent was a reasonable estimate of damage to United Nations property and that on the basis of the Soviet estimate of 100 billion lire worth of United Nations property in Italy, total damage would amount to a little over \$100 million. This, while a burden for Italy, could not overwhelm Italy. In explanation as to why the U.S. Delegation had not proposed any special percentage of compensation, he said that the U.S. stood in rather a special position financially with respect to Italy, and had in mind a figure of 25 percent compensation as the percent it would ask if the issue merely involved the U.S. and Italy. However, the U.S. had not mentioned any percentage as it did not wish to influence in any way the decisions of the other delegations.

After some discussion the representative of Belgium moved a closure of the debate which was amended to allow the U.K. and USSR to speak and France to explain its vote.

M. Aroutiunian (USSR) suggested that Mr. Thorp's remarks had been very peculiar in that he argued the case for full compensation but declared himself to be in favor of partial compensation. He implied Mr. Thorp had taken his position realizing that the vote would uphold the principle of full compensation.

M. Alphand (France) explained that the French asked for full compensation in cases where property had been subjected to special measures as enemy property and therefore would abstain.

The issue of full versus partial compensation was put to a vote and resulted in a tie, Australia, Belgium, Canada, Ethiopia, Great Britain, Greece, New Zealand, the Netherlands and the Union of South Africa voting in favor of full compensation, the U.S., Byelo-russia, Brazil, China, Poland, Czechoslovakia, Ukraine, the USSR and Yugoslavia voting against full compensation, and France and India abstaining.

The principle of the Yugoslav amendment relating the amount of compensation to be paid to amount of reparation to be paid was lost 14 to 4, Yugoslavia, Byelo-russia, Poland and the Ukraine voting for, the USSR and Czechoslovakia abstaining.

M. Aroutiunian said he wished to adopt the U.S. suggestion for 25 percent compensation, and at Mr. Thorp's suggestion the following proposal was put to a vote: "All those who approve some formula relying on 25% vote yes and those who can find no such formula no." This was lost 12 to 5. The U.S., Byelo-russia, China, the Ukraine, the USSR voting for, Poland, Czechoslovakia and Yugoslavia abstaining and the other members opposed.

The principle of compensation amounting to 75 percent was then carried 13 to 5, Australia, Belgium, Brazil, Canada, Ethiopia, France, Great Britain, Greece, India, New Zealand, the Netherlands, Czechoslovakia and the Union of South Africa voting for, Byelo-russia, China, the Ukraine, the USSR and Yugoslavia voting against, and the U.S. and Poland abstaining.

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**SIXTEENTH MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR HUNGARY, SEPTEMBER 25, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 52

The Chairman read a new draft of the Yugoslav amendment (1 U 32b),<sup>49</sup> which required Hungary to return certain cultural objects and documents. The U.S. Delegate suggested that the Commission adjourn discussion in order that the members might have time to study the new draft.

The Commission unanimously adopted Article 20 regarding withdrawal of occupation forces. The Australian and Czechoslovak Delegations withdrew their amendments to Article 34 [C.P.(Gen.)Doc.

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<sup>49</sup> See footnote 19, p. 528.

1.B.57 and C.P.(Gen.)Doc.1.Q.15], which was then unanimously adopted by the Commission.

The Australian Delegate withdrew his amendment to Article 35 [C.P.(Gen.)Doc. 1.B.58]. General Smith (US) explained that the U.K.-U.S. draft of Article 35 differed from the Soviet draft only in that the former provided for settlement in case of dispute. The Soviet Delegate contended, however, that these disputes should be settled on the spot; that international courts did not work fast enough; and that there was unnecessary danger to Hungarian sovereignty. The U.K. Delegate said a similar article had already been discussed in other Commissions. He hoped the three local diplomatic representatives would always be able to reach agreement. Nevertheless there was no guarantee in the Soviet proposal that disputes would not continue indefinitely. Reference to the International Court of Justice assured impartiality. The Czechoslovak Delegation supported the U.S.S.R. draft. The U.K.-U.S. draft was then put to a vote, with 8 members voting in favor and 5 against (Byelo-russia, Czechoslovakia, Ukraine, U.S.S.R., Yugoslavia). The Soviet draft was defeated by the same majority. Article 35 was then adopted. The Ukraine Delegation reminded the Commission that the U.S.S.R. draft could go to the Plenary as a minority report.

The Australian Delegate stated that the Commission need not consider the Australian new article to come after Article 35 (CP Gen Doc. 1 B 59), which provided for a conference for reviewing the treaty. He wished his remarks placed in the record and reserved the right to raise it in Plenary Conference should the Italian Commission approve a similar proposal (1 B 17). Then followed a discussion as to whether the proposed new article was in fact being withdrawn and if the Australian Delegate could reserve the right to raise it in Plenary Conference. The U.S. Delegate proposed adjournment in order that both procedure and substance might be considered more thoroughly.

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**TWENTY-NINTH MEETING OF THE ECONOMIC COMMISSION FOR THE  
BALKANS AND FINLAND, SEPTEMBER 25, 1946, 9:30 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 52

A letter was received from the Rumanian Delegation asking that it be allowed to express its views in writing on the admendment adopted at the previous meeting of the Commission regarding restoration of property rights of Rumanian nationals who had been subjected to racial persecution. It was further requested that the Rumanian views

be annexed to the *Rapporteur's* report to the Plenary Conference. The Commission agreed that the Rumanian observations should first be circulated to the members and that a decision could then be taken on what further action, if any, was desirable.

The Commission then resumed its discussion of Article 26 (property in Allied territory) and of the Ukraine amendment which would have provided for the restoration to Rumania of her property rights and interests in Allied territory. After a speech by the Ukraine representative, the amendment was defeated by a vote of 10 to 3 (Byelorussia, Ukraine, and Yugoslavia voting for the amendment, with one abstention).

The Australian representative then raised questions regarding the scope of paragraph 1 of the Article, suggesting that it be changed to limit the claims, against which assets in Allied territory could be applied, to commercial claims; and regarding paragraph 4, which he suggested should include a further exception which would provide for the return of industrial, artistic and literary property. Mr. Thorp (US) said it was not possible in the U.S. at least to do anything about patents since they had been taken over by the Government and widely used in the war effort, thereby destroying their value as patents. However, the U.S. Delegation had sympathy with the Australian viewpoint regarding literary and artistic property and an effort was now being made to work out some modification of paragraph 4 in this regard. He suggested that action be deferred. The U.K. and Soviet representatives opposed any change in paragraph 1. The U.K. representative said it was made quite clear in the Council of Foreign Ministers when this paragraph was drafted it was intended to cover claims in addition to commercial and financial claims. The Commission agreed to defer action on Article 26 pending consideration of the redraft of paragraph 4 now in progress.

The Commission then discussed Article 31 (settlement of disputes), for which there were two main proposals, one by the U.K. and one by the U.S.S.R., the difference being in the method of appointing the third member of the Conciliation Commission in the event the two other members of the Commission were unable to agree. M. Gerashchenko (USSR) said the Soviet Delegation could not imagine a case arising when the heads of the three missions in Bucharest would be unable to agree on a third member (the procedure proposed in the Soviet proposal). Mr. Gregory (U.K.) said the U.K. considered it essential that a means be provided for the final determination of a dispute and had therefore proposed that the third member of the Conciliation Commission be named by the President of the International Court of Justice. The U.K. proposal was then approved, and the Soviet proposal defeated, by votes of 8 to 5 (Australia abstaining).

Article 32 was amended at the suggestion of the U.S. representative (pursuant to an amendment introduced by Norway) to conform to the wording previously agreed for paragraph 7 of Annex 4 A.<sup>50</sup> Article 32 as amended was then approved unanimously.

Article 33 was then considered ("The provisions of Annexes 4, 5 and 6 shall, as in the case of the other Annexes, have force and effect as integral parts of the treaty"). The Yugoslav representative suggested that the Committee should not approve the words underlined above since these other annexes were not related to economic articles of the treaty. The Chairman suggested that General Secretariat had been in error in referring this article exclusively to the Economic Commission and suggested that it be referred to the Political Commission for consideration of the appropriate part. It was agreed to defer action, however, when M. Gerashchenko pointed out that the Economic Commission should not approve the reference to Annexes 4, 5 and 6 in this Article until the Commission had considered the Annexes themselves.

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#### THURSDAY, SEPTEMBER 26, 1946

#### THIRTY-FOURTH MEETING OF THE POLITICAL AND TERRITORIAL COMMISSION FOR ITALY, SEPTEMBER 26, 1946, 10 A. M.

CFM Files

#### *United States Delegation Journal*

USDel(PC) (Journal)53

The Commission considered the articles of Sections V and VI (Albania and Ethiopia). Sig. Tarchiani (Italy) spoke on the economic aspect of the articles relating to Albania and Ethiopia. He made a distinction between Italian investments in Albania and Ethiopia prior to Fascist aggressions and those made following the invasions of these countries respectively. He asked that Italian state property and assets in Albania and Ethiopia be taken into account in the settlement of economic relations with those two countries describing the nature and value of Italian building and improvements. The Albanian Delegation submitted its views with respect to Articles 21 to 26, inclusive. For full text of remarks see CP(IT/P)Doc. 86.<sup>51</sup>

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<sup>50</sup> Mr. Thorp proposed that the words "which have broken off diplomatic relations with Rumania" be replaced by the words "whose diplomatic relations have been broken off during the war." (CFM Files: United States Delegation Minutes).

<sup>51</sup> Not printed.

The representative of Yugoslavia spoke in favor of his Delegation's amendments to Articles 21 and 25 (CP Gen. Doc. 1 U 12 and 13, respectively), which (1) would add the phrase "territorial integrity" to Italian recognition of Albanian sovereignty and independence and (2) would provide Albania with the rights of an Associated Power for the purposes of the treaty. The representative of Poland introduced and defended his amendment (CP Gen Doc. 1 O 3) to Article 21 obliging Italy to establish diplomatic relations with the Albanian Government. The representative of the Ukraine supported the Yugoslav amendment to Article 21 while the representatives of Byelorussia and the Soviet Union supported the Yugoslav amendment to Article 25. Both Yugoslav amendments and the Polish amendment were opposed by Mr. Dunn who said, however, that the U.S. Delegation would be willing to propose a modification in Article 73, when the Commission reached that point in the treaty, to add Albania to "Allied and Associated Powers" and thus include that country in the benefits of the economic clauses mentioned therein. M. Couve de Murville (France) agreed with this latter suggestion but said that his Delegation would abstain from voting on the Yugoslav amendment to Article 25.

The representative of Greece submitted his Delegation's amendment (CP Gen Doc. 1 J 5) to Article 22 providing for the "return" of the island of Saseno to Greece and its demilitarization under UNO. The amendment was opposed by the Soviet Delegate. Discussion on Section V of the treaty was declared closed, and the Albanians left the Conference hall.

The Yugoslav amendment to Article 21 (CP Gen Doc. 1 U 12) was adopted by a vote of 10 to 9 with one abstention. The Polish amendment to Article 21 (CP Gen Doc. 1 O 3) was defeated by 15 votes to 4 with one abstention. Article 21 as amended was likewise adopted by a vote of 11 to 1 with 8 abstentions, including that of the U.S. The Greek representative made a reservation with respect to this Article since, as amended, it involved the territorial frontiers of Albania. He said that while his Government subscribed to the sovereignty and independence of Albania it reserved its position with respect to Northern Epirus. The Greek amendment to Article 22 was rejected by 13 votes to 2. Article 22 was thereafter adopted by 15 votes to 1, with 4 abstentions. Articles 23 and 24 were adopted and referred to the Italian Economic Commission for consideration. The second Yugoslav amendment to Article 25 (CP Gen Doc. 1 U 13) was defeated by 12 votes to 6, with 2 abstentions. Finally Articles 25 and 26 were adopted by the Commission.

**THIRTIETH MEETING OF THE ECONOMIC COMMISSION FOR THE  
BALKANS AND FINLAND, SEPTEMBER 26, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 53

M. Vyshinsky (USSR) spoke for an hour, primarily in reply to remarks made to the Commission on September 23 by Mr. Thorp (U.S.) when he introduced the U.S. amendment to Article 24, paragraph 4, Rumanian Treaty.<sup>52</sup> M. Vyshinsky noted that the U.S. had changed its position and now, like the USSR, favored the principle of partial compensation. It was logical that there should be partial compensation for damaged U.N. property on Rumanian territory just as reparation provided only partial compensation for damages suffered on U.N. territory. Much of the damage in Rumania had resulted from Allied bombing and some of the American bombing had been unnecessary. This should be considered in the assessment of compensation claims. The dispute as to the general principle of compensation was at an end, in view of the changed U.S. position.

M. Vyshinsky then said that Mr. Thorp's remarks of September 23 bore no relation to paragraph 4 but were directed against the policy of the Soviet High Command in Rumania. He said that if what Mr. Thorp had said were true, it might be an argument to decrease the economic obligations of Rumania. But, M. Vyshinsky said, the armistice terms were just and legitimate. The U.S., U.K. and USSR had agreed to these terms. Article 10 of the armistice required payment of occupation costs. Rumania should pay these costs and the obligations should not be questioned. U.S. and U.K. troops were costing Italy money. M. Vyshinsky wondered if Mr. Thorp would wish to give figures on the cost of maintaining U.S. troops in bases throughout the world. Mr. Thorp had given a figure of \$325 million. This figure stood not for the maintenance of troops but for the expenses of war and for war equipment. It represented the price of victory. The U.S., which dealt in figures did not seem to realize this. In connection with Article 11 of the armistice terms, Mr. Thorp had said that the \$300 million reparation obligation amounted to \$450 million, in current dollars. But, M. Vyshinsky said, if 1944 prices had been taken, the Soviet Union would have received about one-third the cost of buildings constructed in 1937 and 1938 and destroyed during the war. In connection with Article 12 of the armistice terms on restitution, Mr. Thorp had given a figure of \$175 million. M. Vyshinsky asked what rate of

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<sup>52</sup> See the United States Delegation Journal account of the 25th Meeting of the Economic Commission for the Balkans and Finland, September 23, p. 514.

exchange had been taken, implying that the figure was exaggerated. He also asked if Mr. Thorp had wished to defend looting. He gave figures to show what Rumania had taken from the Soviet Union and what remained to be restituted, pointing out that the Soviet Union had waived half of its remaining claim.

M. Vyshinsky then turned to Mr. Thorp's estimate of the future economic burden on Rumania at \$1 billion. He noted that this included the transfer of German and Italian assets. He said that this was in accordance with the Potsdam Agreement and that no one had a legal or moral right to question this decision. He thought that the U.S. did not appreciate the destruction and misery that had been inflicted on the USSR in Leningrad and elsewhere. He said Mr. Thorp was hiding behind a statistical veil and, moreover, had based his information on Rumanian sources which he (M. Vyshinsky) knew about. Mr. Thorp made an estimate of damages to U.N. property in Rumania and this was necessarily guesswork. Actually, M. Vyshinsky said, there were two main American firms in Rumania. These were Romano-Americana and Astra-Romano [the latter is not an American firm]<sup>53</sup>. Their profits during 1943 amounted to 726 million lei and 800 million lei, respectively, which profits were very large in relation to the damage suffered by these firms. M. Vyshinsky ended his talk by observing that while the Soviet Union was being subjected to attack, these U.S. corporations were making huge profits.

Mr. Thorp (U.S.) replied in less than three minutes that he should like nothing better than to discuss and reconcile the statistical differences but that, as he understood M. Vyshinsky, these differences did not sufficiently affect the orders of magnitude involved to change the general conclusion of the U.S. Delegation. Had M. Vyshinsky been present at earlier discussions of the Commission, he would have had less difficulty in understanding the purpose of the remarks and might not have felt it necessary to defend the Potsdam and Armistice Agreements, since it was not the intention of the remarks to question these agreements. The concern had been exclusively with the extent of the obligations on Rumania created by these Agreements and this did have a bearing on paragraph 4. Mr. Thorp felt that M. Vyshinsky's first interpretation of the U.S. comment had been correct. It had been an argument for partial compensation. Logic had long since led the U.S. to feel that full compensation would be justified, but the facts had led the U.S. to consent to partial compensation.

M. Vyshinsky made another brief speech, the substance of which was that the U.S. was subordinating facts to policy, whereas the USSR subordinated policy to facts.

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<sup>53</sup> Brackets appear in the source text.



**TWENTY-SIXTH MEETING OF THE MILITARY COMMISSION,  
SEPTEMBER 26, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 53

The records of the 18th, 19th, 20th and 21st meetings were adopted and the annexes. Approval of the record of the 22nd meeting was deferred because of a reservation of Admiral Karpounin, the Soviet Delegate, with regard to the interpretation of the words "total tonnage". The record of the 23rd meeting was adopted.

Articles 10 and 11 of the draft peace treaty with Bulgaria were adopted unanimously. The Belgian amendment to Article 12 (CP Gen Doc. 1 C 3) as amended by the UK Delegation (see USDel (PC) (Journal) 30)<sup>54</sup> was adopted unanimously. The first part of the Greek amendment CP Gen Doc. 1 J 22 forbidding naval torpedoes was withdrawn and a debate developed on the second part forbidding motor torpedo boats. The Soviet Delegation and Delegations of the countries which follow their lead opposed the amendment and the UK and US Delegations supported it.<sup>55</sup> The question did not come to a vote and the debate will be continued. The Polish Delegate proposed that the Bulgarian representatives be invited to appear following provisional adoption of the draft treaty and the proposal was agreed to unanimously.

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**THIRTY-FIFTH MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR ITALY, SEPTEMBER 26, 1946, 3:30 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 53

The Commission considered the articles relating to Ethiopia (Section VI). The representative of Ethiopia submitted and explained his Delegation's amendments to Articles 28 and 31 (CP Gen Doc. 1 H 2 and 3). The first part of the Ethiopian amendment (H 2) to Article 28 designed to include diplomatic and consular premises in Italy's renunciation of property rights in Ethiopia was defeated by 8 votes to 6, with 6 abstentions. The second part of this amendment specify-

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<sup>54</sup> The reference is to the United States Delegation Journal account of the 7th Meeting, August 31, p. 329.

<sup>55</sup> Captain Mackay (U.K.) contended that it was only as the result of an oversight that the Council of Foreign Ministers had neglected to prohibit motor torpedo boats in the satellite treaties. Such craft had been forbidden to Italy. Captain Pryce (U.S.) added that it had never been the intent of the Council of Foreign Ministers to discriminate between ex-enemy states in regard to offensive armaments. Admiral Manola (Yugoslavia) stated that Bulgaria presented no threat to Greece by sea. The amendment was designed only to reduce Bulgaria's defensive power and to humiliate her. (CFM Files: United States Delegation Minutes)

ing that parastatal property be included in the above renunciation was adopted by a vote of 9 to 7 with 4 abstentions. Article 28, as amended, was thereafter adopted with the US and Ethiopia abstaining. The Ethiopian amendment (H 3) providing for various drafting changes in Article 31 and the addition of two paragraphs thereto was voted on in five sections: (1) that portion providing for a time limit (18 months) in the restitution of Ethiopian works of art, etc. was adopted by 15 votes to 5; (2) a drafting change to include "archives" was adopted by 16 votes to 4; (3) an additional sentence providing compensation for objects which cannot be restored was defeated by 14 votes to 6; (4) an additional paragraph providing for the restitution of silver, including coin, was defeated by 7 votes to 5 with 8 abstentions; and (5) the first sentence of a second additional paragraph providing that October 3, 1935 should be the controlling date with respect to Ethiopia for the provisions of the Treaty was adopted by 14 votes to 6. (The last sentence of this proposed paragraph was not voted on because considered within the competence of the Economic Commission for Italy). Article 31, as amended, was adopted by the Commission with the U.S. abstaining. Articles 27, 29 and 30 were adopted. In view of their economic implications, Articles 28, 30 and the Ethiopian amendment to Article 31 will be referred to the Economic Commission for Italy for comment.<sup>56</sup>

The Commission considered Article 38 (War Crimes). The representative of Poland spoke in favor of his Delegation's amendment (CP Gen Doc. 1 O 4) which would elaborate the language of the draft article and would include a new paragraph obliging Italy to bring to trial persons accused of a long list of crimes, the trial to take place in Italy if the United Nations Government concerned did not request extradition. The amendment was opposed by Senator Connally who declared that the present text of Article 38 had been carefully considered by the Council of Foreign Ministers and was sufficiently sweeping in language to reach those guilty of war crimes. It might be safely left, he said, to the new democratic Italy to try the crimes listed in the Polish amendment which were within the competence of Italian sovereignty.<sup>57</sup> At the request of the Polish Delegate his amendment was

<sup>56</sup> The Economic Commission for Italy considered this matter at its 33rd Meeting, October 2; see the United States Delegation Journal account of that meeting, p. 630.

<sup>57</sup> Charles Fahy, Legal Adviser of the Department of State, expressed objection to the wording of article 38 in a memorandum for the Secretary of State, September 17. He stated: "Accusation alone should not be sufficient to require compliance with the demand for any individual. The request should be accompanied by some showing of reason to believe a war crime has been committed." Assistant Secretary of State Dunn stated the following in reply on October 12: "We agree with you that the present draft article is not happily worded. The safeguard against abuse, of course, exists in paragraph 3 of the draft article providing that disagreement concerning the application of the provisions shall come within the competence of the Four Ambassadors in Rome. In effect it passes the ultimate responsibility to the Four Ambassadors in Rome where, in the event of lack of agreement, there would appear to be no compulsion on the Italians to surrender the accused. It was not possible for us to obtain any changes in the wording since Article 38 is an agreed article." (CFM Files).

divided into four parts for purposes of voting: (1) a drafting change in the first line of the article to read "all necessary steps" in place of "the necessary steps" was accepted without objection; (2) the provision requiring surrender of those accused of war crimes "to the United Nations Government concerned" was defeated by 13 votes to 6 with one abstention; (3) the additional phrase to paragraph 1(a) of "irrespective of their nationality" was defeated by 13 votes to 6 with one abstention; and (4) the new paragraph was defeated by 14 votes to 4 with 2 abstentions.

The representative of Greece spoke in favor of his Delegation's amendment to Article 38 to include crimes committed against Greek naval forces between September 1939 and October 1940 (for his remarks see CP(IT/P) Doc. 85).<sup>58</sup> It was rejected by 16 votes to 2 with 2 abstentions.

The representative of Yugoslavia introduced a new amendment to add Albania to the phrase "Allied and Associated Powers" in Article 38 in order that that country might enjoy similar rights with respect to the apprehension and surrender of war criminals. This amendment was supported by Byelo-russia. It was rejected by 12 votes to 8. Draft article 38 was adopted by the Commission with the Greek Delegation abstaining.

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**TWENTY-FIFTH MEETING OF THE ECONOMIC COMMISSION FOR ITALY, SEPTEMBER 26, 1946, 3: 30 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 53

The Commission spent nearly two hours in a discussion of whether the Rules of Procedure provided that a recommendation required a two-thirds majority of all members of the Commission or a two-thirds majority of those members present and voting. M. Aroutiunian (USSR) insisted that the Rules of Procedure clearly indicated that a two-thirds majority of all the members of the Commission was required for a recommendation. M. Alphand (France) suggested that the question be referred to the competent authorities of the Conference. Mr. Thorp (U.S.) suggested that the Commission report to the Plenary Conference the views which had been expressed and the details of the voting, without indicating whether or not the Commission was making a recommendation. The Commission finally agreed that the Chairman, Vice Chairman and *Rapporteur* should consult the competent authorities of the Conference and report to the Commission.

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<sup>58</sup> Not printed.

M. Alphanand moved, as a French proposal, the revised US draft of Article 68, paragraph 4, inserting 75 percent as the amount of compensation to be paid and adding a final paragraph to the effect that Italy will compensate U.N. nationals for damage resulting from special measures applied to their property during the war.<sup>59</sup> The Commission adopted paragraph 4(a) by a vote of 11 to 4 (Byelo-russia, Ukraine, USSR and Yugoslavia) with five abstentions (U.S., Australia, Brazil, China and Poland). The Commission then considered paragraph 4(b). M. Aroutiunian asserted that this paragraph was a flagrant violation of paragraph 8 of Article 68, which had been unanimously adopted by the CFM. He asked whether the French Delegation (and, by implication, the US and UK Delegations) did not regard itself as being bound by the decisions of the CFM. M. de Carbonnel (France), Mr. Gregory (U.K.) and Mr. Thorp pointed out that the words "United Nations nationals", as used in subparagraph (b), would be defined according to paragraph 8(a) and that the subparagraph (b) merely provided that compensation would be paid for damages to property held by UN nationals through corporations. The Commission adjourned before voting on this question.

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**TWENTY-SEVENTH PLENARY MEETING, SEPTEMBER 26, 1946, 6: 30 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 53

The Chairman (Mr. Byrnes) opened the meeting by saying that the time had come after over a month of the most free and open debate to try to complete the work of the Conference. The floor was given to M. Kardelj (Yugoslavia) who began speaking on the question of the Greek-Albanian frontier. The Chairman called the speaker's attention to the fact that he was not speaking on a matter set out in the agenda. He said that the Delegate could speak in favor of a motion to substitute another question in the agenda and if the motion were accepted by the Conference the subject could be discussed; otherwise not. M. Kardelj continued and the Chairman had to again call him to order. M. Baranovsky (Ukraine) unrecognized by the Chair called out that the speaker should be allowed to continue. He was silenced once but had to be quieted a second time before subsiding. M. Kardelj

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<sup>59</sup> Regarding the United States proposal under reference, that contained in C.P.(IT/EC) Doc. 65, see the United States Delegation Journal account of the 23rd Meeting, September 24, and footnote 33, p. 536. Regarding the Commission's decision on percent of compensation, see the United States Delegation Journal account of the 24th Meeting, September 25, p. 558.

completed his speech asking for a definite settlement of the 30th of August decision of the Conference that the Greek-Albanian frontier question be discussed at the next Plenary meeting.<sup>60</sup> The Greek Delegation withdrew the motion upon which this decision had been made and after some debate by M. Molotov it was agreed that the question was no longer on the agenda of the Conference.<sup>61</sup>

The Secretary General read a letter from M. Bidault written in the name of the Council of Foreign Ministers which suggested a schedule for the remaining work of the Conference. The Conference agreed to the four points of M. Bidault's letter together with the proposals of the Secretary General for implementing them.<sup>62</sup>

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### FRIDAY, SEPTEMBER 27, 1946

#### THIRTY-SIXTH MEETING OF THE POLITICAL AND TERRITORIAL COMMISSION FOR ITALY, SEPTEMBER 27, 1946, 10 A. M.

CFM Files

#### *United States Delegation Journal*

USDel(PC) (Journal) 54

M. Vyshinsky (U.S.S.R.) said that the Commission had made a grave mistake in failing to dispose of Articles 3, 4, and 16 (Italo-Yugoslav Frontier, Italo-Free Territory Frontier, and the Free Territory of Trieste, respectively) at the time of consideration of the amendments to those Articles and suggested that the Commission vote on these Articles immediately. A definitive decision from the Commission thereon would undoubtedly assist the progress of the Subcommittee for a Statute for Trieste, he added, which was presently making slow progress. The Chairman agreed to place these Articles on the agenda for tomorrow (September 28) for purposes of voting, the discussion having been closed on them.

Colonel Hodgson (Australia) submitted and spoke in defense of the Australia amendment (CP Gen. Doc. 1 B 13) to create a new Part X: Court of Human Rights (for text of his remarks see IT/P Doc. 90).<sup>63</sup> The amendment was vigorously opposed by M. Vyshinsky. Mr.

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<sup>60</sup> See the United States Delegation Journal account of the 25th Plenary Meeting, August 30, p. 321.

<sup>61</sup> The Greek Delegation indicated that it was willing that the subject be withdrawn from the agenda, but reserved the right to bring the matter to the attention of the Council of Foreign Ministers (CFM Files: Verbatim Record).

<sup>62</sup> The text of Bidault's letter is contained in the Verbatim Record of the meeting. For the substance of the four-power proposals it presented, see the United States Delegation Minutes of the 5th Informal Meeting of the Council of Foreign Ministers at the Paris Peace Conference, September 24, p. 538.

<sup>63</sup> Not printed.

Mason (New Zealand) expressed sympathy for the Australian amendment but suggested that the appropriate procedure would be to recommend to UNO the creation of an international judicial body for Human Rights. He said that he would propose a resolution to that effect later. Mr. Claxton (Canada) recalled that the Legal and Drafting Commission had considered and rejected the Australian proposal as not practicable at the present time;<sup>64</sup> therefore he concluded that the Canadian Delegation would have to vote against the Australian amendment and hoped that Colonel Hodgson would withdraw his proposal. The representatives of Ethiopia, China, and India expressed sympathy with the Australian proposal but associated themselves with the views of the Canadian Delegate. Colonel Hodgson made a further speech in support of his Delegation's amendment (B 13) which was finally put to the vote and rejected by 15 votes to 4, with one abstention.

The Commission next considered Article 75 creating a Council of Ambassadors in Rome for a period of 18 months to deal with execution and interpretation of the Italian treaty. Colonel Hodgson withdrew the Australian amendment to this Article (CP Gen. Doc. 1 B 15) and the related amendment to Article 76 (B 16) providing for the creation of a Treaty Executive Council, consisting of the Four Sponsoring Powers and three others to supervise the execution of the treaty. He pointed out that a similar amendment had been considered by the Commission in connection with Article 5 and rejected at that time (see Journal No. 47 September 20).<sup>65</sup> The Representative of Greece withdrew his Delegation's amendment (CP Gen. Doc. 1 J 19) to create an Inter-Allied Control Commission to supervise the Military Clauses of the treaty. He added that the Greek Delegation would not insist on an identical proposal being discussed in the Bulgarian Political Commission. Draft Article 75 was adopted by the Commission without further comment or objection.

The Commission considered Article 76 on the Settlement of Disputes arising from interpretation or execution of the treaty. M. Vyshinsky spoke in favor of the Soviet proposal, while Mr. Jebb (U.K.) spoke in favor of the U.S., U.K., and French proposal for this Article.<sup>66</sup> The latter was adopted by a vote of 14 to 6, while the U.S.S.R. proposal was rejected by an identical vote.

Mr. Mason moved the New Zealand amendment referred to earlier recommending to UNO the establishment of a Court of Human Rights

<sup>64</sup> For text of the Report of the Legal and Drafting Commission on the Draft Peace Treaty with Finland, see *Paris Peace Conference, 1946*, p. 1326.

<sup>65</sup> See the United States Delegation Journal account of the 27th Meeting, September 20, p. 491.

<sup>66</sup> The proposals under reference are contained in the Draft Peace Treaty with Italy, vol. iv, p. 35.

(see CP (IT/P) Doc. 95).<sup>67</sup> M. Vyshinsky asked Mr. Mason to withdraw his amendment as being outside the terms of reference of the Conference concluding that if it were not withdrawn the Soviet Delegation would vote against it. The New Zealand amendment was, however, put to a vote and rejected by 13 to 6, with 1 abstention. Colonel Hodgson introduced and defended the Australian amendment (CP (IT/P) Doc. 88)<sup>67</sup> to create a new Part XII of the treaty providing for its review at a subsequent Conference or its subsequent amendment by a two-thirds majority of the members of the Conference.<sup>68</sup> Mr. Jordaan (South Africa) opposed the amendment. It was defeated by a vote of 16 to 4 with one abstention. The meeting adjourned at 3 p. m.

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**THIRTY-FIRST MEETING OF THE ECONOMIC COMMISSION FOR THE BALKANS AND FINLAND, SEPTEMBER 27, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 54

Mr. Gregory (U.K.) spoke in support of full compensation, justifying it on the grounds of economic feasibility and justice. The Commission then voted on the principle of full compensation, the result being a six-to-six tie, with two abstentions. Those opposed were the U.S., Byelorussia, Czechoslovakia, Ukraine, U.S.S.R. and Yugoslavia. France and India abstained. The Commission voted on the principle of 25 percent compensation, and defeated it by nine votes to five (U.S., Byelorussia, Ukraine, U.S.S.R. and Yugoslavia). The principle of 75 percent compensation was then carried by nine votes to four (Byelorussia, Ukraine, U.S.S.R., and Yugoslavia) with one abstention (U.S.).

The Commission considered the text of Article 24, paragraph 4, and took as the basis of discussion the text proposed by the U.S. (CP (B&F/EC) Doc. 29).<sup>69</sup> At the suggestion of the Soviet Representa-

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<sup>67</sup> Not printed.

<sup>68</sup> The amendment proposed in C.P.(IT/P) Doc. 88 is as follows:

"XIX. Insert the following new article in Part XII

1. A Conference of the Allied and Associated Powers for the purpose of reviewing the Treaty or any part thereof may be held by agreement of two thirds of the Allied and Associated Powers.

2. Any amendments of the Treaty recommended by a majority vote of two-thirds of the Conference shall take effect when ratified in accordance with their respective constitutional processes by two-thirds of the Allied and Associated Powers including the U.S.A., France, the U.K. and the U.S.S.R.

3. If such a Conference has not been held before the expiration of five years from the coming into force of the present Treaty, a conference shall be held at the desire of a majority of the Allied and Associated Powers."

<sup>69</sup> For text, see C.P.(Plen) Doc. 29, Report of the Commission on the Draft Peace Treaty with Rumania, vol. iv, pp. 434, 437.

tive, the Commission agreed to consider the text separately from the extent of compensation. The Commission rejected a Soviet proposal to amend subparagraph (a) so as to provide national treatment for United Nations nationals having direct or indirect beneficial interests in corporations or associations, by a vote of nine to five (Byelorussia, Czechoslovakia, Ukraine, U.S.S.R. and Yugoslavia). The Commission then adopted paragraph (a) as proposed by the U.S. by nine votes to four, with one abstention (Czechoslovakia). M. Bartos (Yugoslavia) spoke in opposition to subparagraph (b), on the ground that it would be unjust to provide more than national treatment for United Nations nationals who had supported, and profited from, the Axis war effort through their participation in corporations or associations which were not regarded as enemies by Rumania during the war. A Soviet proposal to delete subparagraph (b) was defeated and the paragraph was then adopted by nine votes to five. Subparagraph (c) was adopted by the same vote.

M. Gerashchenko (U.S.S.R.) opposed subparagraph (d), requiring that fair and equitable treatment be granted United Nations nationals in the allocation of materials and foreign exchange, on the ground that it had been rejected by the CFM in the case of Italy, and that different treatment should not be sought in the case of Rumania. Mr. Reinstein (U.S.) spoke briefly in support of the proposal explaining, in particular, the special problems confronted by the petroleum industry in Rumania. The paragraph was adopted by nine votes to five. The Commission accepted the French version of subparagraph (e), requiring full compensation for losses and damages to United Nations property resulting from special measures directed against United Nations property by the Rumanian Government, the vote being the same as on the preceding paragraphs with the exception that the U.S. voted against the French proposal.

Mr. Gregory said that it was not necessary to consider the text of the U.K. proposal,<sup>70</sup> as that proposal did not differ substantially from the U.S. proposal, as amended, except in the principle of full compensation, which had already been settled. M. Gerashchenko stated that the Soviet Delegation withdrew its original proposal and accepted the U.S. proposal with the amendments which had been put forward by the Soviet Delegation. The Chairman noted that the Commission's report would record the voting on the extent of compensation and also on the text (apart from the extent of compensation), and that each member would express his preference as to the combination of the extent of compensation and the text.

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<sup>70</sup> Not printed.



**TWENTY-SEVENTH MEETING OF THE MILITARY COMMISSION,  
SEPTEMBER 27, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 54

A schedule for the completion of the Commission's work by October 5 was adopted unanimously. The Chairman was authorized to invite the Hungarian and Finnish representatives to be heard after consideration of the respective treaties had been completed. A time limit of 24 hours after hearing the Finnish and Hungarian representatives was set for the tabling of amendments. The record of the 26th meeting was adopted unanimously. The Greek amendment forbidding motor torpedo boats to Bulgaria was carried 13 to 6 with Ethiopia and France abstaining.<sup>71</sup> The Soviet Delegation maintained that this was a less than two-thirds majority and so the decision could not go to the Conference as a recommendation of the Commission. General Balmer opposed this contention and the *rapporteur* was authorized to address a letter to the Secretary General asking for a ruling on the question of the basis for calculating a two-thirds majority. General Catroux, the French Delegate, maintained that an abstention was an expression of opinion and was not equivalent to an absence. After this discussion Article 12 was adopted with the wording regarding torpedoes which had been agreed to in the treaties previously considered.<sup>72</sup> Article 13 was adopted unanimously. Discussion of Article 14 was adjourned against the opposition of the U.S. and British Delegates<sup>73</sup> and a vote to adjourn was carried 16 to 3 with Belgium and Norway absent. Two meetings will be held on September 28.

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**TWENTY-SIXTH MEETING OF THE ECONOMIC COMMISSION FOR  
ITALY, SEPTEMBER 27, 1946, 3:30 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 54

The Chairman informed the Commission that it must plan to finish Articles 67, 68 and 69 by 8 p. m. He suggested that speakers wishing

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<sup>71</sup> Regarding the Greek amendment, see the United States Delegation Journal account of the 26th Meeting, September 26, p. 566. In the form approved by the Commission, the amendment inserted "M.T.B.S." [motor torpedo boats] after the words "other submersible craft" in article 12. (CFM Files: Record of Decisions).

<sup>72</sup> On this point the Journal is in error; the Commission decided to defer adoption of article 12.

<sup>73</sup> The Soviet Delegation also opposed adjournment (CFM Files: United States Delegation Minutes).

to be heard on a motion present their names to the Chair. He would then divide the time equally among those wishing to speak. He also suggested the translators make summaries of long speeches. M. Aroutiunian (U.S.S.R.) objected to the first proposal, pointing out that if during the debate a delegate who had not asked to have the floor felt it necessary to speak, would not be able to. He also opposed summarizing translations pointing out that while many members understood English and French few understood Russian and, therefore, those delegates speaking in Russian would be discriminated against. The Commission agreed to follow the rules adopted by the Secretariat which did not include these two suggestions.

The Commission took up the French draft for paragraph 4 of Article 68 (compensation) (CP(IT/EC) Doc. 65).<sup>74</sup> In answer to the Soviet statement at the previous meeting, that subparagraph (*d*) dealing with equitable treatment with respect to materials and foreign exchange had been rejected during the CFM discussions, M. Alphan (France), Mr. Gregory (U.K.) and Mr. Thorp (U.S.) agreed with M. Aroutiunian's remarks, regretted the inclusion of subparagraph (*d*), and asked that it be withdrawn.

The Commission voted on subparagraph (*b*) dealing with the protection of beneficial interests of United Nations nationals. It was carried 12 to 6 with 2 abstentions, U.S., Australia, Belgium, Canada, Ethiopia, France, Great Britain, Greece, India, New Zealand, Netherlands, and Union of South Africa voting for, Byelorussia, Brazil, China, the Ukraine, U.S.S.R., and Yugoslavia voting against, and Poland and Czechoslovakia abstaining.

The vote on subparagraph (*c*) dealing with foreign exchange controls was carried 14 to 6 and new subparagraph (*d*) granting full compensation to United Nations property against which measures had been taken as enemy property, was carried 14 to 5 with 1 abstention. Paragraph 4 was voted on as a whole and carried 13 to 5 with 2 abstentions, Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Great Britain, Greece, India, New Zealand, the Netherlands, Czechoslovakia; and the Union of South Africa voting for, Byelorussia, China, the Ukraine, USSR, and Yugoslavia against; and the U.S. and Poland abstaining. The Greek Delegation withdrew its amendment (1 J 14) [C.P.(Gen.)Doc.1.J.14] providing compensation for damage suffered during the period from September 1, 1939 and the date Greece entered the war.

The Commission took up the Yugoslav amendment (CP(IT/EC) Doc. 64)<sup>75</sup> to Article 67 (claims against Germany) which provided

<sup>74</sup> See the United States Delegation Journal account of the 23rd Meeting, September 24, p. 536 and footnote 33, p. 537.

<sup>75</sup> C.P.(IT/EC) Doc. 64, a new draft of C.P.(Gen)Doc.1.U.20, is not printed.

for the transfer of German assets in Italy. Mr. Thorp (U.S.) said he believed the principle raised by the Yugoslav Delegate deserved careful attention but suggested the Yugoslav amendment went beyond merely obligating Italy to facilitate the transfer of German assets and attempted to determine the manner in which German reparation matters should be handled. This he did not consider appropriate to the Treaty. The U.S., he suggested, could agree to the following recommendation to cover the Yugoslav point: "Italy agrees to take all necessary action for facilitating such transfers of German assets in Italy as may be determined by those Powers occupying Germany which are empowered to dispose of German assets in Italy." M. Aroutiunian said he wanted to see the amendment in writing before a vote was taken. The Commission agreed to defer this question.

The Commission took up Article 69 (Italian Assets on the Territory of the Allied and Associated Powers) and agreed to defer paragraph 1 until after the Ukrainian revised amendment (CP(IT/EC) Doc. 61)<sup>76</sup> which provided certain restrictions to due right to seize Italian assets, had been circulated.

A Yugoslav amendment (CP(IT/EC) Doc. 62)<sup>77</sup> concerning definition of Italian assets was lost 13 to 7. The Commission approved paragraphs 2 and 3 and agreed to defer paragraph 4 until Monday.

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**SEVENTEENTH MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR HUNGARY, SEPTEMBER 27, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 54

No Delegation supported the Hungarian observations to Article 36 and Article 37. The Commission thereupon adopted Articles 36 and 37.

The Commission then proceeded to discuss the Yugoslav new article to come after Article 9 (CP Gen.Doc. 1 U 32(b)).<sup>78</sup> The Czechoslovak Delegation supported the amendment with details regarding the removal of books and archives belonging to the University of Bratislava and said that Slovakia had been left devoid of culture by the retention by Hungary of a number of documents and archives which had been accumulated in libraries in Budapest before the first World War by the contributions of the people of Slovakia. He said Hun-

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<sup>76</sup> Not printed; for the substance of C.P.(IT/EC) Doc. 70, a redraft of C.P.(IT/EC) Doc. 61, see C.P.(Plen) Doc. 26, report of the Commission, vol. iv, pp. 338, 359.

<sup>77</sup> See C.P.(Plen) Doc. 26, report of the Commission, *ibid.*, p. 338.

<sup>78</sup> See footnote 19, p. 528.

gary had not fulfilled their obligations in the Trianon Treaty to return these cultural documents and without a stipulation in this Treaty they could not be assured of recovery. Therefore, cultural relations with Hungary would be impossible. General Smith (U.S.) said that when the original amendment had been proposed by Yugoslavia it had been unacceptable because of the vagueness of the drafting. The second draft was equally vague, and although he sympathized with the objectives, he could not now accept the new draft and would regrettably have to vote against it. The Yugoslav Delegation said that present-day Hungary had divorced itself from the previous regime and therefore Yugoslavia had hoped it would show some consistency in correcting the misdeeds of the Horthy regime. The best proof of this would be the return of these cultural objects, which the previous Hungarian regime had promised to return but had not. He pointed to the fact that the archives of Zagreb taken in 1884 were still in Budapest. The Chairman read a letter from the Hungarian Delegation requesting inclusion in the Treaty of its willingness to return cultural property taken between 1941 and 1944.

The French Delegation stated that it supported the United States position and the proposed amendment was far too inclusive; its loose drafting would cover many sorts of claims. He then proposed that a subcommittee be appointed and nominated Yugoslavia, India, and South Africa. This subcommittee would draft an acceptable amendment, which would cover the claims of both Yugoslavia and Czechoslovakia, and would perhaps be acceptable to the Commission. The Byelorussian and New Zealand Delegations supported this amendment, but the U.S. Delegate felt that a new subcommission might prevent realization of the stated time limit on the Commission's work. He said he had a resolution to propose which might satisfy Czechoslovakia and Yugoslavia.

After a long discussion regarding the composition of the subcommission, in which General Smith stated that in his own opinion it was only "fair play" that the countries which had a vested interest in the decision should not be members of the subcommission, it was finally agreed that the original French proposal be accepted. The Chairman stated that the subcommission would so be appointed and would report to the Commission on October 2.

**THIRTY-SECOND MEETING OF THE ECONOMIC COMMISSION FOR THE  
BALKANS AND FINLAND, SEPTEMBER 27, 1946, 9:30 P. M.**

CFM Files

*United States Delegation Journal*

## USDel(PC) (Journal) 54

The Commission received the report of the subcommittee set up to study the definition of "United Nations shipping" and to prepare an agreed text to replace paragraph 1 of Annex 4 C.<sup>79</sup> (The other paragraphs of this Annex had been rejected by the Commission). The report contained three proposals for addition to paragraph 8(c) of Article 24: (A) a text prepared by Drafting Committee and supported by the majority of the subcommittee, (B) a U.S. text supported by the U.S. and Greece, and (C) a Greek text, also supported by the U.S. and Greece. The Greek Representative at the outset withdrew proposal (C), however.

Proposal (A) defined as UN property vessels registered in a United Nation or flying the flag of a United Nation, while the U.S. proposal (B) added vessels owned by United Nations or their nationals. Mr. Thorp (U.S.) explained that he considered it necessary that no definition should have the effect of restricting the benefits of Article 24 (restoration of UN property) to vessels registered in UN ports or flying UN flags. It was clear that proposal (A) might be so construed and in fact some members of the subcommittee had so construed it. The U.S. amendment, Mr. Thorp said, would not permit recovery by collaborators whose vessels flying Rumanian flags remained in Rumanian service with the full consent of their owners after Rumania entered the war. In order for a UN owner whose vessel was flying the Rumanian flag to be entitled to the benefits of Article 24, it would be necessary to establish that the vessel was treated as enemy property by Rumania or ceased to be at the free disposal of the owner as the result of Rumanian wartime control measures. The U.S. was opposed to the argument that UN nationals who for business reasons before the war registered their vessels in ports other than those which later became UN ports or flew flags other than those which later became UN flags, were *ipso facto* to be considered collaborators. The U.S. accepted an amendment to the draft, proposed by the U.K. representative to clarify the relationship of the definition to the other provisions of Article 24. The Czechoslovak representative defended the subcommittee majority draft, stating that it was hard to believe there were any ships in Rumania belonging to UN nationals, but flying the

<sup>79</sup> See C.P. (Plen) Doc. 29, Report of the Commission on the Draft Peace Treaty with Rumania, vol. IV, pp. 434, 449.

Rumanian flag or registered in Rumania, which at the same time had been subjected to special Rumanian measures of control. These ships were considered Rumanian ships and the fact they were in Rumania and flying the Rumanian flag proved their owners had placed them at the disposal of the Rumanian Government. M. Gerashchenko (U.S.S.R.) also spoke for the subcommittee draft. He said that Greek ships (for example) had been registered in Rumania at the free will of their owners. The ships might well have been used for war purposes, and their owners probably made profits. Though no one had confiscated them, the U.S. proposal would require that they be returned under Article 24, with compensation for loss or damage. The conditions of return ought to be effected by bilateral agreement between Greece and Rumania. There was furthermore no reason why Greece should get compensation for loss or damage to such ships.

Proposal (B), the U.S. text, with the modification proposed by the U.K., was adopted by a vote of 8 to 5 (France abstaining). It was agreed the text would become the second subparagraph of paragraph 8(e) of Article 24.

The U.K. reservation in the footnote to Article 23, paragraph 7, was thereupon withdrawn and Article 23 as a whole was approved unanimously.

The U.K. footnote to Article 24, paragraph 1, was also withdrawn, and this paragraph was approved unanimously (completing the action on Article 24).

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## SATURDAY, SEPTEMBER 28, 1946

### THIRTY-SEVENTH MEETING OF THE POLITICAL AND TERRITORIAL COMMISSION FOR ITALY, SEPTEMBER 28, 1946, 10 A. M.

CFM Files

#### *United States Delegation Journal*

USDel(PC) (Journal)55

The Commission agreed to depart from its agenda to consider a Yugoslav resolution relating to Articles 3, 4, and 16 (the Italo-Yugoslav Frontiers and the Free Territory of Trieste). The proposed resolution (as subsequently modified by the Yugoslavs) read as follows:

"The Conference refers the determination of the frontier between Yugoslavia and Italy, and of the frontier of the Free City of Trieste, to the Council of Foreign Ministers, which will come to a decision after consultation with a view to arriving at an agreement with Yugoslavia."

M. Kardelj (Yugoslavia) spoke in support of the resolution. He reiterated that the Yugoslav people cannot accept the French line<sup>80</sup> and that the Yugoslav Government as well as its Delegation at the Conference could not recognize it. If the Conference supported the decision accepting the French line he added the Yugoslav Government would find it impossible to sign the Italian peace treaty. He concluded that it was for this reason the Yugoslav Government proposed that the Council of Foreign Ministers be left free to find a compromise formula with Yugoslavia. Senator Connally (U.S.) replied to Kardelj by recalling that the Council of Foreign Ministers had convened the Conference for the purpose of obtaining the views of the 21 nations and that the Conference could not sidestep the issue as the Yugoslav amendment suggested. In effect it would mean no decision by the Council of Foreign Ministers without Yugoslav agreement. He expressed regret that the Yugoslavs had renewed their statement that unless the Conference determined on a line agreeable to Yugoslavia that country would refuse to sign the treaty or be bound by 13 votes to 6 with Ethiopia abstaining. Articles 3, 4, and 16 (1) Senator said, display a proper spirit for a Peace Conference, nor does it frighten anyone. No one is trembling in his boots. The Yugoslav attitude was particularly regrettable since the United States is friendly to Yugoslavia and in the formation of that country after the last war it was President Wilson who was largely responsible. In any event, he concluded, the Yugoslav resolution is futile since the Council of Foreign Ministers will consider this question, but it desires the aid of the Conference and should have its advice. He urged the Commission to give it. M. Vyshinsky (USSR) answered the Senator and spoke in favor of the Yugoslav resolution. He did not find the Yugoslav position undemocratic or extravagant. He interpreted the resolution as only asking the Council of Foreign Ministers to find a final solution and did not consider it inappropriate for Yugoslavia to be heard before the final decision. He concluded that in any event neither the Conference nor the U.S. Delegation nor the Yugoslav resolution could in the final analysis prevent the Council of Foreign Ministers from arriving at a decision. Sr. Fernandes (Brazil) said that his Delegation would support the Yugoslav resolution if its draft could be modified as suggested by Vishinsky to provide that Yugoslavia should be consulted again before the Council of Foreign Ministers reached a final decision and that such consultation would not exclude the other party concerned (Italy). The Yugoslav Delegation rejected the Brazilian suggestion, pointing out that its sacrifices during the war entitled it to special treatment and consideration by the Council of Foreign Ministers.

<sup>80</sup> The French Line is identified in footnote 7, p. 46.

After some discussion as to whether the Yugoslav resolution would render a subsequent vote on Articles 3, 4 and 16 unnecessary, the Chairman accepted the Yugoslav interpretation that there was nothing incompatible in voting on and accepting both the Yugoslav resolution and the CFM draft articles. The Yugoslav resolution was defeated by 13 votes to 6 with Ethiopia abstaining. Articles 3, 4, and 16 (1) were then adopted by a vote of 12 to 5, with 3 abstentions. It was agreed to postpone consideration of the remainder of Article 16 (2 to 6 inclusive), the related Annex, and proposals until after the receipt on Monday of the report of the Subcommittee on the Statute of Trieste.

M. Kardelj made a further declaration of Yugoslavia's position for the record in the following terms: The Yugoslav Government again insists that it will not sign the peace treaty with Italy if the terms are not satisfactory to Yugoslavia and that she will maintain her troops in Istria.

The representative of Yugoslavia introduced his Delegation's amendment to Article 77 (CP(IT/P)Doc. 97)<sup>81</sup> providing for the inclusion of Albania as one of the states which might accede to the treaty and thereafter be deemed an Associated Power for treaty purposes. The amendment was rejected by 14 votes to 5 with 1 abstention.

Mr. Dunn (U.S.) introduced an American proposal to create between Articles 77 and 78 a new article which reads as follows: "The provisions of the present treaty shall not confer any rights or benefits on any State named in the preamble of the present treaty as one of the Allied and Associated Powers or on its nationals unless such state becomes a party to the treaty by deposit of its instrument of ratification." He referred to the provisions of Article 78 making provisions for the treaty to come into force and said that the United States proposal was designed to clarify the manner in which the treaty would become effective with respect to the powers other than the four sponsoring states. He concluded that, in taking advantage of the rights and benefits conferred by the treaty, it was appropriate that all the Allied Powers should be required to ratify the treaty. The American proposal was supported by the representative of Australia and opposed by the delegates of Yugoslavia and the Soviet Union. It was adopted by 11 votes to 8 with Greece abstaining. M. Vyshinsky expressed the opinion that the American proposal was in effect an amendment to Article 78, an agreed Article, and that the representatives of the United States and the United Kingdom had acted in an inappropriate manner in voting for them. The Soviet Union, he said, protested against the adoption of the U.S. proposal and would protest against it in the future on every possible occasion. He concluded that the U.S. and

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<sup>81</sup> Not printed.



U.K. had by their action made a breach in the agreement of the four sponsoring powers which had been effective up to now. He reminded the Delegates that no amendments should be put forward affecting CFM decisions unless preliminary agreement on them had been reached among the 4 sponsoring powers.

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**THIRTY-THIRD MEETING OF THE ECONOMIC COMMISSION FOR THE  
BALKANS AND FINLAND, SEPTEMBER 28, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 55

The Commission took up Article 30 (General Economic Relations) of the Rumanian Treaty. In connection with subparagraph 1c, requiring most-favored-nation treatment in all matters pertaining to commerce and industry, M. Gerashchenko (USSR) spoke in favor of the Soviet proposal for an exception in the case of state enterprises. He said that the Treaty should not accord to UN nationals special rights with respect to industries which it was felt in the public interest should be nationalized. The proposed exception was designed to prevent United Nations interests from interfering with the implementation of the nationalization programs of the Rumanian Government. Mr. Gregory (UK) thought M. Gerashchenko's fears were unfounded and pointed out that no special regime was sought under subparagraph 1c or under the alternative proposal of the UK, US and French Delegations. The alternative proposal required most-favored-nation treatment in state monopolies only in cases in which such monopolies or nationalized industries permitted foreign participation. Mr. Gregory said he thought that neither the USSR proposal nor the alternative proposal was necessary. Mr. Thorp (US) supported the remarks of Mr. Gregory. He also expressed full agreement with M. Gerashchenko's position that there should be no interference with nationalization programs undertaken by the Rumanian Government. Mr. Thorp said he thought there was nothing in paragraph 1c, as it stood, which would have the effect of such interference. The United States Delegation felt that the most-favored-nation clause, as normally interpreted, would not accord any special privileges for foreign participation in cases where state monopolies existed. Since the matter had been raised, however, the United States Delegation felt that if there were to be a clarification of this point, it should be in the form of an interpretation rather than of an exception, and therefore supported the alternative proposal. Mr. Bartos (Yugoslavia) said he supported

the USSR proposal. It was Rumania's right to nationalize its industry and the treaty should not infringe on this right. Mr. Hajdu (Czechoslovakia) felt it important that most favored treatment should not be granted in connection with nationalized industry. He referred to Czechoslovak experience and said the problem must be solved through bilateral agreements.

M. Van Troostenburg de Bruyn (Netherlands) suggested a change in the sentence on civil aviation proposed by the U.S. Delegation for addition to sub-paragraph 1*c*. This was generally similar to the Netherlands amendment to the corresponding article of the Italian treaty and required Rumania to grant on the basis of reciprocity and without discrimination (1) the right to fly over Rumania without landing and (2) the right to land in Rumania for non-commercial purposes. This suggestion was taken up by the French Delegation as an amendment. M. Gerashchenko (USSR) opposed this amendment on the basis that it was not concerned with general economic relations but rather with national security; that there was no basis for imposing such a unilateral obligation; and that it would deprive Rumania of its independence with regard to the negotiation of bilateral agreements. He added that there were no fixed principles in matters of aviation and pointed out that some countries represented on the Commission were not represented at the Chicago Civil Aviation Conference. Mr. Thorp (US) indicated that since it would be difficult to apply the most-favored-nation provisions to civil aviation, the U.S. proposal was an attempt to provide for non-discrimination in civil aviation by the use of terms applicable to that field. It left Rumania free to establish whatever principles of civil aviation it wished, provided that it did so on a non-discriminatory basis. It did not limit Rumania in the matter of national security, nor in the negotiation of bilateral agreements, provided such agreements did not grant exclusive rights. Also, M. Gerashchenko seemed to have forgotten that this was a reciprocal matter, as made clear in paragraph 1, and not a unilateral matter. Moreover, the provision only applied for 18 months. It was being consistent with most-favored-nation treatment to include such a provision. M. Alphand (France) stressed the reciprocal nature of the provision. In any case, the provision would not restrict national defense measures to the extent that Articles 11 and 12 on armaments do. He said the clause was needed because it was essential to improve the transport system in Europe. The Chairman then declared the discussion closed on sub-paragraph 1*c* [sub-paragraphs 1*a* and 1*b* have not been discussed as yet in the Commission].<sup>82</sup> The Commission then rejected, by a roll-call vote

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<sup>82</sup> Brackets appear in the source text.

of 9 to 5, sub-paragraph 1*c*, including the USSR proposal concerning the nationalized industries and approved by a roll-call vote of 9 to 5 sub-paragraph 1*c* including the proposal of the U.S., U.K. and French Delegations, Byelorussia, Czechoslovakia, Ukraine, USSR and Yugoslavia forming the minority in each case. It then began to vote on the French amendment to the U.S. proposal on civil aviation.<sup>83</sup> M. Alphand (France), however, raised a textual point and M. Gerashchenko (USSR) then indicated that the French amendment and the U.S. proposal were conflicting. He said the French proposal provided for reciprocity whereas the U.S. proposal did not. M. Alphand did not agree. He said the French amendment merely added to the rights requested in the U.S. proposal. Mr. Thorp suggested a textual change which he thought would clarify the problem. M. Gerashchenko felt there should be further clarification of this as to whether the French proposal could be considered as an amendment to the U.S. proposal or as a separate proposal.

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**TWENTY-EIGHTH MEETING OF THE MILITARY COMMISSION,  
SEPTEMBER 28, 1946, 10 A. M.**

CFM Files

*United States Delegation Minutes*

Chairman: General Mossor

The Soviet Delegation stated that they did not concur with the UK declaration which was inserted in the record of the 22nd meeting. This declaration stated that it was the opinion of the UK Delegation that the term "total tonnage" included "all naval tonnage" and that this interpretation applied to all the Balkan and Finnish treaties. Captain Pryce said that if the Soviet Delegation did not agree with this declaration, then they did not agree with the Council of Foreign Ministers agreement. He said that the US Delegation wished to go on record as concurring in the UK opinion. The record of the 22nd meeting with two annexes was adopted. The record of the 27th meeting with the annex was adopted. Article 12 of the Bulgarian treaty was adopted with the corrections proposed by the UK Delegation for the similar article in the Italian treaty.<sup>84</sup> General Balmer spoke in opposition to the Greek amendment (CP(Gen)Doc. 1 J 23) to Article 13. The US Delegation believed that the word "property" appearing

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<sup>83</sup> See the United States Delegation Journal account of the 34th Meeting, September 29, p. 590, and footnote 96, p. 592.

<sup>84</sup> It was decided that majority and minority reports on article 12 would be submitted to the Conference; see C.P.(Plen) Doc. 19, October 7, Report of the Military Commission on the Draft Peace Treaty with Bulgaria, vol. iv, p. 517.

in Article 21 could be interpreted as it had been for the Italian treaty.<sup>85</sup> General Balmer said that the list of war matériels called for by the Greek amendment would not be necessary as it would be called for by the diplomatic mission when it began its work. The tables of reserves required by Bulgaria would be passed on by the diplomatic mission also. The destruction called for in paragraph 3 of the article would be carried out only upon order of the diplomatic mission and under adequate supervision. General Slavin (USSR) supported the US position. Mr. Dragoumis (Greece) withdrew the amendment but asked for the insertion of the following statement in the record: "The Greek Delegation considers that the army and air force left to Bulgaria as set forth in the draft treaty and her possession of arms not specified by the treaty without real control having been established constitute a menace to Greece." Admiral Manola (Yugoslavia) asked if the Greek amendment (CP (Gen) Doc. 1 J 35) proposing an Inter-Allied Control Commission and CP (Gen) Doc. 1 J 36, amending Annex 3, had been withdrawn. The Greek Delegate answered in the affirmative. Articles 14, 15, 16, 17 and 18 were adopted without amendment.

General Slavin asked if the US reservation concerning war graves was withdrawn.<sup>86</sup> General Balmer said that it was. The Greek amendment (CP (Gen) Doc. 1 J 24) proposing a new article regarding mine clearance was withdrawn. Annexes 2 and 3 were adopted unanimously. The Chairman asked if the US still maintained its reservation to Article 14 of the treaty with Rumania. Captain Pryce replied that the US Delegation had made the reservation because it felt that the finally-adopted article on prohibition of special assault craft should apply to all the Balkan and Finnish treaties. Captain Pryce asked the Commission to follow up its previous agreement that the provision should apply to all treaties. Admiral Karpounine (USSR) said there was no formal amendment presented for the Balkan treaties other than Bulgaria and submitted that the Commission not consider the proposal as there was no formal amendment before it. Captain Pryce referred the Chairman to the record of the second meeting of the Military Commission, paragraph 4, subparagraph *c*, which stated that similar questions may be considered together. He said that the proposal simply furthered the agreement of the Council of Foreign

<sup>85</sup> See the United States Delegation Journal account of the 21st Meeting, September 19, p. 485.

<sup>86</sup> The reservation followed article 18 in the Bulgarian treaty, vol. IV, p. 98. Telegram W98258 from the War Department to General Balmer, August 22, contained the following: "Consideration war graves clauses may be dropped from draft Bulgarian Treaty. Understanding between War and State Departments (as in State Cable 2681, 5 June) is that appropriate bilateral agreement on U.S. war dead in Bulgaria will be presented to Bulgarian Government simultaneously with signing of any peace treaty with Bulgaria to which U.S. is signatory." (CFM Files)

Ministers which was that the articles be identical in all the treaties in question. If a formal amendment was needed, a formal amendment could be presented but the point was that the Commission knew what he was trying to get into the treaty without a lot of explanation. The Chairman said that the citation made by Captain Pryce of the record of the second meeting referred only to consideration of similar amendments not of automatic application. General Slavin, asked how the question had arisen, said that the Commission had already accepted Article 12 of the Bulgarian treaty as amended by a simple majority. Here there was no formal amendment. The Plenary Conference could decide what to do about Article 14 of the Rumanian treaty but the Commission should adopt Article 14 now in its original form. Captain Pryce reminded the Commission that it had already adopted two changes in the Rumanian treaty without the need for formal amendments and presented in a formal motion the following resolution:

"The Commission agrees that the articles on prohibitions in the Balkan and Finnish treaties, that is, Article 12 of the Bulgarian treaty, Article 14 of the Rumanian treaty, Article 13 of the Hungarian treaty, and Article 16 of the Finnish treaty, should be in identical language, i.e., that decided upon for Article 12 of the Bulgarian treaty."

General Slavin said that the Soviet Delegation agreed that similar articles of the Balkan and Finnish treaties should be identical. It was a basic principle that not only Article 12 but all the limiting articles of the treaties should be identical. He proposed unanimous adoption of the US resolution without further debate. He suggested that the same proposal be adopted in all clauses of limitation. He meant this in a general sense not in specific figures. The US resolution was adopted unanimously, as was Article 14. A Czechoslovak amendment to Article 15 was withdrawn, the Czechoslovak Delegate requesting that a statement to the effect that reserves were included in the matériel allowed be annexed to the treaty. This was agreed to. The Rumanian treaty in its entirety was finally adopted. The Bulgarian treaty was provisionally adopted in its entirety, as amended.

The meeting adjourned at 12:55 p. m.

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**TWENTY-NINTH MEETING OF THE MILITARY COMMISSION,  
SEPTEMBER 28, 1946, 3 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)56

The Commission discussed the question addressed to it by the Political and Territorial Commission for Bulgaria concerning the

strategic aspects of changes in the Greco-Bulgarian frontier.<sup>87</sup> Following attempts by the Polish, Czechoslovak and Yugoslav representatives to have the Commission rule that the question asked was not within its competence, the Commission agreed, on the proposal of the U.S. and U.S.S.R. representatives, to hear the Greek presentation of their case and to attempt to formulate an answer. The Greek Military expert made a technical presentation of the thesis that Greek security required greater depth of Greek territory along the Bulgarian frontier, and that a line north of Mont Belas (just north of the present frontier and east of the Yugoslav frontier) would be the minimum required for Greek defense against invasion from the north.<sup>88</sup> At the conclusion of his speech the Greek representative stated that the letter from the political Commission had spoken of "other means" of contributing to Greek security. In so far as this might refer to demilitarization of the frontier, demilitarization would have no real value to Greece and any sense of security resulting from it would be illusory.

The U.K. representative expressed sympathy for Greece's position and favored the minimum Greek demand for a defense line north of Mont Belas.

The U.S. representative discussed the difference between "strategic security" and local defense and recommended a reply to the Bulgarian Commission to the effect that any increase or decrease of territory would probably improve or weaken the possibilities for local defense, but that strategic security included political, economic and ethnic problems outside the province of the Military Commission.

General Balmer's proposal was adopted by a vote of 15 to 2, Greece and South Africa voting in the negative and Australia, Belgium, Ethiopia, and New Zealand abstaining.<sup>89</sup>

The Commission then heard the Bulgarian representative's observations on the military clauses.<sup>90</sup>

<sup>87</sup> For substance of the request, see C.P. (Plen) Doc. 22, Report of the Political and Territorial Commission for Bulgaria, October 5, vol. iv, p. 478. The United States Delegation Journal account of the 11th Meeting of the Political and Territorial Commission for Bulgaria, September 16, at which the decision to make the request was taken, is printed on p. 463.

<sup>88</sup> The Greek amendment providing for rectification of the Greek-Bulgarian border was contained in C.P. (Bul/P) Doc. 9; for text, see footnote 63, p. 409.

<sup>89</sup> Regarding subsequent action by the Political and Territorial Commission for Bulgaria and for text of the reply adopted here, see the United States Delegation Journal account of the 15th Meeting of that Commission, October 1, and footnote 27, p. 610.

<sup>90</sup> The Bulgarian representative described Bulgaria as a democratic nation seeking the friendship of her neighbors. He attacked Greek amendments regarding motor torpedo boats (C.P. (Gen.) Doc. 1.J.22), frontier fortifications (C.P. (Gen.) Doc. 1.J.21), restitution of war material (C.P. (Gen.) Doc. 1.J.23), mine clearance (C.P. (Gen.) Doc. 1.J.24), and an inter-Allied military commission (C.P. (Gen.) Doc. 1.J.35). In answer to a Soviet question he stated that the August 27 legislation concerning frontier militia was purely an administrative matter and would not modify the number of effectives authorized by the Treaty. (CFM Files: United States Delegation Minutes).

For the United States position on the frontier militia question, see the extract from the United States Delegation Minutes of the 22nd Meeting, September 20, p. 495.

## TWENTY-SEVENTH MEETING OF THE ECONOMIC COMMISSION FOR ITALY, SEPTEMBER 28, 1946, 3:30 P. M.

CFM Files

*United States Delegation Journal*

## USDel(PC) (Journal) 55

The Commission agreed to set up a subcommission, composed of any interested members of the Commission, to consider Annexes 6, 7 and 8 dealing with Industrial, Literary and Artistic Property; Contracts, Prescriptions and Judgments; and Prize Courts.

The Yugoslav amendment (CP(IT/EC)Doc. 64)<sup>91</sup> to Article 67 (Claims against Germany) providing that Italy should recognize and facilitate the transfer of German assets in Italy to the Allied and Associated Powers was lost 7 to 11, with 22 abstentions. The Commission approved the U.S. amendment (CP(IT/EC) Doc. 69)<sup>92</sup> providing that Italy would facilitate such transfers as were determined by the Powers occupying Germany responsible for the disposition of German assets.

The Yugoslav amendment (CP(IT/EC)Doc. 62)<sup>93</sup> to Article 69 (Italian Property on the Territory of the Allied and Associated Powers) concerning definition of Italian assets, was defeated 16 to 4.

The Ukrainian amendment (CP(IT/EC)Doc. 70)<sup>94</sup> to Article 69 (Italian assets on the Territory of the Allied and Associated Powers) providing that liquidation of the assets should be liquidated without burdening Italian reconstruction or the balance of payments and that the liquidation should be supervised by the Four Ambassadors in Rome, was considered favorably by the Soviet representative. M. Aroutiunian (USSR) said that when the Soviet Delegation had agreed to Article 69 in the CFM discussions it had not yet consulted the Italian Government. However, the Soviet Delegation, realizing the importance of foreign assets to the Italian economy, had based its acceptance of the article on the understanding that liquidation of these assets would not delay Italian reconstruction or lay a further burden on the Italian balance of payments. Since the Ukrainian amendment did not add anything contrary to the spirit of Article 69 he asked that it be accepted by his partners on the CFM. He emphasized that during the discussion of reparations it was agreed that commodity payments would be supervised by the Four Ambassadors. He did not see why such countries as Brazil, Mexico and Venezuela which held Italian vessels should be permitted to retain these without supervision

<sup>91</sup> Not printed.

<sup>92</sup> For text, see C.P. (Plen) Doc. 26, report of the Commission, vol. iv, pp. 338, 353.

<sup>93</sup> See *ibid.*, p. 359.

<sup>94</sup> See *ibid.*

of the Four Ambassadors. He suggested that Articles 66, 68 and 69 laid a greater burden on Italy than did the reparation article and asked the other drafting powers to support the Ukrainian amendment.

Mr. Thorp (US) said the Ukrainian amendment was clearly contrary to the agreed text of the CFM. It created a new distinction between the occupied countries and those which were not occupied, a distinction which would have implications beyond Article 69; it placed a new limit on the rights of the Allied and Associated Powers to Italian assets by relating the liquidation of these assets to Italian reconstruction and balance of payments; and it asked that the Four Ambassadors exercise a judicial function with respect to fixing the amount of claims, different from the function exercised in connection with reparation for the USSR. Furthermore, he pointed out that Article 69 had been under consideration for many months and that it would be rather difficult to consider a new approach to the problems arising under the Article at this late date. He added that the U.S. Delegation intended to negotiate a bilateral agreement with Italy by which the larger part of the assets would be returned to Italy, only certain private claims of U.S. citizens being met out of the Italian assets in the U.S. He suggested that supervision by the Four Ambassadors would not result in a more favorable settlement and that the adoption of such a scheme would give rise to legislative difficulties in the U.S. The U.S., he concluded, supported the agreed text.

M. Alphand (France) agreed with M. Aroutiunian that foreign assets were important to a country's balance of payments and pointed out that France, having foreign assets in many European countries, had stressed the importance of these assets to France. He suggested, therefore, that enemy assets should not be given more favorable treatment than the foreign assets of the United Nations.

The Ukrainian amendment was defeated 14 to 5 with 1 abstention, U.S., Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Great Britain, India, New Zealand, Netherlands, USSR and Union of South Africa opposing; Byelo-russia, Poland, Czechoslovakia, the Ukraine and Yugoslavia favoring; and Greece abstaining.

Article 70 (Debts) was adopted, the Polish and Yugoslav representatives withdrawing their amendments (CP(Gen) Docs. 1 O 5 and 1 U 23, respectively) and Article 70 was approved unanimously as drafted.

Mr. Wilgress (Canada) then explained the Canadian amendment to Article 71 (General Economic Relations) extending the time limit from 18 months to three years [C.P.(Gen.) Doc. 1. F. 1.]. Italy, he explained, would need a longer period of time than 18 months to conclude the treaty negotiations necessary to establishing normal



trade relations. One of the chief problems for Italy would be to obtain foreign exchange and during the period of readjustment it would need protection against any United Nation seeking a market in Italy. He suggested that any time limit adopted should recognize the inevitable need for readjustments in the post-war world. The Treaty of Versailles, he pointed out, obligated Germany to grant most-favored-nation treatment unilaterally for a period of 5 years. Because of this Germany was not able to adopt an independent trade policy. However, the clause under the consideration of the Commission provided for reciprocal most-favored-nation treatment and would allow Italy to pursue an independent commercial policy. The interim period, he explained, would work to Italy's benefit and would not give special privileges to any one country. He suggested that the extension of the time period would not conflict with any of the international commitments entered into by the countries represented at the Conference. It would be too much to hope that the post-war adjustment could be made in two years, and therefore Canada asked the Drafting Powers to reconsider their decision and extend the time period to three years.

M. de Carbonnel said that the time period had been discussed very fully during the Council meetings and that the Council had been faced with two difficulties; the wish to restore to Italy its normal right to negotiate trade agreements and formulate commercial policy and its desire to provide a period of time during which Italy could rebuild her commercial policy and be protected against aggressive commercial policies of other United Nations. He suggested that the period of 18 months was a reasonable period and pointed out that France had concluded a trade agreement with Italy in February of 1946.

The Canadian amendment was then voted on and carried by the Commission 12 to 8. The preamble of Article 71 without the time period and paragraph (a) were adopted unanimously.

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### SUNDAY, SEPTEMBER 29, 1946

#### THIRTY-FOURTH MEETING OF THE ECONOMIC COMMISSION FOR THE BALKANS AND FINLAND, SEPTEMBER 29, 1946, 10 A. M.

CFM Files

#### *United States Delegation Journal*

USDel(PC) (Journal) 56

Mr. Wilgress (Canada) said that, in view of the simple character of the Rumanian economy, the Canadian Delegation had not felt that it could reasonably propose an amendment to Article 30 (General Economic Relations) requiring the extension from 18 months to 3

years of the period during which Rumania should grant most-favored-nation treatment and should not make any arbitrary discrimination in its trade policies. He noted that such an extension of the period had been approved for Italy and urged the drafting powers that, if uniformity of the treaties was considered necessary, it should be based in this case on the Italian treaty, as a period of three years was necessary to allow Italy time to conclude a whole new series of commercial agreements. M. Lychowski (Poland) referred to the present economic conditions in Europe which made a system of bilateral trade arrangements almost indispensable and asked whether the language of Article 30, paragraph 1, would prevent Rumania from concluding such agreements. Mr. Thorp (U.S.) replied that such agreements would not be prohibited by the language of Article 30, if they were designed to facilitate the resumption and development of trade and not to discriminate arbitrarily against the trade of certain countries. The key question was whether there was arbitrary discrimination. It was important that Rumania assume a general obligation to grant most-favored-nation treatment and not to make arbitrary discrimination in the conduct of its trade. In reply to two questions by the Polish representative, Mr. Thorp said (1) that whether or not a given transaction involved discrimination would depend on whether it was based on economic considerations, and (2) that any problems arising from the application of these provisions would be settled through normal diplomatic channels, not by any special organ to be created by the treaty. The Commission then unanimously adopted paragraph 1 *a* and 1 *b* of Article 30.

M. Gerashchenko (U.S.S.R.) spoke in support of the Soviet version of Article 30, paragraph 2, by which the obligation to grant most-favored-nation treatment and not to engage in arbitrary discrimination was made subject to an exception for neighboring countries. He cited the special character of the economic relations of neighboring countries and historic examples of exceptions to most-favored-nation treatment (among them Cuba, the Panama Canal Zone and the Philippines) in support of this exception. Mr. Gregory (U.K.) spoke in support of the version proposed by the U.K., U.S. and France, pointing out that the Article was provisional and subject to customary exceptions and asserting that an unqualified exception for neighboring countries would make the naturally strong links between neighboring countries into fetters. Mr. Thorp explained the special reasons underlying the preferences for Cuba and the Philippines and showed that the policy of the U.S. was to liquidate all such preferential systems as rapidly as possible. In any event, these cases, growing out of special historical conditions, did not justify a proposal to create a

wholly new preferential system. The Commission approved the U.K., U.S. and French proposal for paragraph 2 by 9 votes to 5, without a roll call vote.

The South African representative spoke in support of the South African proposal to insert a new Article 30 bis, requiring Rumania to pay fair prices to UN nationals for any goods obtained from them for delivery as reparation.<sup>95</sup> He said that to vote against the proposal would be to vote against the fundamental principle, recognized at Potsdam and elsewhere, that UN nationals should not pay reparation. M. Gerashchenko spoke in opposition to the amendment on the grounds that it would create a specially favored regime for UN property owners in Rumania, that it would allow the UN petroleum interests to set the prices for their products and to exercise control over the Rumanian economy, that it would represent an interference with Rumanian sovereignty and that it was unjust and contrary to democratic principles. The Commission then adopted the South African proposal by 9 votes to 5 without a roll call vote.

The Commission accepted the U.S.-U.K. civil aviation proposal, as slightly modified at the preceding meeting, by 9 votes to 5 without a roll call vote. The Commission then accepted the French proposal on civil aviation (the U.S.-U.K. proposal plus the first two freedoms of the air) by 7 votes to 5 with 2 abstentions.<sup>96</sup>

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OLIVER-ZILBER CONVERSATION, SEPTEMBER 29, 1946, 3 P. M.

740.00119 Council/9-2546

*Memorandum of Conversation, by Covey T. Oliver of the United States Delegation*

SECRET

PARIS, September 29, 1946.

M. Zilber called at his request to discuss the provisions regarding property rights of racial minorities and waiver of claims on Germany recently adopted by the Economic Commission for the Balkans and Finland.<sup>97</sup>

I. AMENDMENT REGARDING JEWISH PROPERTY IN RUMANIA

M. Zilber stated that he had not dealt with the Jewish problem

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<sup>95</sup> For text, see C.P.(Plen) Doc. 29, Report of the Commission on the Draft Peace Treaty with Rumania, vol. iv, pp. 434, 446.

<sup>96</sup> For text, see *ibid.*, p. 445.

<sup>97</sup> The Economic Commission for the Balkans and Finland adopted the U.S.-U.K.-French proposal for article 27, a previously unagreed article, at its 27th Meeting, September 24. The adopted proposal provided for Rumanian waiver of claims against Germany. The same Commission adopted British and United States proposals concerning property rights of racial minorities at its 28th Meeting, September 25. For the United States Delegation Journal accounts of the 27th and 28th Meetings, see pp. 532 and 555, respectively.

within the Rumanian Delegation until a few days ago, but since the adoption of the British proposal and the third paragraph of the American proposal on Jewish property, he had taken it upon himself to discuss the matter with Colonel Bernstein. He had told Colonel Bernstein quite frankly that as a Jew himself he was greatly concerned about the effects of this provision upon the future of the Jews in Rumania. He had stated to Colonel Bernstein in the greatest confidence, and he would repeat it to us in the same way, that the effect of this provision would be to doom the Jewish population of Rumania to Siberian exile should relations between the U.S.S.R. and the Western Powers worsen in the next eight or ten years. His reasoning was as of a result of this provision in the treaties the Jews in Rumania would tend to look to the West for protection and to align themselves with the West generally. Moreover, should any international organization such as the I.R.O. be in charge of Jewish relief and rehabilitation in Rumania, it would be inevitable that that Organization, those who worked for it and in a very large measure those who benefited from its work would be regarded as spies of the Western bloc in the event of any trouble. M. Zilber expressed the opinion that the Jewish representatives in Paris were suffering from a psychosis because of the great trials of the Jewish people during the war. He believed that their proposals could not but have the effect of injuring the Jewish people of Rumania.

In reply to a question M. Zilber stated that Colonel Bernstein had appeared to be greatly impressed by the foregoing argument. Mr. Oliver stated that the U.S. Delegation had considered the damage to the Jewish people which extraordinarily detailed measures for their protection would cause. The U.S. Delegation had, however, thought only in terms of internal difficulties for the Jews which would result from such measures. The U.S. Delegation felt that the measures which had been adopted were minimum measures which would not have the effect of singling the Jewish people out in such a way as to arouse the envy of their gentile neighbors. It was suggested that M. Zilber should continue his discussions with the Jewish groups.

*Comment:*

M. Zilber is a Communist and a Jew. It is to be noted that he emphasized the possible adverse effects of the treaty provisions on the Jewish people of Rumania in the event of trouble between the West and the U.S.S.R. He did not base his arguments against Article 24 upon the possibility that the Rumanian Government might in the future find it difficult to carry out the obligations created by Article 24 bis. The emphasis on the possibility of an East-West struggle is rather curious.

## II. WAIVER OF CLAIMS ON GERMANY

M. Zilber stated that Rumanian clearing claims on Germany and German clearing claims on Rumania practically cancelled each other out. In each instance approximately 1,250,000,000 reichsmarks were involved. In connection with Article 25 (German Assets in Rumania) the Soviets here had at one time indicated to the Rumanian Delegation that they would work out an arrangement which would insure that Rumania herself would only have to pay to the Soviet Union the net clearing balance in Germany's favor. As a result of the recent vote, however, Rumania's claim against Germany was wiped out and only the German side of the ledger was left. A Russian army official in charge of collecting German assets in Rumania was now asserting that Rumania should pay in goods the value of Germany's clearing claim against Rumania. This would amount to a demand for approximately \$400,000,000 in goods from Rumania. The Rumanians had thought they could induce the Soviets to accept the Rumanian clearing claim against Germany, or at least to admit that Rumania was responsible to the U.S.S.R. only for any difference in Germany's favor between the two accounts. Mr. Oliver suggested that M. Zilber might have in mind some formula which would make it clear that Article 27 required Rumania to waive its claim against Germany and that the claim waived would be the net in Rumania's favor of any account maintained between Germany and Rumania. Mr. Oliver explained the reasons why the U.S. had insisted on the waiver of claims provision and stated that, had the Soviet Union agreed, the U.S. would have been prepared to see specific provision regarding the restitution of Rumanian property in Germany and the restoration of Rumanian property rights in Germany included in the treaty, along with the waiver of claims provision which was adopted. Mr. Oliver also mentioned that under Article 25 the Rumanian Government was only required to recognize the validity of transfers made to the U.S.S.R. by the Allied Control Authority for Germany. It would be possible through the Control Authority to approach the question of offsetting one clearing account against the other. M. Zilber replied that Rumania had been required by the Control Council in Rumania to enact a law transferring all German assets in Rumania to the U.S.S.R. and that it was under the Rumanian law and the Control Authority for Rumania that the Soviet officer in charge of German assets in Rumania would make his demand for payment in goods of Rumania's clearing debt to Germany. M. Zilber offered to supply a short mathematical memorandum on the problem and to suggest a formula along the lines of the suggestion that the waiver applying to net balances in Rumania's favor.

*Comment:*

This is a problem which could be included in attempts to moderate Soviet takings from Rumania. Alternatively, some attention might be given to the possibility of modifying the present waiver provision along the lines suggested by the foregoing conversation. Article 2 of the Paris Agreement on reparation, as Mr. Reinstein has pointed out, speaks of the waiver of "credits in clearing accounts". Such a phrase in Article 27 would have the effect of making it clear that a clearing account between Germany and Rumania becomes German property in Rumania or Rumanian property in Germany only to the extent that one account exceeds the other.

## III. GERMAN GOLD IN RUMANIA

In connection with the discussion of clearing accounts, Mr. Oliver injected a few questions regarding the Rumanian acquisition of gold in Germany. M. Zilber stated that the Rumanians had received sixty-five tons of gold from Germany during the war and that at least thirty-five tons of this gold were probably stolen. To the extent that the gold was stolen, Mr. Zilber personally had taken the position that it should be returned, and he believed that Rumania's obligation in this regard was indisputable. He had wished to tell this to the French, but other members of his Delegation were opposed to his doing so, because they felt that the gold had been taken in good faith for purchases made by the Germans during the war. M. Zilber stated that should Rumania have to return any or all of the gold received from Germany, to that extent the Rumanian clearing claim against Germany, which was renounced by Article 27, would be increased. Rumania would expect that there should be some obligation imposed upon Germany to make good to Rumania the amounts which would be lost to Rumania by returning the gold to the countries from whom the Germans had taken it. A question by Mr. Oliver brought out that M. Zilber did not believe that it would be likely that anything could ever be obtained from Germany and that offset against the Rumanian clearing debt to Germany was the point he was particularly concerned about, i.e., he would want the value of any gold returned by Rumania to be added to the sum to be deducted from Rumania's clearing debt to Germany.

## IV. GERMAN ASSETS IN RUMANIA

In connection with the discussions regarding Soviet claims to German assets in Rumania, M. Zilber mentioned that the value of the German assets in Rumania, exclusive of clearing balances, was approximately \$350,000,000 gross, the Soviets refusing to recognize any obligation to settle the liabilities standing against such assets. M. Zilber seemed to think that this figure should be used with greatest discretion.

**TWENTY-EIGHTH MEETING OF THE ECONOMIC COMMISSION FOR ITALY, SEPTEMBER 29, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 56

It was agreed that Mr. Thorp's statement in answer to the Polish representative's question on subparagraph (b) of Article 71 (General Economic Relations), made in the Balkan Commission<sup>98</sup> would be attached to the record of the meeting of the Italian Commission. Subparagraph (b) was adopted unanimously by the Commission.

M. Aroutiunian moved the Soviet proposal for subparagraph (c) dealing with state enterprises. He explained that the economic trend towards nationalization should be taken into account in Article 71. The concept of most-favored-nation treatment was an old one not adapted to the trend towards nationalization. Italy should be able not only to have the right to nationalize certain industries but to exclude foreign capital. The Italian economy, he said, needed to recover rapidly and be free from outside interference and pressure during its reconstruction. He asked the Commission, therefore, to adopt the Soviet proposal. M. de Carbonnel (France) pointed out that industries which were monopolies of the Italian state were automatically not open to participation by United Nations nationals. The text approved by the U.S., U.K. and France made this point quite clear. The text approved by the U.S., U.K. and France, therefore, would not interfere with nationalized industries but would merely provide that United Nations nationals should be given most-favored-nation treatment with respect to firms in which there were foreign interests.

M. Aroutiunian answered that the Soviet text recognized that the state should be the sole judge as to the kind and extent of foreign capital which should be allowed to enter the country. The Soviet proposal was lost, 12 voting against, 6 for, Ethiopia and China abstaining. The U.S., U.K. and French proposal was carried 12 to 6, Ethiopia and China again abstaining.

The provision on civil aviation was deferred in view of a Netherlands amendment providing for transit rights and non-commercial stop which had not been circulated.<sup>99</sup> M. Aroutiunian asked that the Secretary General be questioned on the effect on the time table of in-

<sup>98</sup> See the United States Delegation Journal account of the 34th Meeting of the Economic Commission for the Balkans and Finland, September 29, p. 590.

<sup>99</sup> For substance, see C.P.(Plen) Doc. 26, report of the Commission, vol. iv, pp. 338, 365.

roducing amendments at the last minute, thus necessitating the deferring of a provision. The Secretary General answered that an amendment introduced at a late date should not be allowed to interfere with the time table.

The Australian amendment (CP IT/EC Doc 72)<sup>1</sup> to Article 69, providing that literary and artistic property should be an exception to the right of seizure granted under Article 69 was amended by the Ukrainian Delegation to include industrial property. Mr. Thorp regretted that he could not accept the Australian amendment but pointed out that it did not contain certain safeguards necessary to protect the use of copyrights during the war by United Nations. He opposed the Ukrainian suggestion, pointing out that the U.S. had vested Italian assets during the war and put them to work for the general war effort. The value of a patent was taken away when the patent was put into the public domain, therefore, he did not see how the patents, whose value lay in the fact that they were grants of monopoly, could be returned. The Ukrainian amendment was lost 15-3 with 2 abstentions. The Australian amendment was carried 14 to 6 and paragraph 4 adopted unanimously as amended.

The Yugoslav amendment (CP IT/EC Doc 66)<sup>2</sup> para. (2) providing a certain definition with respect to cables running between two points of the same territory and between a point in Italy and one of the United Nations was criticized by Mr. Reinstein as being too broad and general. The U.S. Delegation, he said, would be glad to consider any special case regarding cables. However, the amendment as drafted was unsatisfactory. The Yugoslav representative agreed to modifying his amendment making it applicable only to Yugoslavia, or if the Commission preferred to setting up a subcommission. The Commission agreed to defer the amendment to the following meeting.

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## MONDAY, SEPTEMBER 30, 1946

### THIRTY-FIFTH MEETING OF THE ECONOMIC COMMISSION FOR THE BALKANS AND FINLAND, SEPTEMBER 30, 1946, 10 A. M.

CFM Files

#### *United States Delegation Journal*

USDel(PC) (Journal)57

The Commission took up Article 34 (Danube) of the Rumanian treaty. Senator Vandenberg (U.S.) spoke in support of the U.K. and

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<sup>1</sup> Not printed.

<sup>2</sup> Not printed; for text, as revised and adopted by the Commission, see C.P. (Plen) Doc. 26, report of the Commission, vol. iv, pp. 338, 363.



U.S. proposal as redrafted, (B&F/EC) Doc 46.<sup>3</sup> He said that while the U.S. had no direct commercial interest in the Danube problem, it had an emphatic interest in international peace and security and in avoiding trade barriers which invited discrimination and friction. The U.S. had a special temporary interest since the Danube was an important—and now stagnant—artery of commerce in the U.S. Occupation Zones in Germany and Austria. The U.S. was an interested party as long as American occupation continued in Germany. The basic U.S. concern, however, was with the Danube as a factor in the total and indivisible peace which the Allied and Associated Powers were pledged to sustain. Senator Vandenberg spoke of the importance and history of the river and said it was impossible to contemplate a prosperous or a peaceful Danube without an over-all assurance of navigation and commerce free from discrimination and arbitrary, sectional barriers. He referred to the various Danubian Commissions since 1856 and stressed that relative freedom of navigation on the Danube had been accepted as essential for 90 years. He then described the general principles of the U.S. and U.K. proposal and its provision for the establishment of a conference of the eight riparian states and the U.S.S.R., U.K., France and U.S. He urged that the Commission not turn its back on history and experience and said that if previously established freedoms were to be restored, action should be taken now.\* Mr. Jebb (U.K.) supported Senator Vandenberg's remarks. Referring to the Convention instituting a definitive statute of the Danube, signed in Paris in July 1921, he said it was unfortunate that the Soviet Union had not been a signatory power but that despite this obvious defect in the Convention, the Danube regimes established by it had been successful. It was essential that the objectives of this Convention be continued. Rumania should not be permitted to deny rights which were granted before the war. Urgent action was necessary; the Danube was silting up very rapidly. The Yugoslav representative then spoke in opposition to the U.K. and U.S. proposal on the grounds that it was not a matter for inclusion in the treaty; that it imposed on the sovereignty of Rumania; that it also imposed on the sovereignty of the victorious Danubian states, Czechoslovakia, Yugoslavia and

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<sup>3</sup> This redraft was identical with the original United States-United Kingdom proposal contained in the Draft Treaty (vol. iv, p. 79), except that the entire original was labelled part A and an additional part B was added reading as follows:

"A Conference consisting of U.S.A., U.S.S.R., U.K. and France together with the riparian States including Roumania will be convened within a period of six months of the coming into force of the present Treaty to establish the new permanent international regime for the Danube." (CFM Files)

<sup>4</sup> For text of Senator Vandenberg's statement, see Department of State *Bulletin*, October 13, 1946, p. 656; for documentation regarding United States policy on the question of the Danube, see vol. v, p. 223 ff.

the Soviet Union; and that it meant that a decision on the Danube would be taken by countries not directly concerned and without five of the countries which were directly concerned, i.e., Rumania, Bulgaria, Hungary, Germany and Austria. The Congress of Vienna (1815), Congress of Paris (1856), Congress of Berlin (1878), and the Paris Peace Conference of 1919 had all advocated the sound principle of freedom of navigation on international rivers through the cooperation of the riparian states, but the role of the riparian states of the Danube had decreased under the influence of the great powers. During World War II, however, the influence of the non-riparian powers had been broken. Despite many obstacles, navigation on the Lower and Middle Danube was now functioning normally. Any question of the Danube should be settled by a conference of the riparian states themselves, in accordance with the principles of freedom of navigation, and after the entry into force of the treaty. In closing, the Yugoslav representative called the attention of the American Delegation to the 168 Yugoslav ships detained by American authorities in the Upper Danube and noted that the matter had been put before the U.N. M. Alphand (France) said that France considered the Paris Convention of 1921 still in effect despite the unilateral action taken by Germany against it in 1940. He then set forth a compromise proposal which would simply state that navigation on the Danube should be free and would provide for the calling of a conference of the riparian states and the U.S.S.R., U.K., U.S. and France to define this principle and to establish a Danube regime.<sup>5</sup> M. Gerashchenko (U.S.S.R.) spoke in opposition to the U.K. and U.S. proposal and to the French compromise proposal. He said these proposals would encroach on the sovereignty of the ex-enemy states and that the problem was one for the riparian states to solve rather than the Peace Conference. M. Hajdu (Czechoslovakia) spoke of Czechoslovakia's special interest in the problem and opposed both the U.S. and U.K. proposal and the French proposal. The representatives of Belgium and Greece spoke in support of the U.K. and U.S. proposals and wished to reserve their rights as signatories to the Paris Convention of 1921 in connection with any new Danube conference that might be called. The Polish representative also wished to reserve the rights of his country as a signatory to the Paris Convention. Senator Vandenberg then withdrew the U.K. and U.S. proposal with the approval of the U.K. Delegate [in favor of the French proposal]. He made five points in reply to other speakers: (1) No argument had been advanced against freedom of navigation; (2) Rumanian sovereignty was not being invaded;

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<sup>5</sup> For text of the French proposal, see C.P. (Plen) Doc. 29, Report of the Commission on the Draft Treaty for Rumania, vol. iv, pp. 434, 447.

(3) Other Danubian states would participate in the proposed conference; (4) The Powers occupying Germany and Austria would have to represent their interests; and (5) The French draft asserted a principle for the Danube which had been ratified by a century of experience. Mr. Jebb then spoke in support of Senator Vandenberg's remarks<sup>6</sup> and of the French proposal. He added that the U.K. considered that the Paris Convention of 1921 was now in force. M. Geraschenko said that the U.S.S.R. did not oppose the principle of freedom of navigation; it only believed that the principle should be determined by the riparian states, and not by the Peace Conference.

The Commission then rejected by a roll call vote of 9 to 5 the U.S.S.R. proposal that the peace treaties with Rumania, Bulgaria and Hungary should not include provisions relating to the Danube. (Byelorussia, Czechoslovakia, Ukraine, U.S.S.R. and Yugoslavia formed the minority.) The meeting was adjourned before a vote was taken on the French proposal.

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**THIRTIETH MEETING OF THE MILITARY COMMISSION,  
SEPTEMBER 30, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 57

The records of the 24th, 25th, 28th and 29th meetings were adopted with several corrections and additions.<sup>7</sup> The Czechoslovak Delegation withdrew its amendment (CP Gen Doc 1.Q.7) to the Hungarian treaty, which proposed a new article to precede Article 10.<sup>8</sup> It also withdrew its amendment (CP Gen Doc 1.Q.8) to Article 10 of this treaty. The U.S., U.K. and Indian Delegations had expressed their support for the latter amendment before it was withdrawn. The Soviet Delegate had said that he would oppose it. Articles 10, 11, 12 and 13 were adopted unanimously. Article 14 was adopted with the correction previously adopted for the corresponding article in the Rumanian treaty.<sup>9</sup> Since identical amendments to the Australian amendment (CP Gen Doc. 1.B.49) to Article 15 had been rejected during the previous consideration of other treaties the Australian amendment to Article 15 was considered as rejected. The Polish

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<sup>6</sup> The text of this statement, Senator Vandenberg's second of the meeting, was released to the press, September 30, 1946.

<sup>7</sup> The Commission then began consideration of the Hungarian treaty.

<sup>8</sup> See the extract from the United States Delegation Minutes, *infra*.

<sup>9</sup> The change under reference was a minor alteration of the French text of article 15 of the Rumanian treaty made at the 15th Meeting, September 12.

Delegation withdrew its amendment (CP Gen Doc 1.0.9) to Article 15. Articles 15, 16, 17, 18 and 19 were adopted unanimously.

The U.S. withdrew its reservation regarding war graves.<sup>10</sup> Annexes 2 and 3 were adopted unanimously and all the military clauses and annexes as a whole were adopted. The Hungarian representatives were heard. They asked that Hungary be allowed to use some weapons which might be considered of German design but which were used by the armies of many countries and should be considered of international pattern, i.e., the Mauser 7.92 mm. rifle and the Stokes mortar. They also asked to be allowed to use a small anti-tank weapon using rocket propulsion. They asked for the prompt return, after the signing of the treaty, of Hungarians who were being held as prisoners of war of whom there were approximately 300,000, the majority in Russian hands.

Article 13 of the Finnish treaty was adopted. The Chairman noted that the U.K. Delegation had reserved the right to insert a supplementary article between Articles 13 and 14 which supplementary article was not yet ready for presentation. Articles 14 and 15 were adopted. Article 16 amended in a manner similar to the corresponding article in the Bulgarian treaty was adopted. Article 17 was adopted, amended in a manner similar to the corresponding article in the Bulgarian treaty. Article 18, with a Soviet correction, was adopted and Articles 19, 20 and 21 were adopted. Annexes 2 and 3 were adopted without amendment. The Finnish representatives had nothing to add to the written memorandum they had presented.<sup>11</sup>

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CFM Files

*United States Delegation Minutes*

[Extract]

[The following discussion occurred prior to the withdrawal by the Czechoslovak Delegation of amendment C.P. (Gen) Doc. 1.Q.7:]

General Balmer (U.S.) expressed the support of the United States Delegation for the Czechoslovak amendment (CP (Gen) Doc. 1.Q.7) to Article 10 of the Draft Treaty with Hungary. He indicated that United States support was contingent on a slight re-wording of the text. General Dove (U.K.) stated that he thought the principle involved in this Czech amendment was the same as that of the Greek amendment to Article 9 of the Bulgarian Treaty. If the two words

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<sup>10</sup> The United States reservation followed article 19 in the draft treaty, vol. IV, p. 105.

<sup>11</sup> C.P. (Gen) Doc. 6, Observations on the Draft Peace Treaty with Finland by the Finnish Government, is printed *ibid.*, p. 282.

"maintenance and" were removed, as proposed by the U.S., the U.K. Delegation would support the Czech amendment. General Pika (Czechoslovakia) proposed to withdraw part of the amendment, but for moral not strategic reasons. Since the Chairman found that the Czechs were only withdrawing the first three words of the English text of their amendment, the New Zealand Delegation expressed its support for it. General Slavin (U.S.S.R.) stated that he believed Article 10 was quite sufficient to satisfy the desires of Czechoslovakia. He urged the Czechs not to encourage the dangerous road adopted by some of his colleagues on the Council of Foreign Ministers, i.e., not to stick to agreements. He said there was a great difference between the democratic paths of some countries and the reactionary paths of others, specifically the Greeks. He asked the Czech Delegation to withdraw their amendment. General Pika said that he saw sense in General Slavin's statements and withdrew his amendment.

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**TWENTY-NINTH MEETING OF THE ECONOMIC COMMISSION FOR  
ITALY, SEPTEMBER 30, 1946, 3 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 57

The Commission approved a U.K. redraft of the Yugoslav amendment <sup>12</sup> to paragraph 4 of Article 69 (property in Allied territory) defining as Italian property (1) cables connecting two Yugoslav points and (2) the terminal facilities and lengths within Allied territorial waters of cables connecting an Allied point and an Italian point. Paragraph 4 as amended was approved unanimously.

The Ethiopian amendments (1.H.5) [C.P.(Gen.) Doc.1.H.5] to paragraph 5 were withdrawn after Mr. Thorp (U.S.) and the representatives of the other drafting powers had expressed their opinion that the exceptions to Article 69 specified in paragraph 5 were not applicable to property which the Ethiopian Government had lent to Italy for use as consular and diplomatic premises. The Ethiopian proposal to except from the exception property of Italian nationals permitted to reside in Ethiopia was also withdrawn after the U.S., U.K. and French representatives had pointed out that Article 68 and particularly Article 29 gave Ethiopia adequate protection against the Italian property holders in Ethiopia whose property had been illegally acquired. An Albanian amendment <sup>13</sup> moved by the Yugoslav repre-

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<sup>12</sup> For text of the redraft, see C.P.(Plen) Doc. 26, report of the Commission, vol. IV, p. 363.

<sup>13</sup> The amendment was proposed in C.P.(Gen) Doc. 7; for text, see *ibid.*, p. 799.

sentative was also withdrawn after the Commission had agreed to insert "exclusively" in subparagraph (b), requiring that the exception there specified should apply only to property used exclusively for religious or charitable purposes. Subparagraph (b) was then approved as amended, and subparagraphs (c) and (d) were also approved. Subparagraphs (e) and (f), non-agreed U.S. proposals regarding property in ceded territories, were deferred pending consideration of Annex 3 on ceded territories.

The Commission then resumed discussion of the U.S. proposal regarding civil aviation in Article 71, and of the Netherlands amendment to this proposal adding the first two freedoms of the air.<sup>14</sup> Mr. Reinstein (U.S.) explained the need for a special provision of this sort, pointing out that if it were not included the language of the first part of paragraph (c) would require the extension by Italy of national and [MFN]<sup>15</sup> treatment with respect to civil aviation. But national treatment should not be applied and the applicability of the concept of MFN treatment to civil aviation was not entirely clear. M. Aroutiunian (U.S.S.R.) opposed the U.S. proposal and the Netherlands amendment. The former, he said, was objectionable because civil aviation was a delicate question closely linked to national security, and furthermore equality of opportunity would lead to complete domination of Italian aviation by states which had emerged from the war with a strong civil aviation. He denied that the first two freedoms had become generally accepted principles and made repeated references to the differences of opinion and rivalry of the U.S. and the U.K. in the field of civil aviation. He urged that Italy be allowed to deal with the matter entirely through bilateral negotiations. Mr. Gregory (U.K.) pointed out that the U.S. proposal merely provided for non-discrimination by Italy against any foreign country, and expressed astonishment that anyone should object to it. M. de Carbonnel (France) stressed that the Netherlands amendment embodying the two freedoms was to be reciprocal, and it would be of great benefit to Italy to have such reciprocal rights in France, for example, Mr. Reinstein referring to M. Aroutiunian's suggestion that the question be dealt with in bilateral agreements, said it was obvious that detailed arrangements would have to be worked out in bilateral agreements. The U.S. proposal merely laid down the general rule that the Italian Government should not extend exclusive or discriminatory rights, and give all the United Nations equal rights to negotiate on a non-discriminatory basis. On a vote, the U.S. proposal in the draft treaty was approved by a vote of 14 to 5 (Poland abstaining). The Netherlands

<sup>14</sup> For substance, see C.P. (Plen) Doc. 26, report of the Commission, vol. iv, pp. 338, 365.

<sup>15</sup> Most favored nation. Brackets appear in the source text.

amendment was then approved by a vote of 12 to 5 with three abstentions (Poland, New Zealand and India).

The Commission then discussed Article 72 (Settlement of Disputes) on which a new U.S. proposal had been presented.<sup>16</sup> (The draft treaty contained non-agreed proposals of the U.K. and the U.S.S.R.) Mr. Reinstein referred to the need for a speedy and inexpensive method of settling the disputes which were certain to arise in the implementation of certain articles of the treaty. He said the Italian Government had submitted to the Conference a proposal which the U.S. considered more satisfactory than either the U.K. or the U.S.S.R. proposal. The U.S. was glad to support this proposal and had introduced it as the U.S. proposal with certain minor changes in paragraphs 1 and 2. Mr. Gregory said the U.K. could not object to the new U.S. proposal since it had the same objectives as the U.K. proposal. However he wished formally to move his proposal in order to keep it on the record.

M. Aroutiunian said the U.S. had attempted to create the impression it had taken over the Italian proposal, but actually the U.S. had excluded the most important part of the Italian proposal—namely the inclusion of Article 69 (Assets in Allied Territory) in the list of articles to which the Article 72 procedure would be applicable. The Soviet Delegation would accept this essential part of the Italian proposal. Discussing the Soviet proposal, he said the Soviet Delegation had always favored conciliation procedure, and believed the two parties to a dispute should have an opportunity to settle the dispute bilaterally. If there was no agreement, M. Aroutiunian suggested Article 75 might be made applicable—that is, the dispute might be referred to the Four Ambassadors in Rome.

The discussion was adjourned, to continue at the meeting later in the evening.

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**THIRTY-SIXTH MEETING OF THE ECONOMIC COMMISSION FOR THE BALKANS AND FINLAND, SEPTEMBER 30, 1946, 3:30 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 57

The French proposal for Article 34 (Danube), simply laying down the principle of freedom of navigation on the Danube and providing for an international conference to consider a regime for the Danube, was adopted by 8 votes to 5 (Byelorussia, Czechoslovakia, Ukraine, U.S.S.R., and Yugoslavia), with one abstention (India).<sup>17</sup>

<sup>16</sup> See C.P. (Plen) Doc. 26, report of the Commission, vol. iv, pp. 338, 368.

<sup>17</sup> For text of the French proposal, see C.P. (Plen) Doc. 29, Report of the Commission on the Draft Peace Treaty with Rumania, *ibid.*, pp. 434, 447.

The Australian amendment to Article 26 (Rumanian Property in Allied Territory), exempting Rumanian literary and artistic property from retention under the Article, was carried without a roll call vote by 8 votes to 5, with one abstention. Without roll call votes paragraphs 1, 2, and 3 of Article 26 were then adopted by 10 votes to 3, with one abstention, paragraph 4 as amended by 8 votes to 2, with 4 abstentions, and paragraph 5 by 9 votes to none, with 5 abstentions.

A vote on Article 33 (Full Effect of Annexes 4, 5, and 6) was adjourned until the Commission had considered Annexes 5 and 6 (Contracts; Prize Courts and Judgments). The consideration of these Annexes was adjourned until the report of the sub-commission created by the Italian Economic Commission to consider the corresponding Annexes of the Italian treaty should be available.

The Commission unanimously adopted Article 23 (Restitution) as a whole (this vote had not been taken previously because of an oversight).

The Commission then turned to the Bulgarian treaty. M. Politis (Greece) spoke at length on the Greek claim for reparation from Bulgaria, discussing Bulgaria's war guilt, the serious damages (estimated at nearly \$1 billion) inflicted on Greece by the Bulgarian occupation forces, and Bulgaria's capacity to pay reparation. In the latter connection he cited the September report to ECOSOC by the Sub-commission on Reconstruction as showing that Bulgaria had suffered no serious damage during the war. He attempted to show by comparative statistics that even before the war Bulgaria was richer and had a higher standard of living than Greece. He analyzed present economic conditions in Bulgaria and sought to show that these would permit substantial reparation payments. The Yugoslav representative spoke briefly of the heavy damages, estimated at \$1.5 billion, caused to Yugoslavia by Fascist Bulgarian forces, but went on to say that the Yugoslav Delegation recognized that many Bulgarians had resisted the Fascist Bulgarian Government and that, as a result, this Government had never been able to send Bulgarian troops into the main theaters of war. It also recognized the economic conditions of Bulgaria, the efforts to create a new and democratic government, and the elimination of Fascist elements and would, therefore, claim only such reparation as Bulgaria could pay without economic ruin. Mr. Smith (U.K.) noted that Yugoslavia was prepared to reduce its claim to a minimum, but that Greece was not ready to make such a sacrifice. He recognized the justice of the Greek claim, but recommended and proposed that reparation to Greece by Bulgaria should be fixed at a substantial sum, but well below the Greek claim, on the understanding that deliveries by Bulgaria would include food and would commence immediately, thus alleviating present and future Greek shortages.



After an exchange of views, in the course of which Mr. Thorp (U.S.) and M. Gerashchenko (U.S.S.R.) indicated their opposition to it, M. Politis withdrew the Greek amendment (1.J.25) [C.P.(Gen.) Doc. 1.J.25] to Article 20 (Reparation), by which the reference to Bulgaria's participation in the war against Germany and to the consequence that reparation would be paid only in part would have been deleted from the Article. As no one had proposed a sum to be paid by Bulgaria, final consideration of Article 20 was deferred until October 2.

Mr. Politis withdrew the original Greek amendment to Article 21 (Restitution) [C.P.(Gen.) Doc. 1.J.26] and proposed instead the amendment which had been introduced by the U.S. Delegation and adopted in the case of Italy and which provided for limited replacement of non-restitutable works of art.<sup>18</sup> Consideration of this amendment was deferred until the next meeting.

Without discussion the Commission unanimously adopted Annex 4 A (Industrial, Literary, and Artistic Property), paragraphs 4 and 7 being adopted in the same text as approved for Rumania.<sup>19</sup> The Commission unanimously adopted Article 23 (German Assets in Bulgaria) without discussion.

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**THIRTIETH MEETING OF THE ECONOMIC COMMISSION FOR ITALY,  
SEPTEMBER 30, 1946, 9:30 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 57

Discussion of Article 72 continued. The Ukrainian representative suggested that the U.S. proposal (CP IT/EC Doc 74)<sup>20</sup> Article 72 (Settlement of Disputes) should include Article 69 in its scope as had been recommended by the Italian Delegation. Mr. Alexander (Australia) and M. de Carbonnel (France) spoke in favor of the U.S. proposal, M. de Carbonnel emphasizing the advantages deriving from the fact the Italian Delegation was in favor of this procedure.

Mr. Thorp (U.S.) responded to certain remarks, pointing out that none of the proposals suggested excluded the Settlement of Disputes

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<sup>18</sup> For substance of the United States proposal, see the United States Delegation Journal account of the 18th Meeting of the Economic Commission for Italy, September 17, p. 473.

<sup>19</sup> Regarding the revision of paragraphs 4 and 7, see the United States Delegation Journal accounts of the present Commission's 13th Meeting, September 9, and 17th Meeting, September 14, pp. 405, and 454, respectively.

<sup>20</sup> For substance, see C.P.(Plen) Doc. 26, report of the Commission, vol. iv, pp. 338, 368.

by direct bilateral negotiations or any other procedure agreed upon by the parties concerned; and that the Commission had already defeated a previous suggestion to put the liquidation of Italian assets in the Allied and Associated Powers under the aegis of the Four Ambassadors. He considered, therefore, that the Commission had decided to retain Article 69 in the form it was drafted, providing that the state in which the assets were held would have the right to decide on the disposition of the assets. The U.S. proposal, he said, would merely provide a rapid final procedure which would have the advantage of continuity. He asked the Commission not to ignore former precedents for the settlement of the types of claims likely to arise under the treaty. Mr. Gregory (U.K.) said, although the U.K. proposal and the Soviet proposal were very similar, he would find it difficult to vote against the U.S. proposal.

M. Aroutiunian (U.S.S.R.) regretted that the U.S. proposal had widened the differences between the drafting powers. During the CFM discussions the U.S. had suggested a mixed arbitral tribunal procedure. However, this had been discarded and a large area of agreement had been achieved in the U.K. and Soviet proposals. He maintained the Soviet proposal was based on the new type of conciliation procedure adopted in Article 30 of the Charter of the United Nations and upheld the Soviet proposal.

The Ukrainian representative then suggested the U.S. proposal be amended to include within its scope Article 69. The Ukrainian suggestion was defeated 13 to 6 with one abstention, Byelorussia, China, Poland, Ukraine, U.S.S.R. and Yugoslavia voting for and Czechoslovakia abstaining.

The U.S. proposal was carried 14 to 6, Byelorussia, Poland, Czechoslovakia, Ukraine, U.S.S.R. and Yugoslavia voting against. The U.K. proposal was lost 4 to 13 with 3 abstentions, U.S., France, U.K. and Greece voting for. The Yugoslav proposed amending the Soviet draft to include annexes 6, 7 and 8 and the U.S. amendment to the draft text. This was lost 6 to 6 with 8 abstentions, the U.S., Belgium, Brazil, France, New Zealand and Yugoslavia voting for. The Soviet proposal was defeated 6 voting for 13 against and 1 abstention.

The Norwegian representative introduced his amendment (CP (IT/EC) Doc 45)<sup>21</sup> to Article 73 (Scope of Application) providing that for the words "those who have broken diplomatic relations" there be substituted the words "those whose diplomatic relations with Italy have been broken off during the war". M. Aroutiunian suggested this formula would be too wide and suggested, therefore, that the following

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<sup>21</sup> Not printed.

be added to the draft text "or with whom Italy had broken diplomatic relations. These Articles and Annexes shall also apply in the case of Albania and Norway." The Belgian representative moved the Norwegian amendment which was lost 11 voting against 7 for and 2 abstentions. The Soviet proposal was carried, 16 voting for, 2 against and 2 abstentions. Article 73 as amended was carried unanimously.

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## TUESDAY, OCTOBER 1, 1946

### THIRTY-EIGHTH MEETING OF THE POLITICAL AND TERRITORIAL COMMISSION FOR ITALY, OCTOBER 1, 1946, 10 A. M.

CFM Files

#### *United States Delegation Journal*

USDel(PC) (Journal) 58

The *Rapporteur* made a statement (CP(IT/P) Doc 101) <sup>22</sup> to the Commission recalling the types of recommendations which might be made by the Commission to the Conference under the rules and asking for majority and minority reports on the several articles requiring them by not later than Midday Wednesday in order that they might be included in the *Rapporteur's* report to be circulated on Thursday. The Chairman outlined the Commission's schedule for the remainder of the week as follows:

Tuesday afternoon and Wednesday—discussion of Article 16 and the Statute for Trieste

Thursday—to be left free for the *Rapporteur's* report.

Friday and Saturday morning—discussion of his report and its final adoption.

The representative of Yugoslavia introduced and then spoke in favor of his Delegation's amendment (CP(IT/P) Doc 96) <sup>22</sup> to Article 78 which would provide that the treaty comes into effect when ratified by the four sponsoring powers and by "the Allied and Associated Powers who are neighbors of Italy and whose territory was occupied by Italy". The amendment was defeated by 13 votes to 5, with two abstentions. The Australian Delegation withdrew the deferred portion of its amendment (CP(IT/P) Doc 15) [C.P.(Gen) Doc. 1. B. 1] to the preamble relating to human rights and the Commission thereafter adopted the 5th paragraph of the preamble.

The Commission then considered the report of the Subcommittee on the Yugoslav amendment for a new Article 11(a) (CP(IT/P) Doc 100) concerning the restitution to Yugoslavia of archives and objects

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<sup>22</sup> Not printed.

of artistic, historic and religious value with respect to that portion of the territory Italy will cede to Yugoslavia. After some discussion among the British, Soviet and Yugoslav Delegates a modification of the Subcommittee's redraft of the amendment was accepted in the following sense: in paragraph 2 of the revised draft amendment, first line after the words "all objects" add "of public legal character". That portion of the amendment (Doc 100) creating a new Article 11(a) was adopted by the Commission by 19 votes to 1, the U.S. casting the negative vote. That part of the report (Doc 100) amending the first paragraph of Annex 3 was adopted unanimously.<sup>23</sup>

The Chairman read a report from the Military Commission regarding the use of the words "demilitarization" and "complete demilitarization" in Articles 11, 12 and 42.<sup>24</sup> It was the recommendation of the Military Commission that the word "demilitarization" be used uniformly in all three articles and that a description of "demilitarization" as included in the Military Commission's report should be attached to the treaty as Annex 5D. The Military Commission's report was accepted and the Ukraine amendment (CP(Gen) Doc 1.R.1) to Article 12 was withdrawn. Consequently the second sentence of Article 12 (which had been deferred—see Journal No. 48, September 21) was adopted unanimously by the Commission with a Soviet reservation regarding the Greek amendment to this article referring to certain Greek-Turkish agreements.<sup>25</sup>

The report of the Legal and Drafting Commission on the Yugoslav amendment for a new Article 13(a) (CP(IT/P) Doc 102) providing for the option by Italian citizens of Yugoslav citizenship and their subsequent removal to Yugoslavia was next considered. The Yugoslav Delegation proposed an additional paragraph 3 to the report of the Legal and Drafting Committee which reads as follows: "All provisions applying to persons who opt for Italian nationality under Annex 3(6) shall equally apply to the transfer of properties belonging to persons who opt for Yugoslav nationality according to this Article." The Chairman suggested that the Commission vote on the entire article and, in view of the economic implications of the new paragraph proposed by the Yugoslavs, it be referred to the Economic Commission. The Yugoslav amendment, as redrafted by the Legal and Drafting Commission, (Doc. 102) was adopted by the Commission by a vote

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<sup>23</sup> C.P.(IT/P) Doc. 100 is not printed. For text of the new article 11a and for text of the first paragraph of Annex 3 as amended, see C.P.(Plen) Doc. 24, report of the Commission, vol. iv, pp. 309 and 310, respectively.

<sup>24</sup> For text of the Military Commission's interpretation, see footnote 34, p. 613.

<sup>25</sup> See the United States Delegation Journal account of the 28th Meeting, September 21, p. 501.

of 19 to 1. The U.S. vote, in the affirmative, was conditioned on the approval of the last paragraph (5) by the Economic Commission for Italy.<sup>26</sup>

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**FIFTEENTH MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR BULGARIA, OCTOBER 1, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 58

After approving the record of decisions of its 14th meeting, the Commission took up consideration of the conclusions of the Military Commission on the question referred to it with respect to the Greco-Bulgarian frontier (CP (Bul/P) Doc 12).<sup>27</sup>

M. Diamantopoulos (Greece) stated that the reply of the Military Commission evaded the issues presented and asked that the Commission continue discussion of the frontier change proposed by the Greek Delegation and arrive at a means of ensuring the security of the Greek frontier.

M. Novikov (U.S.S.R.) stated that the Commission had received the reply that was to be expected and that, despite Greek dissatisfaction, the Commission should pass to the vote and defeat the Greek amendment.<sup>28</sup> He said he was authorized by his Government to say that the territorial change sought by Greece can not take place.

Mr. Caffery (U.S.) stated that the U.S. Delegation was frankly not surprised that the Military Commission was unable to take a decision on a matter in which political and other factors were involved, but stressed American conviction of paramount importance that Allied na-

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<sup>26</sup> For text of the new article 13 *a* adopted here, see C.P.(Plen) Doc. 24, Report of the Political and Territorial Commission for Italy, vol. iv, p. 312. See also C.P.(Plen) Doc. 28, Report of the Legal and Drafting Commission on the Draft Peace Treaty with Italy, *ibid.*, pp. 419, 428, and the United States Delegation Journal account of the 33rd Meeting of the Economic Commission for Italy, October 2, p. 630.

<sup>27</sup> The Political and Territorial Commission for Bulgaria had, at its 11th Meeting, September 16, decided to request the opinion of the Military Commission; the latter agreed upon a reply at its 29th Meeting, September 28. For the United States Delegation Journal account of these meetings, see pp. 463 and 586, respectively. C.P.(Bul/P) Doc. 12, the reply from General Mossor, the Chairman of the Military Commission, stated the following:

"In reply to the letter of the 17th September of the Chairman of the Political and Territorial Commission for Bulgaria, the Military Commission considers that any extension or any diminution of territory will probably strengthen or weaken the possibilities of local defense; but that strategical security, in the form in which it is mentioned in the annex of the letter, would cover political, economic and ethnical problems, which are not within the purview of this Commission."

<sup>28</sup> For text of the amendment under reference, C.P.(Bul/P) Doc. 9, see footnote 63, p. 409.)

tions should provide the needed security for Greece's frontier. The U.S. Delegation had not been impressed by statements regarding "democratic conditions" in Bulgaria; it had, in fact, grave doubts in this respect and all the evidence pointed to the contrary. Believing that demilitarization on the Bulgarian side of the frontier would be desirable until conditions of general security could be established, he was unconvinced that territorial change would contribute to the required security and believed that Article 1 should stand.<sup>29</sup>

The Yugoslav Delegate associated himself with the statement of M. Novikov.

The British Delegate regretted it was impossible to give ratification [*satisfaction*] to Greece, and made a statement regarding gallant Greece's title to frontier security.

The Greek amendment was rejected by 8 votes to 2 (Greece, South Africa), with 3 abstentions (U.K., New Zealand, India).

M. Diamantopoulos saying that he did not believe the question of Greek security should be disposed of summarily, especially since Greek fears with respect to Bulgaria were unallayed proposed that a note be attached to Article 1 to the effect that the frontier therein established would be subject to the "exception of such modification as might be determined by the Council of Ministers.[""] After some discussion as to the precise nature of the Greek proposal, the Chair stated that it would be included in the record of the meeting.

The Yugoslav representative moved to vote on Article 1 as it stands, stating his Delegation's confidence that the CFM will give full study to the Bulgarian proposal that the Greco-Bulgarian frontier be as established by the treaty of Bucharest.

Mr. Caffery (U.S.) said that before proceeding to the vote he wished to note that the map before the Commission as Annex 1 to Article 1, while satisfactory for general purposes, was not sufficiently detailed for formal inclusion with the treaty, and asked that his indication for the need of a more detailed map be included in the record.<sup>30</sup>

Article 1 of the treaty was then adopted by 10 votes to 1 (Greece), with 2 abstentions (India, South Africa).

After considerable further discussion of the map, it was accepted with the understanding that a more detailed map would be provided later for submission to the CFM with the treaty. The vote of adoption was 9 for, and 2 against (Greece, Australia), with 2 abstentions (India, South Africa). (Mr. Caffery's affirmative vote was accompanied by the proviso that a more detailed map be provided later.)

<sup>29</sup> Text of Caffery's statement was released to the press, October 1, 1946.

<sup>30</sup> The map before the Commission was that which accompanied the Russian text of the Draft Peace Treaty; no maps accompanied the English and French texts.

The British representative stated that the report of the *Rapporteur* could now be completed by inclusion of today's proceedings, would be distributed tomorrow, and could be placed before the Commission for adoption on Thursday evening, October 3. The Chairman announced that the Commission would meet at 9:00 p. m. on that date to consider the report.

The meeting adjourned at 12:55 p. m.

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**THIRTY-SEVENTH MEETING OF THE ECONOMIC COMMISSION FOR  
THE BALKANS AND FINLAND, OCTOBER 1, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)58

The Commission unanimously adopted the Greek amendment to Article 21 (Restitution) providing for limited replacement of non-restitutable works of art, etc., the text being the same as that approved for the Italian treaty.<sup>32</sup> M. Politis (Greece) introduced a new amendment providing for the return of rolling stock in quantities equivalent to that removed from Greece by Bulgaria and for the eventual restitution of this rolling stock to its owners by Greece [C.P.(Gen.) Doc. 1.J.27]. He spoke of the very serious shortage of rolling stock in Greece and of its effects on the economic recovery of Greece. M. Lebel (France) and M. Bartos (Greece) [*Yugoslavia*] opposed the amendment on the ground that the problem should be dealt with by ECITO and stated that they would support a sympathetic consideration of the Greek position by ECITO. The amendment was rejected by 12 votes to 1, with one abstention. The Greek Delegation withdrew its amendment to Article 21 (1.J.28) [C.P.(Gen.) Doc. 1.J.28], providing for the nullification of certain contracts purporting to transfer Greek property to Bulgaria. The Commission unanimously approved a Soviet proposal to modify paragraph 1 of Article 21 by adding the words "in the shortest possible time". The Commission then unanimously adopted Article 21 as amended.

The Australian Delegation withdrew its amendments (1.B.38 and 39) [C.P.(Gen.) Doc. 1.B.38 and C.P.(Gen.) Doc. 1.B.39] to Article 22 (UN property in Rumania [*Bulgaria*]). The Commission unanimously adopted paragraphs 1, 2 and 3 without discussion. On the percentage of compensation, the Commission voted exactly as in the case of Rumania, i.e., it rejected full compensation by 7 votes to 6, with one abstention; it rejected 25% compensation by 9 votes to 5, and

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<sup>32</sup> For text, see C.P.(Plen) Doc. 31, Report of the Commission on the Draft Peace Treaty with Bulgaria, vol. iv, pp. 486, 489.

adopted 75% compensation by 9 votes to 4, with one abstention. The U.S. Delegation voted against full compensation and for 25% compensation and abstained on the principle of 75% compensation. The Commission then voted on the text of paragraph 4, taking the U.S. proposal (identical with text proposed for Rumania) as the basis and voting paragraph by paragraph. The voting was the same as in the case of Rumania, i.e., subparagraph (a) was approved by 9 votes to 4 with one abstention, subparagraphs (b), (c), and (d) by 9 votes to 5, and subparagraph (e) (as proposed for Rumania by French Delegation) by 8 votes to 6. The U.S. Delegation supported each subparagraph except the last. The Commission unanimously adopted paragraph 5. M. Politis moved an amendment to paragraph 6 [C.P. (Gen.) Doc. 1.J.29] by which Bulgaria would be required to permit Greek nationals with property in Bulgaria to enter Bulgaria for the administration or disposal of their property and to permit them to take their movable property and funds with them if they decided to give up their domicile in Bulgaria. He explained that Bulgaria now refused to allow Greek nationals to enter, even temporarily, to administer or dispose of their property. The U.K. representative opposed the amendment on the ground that the Greek requirements were adequately met by other provisions of the treaty and that the provision for transfer of property and funds would impose a heavy burden on Bulgaria. Although the Greek representative withdrew the latter part of the amendment, relating to transfer of property and funds, the amendment was rejected by 8 votes to 4 with two abstentions. Paragraphs 6 and 7 were then unanimously adopted. Paragraph 8 was adopted by 13 votes, the Czech Delegation abstaining.<sup>33</sup>

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**THIRTY-FIRST MEETING OF THE MILITARY COMMISSION,  
OCTOBER 1, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 58

The U.K. Delegate presented the interpretation of the four drafting powers of the term "demilitarization".<sup>34</sup> This proposal was adopted by the Commission 18 to 2 with 1 abstention, and the interpretation will be sent as a reply to the Political and Territorial Commission for

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<sup>33</sup> Regarding the action of the Commission on article 22, see C.P. (Plen) Doc. 31, vol. iv, pp. 486, 490.

<sup>34</sup> The interpretation was rendered in response to a request decided upon by the Political and Territorial Commission for Italy at its 28th Meeting, September 21; for the United States Delegation Journal account of that meeting, see p. 501. The interpretation was as follows:

"1. The Military Commission considers that for the purpose of this Treaty

Footnote continued on following page.



Italy. The U.K. Delegate made a proposal concerning mine-sweeping for the Finnish treaty similar to the proposal made for the Italian treaty. This proposal was adopted.<sup>35</sup> The Finnish and Hungarian treaties were adopted definitively without any further amendment.

Admiral Manola (Yugoslavia) presented an amendment to the majority report on the Greek amendment (CP Gen Doc 1.J.21) to Article 9 of the Bulgarian treaty. The U.K. and U.S. Delegations objected to this proposal on the grounds that it was out of order. The U.S. Delegation maintained that there was no basis for discussion, while General Dove (U.K.) thought that it might be in order to discuss the amendment when the majority and minority reports were before the Commission. The amendment will be discussed when the reports are before the Commission.<sup>36</sup>

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#### BYRNES-DRAGOUMIS CONVERSATION, OCTOBER 1, 1946, A. M.

CFM Files

*Memorandum of Conversation, by the Director of the Office of European Affairs (Matthews)*

PARIS, October 1, 1946.

Participants: Mr. Dragoumis, Acting Head of Greek Delegation  
Mr. Diamantopoulos, Greek Ambassador to Washington  
Secretary Byrnes  
Mr. Matthews

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Footnote continued from previous page.

the term 'demilitarization' shall be deemed to prohibit, in the territory and territorial waters concerned, all naval, military and military air installations, fortifications and their armaments; artificial military, naval and air obstacles; the basing or the permanent or temporary stationing of military, naval and military air units; military training in any form; and the production of war materials. This does not prohibit internal security personnel restricted in number to meeting tasks of an internal character and equipped with weapons which can be carried and operated by one person, and the necessary military training for such personnel."

The Four Powers recommended that the same term, "demilitarization," be used in articles 11, 12, and 42 of the Italian Treaty; that the definition be inserted in Annex 5 (D); and that article 42 be revised by deleting the word "completely," and by adding the note "For the definition of the term 'demilitarization' see Annex 5 (D)." (CFM Files). The Political and Territorial Commission for Italy dealt further with this matter at its 38th Meeting, October 1; for the United States Delegation Journal account of that meeting, see p. 608.

<sup>35</sup> The unanimous adoption of the proposal created a new article, 13 A; for text, see C.P.(Plen) Doc. 21, October 5, Report of the Military Commission on the Draft Peace Treaty for Finland, vol. iv, p. 589.

<sup>36</sup> The amendment proposed to reduce the restrictions placed upon Bulgaria by the text of article 9 supported by the majority. General Balmer questioned the right of Yugoslavia to propose such an amendment since it was a signatory to the minority report. The Commission did not give the amendment subsequent formal consideration. (CFM Files: United States Delegation Minutes). See also C.P.(Plen) Doc. 19, October 7, Report of the Military Commission on the Bulgarian treaty, *ibid.*, p. 517.

[Here follows a discussion of Greek purchases of United States surplus property.<sup>37</sup>]

The Secretary then said that he also wanted to talk to them with regard to the matter of Greek reparations from Italy which Mr. Tsaldaris had raised on a previous occasion. He explained that under the arrangements agreed upon by the Council of Foreign Ministers for Soviet reparations from Italy, the Soviet Union would be required to furnish Italy the raw materials which would be needed by Italy for the production of goods to be delivered as reparations out of current industrial production. It was likewise provided that payment for these raw materials should be made by deducting their value from the value of the goods delivered to the Soviet Union. He said that he understood that the difficulty in the case of Greece is that Greece has no raw materials to furnish Italy nor has it available funds wherewith to purchase such raw materials. The Secretary said that, by way of example, if Greece should receive a total of \$100,000,000 reparations from Italy according to his understanding—though he was not sure of the figures—some \$40,000,000 would probably be required to be advanced in the form of raw materials. Of course, he added, that as in the case of the Soviet Union, the value of these raw materials would be deducted from the amount credited to Italy as reparations deliveries. Mr. Diamantopoulos said that he understood the arrangement but would like to know how Greece was going to be able to get the raw materials to supply Italy. The Secretary said that he was coming to that as it was his purpose in raising the matter. He said that while the Export-Import Bank is an independent institution, he would be glad to use his influence to obtain from it the necessary credits to enable Greece to purchase those raw materials. In other words, if the Greeks were anxious as to how they could implement any award of reparations out of Italian current industrial production, they could inform their Government that financial assistance would be forthcoming from the United States in the form of a credit to purchase and advance the necessary raw materials. Both Mr. Dragoumis and Mr. Diamantopoulos expressed their appreciation of the Secretary's offer. They said that Greece was also interested in obtaining some reparations from Italy in the form of sulfur.

Mr. Dragoumis said that he had been on the point of asking for an interview with the Secretary to discuss Greece's frontier problem with Albania. They had felt it wise to withdraw their resolution at the Plenary Session rather than create further difficulties and had written to the Council of Foreign Ministers directly, requesting that the matter

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<sup>37</sup> Concerning this question, see memorandum of July 5 by Leonard Unger, and note of October 8 to the Greek Chargé, vol. VII, pp. 175 and 232, respectively.

be given the Council's consideration. Greece realized however, he continued, that at the present time the atmosphere was very unfavorable and Mr. Molotov would certainly never agree to any solution of the problem which would be satisfactory to the Greeks. On the other hand, Greece did not want any decision taken by the Council which would reject any future consideration of the question. He was therefore asking the Secretary—and would take similar action with the British—merely to leave the matter open on the Council of Foreign Ministers' agenda and neither raise it in the future nor agree to its definite exclusion. The Secretary stated that this would be easy to do, he thought, and he would comply with the Greeks' request.

Mr. Dragoumis then raised the question of the demilitarization of the Dodecanese. He said that there was a Yugoslav request of the Military Commission to define demilitarization and the Greeks were anxious that the definition should not contain any prohibition against the drilling or training of draftees in the islands. He said that the Turkish islands of Mytilene and Chios were demilitarized under the Lausanne Treaty and that a satisfactory definition of demilitarization was contained in that Treaty. He hoped that the Dodecanese could be assimilated to the Lausanne definition of demilitarization. The Secretary said he was not familiar with the question but would make inquiry of General Balmer. (This he subsequently did and was informed by General Balmer that a definition of demilitarization had been agreed upon by the Big Four Military Advisers just that morning. The definition would permit the arming and training only of internal security forces for the islands. General Balmer was instructed to inform the Greeks that we could not very well support their claim.)

In conclusion the Greeks discussed the seriousness from the economic point of view of the situation in Greece as set forth in the recent message from Prime Minister Tsaldaris which had been sent to the Secretary.<sup>38</sup> They said that the rural population in the north is so convinced that Greece is about to be invaded by Albania and Yugoslavia that the farmers are leaving their fields when they should be preparing for the next crop and there is a great rush of population to the cities. This is being accompanied by a flight from the drachma and a great demand for gold pounds. The Greek Government is very seriously concerned lest all the economic progress made in recent months will be lost. The Secretary said he was aware of the seriousness of the situation and expressed his deep regret over these developments.

H. FREEMAN MATTHEWS

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<sup>38</sup> Reference is presumably to the note of September 16 from Tsaldaris to Byrnes, vol. iv, p. 862.

**THIRTY-NINTH MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR ITALY, OCTOBER 1, 1946, 3:30 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 58

The Commission considered the report of the Legal and Drafting Commission (CP(JR) Doc 25) on the proposed Greek amendment to Article 68 (CP IT/P Doc 79) [C.P.(Gen) Doc.1.J.15] which had been referred from the Economic Commission to the Political and Territorial Commission for Italy for consideration in connection with Article 14. The representative of Greece spoke in favor of his amendment while Colonel Hodgson (Australia) argued against the amendment, rather on procedural than substance grounds. The amendment (IT/P Doc 79) was defeated by 16 votes to 2 with 2 abstentions. At the request of the Greek representative the report of the Legal and Drafting Commission (JR Doc 25) will be attached to today's record of decisions.<sup>39</sup>

Following a Yugoslav objection to the afternoon agenda the Chair obtained the Commission's approval by a vote of 10 to 6 with 4 abstentions of his proposal that the Commission discuss and dispose today of what language will go into the treaty, such as the U.S. proposal (CP IT/P Doc 16) and the Yugoslav proposal, recently circulated,<sup>40</sup> and leave discussion of the report of the Subcommittee for a Trieste Statute until tomorrow.

The representative of Greece withdrew his Delegation's amendment to Article 16 (CP Gen Doc 1.J.3) in the light of agreed Article 4 of the draft Statute for Trieste (CP (IT/P) (S/T) Doc 8 Annex) which he said covers the point.<sup>41</sup>

Senator Connally (U.S.) presented the American proposal (IT/P Doc 16) containing treaty language for Article 16. He pointed out that paragraph 28 of the U.S. proposal, defining the frontiers of the Free Territory, had already been withdrawn (see Journal No. 38, September 10)<sup>42</sup> but that the remainder of the proposal which covers all principles enunciated in the CFM decision regarding the Free Territory of Trieste (Article 16 2-6) was designed to transfer these prin-

<sup>39</sup> The report by the Legal and Drafting Commission on the Greek amendment is printed as an annex to that Commission's report on the Italian Treaty, C.P. (Plen) Doc. 28, vol. IV, p. 419.

<sup>40</sup> For texts of C.P.(IT/P) Doc. 16 and C.P.(IT/P) Doc. 103, the Yugoslav proposal, see *ibid.* pp. 780 and 788, respectively.

<sup>41</sup> For text of C.P. (IT/P) (S/T) Doc. 8 Annex, see *ibid.*, pp. 623, 632.

<sup>42</sup> See the United States Delegation Journal account of the 18th Meeting, September 10, p. 416.

ciples into appropriate treaty language.<sup>43</sup> Mr. Jebb (U.K.) asked for a slight drafting modification to substitute the word "assured" for the word "guaranteed" in the second sentence of paragraph 1 of the U.S. proposal and to eliminate the last clause of that sentence. Colonel Hodgson, while expressing regret that the Australian proposal (CP Gen Doc 1.B.6) amending Article 16 had been rejected, said that he would vote for the American proposal to Article 16 in want of anything better. The latter proposal was likewise supported by Mr. Jebb and Baron de Gruben (Belgium) and opposed by the representatives of Yugoslavia, Poland, and the Soviet Union. The burden of M. Vyshinsky's arguments was that the U.S. proposal did not reflect the decisions of the CFM as outlined in present Article 16 (2-6) but went beyond them and thus constituted a new proposal and a departure from CFM decisions. Senator Connally replied to these charges by taking up the American proposal paragraph by paragraph and demonstrating that there was nothing contrary in them to the CFM decisions on the Free Territory. Questions of procedure with respect to whether the Commission should continue discussing and voting on the American proposal for Article 16 or take up immediately the report of the Subcommittee for Trieste were continually raised during the above discussion by the representatives of Yugoslavia, the Soviet Union, France and Poland. The Chair finally ruled that discussion on the U.S. proposal was closed and that a vote on it would be deferred until tomorrow or until after discussion on the Trieste Subcommittee report. The representative of Yugoslavia said that he would make his observations on the U.S. proposal at the time he introduced the Yugoslav proposal for new language for Article 16.

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**THIRTY-FIRST MEETING OF THE ECONOMIC COMMISSION FOR ITALY,  
OCTOBER 1, 1946, 3:30 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 58

M. Politis (Greece) explained his amendment (CP(IT/EC) Doc 68)<sup>44</sup> providing Italy should be obligated to negotiate with the Greek Government for settlement of a debt amounting to \$64,800,000 which was contracted during the occupation but which did not represent an advance to cover occupation costs. M. Aroutiunian (U.S.S.R.) said

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<sup>43</sup> Text of Senator Connally's statement was released to the press October 1, 1946.

<sup>44</sup> Not printed.

that there were many levies laid down by the enemy in addition to those falling under occupation costs. However, he considered such claims should be considered as reparation. Mr. Reinstein (U.S.) said the U.S. Delegation felt it would have to abstain from voting in view of the fact that on the basis of the data available there was no way of evaluating this claim properly. Although it was too late to ask for a postponement of the problem in the Commission, he expressed the hope that the Greek Delegation would circulate the text of the pertinent agreement before the Plenary Session so that the U.S. Delegation could take an informed position. M. Bartos (Yugoslavia) pointed out that the four drafting powers had agreed that the removal of Yugoslav rolling stock pursuant to an agreement between the Germans and Rumanians, was a case of looting and should be dealt with as a reparation problem. He asked why the Greek request should be accorded different treatment. Mr. Gregory (U.K.) pointed out that the Greek claim was a pecuniary one and agreed with Mr. Reinstein that it would be difficult to vote on the Greek amendment without having further information.

M. Politis assured the Commission of the contractual character of the Greek-Italian agreement and the obligation undertaken by Italy to refund certain advances over and above those incurred for occupation costs. He asked the Chairman if he could defer the consideration of the amendment until after he had circulated the text of the agreement as had been suggested by Mr. Reinstein. The Chairman suggested it was too late to defer voting on the Greek amendment. M. Politis withdrew his amendment stating that in view of the fact that several members had expressed the wish for further information the Greek Delegation would prefer to table their amendment later.

M. Politis then moved his amendment (CP Gen Doc 1.J.18) requesting Italy to forego all rights to participate in any commission operating in Greece. He explained that the financial settlement of Greek bankruptcy in 1897 had established a Control Commission, composed of Great Britain, France, Italy, Russia, Austria and Germany. After the last war Germany and Austria ceased to participate, Russia had dropped out in 1917 and Greece had obtained the holdings of these countries although he realized that the Italian holdings could be seized under Article 69, he wished to make it clear that Greece did not consider it proper for Italy to remain a member of the Commission.

M. Bartos supported the Greek proposal. Mr. Gregory also supported it but suggested the precise commission to which it referred should be mentioned. Mr. Reinstein also asked that the amendment be modified to specify the commission. M. Aroutiunian suggested

that it was a regrettable anachronism that such a Commission survived to interfere in the internal affairs of Greece. M. Politis modified his amendment to read: "Italy renounces all participation in the International Financial Commission in Greece". M. Bartos expressed violent indignation to the amendment as modified and withdrew his support, saying he had thought M. Politis did not wish the enslavement of Greece. M. Aroutiunian expressed the belief that certain members were trying to give official sanction to an anachronistic Financial Commission whose membership was only one-third of its original composition.

A vote was taken on the revised amendment and it was approved 13-7, Byelorussia, China, Czechoslovakia, Poland, Ukraine, U.S.S.R. and Yugoslavia voting against the amendment.

The Yugoslav amendment to paragraph 6 Article 66 (CP (IT/EC) Doc 66)<sup>45</sup> was approved unanimously as was paragraph 6 as amended and Article 66 as a whole.

Annex 6 A (Industrial, Literary, and Artistic Property) was adopted unanimously with the amendment (CP (IT/EC) Doc 75)<sup>46</sup> suggested by the U.S. Delegation to bring the text into conformity with that already approved by the Balkan Commission.

Annex 8 A (Prize Courts) was adopted unanimously as drafted.

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**THIRTY-EIGHTH MEETING OF THE ECONOMIC COMMISSION FOR THE  
BALKANS AND FINLAND, OCTOBER 1, 1946, 3:30 P.M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 58

The Commission considered Article 24 (Bulgarian property in Allied territory). M. Gerashchenko (U.S.S.R.) said that the only countries which had suffered injury through Bulgarian action were Yugoslavia and Greece, whose claims were provided for by other articles. There was, therefore, no reason to strip Bulgaria of its foreign assets. Bulgaria should, of course, pay its debts, but it was not necessary to seize its assets and apply them to its debts. Mr. Thorp (U.S.) stated that property problems were primarily covered by the articles on reparation, restitution, and compensation, and that Article 24 was intended to deal with any residual claims and debts. The article already provided that any assets in excess of such claims would be returned. It would not be contrary to the real interests of Bulgaria

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<sup>45</sup> See footnote 2, p. 597.

<sup>46</sup> For text, see C.P. (Plen) Doc. 26, report of the Commission, vol. iv, pp. 338, 373.

if these assets were used to pay off pre-war debts, for the payment of these debts will be necessary to the resumption of Bulgarian trade. Mr. Thorp pointed out that the article in question was an agreed article in two treaties and urged its adoption in the case of Bulgaria. After a further exchange of views, in which M. Gerashchenko again attacked the U.S.-U.K.-French proposal and Mr. Thorp and Mr. Smith (U.K.) defended their proposal, the Commission rejected the Soviet proposal by 7 votes to 5 with two abstentions. The Commission then voted, paragraph by paragraph, on the U.S.-U.K.-French proposal. The Australian amendment, regarding literary and artistic property (adopted for the Rumanian treaty) and involving the deletion of literary and artistic property from paragraph 4 and its addition to paragraph 5 as subparagraph (e), was adopted by 8 votes to 3 with 3 abstentions. Paragraphs 1, 2, and 3 of the U.S.-U.K.-French proposal were adopted by 7 votes to 4 with 3 abstentions. Paragraph 4 was adopted, as amended, by 9 votes to 3 with 2 abstentions. Paragraph 5, subparagraphs (a), (b), (c) and (d), was adopted by 6 votes to 4 with 4 abstentions.

The Commission adopted the U.S.-U.K.-French proposal for Article 23 [25] (Renunciation of claims against Germany) by 9 votes to 5, having previously rejected the Soviet proposal by the same vote. The representatives of France, U.S., and U.K. repeated the assurances regarding restitution of Bulgarian property in Germany, which had been made in the same connection in the case of Rumania.<sup>47</sup>

The Commission considered Article 26 and the Greek amendment thereto. The amendment (1.J.30) [C.P.(Gen.) Doc. 1.J.30], regarding certain pre-World War I debts mentioned in the Treaty of Neuilly, was opposed as inappropriate for the present treaty by the representatives of U.K. and U.S. and rejected by the Commission by 12 votes to 1 with 1 abstention. Article 26 was then unanimously adopted. The Greek proposal (1.J.31) [C.P.(Gen.) Doc. 1.J.31] for a new Article 26 bis, regarding full compensation for certain losses resulting from the Bulgarian administration of Greek property during the occupation, was withdrawn and replaced by an amendment to the same effect (CP (B&F/EC) Doc 56).<sup>48</sup> The representatives of the U.K. and U.S.S.R. stated that such claims should be included in the Greek claim for reparation and dealt with in connection with reparation. The Greek representative then withdrew the amendment.

The Commission unanimously adopted Article 27 (Renunciation of claims against Allied and Associated Powers), the Greek Delegation having withdrawn its amendment (1.J.32) [C.P.(Gen.) Doc. 1.J.32]

<sup>47</sup> Regarding the action of the Commission on article 25, see C.P. (Plen) Doc. 31, Report of the Commission on the Draft Peace Treaty with Bulgaria, vol. iv, p. 486.

<sup>48</sup> Not printed.



on the ground that, by the decision of the Italian Economic Commission on a similar amendment, Article 24 adequately protected Greek interests.

The Greek Delegation withdrew its amendment (1.J.33) [C.P. (Gen.) Doc. 1.J.33] and introduced a new amendment (CP(B&F/EC) Doc 57)<sup>48</sup> to Article 28 (General Economic Relations), which called for the addition of a new paragraph regarding the facilitation of rail traffic between Sofia and Salonika, the maintenance of adequate services, and the negotiation of an agreement between the two countries on rates. M. Gerashchenko opposed the amendment as not relevant to the treaty and as one-sided. Mr. Thorp stated that he was prepared to accept the new amendment, provided that disputes arising under the paragraph were settled in accordance with Article 29 (not by ECITO as proposed by the Greek Delegation). The Greek representative said that he was willing to accept this revision. The amendment was opposed by the representative of the U.K. as being too specific a clause for inclusion in the treaty. The French representative suggested that the question might be adjourned and that a new Article, for inclusion in the Rumanian, Hungarian and Bulgarian treaties, might be drafted to replace the Greek amendment and also the Czech amendment to the Hungarian treaty. The purpose of this Article would be to induce each of the ex-enemies to negotiate agreements with its neighbors regarding railway transit. M. Gerashchenko opposed this proposal as not relevant to the work of the Commission and also urged that the Greek amendment should be withdrawn. At the suggestion of the Chairman, the Greek representative withdrew his amendment and the Commission agreed to allow the French representative to submit his alternative proposal at the next meeting.

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**EIGHTEENTH MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR HUNGARY, OCTOBER 1, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 58

The Commission examined the Subcommittee's report on the bridgehead (Czechoslovak amendment 1.Q.3) [C.P.(Gen.) Doc. 1.Q.3].<sup>49</sup> The Chairman read a letter from the Hungarian Delegation suggesting certain reservations in the event the Commission should decide to cede

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<sup>48</sup> Not printed.

<sup>49</sup> Regarding the work of the Subcommission, see C.P.(Plen) Doc. 27, report of the Commission, vol. iv, p. 526. The Subcommission's Report, C.P.(H/P) Doc. 18, recommended: "That the Czechoslovakian claim for frontier rectification in the Bratislava region south of the Danube as defined on the west by the present

the bridgehead to Czechoslovakia, including freedom of transit on the Vienna-Budapest road, rights for the Magyar population of the area and demilitarization. The U.K. Delegate stated the question of the bridgehead and the expulsion of the minority should be discussed together. He still hoped the whole problem could be solved by bilateral negotiation and therefore discussion of the bridgehead should be postponed until the Commission had the report of the Subcommittee on the Czech amendment to expel 200,000 Hungarians. He would abstain if the bridgehead amendment were now brought to a vote. The U.S. Delegate also hoped the two questions would be considered together and preferred that no vote be taken on the bridgehead but the U.S.S.R. and Czech Delegates believed it was better to settle the problem at once. The U.S. Delegate replied he had just seen the report and moreover no satisfactory answers had yet been made to the Hungarian observations. If the question came to a vote at this time he would be forced to vote against the amendment. M. Masaryk (Czechoslovakia) said he realized only the members of the Subcommittee had had the opportunity to study the question closely. He was willing to have the matter held over to the next meeting. After several delegations spoke in favor of continuing the discussion of the Subcommittee's report the Commission adjourned for a half an hour while certain changes were made in the Subcommittee's recommendations concerning the proposed frontier of the bridgehead.

After the recess, the Subcommittee's *rapporteur* (New Zealand) read a revised text describing the boundary.<sup>50</sup> The Czech Delegate made a statement to the effect that if no bilateral agreement was made between the two countries regarding the cession of territory, Czechoslovakia would grant full civil rights to the Hungarians remaining in the territory or permit them to opt for Hungary with similar privileges as provided for in the recent exchange of populations agreement. M. Masaryk also gave certain assurances concerning water rights and freedom of frontier transit through the ceded territory.

The New Zealand Delegate suggested that the Commission should at least either approve or reject the Subcommittee's report. General

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Hungarian-Austrian frontier as far as a point roughly 500 metres south of hill 134 (3.5. km N.W. of the church at Rajka, thence approximately by a line running slightly south of East therefrom to a point on the right bank of the Danube roughly 200 metres N.E. of Hill 128 (3.5. km east of the church of Rajka), be accepted as justified, on condition that the population of the ceded area receive full human rights inside the Czechoslovak Republic

or

are voluntarily transferred to Hungary

or

come under the terms of any bilateral agreement on the subject existing or to be made in the future between the Government of Hungary and Czechoslovakia."

<sup>50</sup> The revised text provided that a dam and a spillway would remain in Hungarian territory (CFM Files: United States Delegation Minutes).

Smith (U.S.) pointed out that a vote on the report was equivalent to a vote on the amendment and restated the U.S. position. The Commission then agreed to adjourn the vote until the next meeting. The U.S. Delegate stated that he was satisfied with the Subcommittee's report as now amended. However, the U.S. position that the bridgehead question was an integral part of the whole settlement of the population problem between the two countries was well known. He preferred that the Commission wait until after receiving the Subcommittee's report on the transfer of populations. If the bridgehead problem came to a vote now, it would be necessary for the U.S. to abstain. He moved that the Commission postpone a decision. The U.K. Delegate supported the U.S. motion. The Chairman said if the vote should be postponed it did not necessarily mean that the two amendments were to be linked later. The U.S.S.R. and Czech Delegations agreed that a vote need not be taken until the next meeting at which time a definite amendment could be prepared based on the Subcommittee's recommendations.

After hearing a report by the *rapporteur* (India) of the Subcommittee to draft a new article for the return of cultural objects and documents, the Commission adjourned without discussion of the substance.<sup>51</sup>

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### WEDNESDAY, OCTOBER 2, 1946

#### THIRTY-SECOND MEETING OF THE ECONOMIC COMMISSION FOR ITALY, OCTOBER 2, 1946, 10 A. M.

CFM Files

#### *United States Delegation Journal*

USDel(PC) (Journal) 59

The Commission agreed to limit debate in order to finish its work by Thursday. Only one speaker was permitted for and against each proposal.

Mr. Gregory (U.K.) presented the U.K. proposal regarding insurance (Annex 6 B), the same text which had been approved by the Balkan Economic Commission.<sup>52</sup> He explained the need for such special provisions, and pointed out that they placed no burden on Italy, and would be operative only for a limited time during which the United Nations insurers would have an opportunity of ascertaining how they stood in Italy and whether they would be able to resume

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<sup>51</sup> The report of the Subcommittee, C.P. (H/P) Doc. 19, is not printed; regarding the work of the Subcommittee and for text of the new article ultimately adopted by the Commission, see report of the Commission, C.P. (Plen) Doc. 27, vol. iv, p. 526.

<sup>52</sup> For text, see C.P. (Plen) Doc. 26, report of the Commission, *ibid.*, pp. 338, 374.

business on a permanent basis. M. Koktomov (U.S.S.R.) spoke against the proposal, stating that he was opposed to special provisions for special types of property when such property was already adequately protected under Article 68.

The U.K. proposal was approved by a vote of 14 to 6.

Mr. Gregory then presented the U.K. proposal on contracts (Annex 7, Part I). He explained that the U.K. considered it essential to clarify, by these provisions, the status of contracts as affected by the war, without the necessity for an interminable number of legal actions taken in a variety of courts. M. Koktomov also opposed this proposal as unsuitable for inclusion in the peace treaty, and urged the matter be dealt with by bilateral agreement. He referred to the necessity for a United States reservation to the provision, if adopted, because of U.S. constitutional difficulties, and said this would result in two regimes of contracts in Italy and would increase uncertainty rather than remove it. Before the vote, the Canadian representative stated his Government might find it necessary at the Plenary Conference to submit a reservation regarding the Annex.

The Annex as modified by the French amendment (Doc. 81)<sup>53</sup> was defeated by a vote of 8 to 7, with 5 abstentions. (Voting in the negative were the U.S.A., Byelorussia, China, India, Poland, Ukraine, U.S.S.R., and Yugoslavia, while Brazil, Canada, Ethiopia, New Zealand, and Czechoslovakia abstained.)

Mr. Gregory presented the U.K. proposals on prescriptions and negotiable instruments in Parts II and III of Annex 7, the purpose of which was to exclude the war years from the reckoning of periods of prescription or periods of time during which certain formalities had to be complied with or over which certain instruments were valid. Professor Mai (U.S.S.R.) presented a shortened draft establishing the principle that periods of prescription would be regarded as suspending during the war, and urged that the other detailed provisions in the U.K. proposal were not necessary. The Yugoslav representative proposed an amendment to the Soviet proposal to apply the suspension to "all periods necessary to take conservative measures of action" as well as periods of prescription or limitation of right of action. The French representative proposed a further amendment to make the provision applicable to personal as well as property relations. The Soviet proposal intended to cover both prescriptions and negotiable instruments, with the French and Yugoslav amendments was then approved by a vote of 8 to 7, with 5 abstentions.

Before a vote was taken on the U.K. proposal, Mr. Bishop (U.S.A.) moved an amendment providing that the provisions of the Annex

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<sup>53</sup> With respect to Commission consideration of Annex 7, see C.P. (Plen) Doc. 26, report of the Commission, vol. IV, pp. 338, 374.

would not apply as between the U.S. and Italy, explaining this was necessary because of U.S. constitutional difficulties in regard to acceptance by the Federal Government of treaty obligations regarding these subjects. The U.S. amendment was approved by a vote of 11 to 4, with 5 abstentions.

The Commission then voted on the U.K. proposal in Part II (Descriptions) of Annex 7 and this was approved by a vote of 8 to 6 with 6 abstentions. It was agreed, therefore, that both the Soviet and the U.K. drafts would be presented to the Conference. The U.K. proposal in Part III (Negotiable Instruments) was also approved by a vote of 8 to 6. On Part III (Miscellaneous) there was a tie vote, 8 to 8, with 6 abstentions.

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THIRTY-NINTH MEETING OF THE ECONOMIC COMMISSION FOR THE  
BALKANS AND FINLAND, OCTOBER 2, 1946, 10 A. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 59

The Commission voted on Article 28 (General Economic Relations) of the Bulgarian treaty, the result being identical with that for Rumania. Paragraphs 1*a* and 1*b* were unanimously adopted. The U.S.-U.K.-French proposal for paragraph 1*c* was adopted by 9 votes to 5 and the French amendment regarding civil aviation was adopted by 7 votes to 5 with two abstentions. The U.S.-U.K.-French proposal for paragraph 2 of Article 28 was adopted by 9 votes to 5.<sup>54</sup>

The U.K. proposal for Article 29 (Settlement of Disputes) was adopted by 8 votes to 5 with one abstention, the Soviet proposal having been rejected by 9 votes to 5.

The French proposal for Article 32 (Danube),<sup>55</sup> which was identical with the proposal adopted for the Rumanian treaty, was adopted by 8 votes to 5 (Byelorussia, Czechoslovakia, Ukraine, U.S.S.R., and Yugoslavia), with one abstention (India), the Soviet proposal having previously been rejected by the same vote.

Consideration of Annex 4B (Insurance) was adjourned until the next meeting in order that a new U.K. amendment, relating to the nationalization of insurance by Bulgaria, could be circulated and considered.

Mr. Reinstein (U.S.) spoke in opposition to the inclusion in the *Rapporteur's* Report to the Plenary Conference of the comments of the

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<sup>54</sup> Regarding the action of the Commission on article 28, see C.P. (Plen) Doc. 31, Report of the Commission on the Draft Peace Treaty with Bugaria, vol. iv, pp. 486, 494.

<sup>55</sup> For text, see *ibid.*, p. 496.

Rumanian Delegation (CP (B&F/EC) Doc 48) on the U.S. proposal to insert a new Article 24 bis dealing with the restoration of rights and interests to persons and groups who had been subjected to discrimination of a racial and religious character.<sup>56</sup> M. Gerashchenko (U.S.S.R.) asked the U.S. Delegation to reconsider its position in view of the Rumanian observations and to withdraw its proposal. Mr. Smith (U.K.) supported the U.S. view and thought that it would be an unwise precedent to withdraw an article approved by a majority of the Commission because of the observations of an ex-enemy. The Commission approved a suggestion by the Chairman that the *Rapporteur* be asked to take the Rumanian observations into consideration in a condensed form in preparing his report.

The Commission then turned to the Hungarian treaty. Mr. Thorp (U.S.) spoke on the question of Hungarian reparation, and moved an amendment to Article 21 providing for the reduction of the amount of reparation to be paid by Hungary from \$300 million to \$200 million and for proportionate reductions in the shares to be paid to the Soviet Union, Czechoslovakia and Yugoslavia.<sup>57</sup> He referred to the joint undertaking by the U.S.S.R., U.K., and U.S. to assist the former Axis satellites to solve their economic problems and said that Hungary's economic problems had not been solved. He recalled that the U.S. Government had sent three notes to the Soviet Government on this problem.<sup>58</sup> The present condition of the Hungarian economy was briefly discussed and was attributed to Hungary's activity as an Axis satellite, which had led to serious destruction of productive capacity and to heavy Armistice obligations. It was noted that the Hungarian national income had fallen by half.

For the year ended March 31, 1946 the costs of the Army of occupation were put at about \$70 million, reparation deliveries at \$40 million in current prices, and requisitions at \$70 million. The total, which did not include war booty removals or restitution deliveries, was \$180 million, or about 35 percent of the national income for the period. With such burdens it was not surprising that Hungary's budget was far out of balance. It was to the mutual interest of all that no economy, whether that of an enemy or an ally, should so deteriorate as to jeopardize even minimum living standards.

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<sup>56</sup> C.P. (B&F/EC) Doc. 48 is not printed; regarding the United States proposal, see the United States Delegation Journal account of the 28th Meeting, September 25, and footnote 46, p. 555.

<sup>57</sup> For substance of the United States proposal, see C.P. (Plen) Doc. 34, Report of the Commission on the Draft Peace Treaty with Hungary, vol. iv. pp. 535, 537.

<sup>58</sup> The notes under reference are those of March 2, July 23, and September 21, 1946. For text of the note of March 2, see vol. vi, p. 265. For texts of the notes of July 23 and September 21, see Department of State *Bulletin*, August 4, 1946, p. 229 and *ibid.*, October 6, 1946, p. 638, respectively.

Mr. Thorp digressed briefly to demonstrate the absurdity of the much-publicized statement that there was three billion dollars of Hungarian property in the American zones in Austria and Germany.

The interest of the U.S. Government was in the general state of the Hungarian economy, but, as it had not been possible to work out, in accordance with Yalta, a joint program for Hungarian recovery, the U.S. Delegation wished to review the economic clauses of the treaty with the purpose of making the treaty more bearable. The U.S. Delegation was convinced of the accuracy of the statement by the Hungarian Delegation that the obligations on Hungary far exceeded its capacity to pay. The U.S. Delegation would therefore urge at the appropriate time that compensation for damage to UN property in Hungary be limited to 25 percent. The U.S. Delegation had reserved the right to reopen the question of Hungary's reparation obligation and, convinced that this burden, which exceeded \$450 million in current prices, was intolerable, now proposed an adjustment in the treaty. By comparison with the Rumanian economy, it appeared that approximate equality in burden on the two countries would be achieved if the Hungarian reparation obligation were reduced to \$200 million. For both countries there would be heavy burdens, but the U.S. Delegation hoped that if constructive steps were taken to rehabilitate the Hungarian economy, it should be able to meet its obligation.<sup>59</sup>

M. Gusev (U.S.S.R.) urged that the Commission refuse to consider the amendment on the ground that the Plenary Conference had ruled that all amendments should have been submitted by August 20th.<sup>60</sup> Mr. Thorp referred to the U.S. reservation of its right to reopen this question, stated that he had brought the matter up as soon as the Commission had taken up the Hungarian treaty, and said that it would be a great injustice to attempt to rule out an amendment on this important subject on a technicality. The representatives of Yugoslavia and Czechoslovakia supported the Soviet view and the representatives of U.K. and Greece supported the right of the U.S. Delegation to introduce its amendment. The Chairman read the relevant decision of the Plenary Conference at its meeting on August 15, stated that the amendment was not, in his opinion, such as to facilitate the work of the Commission, and asked the U.S. representative whether he would not reconsider his position and withdraw his amendment. The Commission then accepted a suggestion by M. de Carbone that the question be adjourned and that the Chairman consult the competent authorities of the Conference.

<sup>59</sup> The text of Thorp's statement was released to the press October 2, 1946.

<sup>60</sup> Regarding the deadline on amendments, see the Verbatim Record of the 19th Plenary Meeting, August 15, p. 236.

## FORTIETH MEETING OF THE POLITICAL AND TERRITORIAL COMMISSION FOR ITALY, OCTOBER 2, 1946, 10:30 A. M.

CFM Files

*United States Delegation Journal*

## USDel(PC) (Journal) 59

The Chairman outlined the agenda, agreed by the Commission yesterday, to hear and discuss the report of the Subcommission for the Statute of Trieste, to consider the Yugoslav amendment to Article 16, and to vote on the various amendments to Article 16 including the U.S. proposal discussed yesterday.<sup>61</sup> The Representative of the Soviet Union proposed a different procedure, namely, that the Commission adopt first the principles of the CFM laid down in Article 16 particularly paragraphs 2, 4 and 6 of that Article. There ensued a 45-minute discussion on procedure in which Mr. Dunn opposed the Soviet proposal to change the agreed agenda for the day and M. Vyshinsky further vigorously supported it. M. Couve de Murville (France) said that the French Delegation had during the night prepared a proposal for the consideration of the Commission containing fundamental principles of the Statute for Trieste which the Commission might adopt as recommendations to the CFM. The French proposal, he said, was about to be circulated and might be helpful to the Commission in determining its procedure.<sup>62</sup> The Commission finally rejected the Soviet proposal to change the agenda by a vote of 11 to 8 with one abstention.

M. Busmann (Netherlands) submitted the report of the Subcommission on a Statute for Trieste (CP(IT/P)(S/T) Doc. 8 and Annex)<sup>63</sup> admitting that the hard work of the Subcommission had not achieved agreement.

M. Pijade (Yugoslavia) attacked the U.S. proposal for Article 16 (presented yesterday) and the intransigence shown by the U.S., U.K., and French Representatives in the Subcommission. At the same time he made some favorable remarks about the Yugoslav proposal to Article 16 which had not yet come before the Commission. M. Winiewicz (Poland) endorsed the remarks of his Yugoslav colleague and argued against the views of the U.S., U.K. and France as reflected in the report of the Subcommission. He declared that in view of the divergence of opinions the Polish Delegation did not expect to reach a compromise solution on the Statute in the Conference. In fact, he argued that any undue haste leading to an improvised solution would

<sup>61</sup> For texts of the Yugoslav amendment, C.P.(IT/P) Doc. 103, and the United States proposal, C.P.(IT/P) Doc. 16, see vol. iv, pp. 788 and 780, respectively.

<sup>62</sup> For text of the French proposal, C.P.(IT/P) Doc. 105, see *ibid.*, p. 790.

<sup>63</sup> For text, see *ibid.*, p. 623.



be premature and therefore moved a resolution along the following lines:

On the basis of the report of the Subcommittee for a Statute for the Free City of Trieste the Commission recommends to the Plenary Session of the Conference: (a) The existing differences in the five draft statutes (U.S., U.K., French, Soviet Union and Yugoslav) have not been bridged and it has not been possible to agree on one draft statute. (b) Similar differences appeared with respect to the provisional government and the Free Port of Trieste on which agreement likewise could not be reached. (c) The efforts of the Subcommittee constitute only a limited basis for further discussion.

Therefore, the Commission recommends that the CFM reconsider the provisions for a statute, the organization of a provisional government and an international Free Port in the light of the work of the Commission and the Subcommittee thereon and that the CFM give opportunity to Yugoslavia to present its views before a final decision is reached.

M. Winiewicz concluded that certain basic principles should, however, be adopted by the Conference and for that reason had favored the Soviet proposal this morning to vote now on the pertinent paragraphs of the CFM decisions in Article 16.

M. Couve de Murville introduced his Government's new proposal for the Commission's consideration (CP(IT/P)Doc. 105). He explained that in view of the lack of progress in the Subcommittee the French Delegation had considered it helpful to present a more complete proposal, but in general terms, for the Commission to use as recommendations to the CFM. He reviewed and explained the French proposal point by point. He said that it covered all questions not agreed in the Subcommittee and suggested that in view of the general nature of the French proposal it be taken as a basis for discussion by the Commission in its meeting this evening.

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**THIRTY-THIRD MEETING OF THE ECONOMIC COMMISSION FOR ITALY,  
OCTOBER 2, 1946, 3 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 59

The Commission considered Annex 8 B dealing with Judgments.<sup>64</sup> Mr. Bishop (U.S.) explained that the U.S. draft, which was supported by the Soviet Delegation, provided that judgments rendered by the Italian courts during the war should be reviewed in these cases in

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<sup>64</sup> With respect to the Commission's consideration of Annex 8 B and the amendments and proposals cited in the present account, see C.P.(Plen) Doc. 26, report of the Commission, vol. IV, pp. 338, 377.

which a United Nations national had been unable to present his case adequately. The U.S. Delegation considered that the United Nations national should have the right to a retrial before an Italian court. An international commission or tribunal should enter the picture only if a dispute arose between the United Nations government concerned and the Italian Government regarding the action of the Italian courts and authorities in carrying out the Annex. Moreover, the U.S. draft did not provide for compensation, he said, but provided rather for an adjustment of rights and interests as between the injured United Nations national and the person who benefited by the original judgment. Finally he pointed out that the U.S. considered that Article 72 provided for the settlement of any disputes arising under the Annex.

M. de Carbonnel (France) said he could accept the U.S. draft providing it was modified to include a time limit for the review of cases and provided Mr. Bishop's interpretation on the question of compensation was his personal interpretation, because he understood the U.S. draft to provide compensation for the injured United Nations national.

Mr. Gregory (U.K.) explained that the British proposal provided for review of the cases by a tribunal outside the Italian judicial system. Mr. Bishop said that although he could accept the French modification providing for a time limit he could not accept M. de Carbonnel's interpretation of the U.S. proposal. M. de Carbonnel said under the circumstances he would stand on the French proposal. M. Bartos (Yugoslavia) withdrew the Yugoslav amendment (CP Gen Doc 1.U.26). The U.S. proposal was carried 13 to 5 with 2 abstentions, Australia, France, U.K., Greece and the Union of South Africa voting against, Belgium and Ethiopia abstaining. The French proposal was defeated, 8 voting for, 9 opposing and 3 abstaining. The U.K. proposal was also lost 4 voting for, 11 against and 5 abstaining.

M. Bartos (Yugoslavia) moved several amendments of the Albanian Delegation (CP Gen Doc 7)<sup>65</sup> to Article 23. The amendments provided for the renunciation by Italy to concessions in Albania; to all property and rights acquired by Italy in Albania through parastatal organizations; and to any special interests granted under earlier bilateral instruments. The amendments to Article 23 were approved unanimously.

M. Bartos moved an Albanian amendment to Article 24*a* (CP Gen Doc 7) concerning Albanian debts to Italy. It was criticized by Mr. Thorp (U.S.) as asking for special treatment for Albania. The problem he considered was already taken care of in Article 70 and other articles of the treaty. M. Bartos withdrew his amendment.

M. Bartos introduced a provision, Article 24*(b)*, requiring Italy

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<sup>65</sup> For text, see vol. iv, p. 799.

to return Albanian gold located in Italy to the National Bank of Albania. M. Aroutiunian (U.S.S.R.) suggested there was not sufficient time to consider the amendment and it should be referred along with Annex 3 and 9 to the CFM. Mr. Thorp pointed out that by the Commission's action the previous day, Albania was to receive the rights of restitution under Article 65. In view of the fact that this Article provided specifically that Italy was required to return looted gold, he asked M. Bartos why the Albanian claim was not covered in Article 65. M. Bartos explained that part of the Albanian gold was in Italy at the outbreak of the war. He agreed with M. Aroutiunian's suggestion that this question might be referred to the CFM. This suggestion was voted on and defeated 7 voting for, 9 against and 4 abstentions. The Yugoslav amendment was then defeated 7 voting for, 12 against and 1 abstention.

The Ethiopian representative moved his amendments to Article 31 contained in CP(IT/EC) Doc. 77.<sup>66</sup> The first one which provided compensation for property which could not be returned was defeated, 3 voting for 12 against and 5 abstaining. The second amendment asking for the return of gold and silver including coin looted by Italy was carried 9 voting for, 7 against and 4 abstaining. The third amendment which concerned Italian restrictions over Ethiopian property abroad was lost, 6 voting for, 12 against and 2 abstaining.

The Commission considered two documents referred to it by the Political Commission (CP(IT/P) Docs 100 and 102) <sup>67</sup> and recommended certain drafting changes be taken up by the Legal and Drafting Commission.

M. Aroutiunian suggested that the Commission might agree to recommend to the Plenary Conference that Annex 3 be referred to the CFM to consider further with representatives of Greece and Yugoslavia. Mr. Wilgress (Canada) pointed out that no time remained for the Commission to consider the very important questions arising in Annex 3. He therefore formally moved a recommendation to the Plenary Conference that this Annex should be referred to the CFM. This recommendation was deferred until after reparation had been considered.

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<sup>66</sup> C.P.(IT/EC) Doc. 77, a letter from the President of the Political and Territorial Commission for Italy transmitting several amendments and draft articles for consideration by the present Commission, is not printed. The Ethiopian amendments under reference were contained in C.P.(Gen) Doc.1.H.3.

<sup>67</sup> Regarding the documents under reference, see the United States Delegation Journal account of the 38th Meeting of the Political and Territorial Commission for Italy, October 1, 1946, p. 608.

**THIRTY-SECOND MEETING OF THE MILITARY COMMISSION,  
OCTOBER 2, 1946, 3:30 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 59

The draft report on military clauses of the Italian treaty was approved without controversy.<sup>68</sup>

**FORTIETH MEETING OF THE ECONOMIC COMMISSION FOR THE  
BALKANS AND FINLAND, OCTOBER 2, 1946, 9 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 59

The French Delegation withdrew its proposal for Annex 4B (Insurance) in view of the discussion of the question in the Commission's previous meeting. The U.K. representative put forward a new proposal under which Bulgaria would be required to enter into direct negotiations with the United Nations concerned regarding the compensation to be paid for those UN insurance interests which were nationalized by Bulgaria. M. Gerashchenko (U.S.S.R.) opposed the provision on the ground that a provision providing for settlement outside the treaty should not be included in the treaty and that the provision was unnecessary. The Soviet proposal to reject an insurance annex was defeated by 7 votes to 5 with two abstentions and the U.K. proposal was adopted by 6 votes to 5 (Byelorussia, Czechoslovakia, Ukraine, U.S.S.R. and Yugoslavia) with three abstentions (U.S., France, and India).

The Commission considered a new French proposal (CP(B&F/EC) Doc 60) providing that Bulgaria should facilitate rail transit through its territory and negotiate reciprocal agreements with its neighbors on this subject.<sup>69</sup> M. Gerashchenko opposed the proposal as not suitable for inclusion in a treaty of peace. The Yugoslav representative also opposed the proposal and the Greek representative supported it. The Commission approved the proposal by 9 votes to 4 with one abstention.

The Chairman read a letter from the Secretary General regarding the admissibility of the U.S. amendment to Article 21 (Reparation),<sup>70</sup>

<sup>68</sup> For text of report, C.P. (Plen) Doc. 17, October 5, see vol. iv. p. 412.

<sup>69</sup> For text, see C.P. (Plen) Doc. 31, Report of the Commission on the Draft Peace Treaty with Bulgaria, *ibid.*, pp. 486, 495.

<sup>70</sup> Regarding the United States amendment, see the United States Delegation Journal account of the 39th Meeting, October 2, p. 626, and footnote 57, p. 627.

in which the Secretary General stated that there was no absolute rule preventing the Commission from admitting such an amendment introduced in the course of the debate. The Secretary General noted that the practice of the Commissions had been very liberal in such matters. M. Gusev again spoke at some length against the admission of the amendment, basing his argument on the Plenary Conference decision of September 26 regarding the speeding up of the work of the Commissions.<sup>71</sup> Mr. Thorp (U.S.) noted briefly that it would be extraordinary if the Commission did not discuss Hungarian reparation and that the discussion would not be prolonged because of this amendment. M. Bartos (Yugoslavia) spoke against the admission of the amendment and proposed that the matter be referred to the CFM (as had been done by the Italian Economic Commission in the case of Annex 3 of the Italian treaty), for a discussion of the substance of the problem would completely upset the Commission's plan of work. In reply to the Chair's question as to whether he would accept the Yugoslav proposal and reserve his right to reopen the question of the amount in the CFM, Mr. Thorp said that the amendment had been put forward in the hope that it would facilitate agreement. If the amendment were withdrawn, those who agreed that \$300 million was too heavy an obligation would have no choice but to vote against the Article. If it was the will of the Commission that a decision should be taken on the basis of these extreme alternatives, the U.S. Delegation would withdraw its amendment. The U.S. Delegation believed that Hungary should pay reparation, and should pay heavily, but that it should not pay \$300 million. He stated that he thought the Commission should decide whether the amendment should be admitted. The Commission then voted to admit the amendment by 8 votes to 5, with one abstention.

M. Hajdu (Czechoslovakia) asserted that Hungary's difficult economic position was not a result of the burden of reparation but of the deliberate and voluntary actions of the Hungarian Government which had induced its own difficulties in order to win the pity of the world. He challenged anyone's right, by a simple vote, to upset the bilateral agreement voluntarily concluded by Hungary and Czechoslovakia and providing for the payment of \$30 million to Czechoslovakia over a period of six years.

M. Gusev (U.S.S.R.) spoke at length in opposition to the U.S. amendment. He concentrated his attack on the large quantities of Hungarian property which were located in the U.S. zone of Germany and Austria, stating that there were 1,320 locomotives, 4,964 railroad

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<sup>71</sup> See the United States Delegation Journal account of the 27th Plenary Meeting September 26, p. 569.

passenger coaches, more than 50,000 freight cars, the entire equipment and raw materials of 415 important Hungarian factories, and large numbers of livestock. If the U.S. Government really wished to help Hungary to reconstruct its economy, it would return this property but it was unable to cite any data on the restitution of the property to Hungary. The U.S. Government had freely accepted the Armistice Agreement, the terms of which were reproduced in Article 21 of the treaty, reserving only the right to raise the question of reparation if it appeared that the interests of the U.S. were suffering under this settlement. The U.S. Government had made no proposals whatsoever as to measures to facilitate Hungarian reconstruction, although the Soviet Government had indicated its willingness to have such proposals submitted to the ACC. He challenged the data on the value of reparation in current dollars. He referred to the Soviet-Hungarian agreement lightening the burden of reparation by prolonging the period of payment and asserted that the Hungarian Government had not objected to the reparation settlement. He concluded by discussing present economic conditions in Hungary and stated that heavy industries were now operating at 70-90 percent of pre-war production and that the Hungarians had good possibilities of economic development.

Mr. Walker (Australia) regretted that it was not possible to investigate carefully Hungary's capacity to pay, described the reparation settlement as modest by comparison with damages suffered by occupied countries, but stated that the result of such inquiries as had been possible indicated that the U.S. proposal more closely approximated Hungarian capacity to pay than the original proposal and should be supported.

M. Bartos spoke against the U.S. proposal on the grounds that it was prejudicial to good relations between Hungary and its neighbors and that the settlement of this problem should be left to those who were concerned, stressing in this connection that Yugoslavia and Hungary had freely concluded an agreement regulating the payment of reparation by Hungary.

The Commission adjourned at 1:55 a. m.

THURSDAY, OCTOBER 3, 1946

**FORTY-FIRST MEETING OF THE ECONOMIC COMMISSION FOR THE  
BALKANS AND FINLAND, OCTOBER 3, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 60

The Ukrainian and Byelo-Russian representatives spoke in opposition to the U.S. amendment to Article 21 (Reparation) of the Hungarian Treaty,<sup>72</sup> emphasizing that the proposal considered the difficulties of Hungary but not the difficulties of the countries which had suffered from Hungarian action. The French Representative stated that France had accepted the article as drafted by the CFM and would maintain this position. The Greek representative said that the Greek Delegation believed that the aggressors should pay to the extent of their capacity and that, as it had no information on Hungarian capacity to pay, the Greek Delegation would abstain from voting. M. Gusev (USSR) said that the CFM had agreed to take the Armistice as the basis of the Peace Treaty and that Czechoslovakia, Yugoslavia, and the Soviet Union had therefore concluded bilateral agreements with Hungary regarding the discharge of Hungary's obligation. The new and democratic Hungary recognized and was willing to meet this obligation. The U.S. proposal aimed to disturb the friendly relations between these countries and to support the old reactionary Hungary. The obligation was well within Hungary's capacity to pay; no one could prove that Hungary's economic potential was inadequate to meet this burden. The United States was generous at the expense of the devastated countries. If the United States really desired to help the new Hungary, it would return the immense quantities of Hungarian property in the U.S. zones of Austria and Germany.

Mr. Thorp (U.S.) exercised his right of final reply and answered the various statements which had been made. (1) As to rationing, Hungary did not have a functioning government until the summer of 1945, by which time supplies were so short that effective rationing was not possible. Hungary now had a rationing system. (2) As to the bilateral agreements, Hungary had not entered into these on a fully voluntary basis but as agreements in accordance with the Armistice. The Armistice was a temporary arrangement and did not and could not determine the final settlement, which would be determined by the Peace Treaty. (3) As to Hungarian property in the U.S.

<sup>72</sup> Regarding the United States amendment, see the United States Delegation Journal account of the 39th Meeting, October 2, p. 626, and footnote 57, p. 627.

zones, the U.S. Government had taken the lead in proposing restitution to ex-enemies but the ACC had not yet authorized such restitution.<sup>73</sup> In the one special case where it had been possible, namely, Hungarian gold, the U.S. had made restitution. It was also noted that the total amount of Hungarian property in the U.S. zones could be roughly estimated at about \$75 million. (4) In his estimates allowance had been made for the price basis (1938 prices plus 10–15 percent) in estimating the burden of reparation in current dollars. (5) The recent currency stabilization had been cited as a favorable sign, but currency conditions only reflected basic economic conditions and the significance could be seen by looking at the seriously unbalanced budget. (6) As to the level of production, it had been mentioned that production in the metal working and machinery industries—which, it should be noted, produced almost exclusively on reparation account—was 94.3 percent of 1938 production, but it had not been mentioned that, according to the same official Hungarian report, production in five other basic industries ranged only from 11.9 percent to 36.7 percent of 1938 production. (7) Reparation had never been a source of good will and friendly relations. He could not understand, therefore, the argument that the U.S. proposal was designed to disturb friendly relations. Equally unfounded and unreasonable was the contention that the proposal was designed to weaken the new democratic Hungary and strengthen reactionary Hungarian elements. (8) He greatly regretted that the amendment had been described as an unfriendly act. The U.S. supported the payment of reparation and only insisted that capacity to pay should be considered. The proposal was made only in view of the facts. (9) Although the Hungarian Government had not complained about the amount of reparation, it had shown that it could not meet its “new international obligations”, of which reparation was a very important element. (10) The sum of \$200 million had been reached by comparing the economic potentials of Rumania and Hungary and by taking into account the long run possibilities of Hungarian production as compared with Rumanian production. For all these reasons the U.S. proposed \$200 million as a more appropriate burden and asked that the Commission vote on its amendment.

The Chair then recognized M. Gusev, over Mr. Thorp's protest that M. Gusev had already spoken twice. M. Gusev denied that restitution to Hungary was prevented by the ACC and asked why, if the U.S. had no reparation claim and recognized Hungary's right to restitution, it did not return this property to Hungary. Mr. Thorp explained that the U.S. had presented a proposal to the ACC in Berlin regarding

<sup>73</sup> See footnote 27, p. 258.



restitution to ex-enemies and that this proposal had been referred to a subcommission for study at the suggestion of the Soviet representative. Until the ACC had given its approval it would not be appropriate to take any measures of restitution. The U.S. Government supported such restitution, though it did not recognize a "right" of the ex-enemies to restitution. On a roll-call vote the U.S. amendment was then defeated by 7 votes to 5, with 2 abstentions. Those supporting the amendment were U.S., Australia, Canada, New Zealand, and South Africa. Greece and India abstained.

After an exchange of views M. Hajdu (Czechoslovakia) agreed to withdraw the Czechoslovak amendment (1 Q 9) [C.P.(Gen.)Doc. 1.Q.9], by which the period over which reparation would be paid would be changed from 8 years to 6 years, and to propose instead that the Commission unanimously agree to include in the Record of Decisions a statement that the fact that the period of reparation deliveries was set at 8 years by the Treaty did not affect in any way the agreement on reparation between Czechoslovakia and Hungary, except that the period set in the agreement should be extended to eight years. The Commission agreed to insert such a statement in the Record of Decisions by 8 votes to none, with six abstentions. The U.S. supported the proposal.

The Commission then adopted Article 21 (Reparation) as it stood in the draft Treaty by 8 votes to 5 (U.S., Australia, Canada, New Zealand, South Africa), with one abstention (India).

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**THIRTY-THIRD MEETING OF THE MILITARY COMMISSION,  
OCTOBER 3, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 60

The text of the report on the military clauses of the draft treaty with Rumania was provisionally adopted.<sup>74</sup> The footnote to the conclusion in the original text was deleted and an insertion made after Article 14 in the report. The insertion was made on a proposal by General Balmer and stated that the resolution, originally proposed by the U.S. Delegation, which stated that the articles on limitations in the Balkan and Finnish treaties should be identical, was accepted unanimously.<sup>75</sup>

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<sup>74</sup> For text of the report, C.P.(Plen) Doc. 18, October 5, see vol. iv, p. 476.

<sup>75</sup> Debate centered around the Soviet Delegate's contention that article 14 of the Rumanian treaty was based on article 44 of the Italian treaty. General Balmer stated that it was based on article 12 of the Bulgarian treaty. See the United States Delegation Journal accounts of the 14th Meeting, September 11, and the 28th Meeting, September 28, pp. 420 and 584, respectively.

FORTY-SECOND MEETING OF THE ECONOMIC COMMISSION FOR THE  
BALKANS AND FINLAND, OCTOBER 3, 1946, 3:30 P. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 60

The Commission considered the recommendation by the Hungarian Political Commission that a new article be included in the treaty providing for the annulment of the accords and the consequences of the accords which had followed from the Vienna Award of 1938. After a lengthy exchange of views, the Czech representative agreed that the draft submitted should be revised to provide for arbitration in accordance with Article 30 and that certain minor drafting changes should be made as suggested by the U.S. representative, and the Commission unanimously adopted the proposed article, as revised, as Article 22. [21 bis]<sup>76</sup>

The Commission unanimously adopted Article 22, Restitution, with the two changes adopted in the case of Bulgaria: (1) insertion in paragraph 1, after the word "return", of the words "in the shortest possible time"; and (2) the addition of a subparagraph to paragraph 2 regarding replacement of works of art, etc.<sup>77</sup>

The Commission voted on Article 23 (United Nations' Property in Hungary). Paragraphs 1, 2, and 3 were unanimously adopted. The voting on paragraph 4 (Compensation) was identical with the voting in the case of Bulgaria, except that the U.S. Delegation voted against 75 percent Compensation (in the case of Bulgaria it had abstained). The Commission adopted 75 percent compensation by 9 votes to 5. The Commission adopted paragraph 4, subparagraphs *a*, *b*, *c*, and *d*, of the U.S. proposal and subparagraph (*e*) as proposed by the French Delegation. The Commission unanimously adopted a new paragraph 4 bis, analogous to paragraph 4 bis of the Rumanian treaty, by which responsibility for compensation for damage to UN property in Transylvania during the period of Hungarian control was placed on Hungary. Paragraphs 5, 6, and 7 were unanimously adopted.<sup>78</sup>

M. Valéry (France) introduced a new proposal replacing the French proposal regarding the Danube-Sava-Adriatica Railway (paragraph 9 of Article 23), requiring the negotiation of a new agreement between the company, the governments concerned and the shareholders to replace the Rome Agreement of 1924 and for an equitable settlement

<sup>76</sup> For text, see C.P. (Plen) Doc. 34, Report of the Commission on the Draft Peace Treaty with Hungary, vol. iv, p. 535.

<sup>77</sup> Regarding the action of the Commission on article 22, see *ibid.*, p. 538.

<sup>78</sup> Regarding the action of the Commission on article 23, see *ibid.*

of the amounts owing to the bondholders. He reviewed the history and provisions of the Rome Agreement of 1924 regarding the railway and explained the interest of small French shareholders in the company. He noted that the matter had been dealt with in the Treaties of St. Germain and Trianon. He said that it was important that a new agreement be negotiated to replace the Rome Agreement. M. Bartos (Yugoslavia) opposed the proposal as inappropriate for the treaty, though he said that the rejection of the proposal should be without prejudice to the interests of the legitimate shareholders. M. Gerashchenko (U.S.S.R.) spoke against the proposal on the grounds that the problem did not fall within the scope of the provisions on reparation, restitution, or compensation, that it was essentially a private problem concerning only the company and its shareholders, and that the treaty could not require other countries, some of which were United Nations, to enter into such negotiations nor impose on Hungary the responsibility for the conclusion of agreements which involved other countries. Mr. Reinstein (U.S.) acknowledged the force of the objections raised by the Soviet representative and suggested that a solution might be found by a wording by which Hungary would be required to undertake to enter into negotiations with those concerned with a view to applying the Rome Agreement and to making an equitable settlement of the amount owing to the Company's bondholders. M. Valery accepted this suggested revision. After a further exchange of views (during which M. Gerashchenko spoke twice at some length), the Commission agreed to defer a vote until morning when a clear text in three languages would be available.

The Ukrainian representative suggested, and the Commission agreed, to invite the Bulgarian Delegation to appear at the next meeting to present its views on reparation. The Chairman stated that he would make the invitation on two conditions: (1) the speech should not be longer than 15 minutes and (2) should be available in translation so that oral translation would be unnecessary.

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**THIRTY-FOURTH MEETING OF THE ECONOMIC COMMISSION FOR  
ITALY, OCTOBER 3, 1946, 3: 45 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 60

The discussion on reparation opened with M. Rueff (France) indicating briefly the nature of the report of the Reparation Subcommittee and the joint recommendation to the Commission by the

delegations of France, UK, US, and USSR (CP(IT/R)Doc 34).<sup>79</sup> The reparation report, he said, merely set out in certain tables the damages sustained by the claimant countries. These figures were not evaluated by the Subcommission. The report merely indicated how the figures were arrived at. France, UK, US and USSR in Doc 34 had attempted to set out an outline for Part B of Article 64. They recommended that reparation be paid to Albania, Ethiopia, Greece and Yugoslavia. Although the amounts to be paid were left open, to be decided by the Commission, the sources of reparation were indicated: war machinery not convertible to civilian use, materials from current production, and all other categories of capital goods or services, including the passenger vessels *Saturnia* and *Vulcania*. The US and UK also recommended that Italian parastatal property in the ceded territories should be considered as part of the reparation account. France and the USSR were opposed to this suggestion. The arrangements with respect to carrying out reparation agreement were the same as had already been previously agreed upon in the case of reparation for the USSR. However, the time period of two years before which reparation from current production was to take place, was modified to allow deliveries during the first two years if such deliveries were made in accordance with agreements between Italy and the recipient country.

It was also recommended that reparation claims for other Allied and Associated Powers would be met from Italian assets within the territory of the respective powers, under Article 69. The Soviet Delegation recommended that countries such as Poland should be permitted to set off their governmental and private debts to Italy and Italian nationals against such claims.

The Ethiopian representative in response to certain remarks of the Italian Delegation to the effect that Italian occupation had been a benevolent occupation, vigorously denied the Italian assertions (CP (IT/EC) Doc 90).<sup>80</sup> Drawing on eyewitness accounts and telegrams sent from the Italian occupation authorities to Rome, he indicated that the Italian occupation had been characterized by repression and violence. With respect to the Italian claim of having invested large sums in public works, he stated that the roads which had been built were built hastily for military purposes, with forced Ethiopian labor and Ethiopian materials.

<sup>79</sup> The Subcommission report, C.P.(IT/EC) R. Doc. 18, is not printed; for text of the Four Power draft, C.P. (IT/EC) R. Doc. 34, see vol. IV, p. 792.

<sup>80</sup> C.P.(IT/EC) Doc. 90, text of the Ethiopian statement, is not printed. The Italian assertions under reference were presumably the remarks of Tarchiani at the 34th Meeting of the Political and Territorial Commission for Italy, September 26; see the United States Delegation Journal account of that meeting, p. 562.

The representative of Yugoslavia made a further lengthy address on reparation along the same line as previous statements. He emphasized that Italy's present industrial capacity was greater than prewar and argued the injustice of the proportion of reparation to be paid as compared to the agreed proportion of compensation.

The representative of Albania, in response to certain assertions of the Italian Delegation, stated that what economic benefits had accrued from the Italian occupation (and the Italian statements as to these benefits were greatly exaggerated) had largely been destroyed by the war. He said Albania was willing to settle for  $\frac{1}{3}$  its original claim of \$1,161,000,000.

The representative of Mexico said that Mexico had suffered greatly during the war, and when Mexico had had to meet its international economic obligations no one had mentioned Mexican capacity to pay. He asked that the Mexican claim be met and said Italian assets in Mexico were not sufficient to cover the Mexican claim.

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NINETEENTH MEETING OF THE POLITICAL AND TERRITORIAL COMMISSION FOR HUNGARY, OCTOBER 3, 1946, 4 P. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 60

The Chairman read a letter from the Hungarian Delegation regarding the amendment proposed by Yugoslavia and Czechoslovakia requesting the return of cultural documents and archives.<sup>81</sup> The U.K. Delegate contended that Article 22 provided for the return of these cultural and historical documents and that the amendment in its present form covered too wide a field and might lead to prolonged dispute between the countries concerned. He said he was unable to vote in favor of the Subcommittee's report<sup>82</sup> but nevertheless hoped that the Hungarian letter would now be taken into consideration and the matter solved to the satisfaction of the Allies. The Yugoslav Delegate reiterated arguments previously made in support of the return of cultural documents, particularly archives. General Smith (U.S.) said that several delegations had reservations concerning the wording of the proposed amendment and suggested that the Commission adjourn in order to permit the Yugoslav, Czech, French and U.K. Delegations to examine the Hungarian letter and draft an amendment acceptable to all members of the Commission.

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<sup>81</sup> Regarding the amendment, C.P.(Gen)Doc.1.U.32 b, see footnote 19, p. 528.

<sup>82</sup> Regarding the Subcommission report, C.P.(H/P) Doc. 19, see footnote 51, p. 624.

After the recess the Czech Delegate indicated the changes agreed on. These proved to be satisfactory to all members of the Commission and the Subcommittee's report was adopted as well as a new article (after Article 9) which incorporated the new proposals.

The Commission then considered the Czech amendment (1.Q.5) to transfer the Magyar minority. The *rapporteur* (New Zealand) expressed satisfaction that the report of the Subcommittee had been approved unanimously.<sup>83</sup> The Delegate of France was also satisfied and said that he was extremely glad that the Czech Delegation had made an effort to contribute to peaceful relations in Central Europe. Furthermore, he hoped the Hungarian Government would give loyal and effective execution to the proposed bilateral negotiations. The U.K. Delegate also was happy to support the new Czech amendment and said that it was the attitude of His Majesty's Government that bilateral negotiations were the best solution. General Smith said it was not necessary to restate the American position which all delegations knew was that both countries should solve this problem by bilateral negotiation. The proposed negotiations between the two countries would be watched by the 21 nations here assembled. He stated that he would support the amendment and added that he thought the Czech attitude towards this proposal was a fine piece of statesmanship.<sup>84</sup> The Yugoslav Delegate said that good relations could now be established between all countries in Central Europe and he expressed gratitude to the Czech Delegation for finding a compromise. M. Masaryk (Czechoslovakia) rose to say that his Delegation was of course disappointed that the Commission could not accept its one political amendment, particularly in view of the democratic attitude shown by his government between 1918 and 1945 (*sic*). He talked of the scars and wounds of Munich and he regretted that decisions had to be made at a time when elections were impending. He hoped he was not too "naughty" to suggest that the veto power would be ultimately operative in any final consideration. M. Manuilsky (Ukraine) remembered that he had supported the amendment originally, particularly because of the successful exchange of populations between Poland and Byelorussia. Nevertheless he was glad to see that a concession had been made by Czechoslovakia to Hungary. He said that if a similar spirit had pervaded the Conference a great deal more could have

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<sup>83</sup> The Subcommittee report under reference, C.P.(H/P) Doc. 21, is not printed. Regarding the work of the Subcommittee and for the text of the new article following article 4 which was adopted by the Commission, see C.P.(Plen) Doc. 27, report of the Commission, vol. iv, p. 526.

<sup>84</sup> The text of General Smith's statement was released to the press October 3, 1946.

been accomplished and this spirit here gave him hope that future negotiations would be carried on in a similar way. The new Czech amendment (to be placed after Article 4, as reported by the Subcommittee) was then adopted unanimously. [This amendment provides that the Hungarian Government should negotiate a settlement of the minority problem and lacking such settlement will give the Czech Government the right to bring the matter to the attention of the CFM within 6 months.]<sup>85</sup>

The Commission then discussed the Subcommittee's report on the Czech territorial amendment (i.e., Bratislava bridgehead), (1.Q.3).<sup>86</sup> General Smith took the occasion to say that he intended to vote for this amendment but he wished to point out to the Czech Delegation and particularly to M. Masaryk that this intention was not predicated on any impending Congressional election and as M. Masaryk well knew the U.S. foreign policy was a matter of agreement between both political parties in the United States. The Commission then unanimously adopted the Subcommittee's report which in effect was an amendment to cede 3 communes opposite Bratislava. M. Masaryk gave written assurance to General Smith that international traffic through this bridgehead would be assured and would not be subject to such regulations as visas and customs inspection.

The only remaining article which had not been adopted by the Commission was Article 4. General Smith pointed out that there was an error in the drafting of this article which he was sure M. Gusev (U.S.S.R.) understood.<sup>87</sup> M. Gusev admitted the error. Article 4 was

<sup>85</sup> Brackets appear in the source text.

<sup>86</sup> For partial text of the Subcommittee report under reference, C.P.(H/P) Doc. 18, see footnote 49, p. 622. The Czechoslovakian amendment, C.P.(Gen) Doc.1.Q.3, as revised by the Subcommittee, was designated C.P.(H/P) Doc. 20; for text of the latter, article 1, paragraph 4, as approved by the Commission, see the Commission report, C.P.(Plen) Doc. 27, vol. iv, p. 526.

<sup>87</sup> The issue under reference was discussed by John C. Campbell in a memorandum of August 6 to Reber, which was as follows:

"Article 4 of the Draft Treaty with Hungary contains a reference to 'organizations conducting propaganda hostile to the Soviet Union or any one of the other United Nations'. You will recall that there was considerable controversy over the inclusion of this wording in the Treaty with Rumania, and that we finally agreed to have it appear in that treaty since it merely repeated the wording of the corresponding article of the Rumanian Armistice. The Hungarian Armistice, on the other hand, did not contain the special reference to the Soviet Union, and it was never proposed that such a reference should be included in this article in the Hungarian Peace Treaty. The attached copies of the report drawn up by the Deputies after their London meeting (C.F.M.(D)(B)(46)38 revised), and of the report submitted by the Deputies to the Foreign Ministers on May 9 (C.F.M.(46)92) both contain the text of the article as agreed on by the Deputies in London. This text refers merely to 'organizations conducting propaganda hostile to the United Nations'. Somewhere in the process of putting together the Draft Treaty for presentation to the Peace Conference the special reference to the Soviet Union seems to have sneaked in. As our representative on the Drafting Committee, you are probably in a position to see that the text is corrected to read in the way it was agreed upon by the Council of Foreign Ministers."

Neither document referred to by Campbell by number is printed (CFM Files).

then adopted unanimously with the reservation that the wording should coincide with the recommendation of the Council of Foreign Ministers.

The Chairman announced that the Commission's work was finished and that the *rapporteur* would submit his report on Saturday morning.

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**BYRNES-MOLOTOV CONVERSATION, OCTOBER 3, 1946, 4 P. M.**

CFM Files

*Memorandum of Conversation, by Mr. Charles E. Bohlen, Assistant to the Secretary of State*

SECRET

PARIS, October 3, 1946.

Present: The Secretary  
Mr. Bohlen  
Mr. Molotov  
Mr. Pavlov

Subject: Procedure for Plenary Sessions

THE SECRETARY said he wanted to see Mr. Molotov in order to talk over procedure for the forthcoming plenary sessions of the Conference. He said he had been informed by representatives that there would be from 30 to 50 reports from the Commissions; and while many of these reports might not be of importance, nevertheless if each were to be discussed and debated in the plenary conference it was obvious that the work could not be completed within ten days. He felt it would be necessary to consider some program to control the debates.

MR. MOLOTOV agreed.

THE SECRETARY continued that since Mr. Bidault was absent for a few days and Mr. Bevin had not returned, he wanted to have a preliminary talk with Mr. Molotov and they might then have a meeting of the Council of Foreign Ministers following the return of the other two. He thought the Council might possibly meet on Saturday and consider a program for the plenary sessions similar to the one they had adopted for the Commissions. He felt that if they could agree among themselves they could then have the Secretariat present the program to the Conference.

MR. MOLOTOV said that he thought they could work out a suitable program.

THE SECRETARY observed that from some Committees there would be more than one report, in most such cases a majority and minority report, and he thought it might be desirable to limit the number of speakers for and against any one report, possibly one for and one against.



MR. MOLOTOV said he felt it would be better to have two speakers on each side. If it were limited to one, then it would penalize the minority. He added that he expected to be speaking for the minority view, which was harder than speaking for the majority as Mr. Byrnes would be doing.

THE SECRETARY remarked that he had made very few speeches here at the Conference.

MR. MOLOTOV said that as to limitation of time, he thought that the first speaker on each side could be unlimited, but that the second speaker could be perhaps limited say to five minutes.

THE SECRETARY pointed out that if you allowed unlimited time to the first speaker who might then say speak for one hour, with translations it would mean three hours and would thus use up an entire session on one speech. He said he did not see how the work could be completed in those circumstances. Furthermore, no one could say that they were being unfair or restricting the right of freedom of speech if some such limitation were put on the speakers since for two months every member of the Conference had had full opportunity to speak on any point in connection with these treaties.

MR. MOLOTOV said he realized the difficulties but he felt it might be hard to restrict the first speaker for each side.

THE SECRETARY pointed out that if, for example, 15 minutes were allowed to the original speakers, that together with translations would mean 45 minutes.

MR. MOLOTOV said that he agreed that it was necessary to draw a detailed plan for procedure and that we should study the question and have a meeting of the Foreign Ministers.

THE SECRETARY asked Mr. Molotov if he still desired to return to Moscow before proceeding to New York.

MR. MOLOTOV said that such was his intention. He inquired whether in the Secretary's opinion each clause in the treaty and each amendment should be a separate subject for discussion, or if the separate treaties should be discussed as a whole.

THE SECRETARY replied that he would be agreeable to anything that would ensure the completion of the work of the Conference. He thought, however, that it would not be necessary to discuss each clause. He pointed out that in the Commissions, the representatives, who after all expressed the views of their governments, had had ample opportunity to make known their views on every clause and every amendment and that therefore it would be needless repetition to restate at the plenary sessions views which had been fully set forth in the Commissions. He thought that in cases where there was only a majority and a minority report from a Commission, the problem

would not be so difficult since the discussion would refer to these reports. It would be more difficult if in addition to the majority and minority reports there were individual reports from certain members of a Commission. It was in such circumstances that a protracted debate might be expected. When there were only the two reports on a given treaty, the discussion could be confined to those reports but it might be necessary to vote by separate articles.

MR. MOLOTOV said that the report, however, would cover many articles. For example, the Political Commission on Italy has had a whole series of questions before it, and the members of that Commission hold various views on the different points, and he wondered if a discussion would be necessary on the individual questions.

THE SECRETARY said that, for example, in the Italian treaty every member of the Conference except one (Norway) was represented on the Italian Commission. All the representatives on that Commission fully expressed the views of their governments. He did not see, therefore, why it was necessary to have the same views repeated, often by the same people, at the plenary session.

MR. MOLOTOV inquired whether the Secretary meant that the various articles should be voted separately without discussion.

THE SECRETARY said he thought that that would be possible. Everyone would have a right to vote and there would be discussion on the Commissions' report as a whole. Otherwise, he felt it would be impossible to get through by the fifteenth. He inquired what Mr. Molotov thought should be done if despite all efforts the Conference had not voted on all the questions before it by October 15.

MR. MOLOTOV said that the work must be finished by that day.

THE SECRETARY said he agreed, but was merely thinking of the possibility that despite every effort the work would not be finished. He recognized that Mr. Molotov wished to return to Moscow but felt that if absolutely necessary the Conference should stay in session a few days more in order to complete its work.

MR. MOLOTOV repeated that they should make sure that the Conference complete its work by the fifteenth. He said he did not believe that the Council of Foreign Ministers could finish the final drafting of the treaties before the General Assembly met, but should meet in New York during the General Assembly to complete this work.

THE SECRETARY pointed out that as they knew, Mr. Bevin could not get to New York before November 1, while Mr. Bidault, because of elections, would not be able to get there much before the fifteenth. He understood that the French elections were set for November 10 and Mr. Bidault would have to stay in Paris some days thereafter in connection with the formation of the new government. He thought that

he might ask Mr. Bidault if Couve de Murville could not represent France at the Council meetings in New York so that they could start the work soon.

MR. MOLOTOV agreed that this would be a good idea.

MR. MOLOTOV suggested that in connection with the Conference, it would be well to start the plenary sessions Saturday, if possible, and have a meeting of the Council of Foreign Ministers on Friday.

THE SECRETARY said it would depend upon the return of Mr. Bevin and Mr. Bidault but that he was entirely agreeable to a meeting on Friday.

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**THIRTY-FOURTH MEETING OF THE MILITARY COMMISSION,  
OCTOBER 3, 1946, 9 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 61

The Military Commission adopted the report on the Bulgarian treaty by a vote of 15 to 6.<sup>88</sup> The length of the meeting resulted from the uncompromising position of both the western nations and the Soviet bloc with regard to the Greek proposals regarding prohibition against construction of fortifications under Article 9 and against motor torpedo boats under Article 12.<sup>89</sup> The Soviet Delegation stated that they could not accept the report which represented the imposition of the will of a majority on a minority. The minority will present a separate report to the Conference.<sup>90</sup>

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**FORTY-FIRST MEETING OF THE POLITICAL AND TERRITORIAL COMMISSION FOR ITALY, OCTOBER 3, 1946, 9:30 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 60

The Commission resumed consideration of Article 16, the report of the Subcommittee on a Statute for Trieste<sup>91</sup> and related amendments. Mr. Bennett (U.K.) defended the position taken by the U.K.

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<sup>88</sup> For text of the report, C.P. (Plen) Doc. 19, October 7, see vol. iv, p. 517.

<sup>89</sup> Regarding the issues under reference, see the United States Delegation Journal account of the 27th Meeting, September 27, p. 574, and the United States Delegation Minutes of the 28th Meeting, September 28, p. 584.

<sup>90</sup> The proceedings of this meeting were confused and acrimonious. The question of what constituted a two-thirds majority, the method of submitting majority and minority reports on individual articles, and numerous drafting problems received lengthy consideration. The session finally adjourned at 6:51 a. m., October 4. (CFM Files: United States Delegation Minutes)

<sup>91</sup> For text, see vol. iv, p. 3.

Delegation in its Draft Statute and, in view of the wide divergencies among the various drafts, supported the French proposal (CP IT/P Doc 105)<sup>92</sup> of recommendations to the CFM for a Statute. M. Vyshinsky (U.S.S.R.) rejected the French proposal and argued generally against the U.S., U.K. and French positions on the Draft Statute. He urged that the Commission endorse the CFM proposal as outlined in Article 16 and leave the details to the CFM. The Representative of Yugoslavia said that his Delegation could agree with certain points of the French proposal but recommended that the unagreed portions be referred to the CFM for decision. Senator Connally (U.S.) supported the French proposal pointing out that, while it did not go as far as the U.S. Delegation would have liked, in the desire to obtain an agreed recommendation to the CFM, the U.S. Delegation would vote for it. He rejected the arguments that a Statute along the lines of the French proposal was undemocratic, pointing out that the Security Council must have an agent and an arm to fulfill its responsibilities with respect to the integrity and independence of the Free Territory and for the protection of the liberties of its citizens.<sup>93</sup> The French proposal was likewise supported by the Representatives of Australia, France and China. It was opposed by the Representatives of Byelorussia and Poland.

M. Couve de Murville (France) in an effort to meet certain objections to the French proposal introduced modifications in the language of the first two paragraphs. These modifications were circulated during the meeting as CP IT/P Doc 105, Rev. 1.<sup>94</sup> The only change of substance provided for the approval by the Commission of paragraphs 2, 4 and 6 of the CFM decisions outlined in Article 16.

Just before the vote on the French amendment at 2:15 a. m. the Soviet Delegate proposed adjournment. The motion was lost by 11 votes to 9. M. Vyshinsky then requested that all sections and subsections of the French proposal be put to the vote separately. In the voting none of the sections received less than an affirmative vote of 14 to 6, while some received as high as 19. Various amendments were presented to the several sections by the Soviet and Polish Representatives and two Polish amendments to the French proposal were adopted: (1) To add the following phrase to the end of Section III(3) "elected by universal, direct, equal and secret suffrage". (adopted by 9 votes to 8 with 3 abstentions) (2) To add a new Section IV to the French proposal to provide that Yugoslavia be given

<sup>92</sup> For text, see vol. iv, p. 790.

<sup>93</sup> The text of Senator Connally's statement was released to the press October 2, 1946.

<sup>94</sup> For text, see C.P. (Plen) Doc. 24, report of the Commission, vol. iv, p. 299.

a hearing by the CFM before taking final decision on the Statute for Trieste. Mr. Dunn (U.S.) suggested that Italy be included in this amendment as well in accordance with paragraph 3, Article 16 of the CFM decisions. The French Representative agreed to the Polish and American amendment to his proposal and suggested the following wording: "Section IV. The Commission recommends to the Council of Foreign Ministers that Yugoslavia be given an opportunity to present its views before the final decision. The Commission also recommends that an Italian Representative be heard by the Council of Foreign Ministers." This amendment was adopted without objection. The entire French proposal (Doc 105, Rev. 1) as amended was adopted by the Commission by 14 votes to 6.

The Polish resolution, CP (IT/P) Doc 106,<sup>95</sup> presented during the morning session to endorse the CFM provisions in Article 16 and to refer the final decision to the CFM was rejected by 14 votes to 6.

The Representative of Yugoslavia introduced and spoke in favor of his Delegation's amendment to Article 15 [16], (CP(IT/P) Doc 103).<sup>96</sup> M. Vyshinsky asked that the Soviet Union's 10 points with respect to a Statute for Trieste, outlined by M. Molotov in the 22nd meeting of the Commission, be put on the night's agenda for purposes of voting (CP(IT/P) Doc 46).<sup>97</sup>

The Yugoslav amendment (Doc 103) to Article 16 was voted on section by section at the request of the Yugoslav Delegation. All sections and subsections of the Yugoslav amendment were rejected with no one section receiving more than 6 affirmative votes.

Before voting on the U.S. proposal providing treaty language for Article 16 (CP(IT/P) Doc 16), Mr. Dunn reminded the Commission that paragraph 2 thereof had already been withdrawn by him in a previous meeting. He said that he now wished to withdraw the latter portions of the amendment providing for new Articles 16 (*c*) and (*d*) since they were covered in the French proposal. With regard to paragraph 1 of the U.S. proposal, Mr. Dunn accepted a British suggestion to modify the second sentence thereof to read as follows: "They agree that the integrity and independence of this Free Territory shall be assured by the Security Council of the United Nations." Finally he withdrew from paragraph 4 of the proposal the phrase "upon recommendation of the Provisional Governor". The Representative of Canada raised certain questions with regard to the language of paragraph 4 which, it was decided would be referred to the Legal and Drafting

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<sup>95</sup> For substance of the Polish resolution, see the United States Delegation Journal account of the 40th Meeting, October 2, p. 629.

<sup>96</sup> For text, see vol. iv, p. 788.

<sup>97</sup> See the United States Delegation Journal account of the 22nd Meeting, September 14, p. 650.

Commission. The U.S. proposal was divided into four sections for purposes of voting.

At the suggestion of the French Delegate supported by the Yugoslav and Soviet Delegates all of that portion of the U.S. amendment providing for a new Article 16 (b) was referred to the Economic Commission for Italy.<sup>98</sup> At this point, the Representative of Yugoslavia protested against the continuation of the meeting and said that his Delegation could not consider itself bound by decisions taken under such conditions. He was supported by M. Vyshinsky who moved adjournment a second time at 5:00 a. m. At the Chairman's insistence that the Commission complete the agenda, he withdrew his motion. The Commission then proceeded to vote on the entire U.S. proposal, as amended, for Article 16, which was adopted by 14 votes to 6.

Finally the Russian 10-point recommendation for a Statute (Doc 46) was put to the vote, section by section. Eight of the 10 points were rejected by various votes while 2 points, paragraphs 5 and 6, were accepted by the Commission, paragraph 5 unanimously and paragraph 6, amended during the discussion, by 18 votes to 1 with 1 abstention. The adopted portions of the Soviet recommendation read as follows: "5. The Governor shall be responsible for the observance of the Statute of the Free Territory." "6. Legislative authority shall be exercised by a Popular Assembly elected on the basis of proportional representation by means of universal, equal, direct and secret suffrage without distinction as to sex."

The work of the Commission having been completed except for consideration of the report of the *Rapporteur* on Friday, October 4 the meeting adjourned at 5:40 a. m.

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### THIRTY-FIFTH MEETING OF THE ECONOMIC COMMISSION FOR ITALY, OCTOBER 3, 1946, 9:30 P. M.

CFM Files

#### *United States Delegation Journal*

USDel(PC) (Journal) 60-61

The Commission began to consider the sources of reparation in Part B of Article 64 as recommended by the four drafting powers (CP(IT/R) Doc. 34) [*C.P.(IT/EC)R. Doc. 34*].<sup>99</sup> The first source mentioned was factory and tool equipment used for war purposes but not convertible to civilian use. M. Politis (Greece) mentioned that

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<sup>98</sup> The proposal was contained in C.P.(IT/P) Doc. 16 (vol. iv, p. 780) ; it was not considered by the Economic Commission for Italy because of insufficient time, nor was it presented to the Plenary Conference.

<sup>99</sup> For text, see *ibid.*, p. 792.

this source would be useless so far as Greece was concerned and M. Rueff (France) explained that Greece did not have to draw from this source. This source (paragraph 2*a*) was adopted unanimously.

The second source, reparation from current industrial production (paragraph 2*b*) was adopted unanimously. The third source "all other categories of capital goods or services" (paragraph 2*c*) was criticized by M. Politis on the grounds that it did not include agricultural or mining products. He recommended the insertion of the word "products" after capital goods. Mr. Thorp (U.S.) explained that the U.S. Delegation considered the problem as to how it would be possible to make reparation from Italy practical was a most important one. Italy he pointed out had not been a large exporting country and had suffered heavy losses during the war of its invisible export items necessary to its balance of payments. The formula adopted in connection with Part A regarding reparation to the Soviet Union, had been devised so that Italy would be exporting its labor on reparation account. This formula providing that raw materials would be supplied by the U.S.S.R. would have no adverse effects on the balance of payments. He pointed out that this concept had already been extended somewhat in Part B (paragraph 2(*c*)) to allow reparation from capital goods and services. The addition of the word "products" he feared, would shift to reparation those goods normally exported. This would have an adverse effect on the balance of payments and thus bring about the very situation which had been avoided before. M. Aroutiunian (U.S.S.R.) said that mining products were covered by the term "current industrial production". He also suggested the Commission defer this point and try to find some language which would cover the wishes of all Delegations. This procedure was agreed to.

Mr. Thorp commented on the U.S. and U.K. (paragraph 2(*d*)) recommendation, that the ownership interest held by Italian state and parastatal organizations in commercial enterprises in ceded territories should be considered a source of reparation. Both Yugoslavia and Greece were receiving ceded territories under the treaty. However, he pointed out that there were a lot more revenue producing assets in the Julian March than in the Dodecanese. Such properties as coal fields, mercury mines and similar commercial enterprises owned by Italy were located in the Julian March. For this reason the U.K. and U.S. Delegations believed that the allocation of total reparation between all claimants would be fairer if these assets were included in the reparation account. He added that the Italian assets in certain countries which had been given to Russia had been included as part of Soviet reparation. The Yugoslav and Greek representatives both opposed the addition of these properties as part of the reparation ac-

count. The Czech representative said that Italy had received these territories from the Austro-Hungarian Empire after the last war without having it deducted from its reparation account.

M. Aroutiunian (U.S.S.R.) then made a long speech against the U.S.-U.K. proposal for including as a reparation source ownership interests of Italian state or parastatal organizations in commercial enterprises in ceded territories. He said it was difficult to distinguish state property from private property at the present time when the state had invaded so many branches of commerce and industry. He asked how the value of such assets could begin to compare with the damage inflicted on the invaded countries by Italy. Referring to Mr. Thorp's argument regarding the unequal distribution of these assets, he said this had not prevented the Greek Delegation from opposing the U.S. proposal. Furthermore damage was unequally distributed also. As for Italian assets in the Balkans, the Soviet Union had only agreed to accept these because they were in the territory of third countries. M. Rueff (France) expressed agreement with the Soviet viewpoint, and Mr. Summerville-Smith (U.K.) agreed with Mr. Thorp's statement of the case.

Mr. Thorp (U.S.) replied that it would not be difficult to single out state and parastatal property in this situation. The successor state would merely have to point out to the Italian Government the property in which it was interested. He also pointed out that there had doubtless been very little state or parastatal commercial property in the Julian March during the period of Austro-Hungarian rule. Only since Italy had taken over the area had state enterprise developed. Mr. Thorp recognized that all possible sources of reparation would not be sufficient to cover damage, but he could not see why all possible sources should not be used so as to make the total payment as high as possible. The main problem was not that of determining total reparation—it was allocating the total to the several countries. It would be unfair not to take into account, in allocating reparation, the fact that territories containing valuable revenue-producing property were being ceded to some states, while others were not getting any.

The U.S.-U.K. proposal was then rejected by a vote of 13 to 7 (voting for it were the U.S., Australia, Brazil, Canada, U.K., New Zealand and South Africa).

The Commission then returned to consideration of subparagraph (c) in the quadripartite draft, and M. Rueff reported that the drafting Powers had agreed to amend the first phrase to read "All other categories of capital goods, seeds or services". It was also proposed to add at the end of the paragraph, in order to meet the point previously raised by the Yugoslav Delegation, the following: "but excluding



Italian assets subject under Article 69 to the jurisdiction of the Powers enumerated in para 1, Part B of this Article". Since this might lead to doubt regarding the possibility of these countries covering their surplus reparation claims with the assets, M. Rueff proposed a new paragraph to be added at the end of Part B stating that such surplus claims would be satisfied out of the assets specified in Article 69. The drafting Powers had also agreed that "current industrial production" included mining. The Commission approved the paragraph, including these changes in principle, subject to final drafting.

The Commission then considered paragraph 3 of the draft article referring to the agreements between the Italian Government and the beneficiary governments regarding the quantities and types of goods and services to be delivered. Mr. Walker (Australia) proposed an amendment to provide for a Reparation Commission to supervise the execution of this part of the treaty. The Commission decided to consider this further at the next meeting.<sup>1</sup>

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**SIXTH INFORMAL MEETING OF THE COUNCIL OF FOREIGN MINISTERS  
AT THE PARIS PEACE CONFERENCE, OCTOBER 3, 1946, 9:30 P. M.**

CFM Files

*United States Delegation Minutes*

SECRET

**PRESENT**

**U.S.**

The Secretary (Chairman)  
Senator Connally  
Senator Vandenberg  
Mr. Bohlen

**U.K.**

Mr. Bevin  
Mr. Alexander  
Mr. Jebb  
Interpreter

**U.S.S.R.**

Mr. Molotov  
Mr. Vishinski  
Mr. Novikov  
Mr. Pavlov

**FRANCE**

Mr. Couve de Murville  
Mr. Seydoux

Also present: Mr. Fouques du Parc

THE SECRETARY, who in the absence of Mr. Bidault presided, said the day before yesterday he had called on Mr. Molotov to suggest the desirability of a meeting in order to work out a program for the ple-

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<sup>1</sup> The amendment was proposed in C.P.(IT/EC) Doc. 94; for text, see vol. IV, p. 794.

nary sessions of the Conference. He had seen Mr. Bevin today on the same subject. He said the necessity of some schedule of rules of procedure had been impressed upon him today when he had heard that the Italian Commission had taken 52 votes at their session last night. He continued that after talking with Mr. Molotov he had consulted Mr. Spaak because of the latter's long experience in international conferences and recently as the President of the General Assembly. In reply to his request, Mr. Spaak had sent him a letter containing certain suggestions, which he would now circulate.<sup>2</sup>

When the letter had been circulated THE SECRETARY added that when he had talked with Molotov they had both considered that possibly the best method would be to limit the number of speeches that could be made pro and con on a given question before the plenary, but that after talking with Spaak and considering the latter's suggestions he had come to the conclusion that Mr. Spaak's approach was even better; namely, to limit each delegation to 30 minutes on each treaty.

He said he thought one of the difficulties of limiting the number of speakers would be the selection of the two speakers for and the two speakers against in the event that many delegations wished to speak on a given question. In any event, if there was to be discussion on all the various reports, majority as well as minority, from the various commissions, even two speakers to a side would mean long debate. Under Mr. Spaak's suggestion each treaty would be considered as a whole and each delegation would be assured of 30 minutes in order to express its general observations on the treaty as a whole or on any specific clause or amendment which it deemed sufficiently important to speak on.

He concluded by saying that he was not as disturbed as Mr. Bevin should be on these matters of procedure since Mr. Bevin would be the unfortunate first President and would have to deal with all these difficulties. He said he thought that if Mr. Bevin had to select two speakers from among ten delegations desiring to speak, his life would be even more lively than it had been on the Palestine Commission.

MR. MOLOTOV remarked that they had no Palestine question here.

THE SECRETARY stated that another advantage of the Spaak proposal was that it would guarantee to every delegation a maximum of 30 minutes and that it was to be presumed that each delegation would utilize the time at its disposal in speaking on the points of any given treaty in which it was mostly interested.

MR. MOLOTOV said that he would not present a Soviet paper which he had prepared but was willing to accept as a basis the suggestions advocated by Mr. Byrnes contained in Mr. Spaak's letter.

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<sup>2</sup> The annex to this document.

M. COUVE DE MURVILLE said he wished to point out that the question of procedure had already been examined by the Secretariat for the last two days and that they had a preliminary draft which was, with minor exceptions, unanimously agreed upon in the Secretariat. Having only read Mr. Spaak's proposal briefly, he nevertheless felt there was much in common between these suggestions and the draft of the Secretariat. He felt the only question was whether there should be general discussion on each treaty, as Mr. Spaak suggested, or whether discussion should be confined to each article as it comes up, as the Secretariat proposed.

THE SECRETARY said he felt that Mr. Spaak's approach would be preferable since if there were to be two speakers a side on separate articles he would have to renew his request to M. Bidault to provide accommodations for Christmas as they would certainly still be here then.

MR. BEVIN said as he understood the difference, in Mr. Spaak's proposal there would be a general statement from each delegation not to exceed 30 minutes, drawing particular attention to the clauses in which that delegation was interested; whereas, the Secretariat felt that discussion should be on each clause separately. He said he preferred the latter, which was very much like British Parliamentary proceeding on the second reading of a bill. He said he thought in this case that the Anglo-Saxons were right.

MR. MOLOTOV answered that the bloc had won out and the Soviet Delegation surrendered.

THE SECRETARY then said he had two additional suggestions to make on Spaak's proposals, and read the following:

1. The treaties shall be considered by the plenary in the order named in the Potsdam Agreement. But if the reports on all parts of a treaty are not ready, it shall not delay the consideration of the treaty next in order, and the treaty passed over shall be considered as soon as the reports are ready and the deliberations of the treaty being considered by the plenary are concluded.

2. Upon the conclusion of the statements by delegates referred to in section II of Mr. Spaak's letter, the plenary shall proceed to vote without further discussion on the various articles of the treaty the amendments referred to in the reports and on any other amendments proposed in committee, whether or not voted on in committee if a vote thereon is requested.

MR. MOLOTOV said it was not entirely clear to him and he felt that there was some contradiction between these additional suggestions of Mr. Byrnes and the proposals of Mr. Spaak. He thought that the first sentence of paragraph (1) of Mr. Byrnes' suggestion is acceptable and that they should take up the treaties in the order set forth in the Pots-

dam Agreement. But he felt that the second sentence was in contradiction and suggested that it be eliminated. He felt that they should oblige the Chairmen of the commissions to finish their work on time. They had been told to finish by the 5th and if, as he understood, it was proposed to begin the considerations on the 7th, this would give them an additional two days. In any event, he proposed to adhere to the order set forth in the Potsdam Agreement.

THE SECRETARY replied that the second sentence was merely to guarantee against the possibility that delay in the Italian Economic Committee, which he understood was behind its schedule, would hold up the whole work of the plenary sessions; but he agreed with Mr. Molotov that the Italian Economic Commission should be asked to complete its work and he was therefore willing to strike out the second sentence if his colleagues felt that the commissions would in fact be finished.

MR. MOLOTOV said he felt there was also a contradiction between section (2) of Mr. Spaak's letter and the second proposal of Mr. Byrnes concerning amendments. Mr. Spaak suggested that there should be no amendments considered unless they were expressly mentioned in the commissions' reports, whereas Mr. Byrnes' suggestion appeared to be in the opposite sense. He said he preferred Mr. Spaak's suggestion.

THE SECRETARY explained that the reason he had made this amendment to Mr. Spaak's suggestion was to take care of any possible slip or negligence on the part of the *rapporteurs*, who might in the press of work leave out some amendment or other which had been presented by a delegation and that his proposal would merely assure them the right to correct this mistake and have the amendment voted on. He said he wished to emphasize that it was not a question of any new amendment.

MR. COUVE DE MURVILLE said he thought there was little chance that any delegation would allow its amendment to be forgotten in drawing up the commission's report.

After some discussion it was agreed that it was up to the individual delegations to make sure that none of their amendments were omitted from the reports of the commissions, and that point (2) was unnecessary and the SECRETARY agreed to withdraw it.

MR. BEVIN said as the unfortunate first chairman he wished to be quite clear on the question of voting. As he understood Mr. Spaak's suggestion, when a clause came up for voting he would ask if any member wished a roll call or objected, and if not he would then rule that the article in question had been adopted unanimously. If any delegation wished a roll call, he would put the clause to a vote by roll call.

It was agreed that Mr. Bevin's interpretation was correct.

MR. BEVIN said he hoped it would be possible to have a plenary session of the conference before Monday, that is, either Saturday or Sunday, if technically possible, in order to adopt the rules of procedure, so that on Monday the plenary could begin the examination of the Italian treaty.

MR. FOUQUES DU PARC said he did not know whether it would be technically possible since the Economic Commission on Italy, despite all their efforts, might not be ready by Monday.

THE SECRETARY pointed out that the point made by Mr. Fouques du Parc did not really bear on the point under discussion since a plenary session to approve rules of procedure could be held Saturday or Sunday irrespective of the status of the work of the Italian Commission.

MR. MOLOTOV said he thought they should urge the Italian Economic Commission to finish its work by Friday night.

SENATOR VANDENBERG said he thought this would be possible if the Chairman was told to invoke his powers under Rule 4 of the Rules of Procedure.

It was agreed that the Chairman of the Italian Commission should be requested to finish the work by Friday night.

It was also agreed to call a plenary session for 4:00 p. m. on Sunday October 6, to consider the rules of procedure. Mr. Spaak's suggestions were to be sent to the Secretary General as directives for the drawing up of definite proposals concerning rules of procedure, and to utilize such of the Secretariat's draft rules as were not in conflict with the suggestions of Mr. Spaak.

[Annex]

*The Belgian Foreign Minister (Spaak) to the Secretary of State*

PARIS, October 3, 1946.

MY DEAR MINISTER: Having thought over the question you were so good as to ask me yesterday, I am sending you the following suggestions calculated to speed up the work of the Plenary Conference. In my opinion some such rules should be adopted if we are to finish our work in time.

I. *Reports*—Since the Reports are written documents which will have been distributed, they should not be read from the tribune. This may possibly be asking a little sacrifice from the *Rapporteurs*, but such personal considerations should not prevail.

II. *Statements by Delegates*—I think that for each Treaty there should be no more than one statement pro [*per?*] Delegation, to which

no more than thirty minutes should be allowed. Such statements would have to comprise general observations as well as the position taken with regard to particular provisions.

There would be no discussion of particular articles.

This would seem to be justified by our legitimate desire to gain time as well as by the fact that the whole discussion has taken place in the Commissions. There is no need to repeat it in plenary meeting. It is only necessary to draw the conclusions from the work that has been done.

As far as possible, the Delegations and the Secretariat should be in a position to circulate written translations of the statements at the moment they are made, so as to render unnecessary the greater part of the oral interpretation.

III. *Amendments*—No amendments other than those expressly mentioned in the Reports should be presented.

Amendments mentioned in the Reports might be put to the vote, but not to be discussed.

IV. *Voting*—Each article of each Treaty should be voted on, but the vote should not be by roll-call unless a delegation requests it.

If no roll-call is requested, the article should be deemed unanimously adopted.

V. Any delegation should be free to ask for the insertion, in the Record of Decisions, of written supplementary observations explaining its attitude or the reasons of its vote concerning any matter examined by the Conference.

VI. These rules of procedure should be adopted in a preliminary plenary meeting.

If the delegations are wise enough to accept some such suggestions, I think we may be able to finish our work in time.

Yours very sincerely

P. H. SPAAK

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FRIDAY, OCTOBER 4, 1946

THIRTY-SIXTH MEETING OF THE ECONOMIC COMMISSION FOR ITALY,  
OCTOBER 4, 1946, 10 A. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)61

The Commission continued discussion of the U.S., U.K., French and Soviet recommendations for reparation under Part B of Article 64 (CP(IT/R)Doc 34) [*C.P.(IT/EC)R. Doc 34*].<sup>3</sup> Paragraph 3, which

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<sup>3</sup> For text, see vol. iv, p. 792.

provided that bilateral agreements for deliveries from current production should avoid interference with the economic reconstruction of Italy and should not impose additional liabilities on other Allied and Associated Powers was criticized by M. Politis (Greece) as leading in practice to no reparation deliveries. He suggested the word "serious" might be inserted so the paragraph would read "avoid serious interference." This suggestion was put to the vote and was lost 15 voting against, Australia, Ethiopia, Greece, India and Yugoslavia voting for. The first part of paragraph 3 (CP(IT/R)Doc 34) was approved, 18 voting for, Ethiopia and Greece voting against.

The question of supervision of reparation deliveries under Part B was taken up. There were two proposals, one that the Four Ambassadors should supervise the agreements concluded under paragraph 3 and the Australian proposal that a Reparation Commission be established made up of those countries receiving reparation under Part B (that is Albania, Ethiopia, Greece and Yugoslavia) plus France, the U.K. and U.S.<sup>4</sup>

M. Aroutiunian (U.S.S.R.) said the Australian proposal had already been defeated on August 28.<sup>5</sup> The new proposal, he granted, was different in that the reparation commission would not have supervisory powers over reparation to the Soviet Union. He argued, however, that the purpose of the Reparation Commission was presumably to coordinate reparation deliveries, and if there were two different organizations with extensive functions regarding reparation this coordination was not likely to be achieved. He implied that the Australian proposal was an attempt to exclude the Soviet Union from a very important part of its executive responsibilities under Article 75 of the Treaty. Furthermore, he did not consider a commission made up of the claimants would be a good organization to settle differences between these claimants but would create further difficulties in the carrying out of reparation deliveries.

Mr. Wilgress said there were great difficulties in having two different bodies supervise reparation deliveries and this was why he had opposed a final vote on Part A of Article 64. However, in view of the fact this had been already done, he felt there was no alternative but to accept the proposal for establishment of a reparation commission to supervise reparation deliveries to countries other than the Soviet Union. Such a commission was preferable to review by the Four Ambassadors, in view of their heavy responsibilities and the technical character of the problems likely to arise.

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<sup>4</sup> For text of the Australian amendment, C.P. (IT/EC) Doc. 94, see vol. iv, p. 794.

<sup>5</sup> The Commission had rejected Australian amendments C.P. (Gen) Docs. I.B.9 and 10 at its 5th Meeting, August 28; for the United States Delegation Journal account of that meeting, see p. 305.

Mr. Walker (Australia) said he would be perfectly willing to have the U.S.S.R. represented on the Reparation Commission and the only reason it had been omitted had been because of the defense [*difference?*] with respect to reparation deliveries between Parts A and B. Paragraph 1 of the Australian proposal was put to a vote and carried 12 to 8, Byelorussia, China, France, Poland, Czechoslovakia, Ukraine, U.S.S.R. and Yugoslavia voting against it. Paragraph 2A which established the composition of the Commission with the amendment to include the U.S.S.R. was approved 12 to 7 with one abstention, Byelorussian, China, Poland, Czechoslovakia, Ukraine, U.S.S.R. and Yugoslavia voting against and France abstaining. Paragraph 2B which suggested that the United States should be president of the Commission was severely criticized by M. Aroutiunian who asserted that the Australian proposal was an attempt to have Italian reparation policy dominated by the United States. Mr. Thorp (U.S.) stated that he had intended to request that this paragraph be removed from the Australian amendment as the United States Delegation had no interest in being president of the Reparation Commission. However, in view of the totally unwarranted attack on the motives of the United States Delegation by the Soviet Delegate, the United States would abstain from any participation in this particular decision and would be content with the Commission's decision.

The South African Representative proposed deletion of paragraphs 2B and 2D and the amendment of paragraph 2C to read "the Commission shall determine its own procedure and organization". This amendment was carried, Belgium, Ethiopia, Great Britain, India, New Zealand, the Netherlands, and the Union of South Africa voting for, Australia, Brazil, Canada voting against, the U.S., China, France, Greece and Poland abstaining, Byelorussia, Czechoslovakia, Ukraine, U.S.S.R. and Yugoslavia not taking part in the voting at all. Old paragraph C as amended was approved 12 voting for, Byelorussia, Czechoslovakia, Ukraine, Yugoslavia voting against, China, France and Poland abstaining, and U.S.S.R. not participating in the voting. The remainder of the Australian proposal was voted on paragraph by paragraph and with the exception of paragraph 3C the votes were the same as recorded above on paragraph 2C, that is, 12 voting for, 4 against, 3 abstentions and the U.S.S.R. not participating in the vote. Paragraph 3C which proposed certain penalties on Italy in the event of its failure to adhere to the reparation schedule was criticized by Mr. Thorp. He pointed out that there were no provisions anywhere else in the treaty for penalties and that the Commission should rely on the good faith of Italy to carry out its commitments under the treaty. Therefore, he proposed deletion of all of paragraph 3C



except for the first sentence which provided that each government should report to the Reparation Commission on deliveries made in accordance with the approved agreements. This amendment was carried, the U.S., Belgium, Brazil, China, India and the Union of South Africa voting for it, France, U.K., Netherlands, Greece, Poland and Czechoslovakia abstaining, Australia, Canada, Ethiopia and New Zealand voting against, Byelorussia, Ukraine, U.S.S.R., and Yugoslavia not participating in the vote. Paragraph 3C was put before the Commission as amended to be voted on. M. Aroutiunian objected on the grounds that the amendment had been carried by 6 votes. The Chairman said it would be for the Conference to decide as to whether 6 votes could carry the amendment in this case. Paragraph 3C as amended was then approved 11 voting for, China, France, Greece and Poland abstaining, Byelorussia, Czechoslovakia, Ukraine, U.S.S.R. and Yugoslavia not participating in the vote.

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**FORTY-THIRD MEETING OF THE ECONOMIC COMMISSION FOR THE  
BALKANS AND FINLAND, OCTOBER 4, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 61

The Commission heard a statement by the Bulgarian Delegation on Bulgarian reparation, which reviewed Bulgaria's part in the war against Germany, described the Greek and Yugoslav claims as not corresponding to the facts of the small damages inflicted by Bulgarian forces, analyzed Bulgaria's extremely limited capacity to pay, and asked the Conference to establish a minimum reparation obligation, payment of which would be deferred for several years. At request of the U.K. representative further consideration of the problem was postponed until 9 p. m.

The Commission considered Annex 5, Section I of the Rumanian Treaty (Contracts, Prescriptions and Negotiable Instruments). Mr. Reinstein (U.S.) explained that, owing to the constitutional position of the Federal Government, the U.S. could not accept any obligations on the matters covered by the Annex and introduced an amendment to this effect. After an exchange of views, in which the same views were expressed as in the discussion of the corresponding Annex of the Italian Treaty, the Commission voted on the U.S.S.R. proposal to exclude such an Annex from the Treaty, the result being 5 to 5 (Australia, France, U.K., India, South Africa) with four abstentions

(U.S., Canada, Greece, New Zealand). The U.S. amendment was accepted by 8 votes to 3 (Ukraine, U.S.S.R., Yugoslavia) with 3 abstentions (Byelo-Russia, New Zealand, Czechoslovakia). The Commission rejected the U.K. proposal as a whole (as modified by the French amendment to para. 1) by 7 votes to 5 (Australia, France, U.K., Greece, and South Africa).

The Commission rejected the Soviet proposal on Periods of Prescription, Annex 5, Section II (as modified by the French and Yugoslav amendments) by 7 votes to 6 with one abstention. The vote on the U.K. proposal was 6 to 6 with 2 abstentions.

The Soviet proposal to delete Annex 5, Section III, Negotiable Instruments, having been rejected by 8 votes to 5 with one abstention, the Commission adopted the U.K. proposal by 7 votes to 5 with 2 abstentions.

The Soviet proposal to delete Annex 5, Section IV, Miscellaneous, having been rejected by 7 votes to 6 with one abstention, the Commission voted on the U.K. proposal, the result being a 6 to 6 tie with two abstentions.<sup>6</sup>

Annex 6, Part A, Prize Courts was adopted unanimously.

The U.S. proposal, supported by the U.S.S.R., for Annex 6, Part B, Judgments, was adopted by 7 votes to 6 with one abstention. (The French proposal was defeated by 9 votes to 2 with 3 abstentions and the U.K. proposal by 7 votes to 5 with 2 abstentions.)

Article 33 of the Rumanian Treaty (Effect of Annexes) was unanimously adopted.

The U.S. Delegation proposed the addition of a new sentence to paragraph 3 of Article 23 (United Nations Property in Hungary) of the Hungarian Treaty, to provide for the special problem of transfers after November 2, 1938 which resulted from force or duress or from measures taken under discriminatory legislation by the Hungarian Government or its agencies in Czech territory annexed by Hungary.<sup>7</sup> This addition was unanimously approved, as was the paragraph as amended.

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<sup>6</sup> Regarding the action of the Commission on Annex 5, see C.P. (Plen) Doc. 29, Report of the Commission on the Draft Peace Treaty with Rumania, vol. IV, pp. 434, 451.

<sup>7</sup> For text, see C.P. (Plen) Doc. 34, Report of the Commission on the Draft Peace Treaty with Hungary, *ibid.*, p. 535.

## BYRNES-SARAGAT CONVERSATION, OCTOBER 4, 1946, 3 P. M.

CFM Files

*Memorandum of Conversation, by J. Wesley Jones of the  
United States Delegation*

CONFIDENTIAL

PARIS, October 4, 1946.

Participants: The Secretary  
Sig. Giuseppe Saragat, Italian Delegate for the Paris  
Conference  
Ambassador Tarchiani  
Mr. Jones

The Secretary received Sig. Saragat, President of the Italian Constituent Assembly, at 3:00 this afternoon at the latter's request. Sig. Saragat said that he wished to thank the Secretary for all that the American Delegation had done for Italy in the Conference. He said that he was aware and that a great many Italians were aware of the abundant material assistance which the United States had given Italy during the period of her co-belligerency and in the post-hostilities period. He said, however, that there was one thing lacking and that was insufficient or ineffective American propaganda to let the people of Italy know precisely what the United States had done and was continuing to do for their country. He said that there were a certain number of people in Italy who, while in a minority, were powerful in the internal political field and who because of ideological orientation toward certain Eastern Powers had a certain distrust of United States motives. They were, he said, greatly influenced by Soviet propaganda through the Italian Communist Party which presented every Russian move as a generous gesture with respect to Italy and portrayed the United States as a capitalistic country seeking to exploit and enslave the Italian workers and economy under the guise of economic assistance. The Secretary explained that the United States Government did not engage in propaganda as such and asked why newspapers and other publications could not offset this propaganda by printing the facts of American economic assistance to Italy which were freely obtainable. Sig. Saragat replied that while the Soviet Union had a party and Communist publications in Italy which were frankly expressing the Soviet view none of the other parties or party organs could, as Italian political organizations, undertake the championship of another foreign power and that therefore it was ultimately the responsibility of the United States to present its case in Italy. The Secretary said that he was only too familiar with these complaints from certain quarters abroad of American enslavement of foreign peoples through loans and other forms of eco-

conomic assistance and that he had had occasion recently to terminate any further assistance to countries who had adopted this line of complaint. He added that this apparently had not pleased either since their representatives had subsequently come around "seeking further enslavement".

The Secretary spoke to Ambassador Tarchiani about Italian capacity to pay reparations, recalling that the Italian Delegation's statement before the Economic Commission that Italy could not pay more than between \$200 and \$300 million had made the United States position difficult in attempting to keep Italian reparations down to a lower figure. Ambassador Tarchiani explained that the Italian figure had included all forms of payment such as restitution, foreign assets, etc. He added that the French wanted reparations amounting to about \$80 million, although he gave the Secretary to understand that this latter figure included assets in Italian territory ceded to France.

Sig. Saragat said that the truly democratic elements including the Italian Socialist Party, of which he is a member, needed the moral and spiritual support of the British and Americans in their difficult struggle against Soviet propaganda and Communist methods in Italy. The Secretary appreciated this need and said that he hoped to be able to give Italy further material support as well. Finally, he referred to a statement on American policy toward Italy which might be forthcoming within the next week or 10 days.

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**FORTY-SECOND MEETING OF THE POLITICAL AND TERRITORIAL  
COMMISSION FOR ITALY, OCTOBER 4, 1946, 3:30 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 61

The Commission considered the report of the *Rapporteur* (CP IT/P Doc 108) <sup>8</sup> which was distributed to the members of the Commission just before the meeting. The Chairman expressed regret that the Delegates had not had sufficient time to study the report before the meeting and suggested that the *Rapporteur* be given an opportunity to present and explain it before opening the general discussion. After a short discussion on procedure in which M. Manuilsky (Ukraine) and M. Vyshinsky (U.S.S.R.) participated, the Commission heard M. Vyshinsky's objections to that part of the report relating to a Greek amendment to Article 12 (page 12 of Doc 108). The U.K. and Greek Delegations participated in the discussion and it was finally agreed to

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<sup>8</sup> Not printed; C.P. (Plen) Doc. 24, the Commission report ultimately adopted, is printed in vol. iv, p. 299.

omit the sentence in the Greek amendment referring to the Italo-Turkish conventions of January and December 1932 describing the maritime frontiers of the Dodecanese Islands.<sup>9</sup> At the suggestion of Mr. Jebb (U.K.) it was agreed to add a sentence in the report in the following sense: "The Commission suggests that the Greek Delegate propose a draft map defining the maritime frontiers of the Dodecanese Islands and that a draft map should be presented to the Plenary Session of the Conference for approval." Finally it was agreed that that part of the Greek amendment relating to the maritime frontiers of the Dodecanese should be referred to the Legal and Drafting Commission for its observations for the Plenary Session.

M. Manuilsky said that his Delegation intended to raise again in the Plenary Session their amendment for a new Article 14A (CP IT/P Doc 69) regarding defascistization in Italy which had been rejected by 9 votes to 8.<sup>10</sup> He asked that the minority point of view thereon be included in the report.

Mr. McIntosh (New Zealand), the *Rapporteur*, presented his draft report (Doc 108) to the Commission describing its various sections in general terms. With reference to M. Manuilsky's suggestion, the *Rapporteur* felt that the Commission should interpret the rules of the Conference broadly and suggested the creation of a 4th chapter to his report for the purpose of mentioning amendments which had failed of a majority in the Commission. Colonel Hodgson (Australia) supported the suggestion for a new chapter 4 to give those Delegations who had submitted amendments failing a two-thirds or majority vote an opportunity to state their points of view for the consideration of the Plenary Conference. The Representative of Czechoslovakia suggested that the report show the votes for and against various amendments by countries. M. Vyshinsky congratulated Mr. McIntosh on his report but observed that 8 points of the Soviet Delegation on a statute for Trieste which had failed to obtain the Commission's approval had likewise not been mentioned in the report. He insisted that they be included since he said the Soviet Delegation intended to continue to fight for a "democratic" statute for Trieste. The Soviet Delegation, he continued, was going to continue to fight for its views on the statute in the Plenary Sessions and until, "as we hope", the peace treaty comes into force. There was considerable discussion on the establishment of a new chapter 4 of the report for minority views in which the U.K., Soviet, Australian and Yugoslav Delegations participated. The Com-

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<sup>9</sup> Regarding the Greek amendment and the Soviet reservation, see the United States Delegation Journal account of the 28th Meeting, September 21, p. 501.

<sup>10</sup> For the Commission's consideration of this amendment and a description of its substance, see the United States Delegation Journal account of the 33rd Meeting, September 25, p. 553.

mission finally approved a new chapter of the report in this sense as well as a final chapter 5 showing the votes by countries on articles 3, 4, 16, 10A, 13, 14A, 21 and 77A. The Chairman insisted that all minority reports for the new chapter 4 should be submitted to the Secretariat before twelve midnight except for those comments which might be presented, already translated in the 3 working languages, before 8 a. m. tomorrow morning.

The *Rapporteur* found certain errors in the hastily prepared report which he called to the attention of the Commission. The Delegates of Yugoslavia, South Africa and the U.S. likewise suggested certain drafting changes which the *Rapporteur* accepted. The Polish Delegate asked that the report of the subcommission on a statute for Trieste be attached as an annex to the report.

The Chairman said that there would be a final meeting tomorrow morning at 10:00 to consider the revised report of the *Rapporteur* and approve it. At that time any additional suggested changes would be considered.

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**THIRTY-SEVENTH MEETING OF THE ECONOMIC COMMISSION FOR  
ITALY, OCTOBER 4, 1946, 3:30 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 61

The Commission resumed consideration of the 4 Power draft on reparation for countries other than the Soviet Union.<sup>11</sup> Paragraph 4 providing that the reparation receiving country should furnish raw materials for Italian manufactures for reparation deliveries, was approved unanimously after the Greek representative had pointed out that Greece, having few raw materials, would not be able to make much use of the provision. Paragraph 5 (definition of dollars) was also approved unanimously. The Australian representative then proposed that para 6, which in the draft stated that the Four Ambassadors should determine the value of Italian assets to be transferred to the beneficiary governments, should be amended to give this function to the Reparation Commission. M. Aroutiunian (U.S.S.R.) objected vigorously and charged the Australian Delegation had tried from the very beginning to undermine the agreement of the CFM on this Article, and had succeeded in doing so at this morning's meeting because of the support given the Australian proposal by some members of the CFM. Mr. Thorp (U.S.) said that in this particular

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<sup>11</sup> For the draft, C.P. (IT/EC) R. Doc. 34, see vol. iv, p. 792.

instance the Soviet representative was right (i.e. the provision regarding evaluation of assets by the Four Ambassadors was an agreed provision) and he would vote against it. The Australian amendment was defeated by a vote of 11 to 8, and paragraph 6 was approved unanimously.

The Commission at Mr. Thorp's suggestion reconsidered the changes approved in principle at the night session on October 3, in paras 2 (b) and (c), and agreed to change (b) to read: "Italian current production including production by extractive industries". It was also agreed to make a comparable change in Part A of the Article. The Commission also approved adding at the end of (c): "The delivery of capital goods under this paragraph may include seeds". (This replaced the amendment tentatively approved at the October 3 night meeting; the other amendments, to subparagraph (c) and for an additional paragraph 7, were not modified).

Part C, a U.S.-French-U.S.S.R. proposal providing that deliveries from current production might be made during the first two years if made in accordance with agreements between Italy and the other governments, was then considered. Mr. Summerville-Smith (U.K.) said this was contrary to the spirit of the CFM agreement on Part A, and said he was opposed to any further weakening of the protection afforded the Italian economy by the two-year moratorium. M. Aroutiunian said the CFM had merely agreed to refer this provision to the Conference as a proposal of the U.S., U.S.S.R. and French Delegations, the U.K. Minister having been opposed to the provision. He said the provision would be in the interest of Italy as well as the receiving countries and emphasized its application depended on the agreement of Italy. Mr. Thorp said it was entirely consistent to propose to give this option to Italy to make earlier deliveries if it so wished, and stressed that Italy was fully protected by paragraphs 3 of Parts A and B. Mr. Wilgress (Canada) opposed the new proposal, stating he feared the Italian Government might not be strong enough to resist offers which might be made and might agree to deliveries earlier than was desirable.

With a drafting amendment, Part C was approved by a vote of 14 to 6.

Paragraphs 1 and 2 of Part D were approved unanimously. (These referred to claims of Powers other than those specified in Parts A and B and provided these claims would be met out of assets subject to their jurisdiction under Article 69 and out of ownership interests of Italian nationals resident in Italy.)

The last paragraph (CP IT/R Doc 34) [*CP(IT/EC)R.Doc.34*] as amended by the U.S., which provided that rights granted under Articles 64 and 69 covered all claims of the Allied and Associated Powers

against Italy except those based on Articles 65 and 68, was approved unanimously by the Commission with a reservation on the part of the Greek Delegation. M. Politis (Greece) recommended an amendment to this paragraph to cover the case of the Italian debt to Greece contracted during the war over and above occupation costs. In view of opinion expressed by the drafting powers that the recommendation was too extensive and imprecise, M. Politis withdrew his amendment and made a general Greek reservation to Article 70 of the treaty.<sup>12</sup>

Discussion was then opened on paragraph 1 of Part B (CP IT/R Doc 34). Mr. Summerville-Smith said the drafting powers had had a great deal of difficulty evaluating the claims of the nations having suffered Italian occupation and relating the claims to the realities of the Italian economic situation. The British Delegation, however, recommended the following allocations, Albania, nil; Ethiopia, \$25 million; Greece, \$100 million; and Yugoslavia \$100 million. He emphasized that he could only justify his recommendation on the grounds that he wished to reach agreement quickly. He really considered Greece should receive a higher figure relative to Yugoslavia in view of the fact that Greece had been the first country attacked, that the Italian assets in Greece were not as valuable as those in Yugoslavia, and that Greek recovery not so rapid. However, he wished to reach an early settlement and had, therefore, recommended equal figures.

Mr. Thorp explained that his feelings coincided with those of Mr. Smith on reparation and that he had hoped he would be able to present an agreed recommendation with the British representative. However, as he had pointed out during the previous evening's discussion, the U.S. Delegation felt very strongly that Italian assets in the ceded territories should be taken into consideration in assessing the claims. The assets in these territories ceded to Yugoslavia were considerable, much greater than those in Greece whereas Albania and Ethiopia were receiving no territory from Italy. While fully realizing that the reparation would only be a fraction of total damage the U.S. Delegation recommended no reparation to Albania, in view of the very extensive Italian investments in Albania, \$25 million to Ethiopia, \$100 million to Greece and \$80 million to Yugoslavia. M. Manuisky (Ukraine) suggested that U.S. and U.K. denial of reparation to Albania was most unjust. He did not know of any figures which indicated Italian assets in Albania were greater than those in Ethiopia. The recommendation for Yugoslavia, a country which it had been estimated at the Paris Reparation Conference,<sup>13</sup> had suffered twice the damage suffered by Greece, was manifestly unjust. He asked that "unfortunate incidents" between the U.S. and Yugoslavia should not be allowed to interfere

<sup>12</sup> See C.P. (Plen) Doc. 26, report of the Commission, vol. iv, pp. 338, 364.

<sup>13</sup> Regarding the Paris Reparations Conference, see footnote 65, p. 170.



with a considered judgment of the true merits of the case.<sup>14</sup> This question he said should not be decided in a hurry.

M. Bartos (Yugoslavia) said the recommendations made by the U.S. and U.K. were disastrous, incomprehensible and unjust. Allied statesmen had promised the reconstruction of Yugoslavia for its sacrifices during the war. The Yugoslav Delegation could not accept the result of the recommendation of the U.K. and U.S. and wished to formally state its claim of \$400 million as a minimum claim.

The representative of Albania emphasized Albania's sacrifices, struggles and suffering and reminded the Commission of promises to make good the damage suffered. He said he did not feel the U.S. and U.K. statements were seriously considered.

M. Politis indicated that the theory behind reparation was concern on the part of the U.S. and U.K. to protect the economic recovery of Italy rather than any concern over consideration for Greece. He cited statements of Italian authorities which indicated how little Italy had suffered as a result of the war and how much better off Italy was than Greece.

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**FORTY-FOURTH MEETING OF THE ECONOMIC COMMISSION FOR THE BALKANS AND FINLAND, OCTOBER 4, 1946, 3:30 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 61

M. Gerashchenko (U.S.S.R.) proposed that Article 23 (United Nations Property), paragraph 8 of the Hungarian treaty should be modified to extend the concept of "owner" to a United Nation as well as a United Nations national in order to meet the special problem of Czechoslovakia. This proposal was supported by the U.K. and French representatives and was regarded as satisfactory by the Czech representative provided the Czech interpretation of the effect of this modification could be incorporated in the Record of Decisions. After an exchange of views, in which the original Czech interpretation was somewhat modified, a revised text was prepared and unanimously accepted for inclusion in the Record of Decisions of the 44th meeting.<sup>15</sup> Paragraph 8 as amended was unanimously agreed.

The revised French proposal regarding the Danube-Sava-Adriatica Railway (Article 23, paragraph 9 of Hungarian treaty) was adopted by 9 votes to 4 with one abstention.<sup>16</sup>

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<sup>14</sup> Presumably a reference to the forcing down of United States aircraft by Yugoslavia in August, 1946; for documentation, see vol. vi, pp. 867-978 *passim*.

<sup>15</sup> For text of Czechoslovak interpretation, see C.P.(Plen) Doc. 34, the Report of the Commission on the Draft Peace Treaty with Hungary, vol. iv, p. 535.

<sup>16</sup> For text, see *ibid*.

The Commission voted on the U.S. and U.K. proposals regarding the restoration of rights and interests of persons and associations who had been subjected to racial or religious persecution. The first two paragraphs of the U.S. proposal were rejected by 11 votes to 2 (U.S. and France) with 1 abstention (Czechoslovakia). The first paragraph of the U.K. proposal was adopted by 8 votes to 5 (U.S., Byelorussia, Ukraine, U.S.S.R. and Yugoslavia) with 1 abstention and the second paragraph by 8 votes to 4 (Byelorussia, Ukraine, U.S.S.R., and Yugoslavia) with 2 abstentions (France and Czechoslovakia).

Article 24 of the Hungarian treaty was unanimously adopted.

The U.S.-U.K. proposal for Article 25 (Hungarian Property in Allied Territory) was adopted as it stood except for the deletion, as in the case of Bulgaria and Rumania, of "literary and artistic" from paragraph 4 and the addition of literary and artistic property to paragraph 5. The voting was not significantly different than in the case of Bulgaria. The Soviet proposal for Article 25 was defeated by 7 votes to 4 with 3 abstentions.

The Soviet proposal for Article 26 (Renunciation of Claims Against Germany by Hungary) was rejected by 9 votes to 5 and the joint U.S.-U.K.-French proposal was adopted by the same vote.

Article 27 (Debts) was adopted unanimously.

Article 28 (Renunciation of Claims against Allied and Associated Powers) was adopted unanimously with the revision regarding the breaking off of diplomatic relations (para 3) which had been adopted in the Bulgarian and Rumanian treaties.<sup>17</sup>

The voting on Article 29 (General Economic Relations) was the same as in the case of Bulgaria. The Soviet proposal for para 1(c) was rejected and the U.S.-U.K.-French proposal adopted by 9 votes to 5. The French amendment to 1(c) regarding civil aviation was adopted by 7 votes to 5 with 2 abstentions (India and New Zealand). The Soviet proposal for para 2 (neighboring countries exception to MFN treatment) was rejected and the U.S.-U.K.-French proposal was adopted by 9 votes to 5. Paras 1(a) and (b) were unanimously adopted.<sup>18</sup>

The Soviet representative, supported by the Byelorussian and Yugoslav representatives, strongly opposed the admission of the new U.S. proposal for Article 29 bis<sup>19</sup> identical with the South African proposal regarding payment of fair prices for reparation goods obtained from UN nationals, which was adopted in the case of Rumania by 9 votes to 5, on procedural grounds. Mr. Oliver (U.S.) briefly justified

<sup>17</sup> See C.P. (Plen) Doc. 34, vol. iv, p. 535.

<sup>18</sup> Regarding the action of the Commission on article 29, see *ibid.*, p. 545.

<sup>19</sup> For text, see *ibid.*, p. 546.

the submission of the amendment on the grounds that a new situation had arisen as a result of the adoption of the South African proposal in the Rumanian treaty and that the members of the Commission were thoroughly familiar with the substance of the amendment and asked that the question of admitting the amendment be put to the Commission. The Commission voted to place the amendment on its agenda by 7 votes to 5 (Byelorussia, Czechoslovakia, Ukraine, U.S.S.R. and Yugoslavia) with 2 abstentions (U.K. and New Zealand).

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**SIXTEENTH MEETING OF THE POLITICAL AND TERRITORIAL COMMISSION FOR BULGARIA, OCTOBER 4, 1946, 9 P.M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 62

The record of the 15th meeting was adopted.

The Commission having been convened in final session to adopt the "General Report", the Chair first gave the floor to Mr. Marjoribanks (U.K.), the *Rapporteur*, who declared that the several apparent mistakes of a typing or drafting character in the text before the Commission (CP (BUL/P) Doc 13) would be eliminated in the final revision and proposed that the Commission proceed with its consideration of the report.<sup>20</sup>

At the request of M. Novikov (U.S.S.R.), the following changes were made: (a) Following the reference to the observations of the Bulgarian Delegation (IB, page 2), add the words "which proposed a reference to Bulgaria's rupture of relations with Germany and her claim to be considered as a cobelligerent"; substitute "rejected unanimously" for "rejected without opposition" on page 3, *d* (4) to facilitate Russian translation; add a new paragraph to part IV explaining minority view that protection against anti-Semitic measures is not necessary in Bulgaria; add to VI (1), after "Australian Delegation" the words "concerning the reference of disputes to the Treaty Executive Council"; add after "Article 35" in second line on page 9 the words "proposing means for the revision of the treaty". The *Rapporteur* agreed with the Australian and Soviet Delegates that the last sentence of section V on page 6 was not sufficiently clear and, following clarification by Australian Delegate of what actually happened, it was decided to delete the sentence entirely and state that the Australian proposal to insert a new article between Articles 7 and 8 was withdrawn, leaving the reference to Article 33 as it stands in Section VI.

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<sup>20</sup> C.P. (Plen) Doc. 22, October 5, report of the Commission in its final form, is printed in vol. iv, p. 478.

At the request of the Yugoslav representative, it was agreed that in Section II (2) the words "to examine the military implications . . . implied in the amendment" be deleted and replaced by the language of the Greek resolution as adopted by the Commission, i.e., "to examine the Greek amendment in its purely military aspect, with particular reference to the degree of security which would result from the cession to Greece, within the limits of the proposed Greek amendment, of: (a) natural strong-points, (b) general defense positions, (c) necessary depth for defensive strategic movements, and (d) lines of communication". Upon Yugoslav insistence it was agreed that a further addition be made to Section II (2) specifying that the Delegations of the U.S.S.R., Czechoslovakia, Byelorussia, Ukraine, and Yugoslavia had voted against the Greek resolution and that they considered the Military Commission not competent to deal with Article 1 of the treaty regarding the frontier, and that the Greek Delegation would draw up a majority report to balance the minority view, both handing their texts to the *Rapporteur* for inclusion in the report. After some discussion, the Yugoslav Delegation abandoned its request that after the words "Military Commission" in lines 1 and 2 of the last paragraph on page 4 the following be added: "which noted that the resolution referred to it includes political, economic and ethnical considerations not within its competence".

Discussion of the General Report having been completed, Mr. Jordan (New Zealand), the Vice President, addressed a little speech of appreciation to the President, as well as the Secretariat and corps of interpreters, with which the U.S. and Soviet Delegates associated themselves. The Chairman then declared the General Report "unanimously adopted" and, after a few brief courtesy remarks, stated that the work of the Commission was completed and the meeting closed.

The Commission closed its final session at 10:55 p. m.

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THIRTY-FIFTH MEETING OF THE MILITARY COMMISSION,  
OCTOBER 4, 1946, 9 P. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 62

The request of the Italian representatives that the questions and answers given before the Military Commission be inserted in the record was rejected.

The report on the peace treaty with Hungary was taken up. General Slavin proposed the deletion of the US resolution regarding identity of language for the articles on prohibitions in the Balkan and

Finnish treaties.<sup>21</sup> This proposal was rejected by a vote of 11 to 5 with 2 abstentions and 3 absentees. However, General Slavin's alternative proposal, a resolution representing the opinion of his Delegation and the five nations who shared it was inserted. This resolution stated that:

"The representatives of Byelorussia, Czechoslovakia, Poland, the USSR, the Ukraine, and Yugoslavia declare that, in their point of view, no unanimous decision of the Commission about the inclusion of motor torpedo boats in the draft peace treaties with Bulgaria, Hungary, Rumania and Finland was taken. The unanimous decision about identical texts of Article 12 of the Bulgarian treaty and corresponding articles of the Rumanian and Hungarian and Finnish treaties which was adopted on the 28th of September 1946 refers to the decision that was already taken by the Military Commission (see amended text of Article 12 in the minutes for the meeting of the Commission for the 27th of September 1946)<sup>22</sup> and not future decisions. The French and Russian text of this resolution confirm our declaration."

This insertion was agreed to and will follow after the text of the American resolution.

The report on the Rumanian treaty was adopted with the insertion of the declaration General Slavin had made in the discussion of the report on the Hungarian treaty. The final text of the Italian report was unanimously adopted. The report on the Finnish treaty was adopted with several minor changes.<sup>23</sup>

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### THIRTY-EIGHTH MEETING OF THE ECONOMIC COMMISSION FOR ITALY, OCTOBER 4, 1946, 9:45 P.M.

CFM Files

#### *United States Delegation Journal*

USDel(PC) (Journal) 62

The Commission continued its discussion of the amount of reparations to be allocated to countries other than the Soviet Union. The Czechoslovak Delegate called the U.S. and U.K. proposals<sup>24</sup> completely unreasonable and urged that the claim of Yugoslavia be taken as a basis for discussion—this amounted to \$400 million or 3.8% of the actual damage, and, if it could be related to Italian capacity to pay, the Czechoslovak representative suggested the same percentage might apply to all the claimants.

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<sup>21</sup> Regarding the resolution, see the United States Delegation Minutes of the 28th Meeting, September 28, p. 584.

<sup>22</sup> See the United States Delegation Journal account of the 27th Meeting, September 27, and footnote 71, p. 574.

<sup>23</sup> The reports of the Military Commission are printed in vol. iv.

<sup>24</sup> See United States Delegation Journal account of the 37th Meeting, October 4, p. 667.

The Ethiopian representative expressed his astonishment over the proposed figure of \$25 million for Ethiopia in view of the fact Ethiopia had been attacked first and suffered the longest from Italian aggression.

M. Kardelj (Yugoslavia) asked that those countries who had not suffered from Italian acts of aggression, try to understand the feelings of a country which had suffered as severely as Yugoslavia. He suggested that a political approach to the reparation problem was not worthy of Allied solidarity and asked that, although the U.S. and U.K. had focused their interest on Italy, these two countries should not require the victims to bear such a large burden of the damage inflicted through Italian aggression.

M. Aroutiunian (USSR) made no recommendations as to total reparation or allocation of reparation to Albania, Ethiopia, Greece and Yugoslavia. However, he indicated that Yugoslavia should receive twice as much as Greece on the basis of the criteria of damage suffered which was worked out at the Paris Reparation Conference.<sup>25</sup> He stated that the U.S. and U.K. decision with respect to Albania was a political decision in line with their general policy towards Albania. He felt nonetheless that Albania should receive the same amount of reparation as Ethiopia as both had suffered from Italian invasion and colonization.

The Byelorussian representative sympathized with the injured countries and pointed out it was in a position to understand the suffering of these countries. He pointed out that Albania appeared on the list of powers to receive reparation in CP (IT/EC) R 34,<sup>26</sup> and he did not understand why the U.S. considered that Albania should not receive reparation.

M. Rueff (France) said that France accepted the U.K. figures for Yugoslavia, Greece and Ethiopia. However, on the basis of the estimates of damage submitted, he considered Albania might be given, in addition to the Italian assets in Albania, \$5 million reparations. He pointed out, in answer to M. Aroutiunian's statement that the Paris Reparation Conference had set a ratio of damage between Yugoslavia and Greece of 2 to 1, that this ratio had been established on the basis of a questionnaire relating to damage inflicted by Germany and Germany alone. Therefore, this ratio was irrelevant to the case at hand.

He suggested the Commission might reach agreement on the question of relative reparation payments and pointed out that a ratio of 10 for Greece, 10 for Yugoslavia, 2.5 for Ethiopia and nothing or 0.5 for Albania had been suggested. If the Conference so decided, it could

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<sup>25</sup> Regarding the Paris Reparation Conference, see footnote 65, p. 170.

<sup>26</sup> For text, see vol. IV, p. 792.

refer the question of the absolute amount of reparation to the Council of Foreign Ministers. He, however, would prefer that the Conference make this decision as well. The Brazilian representative said it must be recognized that reparation could not be sufficient to cover damage, but at the same time he emphasized that the enormous concessions being made were not for the purpose of benefiting an aggressor but for furthering the cause of peace.

Mr. Thorp then suggested a plan for proceeding to vote on the various issues before the Commission, starting with the question whether Albania should get any reparation, then considering the amount of Ethiopian reparation, then the relative amounts to be given Greece and Yugoslavia, and finally the total amount of reparation. M. Aroutiunian asked that the Yugoslav proposal be considered after the determination of the shares of Albania and Ethiopia. The Polish representative argued against voting without further research and study and urged that the entire problem be referred to the C.F.M. Mr. Walker (Australia) said no course of action could hold the Conference up to greater ridicule than to refer the question back to the C.F.M. M. Aroutiunian then spoke again, this time in favor of the Polish proposal. He said it was evident that agreement could not be reached in the Commission and voting would only result in imposing the will of the majority on the Commission. If the problem were referred back to the C.F.M., the Council might hear the representatives of the interested countries and reach a decision. On a vote, the proposal to postpone was defeated, 13 to 7. The Yugoslav representative then suggested a slightly modified voting procedure which was accepted.

On the first vote, on the question whether Albania should receive reparation, there was a tie of 10 to 10 and the Chairman declared there was no majority for the proposal. The Albanian representative then made a statement to the effect that Albania had not been given the treatment it might have expected as an Ally. The Soviet representative reserved the right to raise the question again in the CFM and to propose Albania should get the same amount as Ethiopia.

The Commission then voted on the amount to be given to Ethiopia. An Australian proposal to increase the sum suggested by the U.K. and U.S. Delegations from \$25 million to \$35 million was also lost on a tie vote of 10 to 10. The \$25 million figure for Ethiopia was then approved unanimously. The Yugoslav claim for \$400 million was defeated 8 to 12. The principle that reparation for Ethiopia [*Greece*] and Yugoslavia should be equal was approved by a two-thirds vote of 15 to 1, with 4 abstentions. M. Aroutiunian again reserved his point of view that reparation for Yugoslavia should be twice that for Greece.

The Commission then considered the question of the total amount of reparation to be fixed for Part B. M. Politis (Greece) proposed this question be referred to the CFM, and this was supported by the Yugoslav and Soviet representatives. The proposal to defer was defeated by a vote of 8 to 11 with 1 abstention. The Commission then approved the total of \$225 million as proposed by the U.K., by a vote of 11 to 4 with 5 abstentions. The Soviet representative, in abstaining, reserved the right to raise the question independently in the CFM.

Annex 3 (Ceded Territories) and Annex 9 were referred to the Plenary Conference with the recommendation that they and the amendments submitted to them be referred back to the CFM. Statements were made by the Greek, Yugoslav and Polish representatives regarding their interest in these Annexes.<sup>27</sup>

Following is a summary of the approved reparation allocations for Part B:

<i>Country</i>	<i>Allocation</i>	<i>Vote</i>
Albania	Nil	10-10.
Ethiopia	\$25, 000, 000	Unanimous.
Greece	100, 000, 000	On principle of equal shares, 15-1, 1 abstention.
Yugoslavia	100, 000, 000	
<b>Total</b>	<b>\$225, 000, 000</b>	<b>11-4, 5 abstentions.</b>

#### **FORTY-FIFTH MEETING OF THE ECONOMIC COMMISSION FOR THE BALKANS AND FINLAND, OCTOBER 4, 1946, 10 P.M.**

CFM Files

#### *United States Delegation Journal*

#### **USDel(PC) (Journal) 62**

The Chairman reported to the Commission that, at the request of the Soviet representative, he had consulted the Secretary General on the question of whether the Commission, in voting 7 to 5 with 2 abstentions on the admissibility of the U.S. proposal for Article 29 bis (Fair Prices for Reparation Commodities) of the Hungarian treaty,<sup>28</sup> had or had not voted by a simple majority to admit the proposal. The Secretary General had replied that there was a difference of opinion

<sup>27</sup> In proposing that the annexes under reference be referred to the Council of Foreign Ministers, Wilgress (Canada) stated that the annexes were of great importance to some nations, but that they were of a technical nature and that the Commission lacked the time to give them adequate attention. The representatives of Yugoslavia, Poland, and Greece expressed disappointment that their amendments had not received a hearing and expressed hope that the Council of Foreign Ministers would provide such a hearing. The meeting adjourned at 3:45 a. m., October 5. (CFM Files: United States Delegation Minutes)

<sup>28</sup> For text, see C.P.(Plen) Doc. 34, Report of the Commission on the Draft Peace Treaty with Hungary, vol. iv, p. 535.



among the members of the Conference as to the correct interpretation of Article 6 of the Rules of Procedure. As there was doubt as to whether the result had been a simple majority, the Secretary General recommended that the Chairman refuse to put the U.S. proposal on the agenda. The Chairman said that he accepted the advice of the Secretary General and would not put the U.S. proposal on the agenda. Mr. Oliver (U.S.) stated that the U.S. Delegation wished to insert in the Record of Decisions the statement that it protested the Chairman's ruling and reserved the right to revert to the question at the present session or before another unit of the Conference at the appropriate time.

When Article 22 (Reparation) of the Finnish treaty was taken up for consideration, a long procedural debate ensued over the admissibility of the U.S. amendment reducing the reparation obligation from \$300 million to \$200 million. M. Gusev (U.S.S.R.) opposed the admission of the amendment on the same grounds as in the case of the similar amendment to the Hungarian treaty, i.e., that the deadline for amendments had been August 20 and that the discussions of the Plenary Conference on September 26 regarding the speeding up of the work of the Commissions forbade the introduction of such proposals, which, if admitted, would completely upset the Commission's schedule. He asked that the Secretary General attend the debate and the Associate Secretary General, M. Garnier, entered the meeting. Mr. Reinstein (U.S.) stated that the procedural question was not the same as in the case of Hungary, for the U.S. amendment in this case merely supported the observations of the Finnish Government. M. Garnier said that, although there was no hard and fast rule against accepting amendments after August 20, the necessity of completing the work was now of paramount importance and only considerations of exceptional importance could justify the admission of a new amendment at this stage. Mr. Reinstein noted that refusal to consider the proposal would constitute in effect refusal to consider the observations of the Finnish Government and would make a travesty of the invitation to ex-enemies to present their views. The problem of reparation was, he observed, the most important economic question in the Finnish treaty and it was a matter of great regret that the problem should have to be considered under these circumstances. The U.S. Delegation had not submitted an amendment earlier because it had hoped up until the last minute that the problem could be discussed and that a considered judgment could be reached on the basis of this discussion. As M. Gusev appeared to be troubled by the form of the submission of the proposal, he would be willing to withdraw the U.S. proposal on the understanding that when the Finnish observations were considered,

the U.S. Delegation could formally move an amendment in support of these observations. The Chairman said that he would reopen the question when the Commission took up the reparation settlement. After an intervention by M. Gusev regarding the relation of the U.S. to Finland during the war and the failure of the U.S. to participate in the drafting of the treaty, the Chairman declared the discussion of Article 22 closed. Mr. Reinstein asked to have a statement included in the Record of Decisions to the effect that the Chairman's decision confronted the U.S. Delegation with the necessity of voting against the Article in order that its point of view could be brought before the Plenary Conference. The U.S. favored the payment of reparation by Finland and its vote should not be interpreted as a vote against such payment. Reparation should, however, be just and the U.S. Delegation did not consider that Article 22 provided a proper solution of the problem. As the U.S. Delegation could not propose an amendment, it had no other choice than to vote against the proposal as a means of recording its view. In reply to M. Gusev's request that the reasons for the U.S. view should be stated, Mr. Reinstein reviewed the statement by the Finish Delegation, analyzed the burden of reparation on Finland and the country's economic capacities, and found in this analysis support for the U.S. view that the burden should be reduced. A Soviet representative then made a lengthy reply along the usual lines and attempted in particular to show that the reparation obligation was well within Finland's capacity to pay. Article 22 was then adopted by 9 votes to 4 (U.S., Canada, New Zealand, and South Africa) with 1 abstention (Australia).<sup>29</sup>

Mr. Thorp requested the U.K. and Soviet representatives to provide an interpretation of Article 26 (Restoration of Finnish Property Rights in Germany), para 2. He said that he assumed that restrictions on Finnish property in Germany would be removed only to the extent to which they were removed on the property of the nationals of Allied and Associated Powers, for otherwise the paragraph might mean that Finish owners of property in Germany would find themselves in a more favorable position than the nationals of Allied and Associated Powers. This interpretation was confined [*confirmed?*] by Mr. Berthand (U.K.) and M. Gerashchenko (U.S.S.R.).

The Commission considered the problem of Bulgarian reparation at length. M. Politis (Greece) put forward the Greek claim of \$150 million, payable over six years, and defended the claim along the usual lines. M. Bartos (Yugoslavia) attacked the Greek position, commended Bulgaria for its part in the war against Germany, stressed

<sup>29</sup> Regarding United States interest in Finnish reparations, see telegram 501 from Helsinki, July 19, p. 6, and telegram 5337 from Paris (Delsec 1090), October 23, vol. iv, p. 887.

the country's low capacity to pay, and proposed that the total reparation obligation on Bulgaria should be put, as had been agreed in the case of Italy, at one percent of the damages caused by Bulgaria, or about \$25 million. There ensued a long procedural debate as to how the Commission should proceed in attempting to reach a solution. The Chairman's suggestion that the problem should be referred back to the CFM was taken up and pressed by M. Gusev. Mr. Smith (U.K.) proposed that the amount of reparation for Greece should be put at \$100 million payable over eight years. Mr. Thorp said that everyone realized that it was necessary to find an amount as the total obligation which would be small in comparison with the damages inflicted by Bulgarian forces. Taking everything into consideration it could be said that the reparation settlements of \$300 million imposed the least burden on Rumania, a heavier burden on Hungary, and a still heavier burden on Finland. However, he was prepared to take the Rumanian settlement as a basis for considering the others. A comparative analysis of the Bulgarian and Rumanian economies indicated that a rough approximation of equality of burden would be achieved if Bulgaria's obligation was put at one-third of Rumania's obligation. For this reason he proposed that Bulgaria's total obligation be put at \$100 million. After a further lengthy exchange of views, devoted chiefly to questions of procedure and particularly to M. Gusev's vigorous opposition to considering any figures for Bulgaria's obligation, the Commission finally voted on a three-part Soviet proposal: (1) to create a fact-finding subcommittee which would study the problem and report to the CFM; (2) to vote on Article 20 as it stood in the draft treaty (i.e., without any amount being specified); (3) to recommend to the CFM that it take no decision before hearing the Greek and Yugoslav views on the matter. The Chairman strongly supported this proposal. The Commission rejected the proposal by 9 votes to 5 (Byelorussia, Czechoslovakia, Ukraine, U.S.S.R., and Yugoslavia). The Commission then unanimously adopted the text of Article 20 (with the addition of the sentence providing that the basis of the settlement should be the gold dollar). The Commission then voted on the global [*total?*] sum of reparation to be paid by Bulgaria, rejecting the Greek proposal of \$200 million by 13 votes to 1 and the Yugoslav proposal of \$25 million by 9 votes to 5 and adopting the U.K. proposal of \$125 million by 9 votes to 5. The Commission then adopted, by 7 votes to 6 (U.S., Byelorussia, Czechoslovakia, Ukraine, U.S.S.R. and Yugoslavia) with one abstention (France), the Greek amendment to Article 20, as contained in CP (B&F/EC) Doc 67 and revised to specify \$125 million, to refer to Yugoslavia as well as Greece, and to provide for equal division of the payments between Yugoslavia and Greece.<sup>30</sup>

<sup>30</sup> For text, see C.P. (Plen) Doc. 31, Report of the Commission on the Draft Peace Treaty with Bulgaria, vol. iv, pp. 486, 488.

This summary has not referred to most of the 80-odd votes taken in the course of the session to complete the Commission's work on the Rumanian, Bulgarian, Hungarian, and Finnish treaties. The voting did not differ significantly from the pattern which had been established and which has been previously reported in the Journal.<sup>31</sup> The Commission sat continuously from 10:00 a. m. Friday, to 2:35 p. m. Saturday, with two intermissions for meals on Friday.

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SATURDAY, OCTOBER 5, 1946

**FORTY-THIRD MEETING OF THE POLITICAL AND TERRITORIAL COMMISSION FOR ITALY, OCTOBER 5, 1946, 10 A. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 62

The Commission resumed consideration of its final report to the Conference (CP(IT/P)Doc 108).<sup>32</sup> The *Rapporteur*, Mr. McIntosh (New Zealand) said that at the suggestion of M. Vyshinsky he had attempted to expand that portion of the report relating to Article 16 (page 22) and proceeded to read out his proposed revision of this section which included quotations from the Subcommission for a Statute for the Free Territory of Trieste. The revision was approved by the Commission. M. Vyshinsky suggested reference on the first page of the report to the appearances of the Albanian, Egyptian and Italian Delegates before the Commission. The Byelo-Russian Delegate asked that his delegation's views on the Italo-Yugoslav frontier and the Yugoslav-Free Territory frontier be included as a minority report. Both these suggestions were accepted. The Commission adopted the report of the *Rapporteur* as amended with the additional chapters 4 and 5 agreed upon yesterday.

The Delegates of the USSR, China, Czechoslovakia, France, Australia, Brazil, Poland, Belgium, UK, the Netherlands, as well as Senator Connally for the USA, made closing speeches of appreciation and thanks to the Chairman, the *Rapporteur*, the Secretariat and the staff of the Commission for their forbearance, ability and cooperation during the forty-three meetings of the Commission. The Senator added that while there had not always been agreement in the

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<sup>31</sup> The reports of the Commission provide additional information on the decisions taken at this meeting. For references to the texts of the reports and summaries of the final six meetings of the Commission, see the editorial note on p. 819.

<sup>32</sup> Not printed; for text of the Commission report finally adopted, C.P.(Plen) Doc. 24, see vol. IV, p. 299.

Commission, the over-all picture he felt had contributed to world understanding. He echoed the thought of the Australian Delegate that the spirit shown throughout the Commission's meetings was an augury for world peace, the responsibility of which the Senator said, rested first upon the four Great powers and secondly upon all those who are represented at the Conference. It is unthinkable that anyone could speak of another war and he cited the findings of the Nuremberg trials as evidence of the futility of war. In conclusion he expressed the profound hope that the labors of this Commission would contribute to the construction and maintenance of world peace. The representative of Yugoslavia associated himself with the sentiments expressed by the other delegates regarding the Chairman, *Rapporteur*, Secretariat, etc., but added that the Yugoslav Delegation would unhappily carry away bitter memories of the meetings and of the character of the Conference, which had preferred to follow a course of mechanical recording of votes rather than attempting to reach unanimous agreement.

The Chairman thanked the Delegates and adjourned the final meeting of the Political and Territorial Commission for Italy at 1:00 p. m.

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**TWENTIETH MEETING OF THE POLITICAL AND TERRITORIAL COMMISSION FOR HUNGARY, OCTOBER 5, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 62

The Commission accepted an amendment to the record of the previous meeting proposed by Mr. Bonbright (US) regarding a US reservation to the wording of Article 4. In this connection the Chairman read a letter from the President of the Legal and Drafting Commission, in which it was stated that it had been decided to delete the words "to Soviet Union or". The article should now read "Hungary . . . had dissolved . . . organizations conducting propaganda hostile to any one of the United Nations".<sup>33</sup> This recommendation of the Legal and Drafting Commission was approved by the Commission.

The Commission's report to the Plenary Conference was then considered. The *Rapporteur* (Ukraine) stated that because of the time limitation, it had not been possible to check the various translations from the original draft, which had been in Russian. A number of technical changes in the report were suggested by various delegations.

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<sup>33</sup> See the United States Delegation Journal account of the 19th Meeting, October 3, and footnote 87, p. 644, and C.P. (Plen) Doc. 35, the relevant report of the Legal and Drafting Commission, *Paris Peace Conference, 1946*, p. 1189.

The Delegate of UK was particularly concerned regarding the statement in the report that his Delegation's new paragraph to Article 2 (the so-called Jewish amendment)<sup>34</sup> had been described as failing to receive a two-thirds majority. The Chairman said he did not understand what the U.K. Delegate meant by "new paragraph". He understood it to be an amendment. So did the Czechoslovak Delegation. Mr. Bonbright (US) stated that his Delegation had never regarded it as an amendment but as a new proposal. The UK Delegate insisted that the report should show that the majority of the Commission had voted for this proposal and should therefore submit a majority report as well as a minority report if so desired. M. Gusev (USSR) objected and supported the draft as presented by the *Rapporteur*. After considerable discussion, in which the Yugoslav Delegate surprisingly agreed with the UK position, the USSR dropped its opposition and agreed with Yugoslavia and the UK that the report should state that the UK proposal had been a new paragraph to Article 2 and that the Plenary Conference could itself decide whether the new paragraph had been carried by a two-thirds majority or by a mere simple majority. It could then make a recommendation to the C.F.M.

Mr. Stirling (Australia) made four requests for additions and amendments to the report. He was particularly concerned that the fate of his Delegation's various amendments be noted. In this he was finally supported unanimously by the Commission. Mr. Bonbright (US) stated that after the reference in the report to the joint hearings held by the Rumanian and Hungarian Commissions on Transylvania and the fact that the Hungarian Delegation had been heard, it would be appropriate to add a sentence to indicate that the Hungarian Delegation had also been heard on other questions. He suggested a change in the wording of the paragraph noting that there had been suggestions made by the Hungarian delegation on many other articles of the draft treaty. The present wording did not clearly indicate that the Hungarians had had sufficient opportunity to be heard or that the Commission had duly taken into account their comments. These suggestions were adopted. He also made a reservation regarding the map, which he said was not on a scale appropriate for incorporation in a peace treaty. He reserved the US position in this matter. The UK Delegate supported this reservation.

The Commission then unanimously adopted the report,<sup>35</sup> subject to the various additions, amendments and suggestions made during the

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<sup>34</sup> The British proposal was contained in C.P.(H/P) Doc. 10; for text, *mutatis mutandis*, see footnote 71, p. 418.

<sup>35</sup> For the Report of the Political and Territorial Commission for Hungary, C.P.(Plen) Doc. 27, October 7, see vol. IV, p. 526.

course of the meeting. The Chairman congratulated the *Rapporteur* on his fine report and expressed appreciation to the members of the Commission for the spirit of cooperation in which they had considered the draft treaty. After the Australian Delegate, the Vice Chairman, had congratulated Mr. Stankovic for his efficient and patient handling of the Chairmanship, the Commission adjourned at 8:00 p. m.

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THIRTY-SIXTH MEETING OF THE MILITARY COMMISSION,  
OCTOBER 5, 1946, 4 P. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 62

The Reports on the Peace Treaties with Hungary and with Finland were approved in final form with a few minor changes. The final text of the Report on the Bulgarian Treaty will be approved at a morning meeting on October 6.<sup>36</sup>

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<sup>36</sup> The reports under reference are printed in vol. iv.

## V. THE FINAL PLENARY MEETINGS; THE CONCLUSION OF THE CONFERENCE, OCTOBER 6-15, 1946

SUNDAY, OCTOBER 6, 1946

THIRTY-NINTH AND FORTIETH MEETINGS OF THE ECONOMIC COMMISSION FOR ITALY, OCTOBER 6, 1946, 9:30 A.M. AND 2:45 P.M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 63

The Commission met to review the *Rapporteur's* report to the Plenary Conference.<sup>1</sup> The report was approved subject to drafting changes which might be communicated to the *Rapporteur* by the members. After adoption of a resolution of appreciation for the services of the Chairman, Secretariat and *Rapporteur*, proposed by Mr. Thorp, the Commission adjourned *sine die*.

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THIRTY-SEVENTH MEETING OF THE MILITARY COMMISSION,  
OCTOBER 6, 1946, 10 A. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 63

The Commission in its 37th and probably last meeting approved the Record of the 35th and 36th meetings and Annex 4 of the 28th meeting. Approval of the Record of the 34th meeting, which included the all-night discussion of the Report on the Bulgarian Treaty, was deferred.<sup>2</sup> The Soviet Delegation indicated that they wanted a much fuller report than had been submitted.

The Report on the Bulgarian Treaty was unanimously adopted in its final form with only a few minor changes.<sup>3</sup>

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<sup>1</sup> For text of C.P. (Plen) Doc. 26, October 7, Report of the Economic Commission for Italy, see vol. iv, p. 338.

<sup>2</sup> It was expected that approval could be obtained without another formal meeting of the Commission (CFM Files: United States Delegation Minutes). Such proved to be the case.

<sup>3</sup> For text of the report, C.P. (Plen) Doc. 19, October 7, see vol. iv, p. 517.



**FORTIETH MEETING OF THE ECONOMIC COMMISSION FOR ITALY,  
OCTOBER 6, 1946, 2:45 P. M.**

[See page 685.]

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**TWENTY-EIGHTH PLENARY MEETING, OCTOBER 6, 1946, 4 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 63

The Conference convened, with Mr. Bevin in the Chair, to discuss the draft rules of procedure for final approval of the treaties.<sup>4</sup> Paragraphs 1, 2, 3 and 4 were adopted without objection. The Australian Delegate asked for a clarification on paragraph 5. The Chairman said that clause 6, paragraph (b) of the Rules of Procedure of the Conference would govern this question. Mr. Vyshinsky agreed with the Chairman's interpretation but wished to make clear that paragraph 5 of the draft rules did not prejudice clause 6 of the rules of the Conference. Mr. Alexander proposed adding the words "and proposals" after the word "amendments" in paragraph 5. This proposal was adopted and paragraph 5 was adopted as amended. Articles 6 through 10 were adopted without objection. A new Article 11 proposed by the Soviet Delegation was adopted as follows:

"The records of recommendations as well as of decisions of the Conference will be forwarded to the Council of Foreign Ministers."

The next meeting was set for 3 p. m., October 7.

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**MONDAY, OCTOBER 7, 1946**

**MEETING OF THE SECRETARY OF STATE WITH GREEK POLITICAL  
LEADERS, OCTOBER 7, 1946, A. M.**

CFM Files

*Memorandum of Conversation, by Mr. Cavendish W. Cannon of the  
United States Delegation*

PARIS, October 7, 1946.

Participants: The Secretary  
A Greek Delegation (see below)  
Mr. Cannon

Following the Secretary's conversation with Mr. Tsaldaris the Greek Prime Minister yesterday,<sup>5</sup> the Secretary this morning received

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<sup>4</sup> The draft rules, C.P. (Plen) Doc. 25, are printed in vol. iv, p. 811.

<sup>5</sup> No record of the Byrnes-Tsaldaris conversation of October 6 found in Department files. For an account based on Greek sources, see Stephen G. Xydis, *Greece and the Great Powers, 1944-1947* (Thessaloniki, Institute for Balkan Studies, 1963), p. 378.

the Delegation of "opposition" leaders who arrived with Mr. Tsaldaris from Athens three days ago.

The Delegation consisted of the following Greek political personalities:

Three former Prime Ministers:

Mr. G. Papandreou (Social Democrat)

Mr. S. Venizelos (Liberal)

Mr. P. Canellopoulos (Unionist)

Representatives of Mr. Sophoulis (Liberals)

Mr. Rendis

Mr. G. Varviotis

General Zervas, Unionist

Mr. G. Michalopoulos, Interpreter.

Mr. Papandreou acted as spokesman for the group. He began with a rather long account of Greek-American friendship, gratitude for the Secretary's efforts on behalf of Greece thus far, and Greek aspirations in the peace settlement. He then spoke of the three aspects of the Greek problem, which he termed national, political, and economic.

All Greece, he said, was united in the expectation that the Greek people would be rewarded for their valiant services in the war by satisfaction of their territorial claims against Albania and Bulgaria. He said that failure to achieve these ends would have the direst consequences for the Greek nation. The foregoing covers what Mr. Papandreou meant by the "national" claims. In the "political" category he spoke particularly of the alignment of Greece with Great Britain and the United States in all questions of foreign policy and said that it would be very important for the Greeks to know if there should be any change in American policy, particularly as regards our relations with the Soviet Union, since Greece was wholeheartedly committed to our present policy and "must not be abandoned". Under the "economic" heading he spoke first of the reparation claims against Italy and Bulgaria, and then of the tremendous needs of the country for reconstruction, giving an impassioned account of the country's present state of economic ruin.

The secretary replied to Mr Papandreou's three main topics. He spoke firmly but with great patience since it was clear that these Greek gentlemen had taken no account of the political realities of the international situation, or the developments in the several weeks since the present Conference convened. On the question of Albania he explained the situation under the Potsdam Protocol and repeated his assurance given to Mr. Tsaldaris that when the matter came before the Council of Foreign Ministers as a proper and normal item of business he would do his best to have the topics kept before the Council for

discussion. As regards the claims against Bulgaria the Secretary spoke of the attitude of the Soviet bloc as regards territorial changes in the Greek-Bulgarian frontier region, and went into considerable detail on the matter of general collective security as being the fundamental assurance for Greece as far more realistic than any transfer of territory, which with modern methods of warfare would not constitute a genuine security factor. He also made reference to Greece's inability to take care of her own security, in the lack of a modern airforce, or of the means for large scale military expenditures; and mentioned the provision for demilitarization of the Bulgarian side of the frontier as a factor to the advantage of Greece. He spoke with particular emphasis of the determination of the United States to support in every way the work of the United Nations, to which small countries should look for their security. He said that we are all trying here to work out treaty texts with the best possible provisions having in mind that no power is obliged to sign the treaties and consequently we can hardly insist on provisions which we know in advance would never be accepted by some of the important governments concerned.

Discussing Mr. Papandreou's "political" argument the Secretary said that he personally had given more attention to Greek affairs at the present Conference than to any other topic before the Conference unless it be the question of Trieste; and that he had had many long talks both with members of the Greek Delegation and with Mr. Bevin concerning the situation in Greece. He said that there could be no doubt of the depth of our friendship and our enduring interest in Greek affairs, and that every effort had been made here and in the meetings of the United Nations at New York to show our support of Greece.

With reference to the "economic" argument the Secretary spoke first of the help rendered by the American people to Greece under the UNRRA program. (This was with particular reference to a remark Mr. Papandreou had made concerning American aid to Italy, which seemed to require some clarification of the direct or indirect aid given by the United States to European countries.) The Secretary then mentioned the fact that he had telegraphed to Washington two weeks ago to urge energetic action for supplying surplus property to Greece, that he had in mind particularly ships, road machinery, railway equipment, even though some of the goods which he hoped could be made available to Greece might have to be taken away from other countries for whom it had already been earmarked. On the matter of reparations he said that no nation could hope to have its war damages covered by post-war settlements, since in modern warfare the battlefields are cities and industries. He then set forth the plan under

which the Soviet Government would receive reparations from Italy and explained the theory under which the furnishing of raw materials by the claimant country enters into the reparation account (see detailed discussion of this topic in the Secretary's earlier conversation with Mr. Tsaldaris). He warned the group that it would not be to Greece's advantage to work for increases in reparations by appealing to the Council of Foreign Ministers in the final stages of the treaty preparation, since they could take it for certain that the Council would not be in a position to revise these schedules.

He then spoke of American interest in a program for general reconstruction in Greece, and explained the functions of the International Bank in this connection. He said that it had occurred to him that a good way to approach this problem would be to have three experts sent into Greece to make a technical survey, and observed that he had made this suggestion to Mr. Tsaldaris who, he thought, would send to him a letter bearing on this matter.

Although this interview had lasted nearly an hour and a half the Secretary took time at the end to make some general observations on the difficulties of the Conference and gave various examples which would be helpful to this new group, unfamiliar as they are with the difficulties here, in deciding in what way they can be really helpful to their Delegation and to the general reestablishment of normal relations with the former enemy states.

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TWENTY-NINTH PLENARY MEETING, OCTOBER 7, 1946, 3 P. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal)64

The Conference convened to consider the report of the Political and Territorial Commission for Italy (C.P. Plen. Doc. 24).<sup>6</sup> Mr. Bevin, who presided, said that the discussion would be limited to the Italian treaty. Senator Connally spoke on behalf of the United States Delegation. His remarks were confined to the Statute of the Free Territory of Trieste and the pertinent recommendations of the Italian Political Commission. The Senator said that unless a satisfactory statute assuring the independence and integrity of the Free Territory were generally accepted the obligations of the signatory powers to the treaty toward the people of the area could not be successfully discharged. Any statute for the Free Territory must provide the minimum machinery to secure the implementation of guaran-

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<sup>6</sup> For text, see vol. IV, p. 299.

tees that the independent character of the Territory will be maintained and the rights and freedoms of its inhabitants fully protected. The Governor will be the agent of the Security Council, he said, and must have sufficient powers to fulfill his responsibilities to that international organization. He continued that there are no economic or physical obstacles to an independent Trieste becoming a prosperous free port for all Central Europe and that action by any one power to prevent or retard this development could only be regarded as political action determined by selfish interests of that state. Complete demilitarization of the area is envisaged, the only exception to this principle being the requirements of the Security Council in the fulfillment of its responsibilities under the statute. The Senator concluded by urging the Conference to adopt the recommendations of the Italian Political Commission with respect to the principles of the Statute as an expression of its own judgment and a guide to the future work of the CFM in the final drafting of the Italian peace treaty. (For full text of the Senator's remarks see USD(PC) (PR) 36.) <sup>7</sup>

Marshal Smuts spoke on behalf of the South African Delegation. He expressed the opinion that the Conference had achieved a large measure of success and expressed gratitude that its work was not ending in failure. He described the problems of the South Tyrol and Trieste as the two most important problems facing the Conference with respect to a peace settlement with Italy, the first having been happily solved through direct negotiations between the Italians and the Austrians <sup>8</sup> and the second well on its way toward a feasible solution of internationalization. He referred to Italy's cobelligerency and the splendid resistance of Greece in the early phases of the war as two considerations which had influenced the South African Delegation in its attitude toward these countries during the work of the Conference. He declared that the most important revelation emerging from the Conference was the cleavage between the Slav group and the western democracies. Such a division might prove fatal to the peace of the world, and unless this drift were stopped it might lead to a permanent parting of the ways. He deplored the wide-spread propaganda of ideologies and concluded with an appeal for progress toward a stable peace which all the peoples of the world so desperately desire.

M. Kisselev spoke on behalf of the Byelorussian Delegation. He limited his remarks to attacking the recommendation of the Italian Political Commission providing for the human rights and fundamental freedoms of persons in Italian territories ceded to other states

<sup>7</sup> For text, see Department of State *Bulletin*, October 20, 1946, p. 708.

<sup>8</sup> For text of the Austrian-Italian agreement of September 5, communicated to the Conference on September 6, see C.P. (Sec) N.S. 119, vol. iv, p. 808.

(Article 13(4)), which was originally a U.S.-Australian proposal. He asked the Commission to reject it. With reference to the citizenship of residents of the Free Territory, he supported the pertinent provisions of the Soviet 10-point proposal for the statute (C.P.(IT/P) Doc. 46).<sup>9</sup>

Mr. Beasley spoke on behalf of the Australian Delegation. He reviewed several of the Australian amendments to the Italian treaty which had been accepted including the creation of a Reparations Commission including Yugoslavia, Greece and Ethiopia. He said that the Australian Delegation would not raise in the Conference its proposal for the establishment of a Court of Human Rights which had been rejected in the Italian Political Commission but indicated that the Australians would continue to develop this proposal in other places and at another time. However, with regard to the Australian proposal for treaty revision and review of the treaties by the signatory powers from time to time (C.P.(IT/P) Doc. 88),<sup>10</sup> which had likewise been rejected in the Italian Political Commission, Mr. Beasley said that his Delegation would raise this amendment again in the Plenary Session and ask for a vote of the Conference on it.

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**FORTY-SIXTH MEETING OF THE ECONOMIC COMMISSION FOR THE BALKANS AND FINLAND, OCTOBER 7, 1946, 4 P. M.**

[See the editorial note on page 819.]

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**FORTY-SEVENTH MEETING OF THE ECONOMIC COMMISSION FOR THE BALKANS AND FINLAND, OCTOBER 7, 1946, 9 P. M.**

[See the editorial note on page 819.]

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**THIRTIETH PLENARY MEETING, OCTOBER 7, 1946, 9:30 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 64

The representative of the Ukrainian SSR, Mr. Manuisky, reminded the Conference of the continuous efforts made by Yugoslavia, at the Council of Foreign Ministers and at the Peace Conference, to bring about the inclusion in Yugoslavia of the Julian March and

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<sup>9</sup> Not printed; for substance, see the United States Delegation Journal account of the 22nd Meeting of the Political and Territorial Commission for Italy, September 14, p. 457.

<sup>10</sup> For text, see footnote 68, p. 572.

Trieste. These are territories, according to Mr. Manuilsky, which were torn away by the Versailles Treaty from Yugoslavia, of which they are rightfully a part. In the course of the Conference, he added, Yugoslavia has reluctantly agreed to the separation of Trieste as a free territory and free port, but the proposal embodied in the French line adds territory to Trieste in the north and south the reasons for which one can't help but question. Such an addition, Mr. Manuilsky said, cannot be justified on either economic or ethnic grounds—the added area is not required for the shipping or commerce serving the hinterland, and economically it would be a burden rather than an aid to Trieste. It is said that Trieste needs the railway connection with Italy, but only 3–5% of the goods in transit to and from Trieste came over this connection. On the other hand, the French line cuts Slovenia from any outlet to the sea.

If we judge the case of the aggressor and the victim in the same scale, Mr. Manuilsky went on to say, we clearly put a premium on aggression. Yugoslavia has declared that she will not sign a treaty establishing her boundary on the French line. In supporting this boundary let Holland consider what would be her reaction to a proposal separating Rotterdam from Holland, and let Australia consider the same in regard to Darwin or Melbourne. Let France recall her feeling of 1871 when she was stripped of Alsace and Lorraine.

Mr. Manuilsky also expressed his amazement that there had been a refusal to accept the proposal, made on September 16 by Mr. Molotov, that the Free Territory be neutral.<sup>11</sup> The Ukrainian Delegation, he added, supports the Yugoslav proposal for a Free Territory of about 88 square kilometers—any other solution would be unjust and would make the Treaty unacceptable to Yugoslavia.

Dr. Quo spoke for the Chinese Delegation. He reviewed Chinese policy in the Commissions with respect to Italy. In the Military Commission, he said, they had agreed to provisions for the prevention of future Italian aggression. In the Economic Commission China had opposed the imposition of heavy reparations which might delay seriously Italy's economic recovery. China, he added, had demanded no reparations. In the Political Commission China had supported the French proposal of principles for a Statute for the Free Territory of Trieste. China had a special interest in the Italian colonies and had proposed immediate independence for Libya or, if not feasible, trusteeship under the UNO for a limited period looking toward ultimate independence. He expressed satisfaction that no delegation

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<sup>11</sup> Reference is to Point 1 of the 10-point proposal advanced by Molotov at the 22nd Meeting of the Political and Territorial Commission for Italy, September 14. For the United States Delegation Journal account of that meeting, including the substance of the proposal, see p. 457.

in the Commission had objected to the principle of this proposal and urged its careful consideration on the Council of Foreign Ministers. The Chinese Delegation appreciated the careful consideration which the Council of Foreign Ministers had given to the problems involved in the various peace treaties and the spirit of conciliation which had been required in arriving at a solution. Thus, for this reason, it had supported the CFM decisions for the most part in the light of the larger issues involved. He said that the Chinese Delegation would leave Paris with the feeling that peace can and must be achieved through the application of reason, tolerance and understanding; that all countries must strive for solutions which will never again put civilization in peril.

The Ethiopian Representative said that his Delegation had come to Paris to contribute what it could to the establishment of a basis for a lasting peace. Ethiopia's own requests, he felt the Conference would agree, were modest ones. In the first place Ethiopia sought justice for the peoples of Eritrea and Somaliland who had suffered under Italy, and also wished to guarantee Ethiopia its access to the sea. He was satisfied that the countries at the Conference have recognized the justice of the Ethiopian requests. He expressed his disappointment, however, at the amount of reparations from Italy awarded to Ethiopia. In spite of the fact that the Ethiopian requests were quite moderate, they had fallen far short of being met. Nevertheless the Ethiopian representative felt that this was a significant day on which peace with Italy was at last being reestablished, a great day especially for Ethiopia which has been longest at war with Italy. He reminded the Conference, moreover, that it was the breach of Ethiopia's security by Italy which eventually led to the war that has just been concluded.

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TUESDAY, OCTOBER, 8, 1946

THIRTY-FIRST PLENARY MEETING, OCTOBER 8, 1946, 9:30 A. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 65

The Conference continued consideration of the Italian Treaty. M. Molotov was in the Chair. The first speaker was M. Spaak on behalf of the Belgian Delegation. He said that the essential interests of Belgium were not at stake and thus his Delegation had been able to bring an attitude of objectivity to the Conference. He disapproved of the procedure which committed the four sponsoring powers to the



articles of their draft treaties and which in most instances had amounted to foregone decisions. He added that he would ask for a different procedure for the German treaty. Spaak asked for more favorable consideration from the Conference of the joint Belgian-Netherlands amendment, on the Italo-Austrian agreement regarding the South Tyrol,<sup>12</sup> than it had received in the Italian Political Commission with regard to the treaty as a whole, he felt it was too hard. He warned against the mistakes of the last post-war period with respect to the young Weimar Republic in Germany and appealed to the Conference to help the young Italian Republic. A living healthy Italy, he concluded, was more important to Europe than a few million dollars in reparations.

The first delegate of Poland, M. Rzymowski, said that the Peace Treaty should make amends to Yugoslavia not only for the injustices of the Treaty of Rapallo<sup>13</sup> but also for her sacrifices during the war. The Conference or the CFM must correct the injustices of the French line, he said. Furthermore, there must be modification in the French proposal for a Statute for the Free Territory which, in its present form, he warned, would cause endless debate in the CFM and subsequent difficulties in UNO.<sup>14</sup> He plead for reparations for Albania. He said that the Polish and Ukrainian Delegations would ask the Conference to reconsider and approve their joint amendment (see page 34(b) of CP Plen. Doc. 24)<sup>15</sup> regarding defascistization in Italy. He concluded by saying that the forces in the world fighting for peace could count upon the sincere cooperation of Poland.

M. Tsaldaris asked the Conference to reject the Yugoslav amendment to Article 21 of the Treaty [C.P.(Gen.) Doc. 1.U.12]<sup>16</sup> which would require Italy to respect the "territorial integrity" of Albania and which had been adopted in the Commission by a majority of only one vote. He read out the minority report of the Commission on this amendment in which the US had associated itself (page 20 of CP Plen. Doc. 24) and referred to Greek aspirations in northern Epirus. He likewise asked the Conference not to approve Article 22 of the draft treaty providing for the transfer of the island of Saseno to Albanian sovereignty but rather to leave this question open for final decision in the CFM. He deplored the action of the Economic Com-

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<sup>12</sup> For text of the amendment as proposed in C.P.(IT/P) Doc. 44 Revised, see footnote 66, p. 501.

<sup>13</sup> The treaty between Italy and Yugoslavia relative to territories, frontiers, etc., signed November 12, 1920; for text, see League of Nations Treaty Series, vol. XVIII, p. 388.

<sup>14</sup> Comparative texts of the various draft Statutes for the Free Territory of Trieste are printed in C.P.(IT/P) (S/T) Doc. 8. Annex, vol. IV, p. 623.

<sup>15</sup> For C.P.(Plen) Doc. 24, Report of the Political and Territorial Commission for Italy, see *ibid.*, p. 299.

<sup>16</sup> Amendments contained in C.P.(Gen) Doc. 1 are printed in *ibid.*, pp. 654 ff.

mission in allotting Greece only \$100,000,000 in Italian reparations and asked that Article 64(B) be reexamined by the CFM with respect to Greece.

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**THIRTY-SECOND PLENARY MEETING, OCTOBER 8, 1946, 3:30 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 65

Mr. Bevin continued the general discussion on the peace treaty with Italy. In a statement on the work of the Conference as a whole he said that the new methods used at the Conference might prove to be better than those of any other peace conference. He was glad that the ex-enemy states had had such a full hearing which would prevent anyone from saying that the Conference had not examined all the facts. Although he admitted that differences had appeared between some of the nations represented, it was natural that some differences should appear once the unifying pressure of war was relaxed. The last thing that Great Britain wants is the building of groups and counter groups.

Mr. Bevin did not believe that the treaty was harsh as had been said. He recalled the difficulties and ill feeling which rose from the Fiume episode and urged Yugoslavia not to make this same mistake over Trieste. He asked the Conference to approve the "French" line and the French proposal for the statute. He denied that Trieste was a parallel case to Danzig or that Great Britain had any strategic interest in Trieste.

Mr. Bevin hoped that the Plenary Conference would approve the reference in Article 10(a) to the Italo-Austrian agreement on the South Tyrol. He thought that CFM-proposed procedure for the settlement of the question of the Italian colonies was the best; that consideration should be given to the Ethiopian claim to a large part of Eritrea; that self-government for the Libyan Arabs could be reconciled with the presence of large numbers of Italian colonists; and said that Great Britain stood by her pledge to the Senussi for freedom from Italian rule. He added that Britain could not allow conditions which would threaten the security of the Middle East. He opposed the amendment to Article 21 concerning respect for territorial integrity and said that the position of Albania was adequately protected elsewhere in the draft treaty.

In regard to economic questions, Mr. Bevin thought that the present reparations claims were not unreasonable and that full reparation would never be possible. He indicated that Great Britain would consider 75% compensation a satisfactory settlement.

Mr. Bidault said that Italy was by nature peaceful and had been led astray by adventurers. The war between France and Italy had been an unnatural one. Germany, on the other hand, had always fought on the side of aggression. The Italian people could not be considered entirely without responsibility, but the real aspirations of the country were pacific. Italy must be helped to develop its young democracy.

Mr. Bidault said there were three specific problems in which France was interested, i.e., (1) the frontier rectification, (2) reparations, (3) arms limitations. With regard to (1) the treaty would eliminate trifling disputes of long standing. France was determined to examine all questions arising from the decisions of the treaty with the Italian Government. On the second point, France was justified to make a claim but would make only a limited one in order not to hamper the economic recovery of Italy. With regard to (3) the draft treaty reduced the armaments allowed to those necessary for local defense and made participation in a war impossible.

Mr. Bidault said that Italy could not be excluded from the settlement of the colonies and supported the CFM procedure for the settlement. He spoke in favor of the French proposal for the statute of Trieste. He hoped that Yugoslavia would accept an honorable solution to the Trieste question. He concluded by saying that Italy must never be on the wrong side again as a result of too harsh a peace. He hoped that Italy and the other ex-enemy states could join the United Nations.

Dr. Slavik (Czechoslovakia) said that Czechoslovakia had no special demands to make on Italy although she would be justified in doing so. She sympathized with the demands of her fellow Slav state, Yugoslavia. He said that, while Trieste was the port of Central Europe and was a natural outlet for Czechoslovak products, it was ethnically Yugoslav and that the ethnic and economic rights of Yugoslavia should be respected. He had been glad to hear Mr. Bidault say that a compromise could be reached and hoped that one satisfactory to Yugoslavia would be found.

Mr. Claxton (Canada) said that Italy must be helped on the road to recovery. He said that Canada supported the compromise voted with regard to the Italo-Yugoslav and Trieste frontiers and the Statute for the Free Territory.

He thought that the agreement regarding the Tyrolese minority and the transfer of the Dodecanese would contribute to the stability of the peace. He found that Article 17 dealing with the Italian colonies was the best solution now and hoped that the Council of Foreign Ministers would support the Ethiopian claims to a part of Eritrea.

Upon the question of economics the Canadian Delegation supported

the Australian proposal for a reparations commission to control reparations payments. Mr. Claxton noted that Canada had made no reparations claims. Since Italy would depend for economic help upon foreign trade, Canada had proposed the extension of most-favored-nation treatment from 18 months to three years.

He urged that the Rules of Procedure used at the Conference be revised when other peace settlements were reached. He concluded by saying that the success of the Conference would be measured by the extent to which the Council of Foreign Ministers acted upon the recommendations of the Conference.

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**THIRTY-THIRD PLENARY MEETING, OCTOBER 8, 1946, 9:30 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 65

Mr. Kardelj (Yugoslavia) said that the Yugoslav claims to Trieste and the Julian March were not the accidental results of victory but were the culmination of a long struggle of the Yugoslav people. He supported this statement with an impressively long and detailed history of this struggle. The efforts of the Yugoslav people to achieve unity had been opposed by organized groups at successive stages in history. Formerly, opposition had been based upon the desire to defend the integrity of Austria. Now the same forces which had opposed Yugoslav union in the past opposed it again; this time, to safeguard the integrity of Italy. However, nothing could withstand the powerful will for liberty and of anti-imperialism. Neither this Conference nor any other would succeed in keeping Yugoslavs under foreign rule. No decision to this effect could hope to be lasting. The principle of the ethnic line which the Council of Foreign Ministers had accepted last winter was now thrown aside for the principle of ethnic equilibrium and the "French" line. Yugoslavia should have the whole of the Julian March and the Italian linguistic islands offshore. Mr. Kardelj said that this decision had been voted by overseas countries against the will of the peoples concerned. Yugoslavia would refuse to sign the treaty with Italy if a decision was made on the basis of the "French" line.

The decision of the Commission on the Statute of Trieste went against the ethnic principle. Since a "free" Trieste, that is, a Trieste not given to Yugoslavia, had been accepted, it was logical that the rule be given to the people and not to the governor who would be a dictator. The Statute should take into consideration the vital econo-

mic interests of Yugoslavia. Only in that way could the Conference expect Yugoslavia to accept the Statute. The present statute is not democratic. It would be governed by a police chief and would prohibit cooperation with Yugoslavia. It provided for the setting up of a colonial base. Only a voting machine had made this decision.

With regard to reparations, the victims of Italian aggression had not been considered. The settlements were quite unjust and discriminated against Yugoslavia.

Yugoslavia could not accept Article 13 which, following the Australian and US proposal, imposed an insult upon Yugoslavia.

The just claims of Albania were not recognized in the reparations settlement.

In conclusion, Mr. Kardelj said that the work of the Conference had not been constructive. It began by attacking the sound position of the Council of Foreign Ministers' decisions and had followed a negative policy. Upon three counts the Conference had followed a mistaken line. The Conference had adopted a voting procedure which had allowed one group to impose its will upon another. Insincerity had been evident in the opposition to objective arguments. It had been characteristic of the Conference that it had not tried to reach agreement especially on the demands of Yugoslavia, but had placed confidence in the voting machine. Consideration of the Italo-Yugoslav frontier and the Trieste frontier had often been purely formal and consideration of the Statute of Trieste and of reparations had been hasty. The attitude of one group in constant majority had divided the Conference in two. The 14 to 6 vote on almost all important decisions did not show objectivity or justice. Such methods did not contribute to peace and cooperation among the nations. The Council of Foreign Ministers has an arduous task before it to reach agreements which would correct the errors made by the Conference and to reaffirm faith in a lasting peace. Mr. Kardelj concluded by thanking all the Delegates who had shown consideration for the claims of Yugoslavia and hoped that at the eleventh hour there would be a change in the attitude shown by the Conference.

Senhor Neves da Fontoura spoke on behalf of the Brazilian Delegation. He said that Brazil's action in the Italian Commissions had been based on (1) traditional policy of the New World of respect for the sovereignty of other states and the sanctity of treaties, (2) realization that war resulted from the neglect of elementary principles of the international community. He continued that the treaty for Italy should be drafted in the light of Italy's sacrifices and cobelligerency; that it was in this spirit of equity that the Brazilian Delegation had submitted

various amendments to the draft treaty. He felt that the solution envisaged for Trieste was unsatisfactory to all states directly concerned but, in a democratic spirit, the Brazilian Delegation though still making reservations regarding the ultimate success of the Free Territory, bowed before the decision of the majority of the Italian Political Commission.

Mr. Thorp spoke in behalf of the U.S. Delegation with respect to the economic clauses of the Italian treaty. He said that the justifiable claims against Italy were tremendous and that she must undertake payment to the limit permitted by the capacity of her economy. However any additional burden beyond those recommended by the Economic Commission might destroy the practicable fulfillment of the treaty provisions. He pointed out that while the total damages of war costs which might be assessed against Italy reached staggering totals, no reparation settlement could in reality be more than a token payment and that the reparation provisions, while they did not correspond to the original United States proposal, would receive the support of the U.S. Delegation. He opposed Albanian claims for reparations, beyond the Italian assets already within her jurisdiction, and expressed the opinion that Greece and Yugoslavia should have approximately equal treatment as the treaty now provides. Finally, the U.S. Delegation believes that the amount of 325 million dollars is within the limit of Italian capacity to pay and will therefore support the proposed reparation provision. With reference to Article 65, he said that the United States had consistently opposed special replacement provisions. He referred to the relatively minor effects on Italian economy of the compensation provisions of Article 68, as compared to the removal from Italy of commodities on reparation account. Regarding Italian assets in the United States, he said that their use would be limited to the satisfaction of certain private claims, the total of which would be small, and that consequently there appeared no reason why, subject to these and certain other provisions and the necessary legislation, the entire 60 million dollars of Italian assets in the United States should not be returned to Italian ownership. He concluded that the U.S. Delegation would give its general support to the economic clauses of the Italian peace treaty as endorsed by the majority of the Economic Commission as representing the maximum requirements which should be imposed on Italy. (For full text of Mr. Thorp's remarks see USD(PC) (PR)-35.)

WEDNESDAY, OCTOBER 9, 1946

THIRTY-FOURTH PLENARY MEETING, OCTOBER 9, 1946, 9:30 A. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 66

The Conference continued consideration of the Italian treaty. M. Molotov was in the Chair. The first delegate of New Zealand, Mr. Mason, said that undue emphasis had been placed on the differences in the Conference which had given an exaggerated impression of ill-will abroad. He recalled New Zealand sentiment that UNO should replace the CFM in responsibility for the treaties but said his Delegation would not press views already considered and rejected. He supported the joint Belgian-Dutch amendment to Article 10 (Italo-Austrian agreement on South Tyrol);<sup>17</sup> the Australian amendment to the economic clauses providing for a reparations commission [C.P. (Gen.) Doc. 1.B.10]; sympathetic consideration of Greek demands and the internationalization of Trieste.

M. Fouques du Parc took over the Chair temporarily while M. Molotov spoke on behalf of the Soviet Delegation.<sup>18</sup> He described as the principle task of the Conference the drafting of treaties which will establish a democratic peace. He described a democratic peace as one which would not permit those guilty of the war to escape punishment which would eradicate Fascism and all new varieties of it and which would strengthen democratic forces in the ex-enemy countries. There should be nothing in the Italian peace treaty, M. Molotov said, which would lead to Italy's enslavement by more powerful states. He argued that the slight contribution which the Conference had made to the draft peace treaty was evidence of the importance of cooperation among the Big Four. One hundred million dollars reparations asked by the Soviet Union was a fraction of Russian war costs and thus proved magnanimity of USSR toward Italy in asking for a token payment only. He attacked the US, UK and French draft Statutes for Trieste and the French "compromise" proposal. He urged the Soviet 10 points for a Statute on the Conference,<sup>19</sup> as well as the views of Yugoslavia. Finally he spoke in

<sup>17</sup> For text of the Italo-Austrian agreement of September 5, see vol. iv, p. 810. The Belgian-Dutch amendment was proposed in C.P. (IT/P) Doc. 44 Revised; for text, see footnote 66, p. 501.

<sup>18</sup> For text of Molotov's remarks, see V. M. Molotov, *Problems of Foreign Policy, Speeches and Statements, April 1945-November 1948* (Moscow, Foreign Languages Publishing House, 1949), p. 193.

<sup>19</sup> For the comparative texts of the draft statutes, see C.P. (IT/P) (S/T) Doc. 8, Annex, vol. iv, p. 632. For substance of the Soviet 10-point proposal, see the United States Delegation Journal account of the 22nd Meeting of the Political and Territorial Commission for Italy, September 14, p. 457.

support of the Ukrainian-Polish amendment to impose obligations on Italy with reference to further defascistization programs and control of propaganda.<sup>20</sup> He rejected the theory of a division of Slav States versus western democracies, although he emphasized the independence and vigor of the "Young Slav republics" as compared with the "typical old democracies of the west". He called on the Delegates to help conclude a democratic peace pointing out that this did not include imposing the will of some states upon others. He continued that, as had already been done on other questions, a compromise was necessary with respect to certain problems still outstanding. He concluded that if countries truly wished democratic peace they could find solutions which would meet the desires of all peace-loving nations.

The chief delegate of Norway, M. Lange, recalled that the Norwegian Delegation had not participated in the work of the Commissions on the Italian treaty. However, in order not to weaken the work of the Commissions the Norwegian Delegation felt it its duty to vote for amendments which had been adopted by the Commission since the Conference's recommendations would have greater value for the CFM if they came with a greater majority. After careful consideration he said the Norwegian Delegation would vote in favor of the Commission's recommendations on the Statute for Trieste. He referred with pleasure to the direct negotiations between the Italian and Austrian Governments with respect to the South Tyrol and said that his Delegation would vote for inclusion of a reference of this agreement in the Italian treaty. Norway, he continued, had favored a system of progressive disarmament for the defeated enemies and reliance upon the United Nations for their security but would not raise that question since the military clauses had been accepted by 20 delegations. M. Lange expressed approval of the policy of reparations to the limit of a country's economy to bear, particularly for the relief of those countries which have been occupied by Italy. On the other hand, he supported the US-USSR proposal for 25 percent compensation for damage done to property of United Nations nationals in Italy (Article 68). With reference to Article 72 the Norwegian Delegation will vote for joint arbitral tribunals and with reference to Article 76 it will vote for the recommendation conferring upon the International Court of Justice the authority to review appeals of disputes arising from the treaty. M. Lange concluded that all the nations could contribute to the peace and stability of the world by accepting the final results in the treaty as drafted by the C.F.M.

Sir Samuel Runganadhan spoke in behalf of the Indian Delegation. With reference to the Italian colonies he said that the people of Africa

<sup>20</sup> For text, see the Verbatim Record of the 35th Plenary Meeting, October 9, p. 702.



must be assured their freedom and the possibility of choosing their own form of government. Thus the Indian Delegation had supported the Chinese amendment with respect to Libya [C.P.(Gen.) Doc.1.G.1]. He felt that the proposal of the C.F.M. with respect to the Yugoslav-Italian frontiers was the solution most likely to lead to peace and stability in that area. In considering the recommendations of the Commission with respect to a Statute for the Free Territory he suggested that the C.F.M. should consider limitation of the exercise of the reserve powers of the governor only after reference to the Security Council in each instance. He recalled that India had made no reparation demand on Italy but that the Indian Delegation would support an increase in the amount of reparations recommended for Ethiopia. He concluded with an expression of hope that the recommendations of the Conference would help the C.F.M. in drafting a treaty leading to enduring peace.

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[EDITORIAL NOTE—Plenary Conference Voting Procedure, October 9–October 14:

Rules of Procedure for the closing meetings of the Plenary Conference were adopted at the 28th Plenary Meeting, October 6; for the United States Delegation Journal account of that meeting, see page 686. For text of the adopted rules, C.P.(Plen) Doc. 25, see volume IV, page 811. These rules were explained by the Secretary General of the Conference at the 35th Plenary Meeting, October 9; for the Verbatim Record of that meeting, see *infra*.

The Conference considered the draft treaties in connection with the reports of the Commissions. Each article, in the form recommended by the competent Commission, was voted upon. The draft treaties and Commission reports are printed in volume IV; United States Delegation Journal accounts of the proceedings of the Commissions are printed in the present volume.]

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### THIRTY-FIFTH PLENARY MEETING, OCTOBER 9, 1946, 4 P. M.

CFM Files

#### *Verbatim Record*

C.P.(Plen) 35

President: M. Molotov

THE PRESIDENT: (Interpretation). The meeting is open.

#### PEACE TREATY WITH ITALY—VOTING PROCEDURE

THE PRESIDENT (Interpretation). The Conference has now to vote on the different articles of the Peace Treaty with Italy. I will first

ask M. Fouques Duparc, Secretary-General, to describe to the Assembly the procedure to be followed in the voting which will take place.

M. FOUQUES DUPARC, Secretary-General (Interpretation). The following are the rules of procedure for the voting which is to follow:

VOTING PROCEDURE:—

(1) The President will call out in turn the Articles of the Treaty in numerical order, starting with the Preamble and Article 1 down to Article 78 and the Annexes.

A list of the new Articles and amendments drawn up and circulated by the Secretariat will, it is hoped, make it easy for Delegations to find in the Commissions' reports the new texts of Articles which have been amended.

(2) In the case of each Article the President will ask if there are any objections. If there are, he will put the Article to the vote by roll-call, as laid down in the Rules.

(3) Delegations may ask for the Article voted on to be read out; in this case the Article will be read out.

(4) Delegations may ask for each paragraph to be voted on separately; this can be legitimately required.

(5) The President will put to the vote only texts which have been submitted by Commissions, that is adopted by them.

However, Delegations may if they so desire, ask for a vote to be taken on any of their amendments which did not get a majority in the Commission. The vote on such an amendment will be taken before the relevant article is voted on.

In no case, however, may new amendments be submitted.

(6) The President may invite the assistance of the Chairman and the *Rapporteur* of the Political Commission for Articles 1 to 39; of the Chairman and *Rapporteur* of the Military Commission for Articles 40 to 63; of the Chairman and *Rapporteur* of the Economic Commission for Articles 64 to 74.

The Chairman of a Commission will be replaced in his absence by the Vice-Chairman.

THE PRESIDENT (Interpretation). I call on Mr. MacIntosh, *Rapporteur* of the Political and Territorial Commission for Italy to come to the platform to help us with the voting.

(Mr. MacIntosh came to the platform).

THE PRESIDENT (Interpretation). If no one wishes to speak we will proceed to vote beginning with the Preamble.

*Preamble.* Several amendments unanimously adopted by the Commission were made to the Preamble.

Are there any objections to the wording of this Preamble?

MR. BEBLER (Yugoslavia) (Interpretation). The Yugoslav Delegation will abstain from voting on the Preamble.

THE PRESIDENT (Interpretation). If no one else desires to speak I shall put the Preamble to the vote.

(The Preamble was adopted).

Article 1. THE PRESIDENT (Interpretation). There is an addition to Article 1. It was unanimously adopted by the Commission.

Does any one wish to speak?

Article 1 was adopted.

Article 2. THE PRESIDENT (Interpretation). There were additions made to Article 2 or rather textual modifications which were unanimously adopted by the Commission.

Does any one wish to speak?

Article 2 was adopted.

Article 3. THE PRESIDENT (Interpretation). Article 3 was adopted without modifications by the Commission.

M. KISSELEV (Byelorussia) (Interpretation). The Byelorussian Delegation demands a vote by roll-call on its amendment concerning the Italo-Yugoslav frontier contained in Section D of Document 1. [C.P.(Gen.) Doc. 1.D.1]

THE PRESIDENT (Interpretation). Does the Delegate for Byelorussia want this amendment to be read?

M. KISSELEV (Byelorussia) (Interpretation). No.

M. BEBLER (Yugoslavia) (Interpretation). I also want a vote taken by roll-call on the amendment contained in document 1.U.3. [C.P. (Gen.) Doc. 1.U.3] suggesting a modification of the frontier line between Italy and Yugoslavia.

THE PRESIDENT (Interpretation). I put the amendment of the Byelorussian Delegation to the vote.

(The vote was taken by roll-call).

(The result of the voting was as follows) :

For: Byelorussia, Czechoslovakia, Ethiopia, Poland, Ukraine.

Against: Australia, Brazil, Canada, China, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, United Kingdom, U.S.A., U.S.S.R.

Abstained: Belgium, Yugoslavia.

Consequently, the amendment was not adopted by 14 votes to 5 with two abstentions.

THE PRESIDENT (Interpretation). I now put to the vote the Yugoslav amendment to the same Article 3. Does the Yugoslav Delegation wish its amendment to be read?

M. BEBLER (Yugoslavia) (Interpretation) : It is not necessary.

THE PRESIDENT: I put to the vote the Yugoslav amendment.

(The vote was taken by roll-call).

(The result of the voting was as follows) :

For : Byelorussia, Czechoslovakia, Poland, Ukraine, Yugoslavia.

Against : Australia, Brazil, Canada, China, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, U.K., U.S.A., U.S.S.R.

Abstained : Belgium, Ethiopia.

Consequently, the Yugoslav amendment was not adopted by 14 votes to 5 with 2 abstentions.

THE PRESIDENT (Interpretation). If no one else wishes to speak I put to the vote the complete Article 3.

M. BEBLER (Yugoslavia) (Interpretation). We consider that a vote should be taken on the French line as defined in Article 3.

MR. PRESIDENT (Interpretation). This being the case I will ask the Conference to vote on Article 3.

(The vote was taken by roll-call).

(The result of the voting was as follows) :

For : Australia, Brazil, Canada, China, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, U.K., U.S.A., U.S.S.R.

Against : Byelorussia, Czechoslovakia, Poland, Ukraine, Yugoslavia.

Abstained : Belgium, Ethiopia.

Consequently, Article 3 was adopted by 14 votes to 5 with 2 abstentions.

*Article 4.* THE PRESIDENT (Interpretation). I put to the vote Article 4 which was adopted without modifications by the Commission.

M. BEBLER (Yugoslavia) (Interpretation) : We consider that this Article is not necessary.

THE PRESIDENT (Interpretation). Does any one else wish to speak? I consider therefore that the Article is adopted.

*Article 5.* THE PRESIDENT (Interpretation). Article 5 has been agreed but a paragraph 5 was added by a unanimous vote of the Commission. Does anyone wish to speak?

Article 5 is adopted.

*Article 6.* THE PRESIDENT (Interpretation). Article 6 was adopted by the Commission without modifications. Does anyone wish to speak?

Article 6 is adopted.

*Article 7.* THE PRESIDENT (Interpretation). Article 7 was adopted by the Commission without modifications. Does anyone wish to speak?

Article 7 is adopted.

*Article 8.* THE PRESIDENT (Interpretation). A sentence was added after paragraph 2 of Article 8 by unanimous decision of the Commission. Does anyone wish to speak?

Article 8 as amended is adopted.

*Article 9.* THE PRESIDENT (Interpretation). Article 9 was adopted by the Commission without modification. Does anyone wish to speak?

Article 9 is adopted.

*Article 10.* THE PRESIDENT (Interpretation). Article 10 was adopted by the Commission without modification. Does anyone wish to speak?

Article 10 is adopted.

*Article 10A.* THE PRESIDENT (Interpretation). This is a new Article which was adopted by the Commission by 13 votes to 6 with 1 abstention. Does anyone wish to speak?

M. VYSHINSKY (U.S.S.R.) (Interpretation). The Soviet Delegation asks for a vote by roll-call to be taken on this text, as it has objections to it.

THE PRESIDENT (Interpretation). I will ask the Secretary-General, M. Fouques Duparc, to call the roll.

(A vote by roll-call was taken).

(The result of the vote was as follows):

For: Australia, Belgium, Brazil, Canada, China, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, United Kingdom, United States.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Ethiopia.

Consequently, Article 10A was adopted by 14 votes to 6 with 1 abstention.

*Section IV.* THE PRESIDENT (Interpretation): The title has been unanimously amended. Does any one wish to speak?

The title of Section IV as amended is unanimously adopted.

*Article 11.* THE PRESIDENT (Interpretation). Paragraph *b* of Article 11 was unanimously amended. Does anyone wish to speak?

Article 11 is adopted as amended.

*Article 11A.* THE PRESIDENT (Interpretation). This is a new Article adopted in the Commission by 19 votes to 1. Does anyone wish to speak?

Article 11A is adopted.

*Article 12.* THE PRESIDENT (Interpretation). The Commission unanimously accepted an amendment to this Article. Does anyone wish to speak?

Article 12 thus amended is adopted.

*Article 13.* THE PRESIDENT (Interpretation). The first three paragraphs are unchanged, but a fourth was adopted by the Commission by 14 votes to 6. Does anyone wish to speak?

M. BEBLER (Yugoslavia) (Interpretation). I ask for a roll-call vote to be taken on this fourth paragraph.

THE PRESIDENT (Interpretation): Before taking the vote I wish to complete my remarks by pointing out that the whole of the Article was voted by 12 votes to 2 with 6 abstentions.

As requested by the Yugoslav Delegation paragraph 4 of Article 13 will be voted on by roll-call.

THE CHINESE DELEGATE (Interpretation). The Chinese Delegation will abstain on paragraph 2 of Article 13.

THE PRESIDENT (Interpretation). The declaration made by the Representative of China concerning paragraph 2 of Article 13 will be noted.

M. BEBLER (Yugoslavia) (Interpretation). We did not know that there would be any objections but, since such is the case, Mr. President, we think it advisable to vote by roll-call on paragraph 2.

THE PRESIDENT (Interpretation). To comply with the request of the Yugoslav Delegation a vote by roll-call will be taken. We will vote first on paragraph 2 and then on paragraph 4.

(A vote was taken by roll-call).

*Paragraph 2.* (The result of the vote was as follows):

For: Australia, Belgium, Byelorussia, Brazil, Canada, Czechoslovakia, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, Poland, Ukraine, Union of South Africa, United Kingdom, U.S.A., U.S.S.R., Yugoslavia.

Abstained: China.

Consequently, paragraph 2 of Article 13 was adopted by 20 votes with 1 abstention.

*Paragraph 4.* (A vote was taken by roll-call).

(The result of the vote was as follows):

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Union of South Africa, United Kingdom, United States.

Against: Byelorussia, Czechoslovakia, Norway, Poland, Ukraine, U.S.S.R., Yugoslavia.

Consequently, paragraph 4 of Article 13 was adopted by 14 votes to 7.

*Article 13A.* THE PRESIDENT (Interpretation). This Article was adopted by the Commission by 19 votes to 1. Does anyone wish to speak?

Article 13A is adopted.

*Article 14.* THE PRESIDENT (Interpretation). Article 14 was adopted without modification by the Commission. Are there any objections?

M. BEBLER (Yugoslavia) (Interpretation). The Yugoslav Delegation asks for a vote to be taken on its amendment to Article 14, document 24 C.P. (Gen) Doc. 1.U.9 under the title: New Article 14A.<sup>21</sup>

THE PRESIDENT (Interpretation). Does the Yugoslav Delegation want its amendment to be read?

M. BEBLER (Yugoslavia) (Interpretation). Yes, Sir.

(Article 14A : C.P. (Plen) Doc. 24, page 22, was read).

THE PRESIDENT (Interpretation). We will first vote on the Yugoslav proposal concerning Article 14.

(A vote was taken by roll-call).

(The result of the vote was as follows) :

Against : Australia, Brazil, Canada, China, France, Greece, Netherlands, New Zealand, Union of South Africa, United Kingdom, United States, U.S.S.R.

For : Byelorussia, Czechoslovakia, Ethiopia, Norway, Poland, Ukraine, Yugoslavia.

Abstained : Belgium, India.

Consequently, the Yugoslav amendment to Article 14 was not adopted by 12 votes to 7, with 2 abstentions.

*Article 14A.* THE PRESIDENT (Interpretation). Article 14A is a new Article which has been adopted by the Commission by 13 votes to 6 with 1 abstention.

I ask the Commission [*Conference*] to vote .

(A vote was taken by roll-call).

THE PRESIDENT (Interpretation). The result of the vote was as follows :

For : Belgium, Byelorussia, Czechoslovakia, Ethiopia, France, India, Norway, Poland, Ukraine, Yugoslavia.

Against : Australia, Brazil, Canada, China, Greece, Netherlands, Union of South Africa, United Kingdom, United States, U.S.S.R.

Abstained : New Zealand.

Consequently, Article 14 [14A] was not adopted by 10 votes to 10 and one abstention.

*New Article.* THE PRESIDENT (Interpretation). I call upon the Delegate for Poland.

M. SKRZESZEWSKI (Poland) (Interpretation).

In the Commission, the Polish Delegation in agreement with the Ukrainian Delegation proposed that a new Article should be inserted in the Treaty between Articles 14 and 15. The aim of this Article was to force Italy to prohibit the activity of Fascist organisations. We ask for a roll-call vote to be taken on this Article after it has been read.

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<sup>21</sup> See C.P. (Plen) Doc. 24, Report of the Political and Territorial Commission for Italy, vol. iv, p. 299.

(The following text was read out).

"Italy undertakes not to tolerate the existence or activity on Italian territory of political, military or paramilitary organisations of a Fascist character or other organisations, aimed at depriving the people of their democratic rights or conducting propaganda hostile to any of the United Nations.

"Italy undertakes not to employ in government departments or bodies discharging public functions persons who were actively engaged in Fascist Party work."

THE PRESIDENT (Interpretation). Before taking the vote I wish to draw the attention of members of the Conference to an observation made by the General Secretariat to the effect that the answers of Delegates are sometimes hard to hear. I would therefore ask Delegates to speak a little louder.

I put the new Article which has just been read to the vote.

(A vote was taken by roll-call).

(The result of the vote was as follows) :

For: Byelorussia, Czechoslovakia, India, New Zealand, Norway, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, France, Greece, Netherlands, Union of South Africa, U.K., U.S.A.

Abstained: China, Ethiopia.

The result of the voting was therefore 10 against, 9 in favour and 2 abstentions. Consequently, the new Article was not adopted.

*Article 15.* THE PRESIDENT (Interpretation): We now come to Article 15, to which a modification has been introduced by the Legal and Drafting Commission. Does anyone wish to speak in connection with this Article?

Article 15 was adopted.

*Article 16.* THE PRESIDENT (Interpretation): Article 16 is more complicated, at least as regards one of its provisions.

We shall first vote on point 1, which the Commission adopted without change, by 12 votes to 5, with 3 abstentions.

M. BEBLER (Yugoslavia) (Interpretation). The Yugoslav Delegation asks for a roll-call on its amendment: Doc.1.U.11. [C.P.(Gen.) Doc.1.U.11] This amendment concerns the frontier between the Free Territory of Trieste and Yugoslavia.

THE PRESIDENT (Interpretation): I will ask the Conference to vote on the Yugoslav amendment to Article 16, point 1:

(A vote was taken by roll-call).

(The result of the vote was as follows) :

For: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.



Against: Australia, Brazil, Canada, China, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, United Kingdom, United States of America.

Abstained: Belgium, Ethiopia.

13 Delegations voted against, 6 in favour and 2 abstained. Consequently the Yugoslav amendment was not adopted.

M. VYSHINSKY (U.S.S.R.) (Interpretation). Mr. President, I should like it to be recorded that the Soviet Delegation voted against the Yugoslav amendment which has just been rejected.

THE PRESIDENT (Interpretation): In view of this correction, the result of the vote is as follows: 14 Delegations voted against, 5 in favour and 2 abstained. The Yugoslav amendment has not been adopted.

M. KISSELEV (Byelorussia) (Interpretation): The Byelorussian Delegation asks for a roll-call on its amendment concerning the frontiers of the Free Territory of Trieste: Doc. 1.C.P. 1 P.2. [C.P.(Gen.) Doc. 1.D.2]

THE PRESIDENT (Interpretation): I will ask the Conference to vote on the Byelorussian amendment.

(A vote was taken by roll-call).

The result of the vote was as follows:

For: Byelorussia, Czechoslovakia, Poland, Ukraine, Yugoslavia.

Against: Australia, Brazil, Canada, China, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, United Kingdom, U.S.A., U.S.S.R.

Abstained: Belgium, Ethiopia.

14 Delegations voted against, 5 in favour, and 2 abstained. The Byelorussian amendment was not adopted.

THE PRESIDENT (Interpretation): The statement just made by the Australian Delegation will be recorded in the minutes.

If nobody else wishes to speak, I take it that paragraphs 2, 4 and 6 are adopted.

(Paragraphs 2, 4 and 6 were adopted).

*United States Proposal.* THE PRESIDENT (Interpretation): The United States proposal was adopted by 14 votes to 6 (see Report by Political Commission P. 33-34).

I would ask the Secretary-General to read the proposal aloud.

M. FOUQUES-DUPARC (France) read the United States amendment to Article 16 (C.P.(IT/P) Doc. 16).<sup>22</sup>

(A vote was taken by roll-call).

(The result of the vote was as follows:

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France,

<sup>22</sup> For text, see vol. IV, p. 780.

Greece, India, Netherlands, New Zealand, Norway, U.S.A., Union of South Africa, United Kingdom.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, [U.S.S.R.] Yugoslavia.

The United States proposal was therefore *adopted* by 15 votes to 6.)

*French Proposal.* THE PRESIDENT (Interpretation): We now come to the French proposal which was adopted by 14 votes to 6. We shall begin by voting on the first point, which is divided into sub-paragraphs (a) and (b).

M. VYSHINSKY (U.S.S.R.) (Interpretation): I think I might now submit the comment I made a few moments ago by mistake, that sub-paragraph (b) of paragraph 1 be deleted from the proposal.

THE PRESIDENT (Interpretation): I would ask the conference to vote on the Soviet amendment proposing that sub-paragraph (b) of point A be deleted.

(A vote was taken by roll-call).

(The result of the vote was as follows:

For: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, China, [India] Netherlands, New Zealand, Norway, Union of South Africa, United Kingdom, U.S.A.

15 Delegations voted against, 6 in favour. Consequently the U.S.S.R. proposal is not adopted.)

*Point 1.* THE PRESIDENT. (Interpretation): As there are no other amendments I would ask the Conference to vote on point 1 as a whole.

(A vote was taken by roll-call).

(The result of the vote was as follows:

For: Belgium, Brazil, Canada, China, France, Ethiopia, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, United Kingdom, U.S.A.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Australia.

Point 1 of the French proposal is therefore adopted by 14 votes to 6, with 1 abstention.)

*Point 2.* THE PRESIDENT (Interpretation): I call for a vote on Point 2 of the French proposal.

M. VYSHINSKY. (U.S.S.R.) (Interpretation): Mr. President, before proceeding to the vote on Point 2 of the French proposal, I have two amendments to suggest:

1)—in the first sentence which reads: "The Free Territory of Trieste shall be demilitarised", we suggest adding the words "and neutral".

2)—in place of the second sentence in the French proposal, we suggest the following: "all foreign troops stationed in the Free Territory of Trieste should leave the territory within 30 days of the coming into force of the Treaty."

I ask that a separate vote be taken on each of these amendments.

THE PRESIDENT (Interpretation): Agreed.

I ask the Conference to vote on the first point in the Soviet amendment to the effect that the words "and neutral" be added in the first sentence of the French proposal, after the word "demilitarised".

(A vote was taken by roll-call).

(The result of the vote was as follows:

For: Byelorussia, Czechoslovakia, Poland, New Zealand, Ukrainian S.S.R., U.S.S.R., Yugoslavia.

Against: Australia, Brazil, Canada, China, France, Greece, India, Netherlands, Norway, Union of South Africa, United Kingdom, U.S.A.

Abstained: Belgium, Ethiopia.

14 votes being cast against and 6 in favour, with 1 abstention, the second point in the Soviet amendment was not adopted.)<sup>23</sup>

Point 3. THE PRESIDENT (Interpretation): I call for a vote on Point 3 of the French proposal.

(Point 3 was adopted.)

Point 4. THE PRESIDENT (Interpretation): I call for a vote on Point 4 of the French proposal.

M. VYSHINSKY (U.S.S.R.) (Interpretation): We suggest replacing paragraph 4 of the French text by the following:

"The executive power is vested in the Government of the Free Territory which shall be formed by the National Assembly, it is answerable to this Assembly for any action it may take.

The Government shall administer the Free Territory and supervise the work of all its administrative services, including Constabulary, Frontier Guards, and Coastguards".

MR. BYRNES (U.S.A.): Mr. President, I should like to know if the amendment just submitted has already been presented to the Commission or whether it is a new one.

M. VYSHINSKY (U.S.S.R.) (Interpretation): In his speech of 14 Sept., Mr. Molotov, Head of the U.S.S.R. Delegation, made 10 points in connection with the Statute of the Free Territory of Trieste. Furthermore, Doc. 46, which has been circulated to all the Delegations, makes reference to this amendment.<sup>24</sup> It was also laid before

<sup>23</sup> The Verbatim Record fails to indicate the results of the voting by delegation on the second point of the Soviet amendment.

<sup>24</sup> The United States Delegation Journal summary of the proceedings of the 22nd Meeting of the Political and Territorial Commission for Italy, September 14, at which Mr. Molotov made the statement under reference, is printed on p. 457. C.P.(IT/P) Doc. 46 consisted of the 10 points which Mr. Molotov proposed, which are summarized in the Journal account.

the Commission, and a vote taken on our proposal.

I might add, too, that the amendment figures on page 42 of Doc. 24 of the Report of the Political Commission.

THE PRESIDENT (Interpretation) : Is Mr. Byrnes satisfied with this explanation?

MR. BYRNES (U.S.A.) : I have no comments to offer.

THE PRESIDENT (Interpretation) : I call for a vote on the Soviet proposal that the text read aloud by M. Vyshinsky be substituted for point 4 of the French proposal.

(A vote was taken by roll-call).

(The result of the vote was as follows :

For: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, United Kingdom, U.S.A.

As 15 Delegations voted against and 6 in favour, the Soviet proposal was not adopted.)

THE PRESIDENT (Interpretation) : I call for a vote on Point 4 as drafted in the document.

(A vote was taken by roll-call).

THE PRESIDENT (Interpretation) : Here is the result of the vote :

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, United Kingdom, U.S.A.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

As 15 Delegations voted in favour and 6 against, Point 4 of the French proposal was adopted.

Point 5. M. VYSHINSKY (U.S.S.R.) (Interpretation) : Mr. President, the Soviet Delegation proposed the following amendment: instead of the second sentence of the French text, we ask that the following be inserted: "It shall be the duty of the Governor to ensure respect for the Statute of the Free Territory".

THE PRESIDENT (Interpretation) : I call for a vote on Point 5 of the Soviet amendment.

(A vote was taken by roll-call).

(The result of the vote was as follows :

For: Byelorussia, Czechoslovakia, Poland, Ukrainian S.S.R., U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, United Kingdom, U.S.A.

As 15 Delegations voted against and 6 in favour, the U.S.S.R. amendment was not adopted.)

*Point 6.* THE PRESIDENT (Interpretation) : I call for a vote on Point 6 of the French proposal. Any comments?

M. VYSHINSKY (U.S.S.R.) (Interpretation) : The Soviet Delegation has a few comments to make.

THE PRESIDENT (Interpretation) : Do you want a roll-call?

M. VYSHINSKY (U.S.S.R.) (Interpretation) : Yes.

(A vote was taken by roll-call).

(The result of the vote was as follows :

For : Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, United Kingdom, U.S.A.

Against : Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Point 6 of the French proposal was adopted by 15 votes to 6.)

*Point 7.* THE PRESIDENT (Interpretation) : I call for a vote on Point 7. Any comments?

M. BEBLER (Yugoslavia) (Interpretation) : I propose its deletion.

THE PRESIDENT (Interpretation) : We shall proceed to vote on point 7 of the French proposal.

(A vote was taken by roll-call).

(The result of the vote was as follows :

For : Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, United Kingdom, U.S.A., U.S.S.R.

Against : Byelorussia, Czechoslovakia, Poland, Ukraine, Yugoslavia.

Point 7 as drafted was therefore adopted by 16 votes to 5.)

*Point 8.* THE PRESIDENT (Interpretation) : We shall now proceed to point 8. Any comments?

M. VYSHINSKY (U.S.S.R.) (Interpretation) : The Soviet Delegation asks for a roll-call.

(A vote was taken by roll-call).

(The result of the vote was as follows :

For : Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, U.K., U.S.A.

Against : Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Point 8 was adopted by 15 votes to 6.)

*Point 9.* THE PRESIDENT (Interpretation) : Now we come to Point 9. Any remarks?

M. BEBLER (Yugoslavia) (Interpretation): There has been some discussion in connection with this item. I ask for a roll-call.

(A vote was taken by roll-call).

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, United Kingdom, United States of America.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Point 9 was therefore adopted by 15 votes to 6.

Point 10. THE PRESIDENT (Interpretation): We now come to Point 10. Are there any objections?

M. BEBLER (Yugoslavia) (Interpretation): The Yugoslav Delegation proposes that Point 10 of the French document be replaced by point 6 of the Yugoslav document (C.P. IT/P-Doc. 103, point 6—Nationality).<sup>25</sup> I ask that this point be read before voting.

(Point 6 was read out—See Doc. 103.)

THE PRESIDENT (Interpretation): We shall now vote on the Yugoslav proposal.

(A vote was taken by roll-call).

The result of the vote was as follows:

For: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, China, France, India, Netherlands, New Zealand, Norway, Union of South Africa, United Kingdom, U.S.A.

Abstained: Ethiopia, Greece.

The proposal of the Yugoslav Delegation was therefore not adopted by 13 votes to 6, with two abstentions.

M. VYSHINSKY (U.S.S.R.) (Interpretation): Mr. President, the Soviet Delegation submitted to the Political and Territorial Commission for Italy a text concerning citizenship of the Free Territory of Trieste. This text is to be found on page 42 of the Report of the Commission under paragraph 8. Since it differs from the text submitted by the Yugoslav Delegation, we ask for a vote on our text.

THE PRESIDENT (Interpretation): Do you wish it to be read?

M. VYSHINSKY (Interpretation): Yes. (The text was read out—see p. 43, Doc. 24, paragraph 8 at the bottom of the page.)

THE PRESIDENT (Interpretation): I put the proposal of the Soviet Delegation to the vote.

(A vote was taken by roll-call).

(The result of the vote was as follows:

For: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R.

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<sup>25</sup> For text, see vol. iv, p. 788.

Against: Australia, Belgium, Brazil, Canada, China, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, United Kingdom, United States.

Abstained: Ethiopia, Yugoslavia.

The proposal of the Soviet Delegation was therefore rejected by 14 votes to 5, with 2 abstentions.)

*Point 11.* THE PRESIDENT (Interpretation): We now come to point 11 divided into 4 sub-paragraphs. We shall therefore put each paragraph separately to the vote.

M. VYSHINSKY (U.S.S.R.) (Interpretation): The Soviet Delegation proposes that point 11 of the French text be replaced by the following text, which is to be found on p. 35 of the report.

"The international regime of the Port of Trieste must guarantee for all international trade, the use of the port and transit facilities of Trieste on conditions of parity, free zones being allocated to the neighbouring States of Yugoslavia and Italy".

THE PRESIDENT (Interpretation): I put this proposal to the Conference.

(A vote was taken by roll-call).

(The result of the vote was as follows:

For: Byelorussia, Czechoslovakia, Poland, U.S.S.R., Ukraine, Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, United Kingdom, United States.

The Soviet proposal was therefore not adopted by 15 votes to 6.)

M. BEBLER (Yugoslavia) (Interpretation): The Yugoslav Delegation proposes that point 11 of the French amendment be replaced by points 7 and 8 of the Yugoslav amendment in document 103.

"The Port of Trieste shall be an internationalised free port, and Yugoslavia shall be given the right to establish her free zone therein. The parts of the port, which do not serve the needs of international traffic, shall remain under the administration of the Free City.

The Statute of the Free Port of Trieste shall be approved by the Security Council.

The real union between Trieste and Yugoslavia shall be reflected in a monetary agreement, in a customs union, in a joint railway system, in a joint postal, telegraph and telephone service, in freedom of work and employment on a reciprocal basis, in unrestricted frontier traffic of persons and goods, in the obligation on the part of Yugoslavia to protect the interests of the Free City of Trieste abroad."

THE PRESIDENT (Interpretation): I put the proposal of the Yugoslav Delegation to the Conference.

(A vote was taken by roll-call).

(The result of the vote was as follows:

For: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, Netherlands, New Zealand, Norway, Union of South Africa, United Kingdom, United States.

The Yugoslav amendment was therefore not adopted by 15 votes to 6.)

THE PRESIDENT (Interpretation): I put point 11 of the French proposal to the Conference.

(A vote was taken by roll-call).

(The result of the vote was as follows:

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, U.K., U.S.A.

Against: Byelorussia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Czechoslovakia.

Point 11 was therefore adopted by 15 votes to 5 with 1 abstention.)

*Provisional Government.* THE PRESIDENT (Interpretation): We now come to the proposal with regard to the Provisional Government.

M. VYSHINSKY (U.S.S.R.) (Interpretation): The Soviet Delegation proposed that the un-numbered text in two paragraphs in the French proposal should be replaced by the following text, to be found on page 36 of the Commission's report, paragraph 9:

"An Inter-Allied Commission, composed of the representatives of the United Kingdom, United States, U.S.S.R. and France, shall be set up, which, after the entry into force of the Peace Treaty, will establish a Provisional Government of the Free Territory of Trieste; having consulted the local democratic parties and organizations".

THE PRESIDENT (Interpretation): I put the Soviet proposal to the Conference.

(A vote was taken by roll-call).

(The result of the vote was as follows—

For: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, United Kingdom, United States.

The Soviet proposal was therefore not adopted by 15 votes to 6.)

*Point A.* THE PRESIDENT (Interpretation): I put to the Conference Point A of the draft submitted by the French Delegation.

(A vote was taken by roll-call).

(The result of the vote was as follows:



For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, United Kingdom, United States of America.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Point A was therefore adopted by 15 votes to 6.)

*Point B.* THE PRESIDENT (Interpretation): I put Point B of the draft submitted by the French Delegation to the Conference.

M. BEBLER (Yugoslavia) (Interpretation): The Yugoslav Delegation objects to the adoption of this point and asks for a vote.

THE PRESIDENT (Interpretation): We shall take a vote by roll-call.

(The result of the vote was as follows—

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, Norway, Union of South Africa, U.K., U.S.A.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Point B was accordingly adopted by 15 votes to 6.)

*Section IV.* THE PRESIDENT (Interpretation): We will now take Section IV of the draft Peace Treaty. Any remarks?

Section IV is adopted.

*Soviet Amendment.* THE PRESIDENT (Interpretation): I call on M. Vyshinsky.

M. VYSHINSKY (U.S.S.R.) (Interpretation): I only ask that the Soviet proposal to be found on page 36 of doc. 24, should be inserted after the texts which have been adopted. The proposal reads as follows—

“The special duty of the Provisional Government shall be to arrange for elections for the National Assembly within a period of three months.”

THE PRESIDENT (Interpretation): I put this proposal to the Conference.

(A vote was taken by roll-call).

(The result of the vote was as follows—

For: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, China, Greece, India, Netherlands, New Zealand, Union of South Africa, United Kingdom, United States.

Abstained: Ethiopia, France, Norway.

The proposal of the Soviet Delegation was therefore not adopted by 12 votes to 6 with 3 abstentions.)

*Vote on the French Proposal as a Whole.* THE PRESIDENT (Interpretation) : I put to the Conference the French proposal as a whole.

(A vote was taken by roll-call)

(The result of the vote was as follows—

For : Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, U.K., U.S.A.

Against : Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

The French proposal was therefore adopted by 15 votes to 6.)

*Point V.* THE PRESIDENT (Interpretation) : There are still 2 points which have been adopted by the Commission. Point V was unanimously adopted.

MR. BYRNES (United States) I ask that the text be read (The following text was read out :—

“Paragraph 5. The Government shall be responsible for safeguarding the observance of the Statute of the Free Territory.

Paragraph 6—Legislative Power shall be vested in the Assembly which shall be elected by universal, equal, direct and secret vote.”

MR. BYRNES (United States) The English text reads “Government”. I would like to know whether there is a difference between the drafts.

I think it should read “Governor” instead of “Government”. In Document 24 on page 27 of the English text, the word in the amendment is “Governor”.

MR. BYRNES (United States) Mr. President, I am referring to the English text which appears on page 27 and which differs from that on page 36.

I wanted to call attention to it so that the Conference would know exactly what it was voting on.

THE PRESIDENT (Interpretation) The text referred to is that on Page 27 of document 24, revised version.

The text on page 36 of the English version, para. 5 is not that on which we are about to vote. There is a misunderstanding on this subject and the text on page 36 contains a printing mistake.

M. VYSHINSKY (U.S.S.R.) (Interpretation) Mr. President, when the Soviet Delegation submitted its amendments it took as a basis the Russian text and that text in both cases used the word “Governor” and not “Government”.

Article 5 on page 43 of the French text also uses “Gouverneur” and not “Gouvernement”.

The text reads as follows :—

“Le Gouverneur sera chargé de faire respecter le Statut du Territoire Libre”.

The Russian text on page 33 also uses the word "Governor" but in the translation there is a mistake for as regards the final draft approved by the Territorial and Political Commission for Italy, it mentions 18 votes to 1 with 1 abstention.

The second amendment adopted by the Territorial and Political Commission for Italy reads as follows "Legislative power shall be exercised by a popular Assembly elected by means of universal, equal, direct and secret suffrage, irrespective of sex, on the basis of proportional representation."

THE PRESIDENT (Interpretation) I am informed that in the English text there was a typing mistake.

I therefore think it necessary to explain on what text we are going to vote.

In Document 24 the text is to be found on page 34 of the French version. To avoid any mistake, we will have the text read once more before voting.

M. FOUQUES DUPARC (Secretary-General) Point 5. The Governor shall be responsible for the observance of the Statute of the Free Territory.

Point 6. Legislative power shall be exercised by a popular Assembly elected by means of universal, equal, direct and secret suffrage, irrespective of sex, on the basis of proportional representation."

THE PRESIDENT (Interpretation) Are there any observations?

MR. JEBB (U.K.) My Delegation circulated to the Commission the other day a paper explaining why it intends to abstain from voting on the second of these items, viz. the one which mentions proportional representation.

The members of the Conference will doubtless have had time to read this document since the vote was taken in the Commission. I ask therefore that the second amendment be voted on.

THE PRESIDENT (Interpretation) Do I understand the representative of the U.K. Delegation, Mr. Jebb, to mean that there is no objection on the part of his Delegation to the first point?

MR. JEBB (U.K.) That is the case, Mr. President.

THE PRESIDENT (Interpretation) Point 5 as read out is therefore adopted unanimously.

MR. JEBB (U.K.) Mr. President, we might perhaps avoid the need for a vote if you asked whether any other Delegation intends to abstain on the second point.

THE PRESIDENT (Interpretation) Delegations are entitled to state whether they wish to abstain from voting on point 6.

MR. WILGRESS (Canada) We will abstain if point 6 is put to the vote.

MR. MASON (New Zealand) The New Zealand Delegation will abstain from voting on point 6.

MR. JOSEPH BHORE (India) The Indian Delegation will also abstain.

M. TSALDARIS (Greece) The Greek Delegation will also abstain.

THE PRESIDENT (Interpretation) Therefore, in view of the abstentions which have been announced, point 6 is adopted.

*Article 17.* THE PRESIDENT (Interpretation) I put Article 17 to the vote. Are there any objections?

MR. BEASLEY (Australia) Mr. President: I am not asking for a roll-call but I wish to explain that the Australian Delegation will abstain in regard to part 3 of Article 17 for the reasons which will be submitted to the Secretariat.

M. TSIEN TAO (China) The Chinese Delegation has no objection to Article 17, but has already submitted the statement which it made before the Commission and which should be inserted in the Record of Decisions of the Plenary Conference.

MR. MASON (New Zealand) The New Zealand Delegation will abstain from voting on Clause 3 of Article 17 for the reasons given in the course of the discussion in the Commission.

DR. REGO BARROS (Brazil) The Brazilian Delegation will abstain from voting on Article 17 as a whole.

THE PRESIDENT (Interpretation) The statements which we have just heard on the part of several Delegations in regard to Article 17 will be included in the Record of Decisions of the Conference, but as no objection has been raised to Article 17 the latter is considered as adopted.

*Articles 18, 19 & 20.* THE PRESIDENT (Interpretation) We now come to Articles 18, 19 and 20 which were unanimously adopted with some amendments. Are there any objections? Since there are no objections, Articles 18, 19 & 20 are adopted.

*Article 21.* THE PRESIDENT (Interpretation) We shall now consider Article 21 which has been amended. This amendment was approved by 11 votes to one with 8 abstentions.

M. TSALDARIS (Greece) (Interpretation) Mr. President, the Greek Delegation desires a separate vote. We therefore request that a vote by roll-call be taken first on the amendment proposing the addition of the words "territorial integrity."

M. VYSHINSKY (U.S.S.R.) (Interpretation) The Soviet Delegation considers that we should neither discuss nor vote upon the Greek amendment since Article 21 has been adopted by the Commission and no amendment has been tabled. That is why we consider that we should vote on the text submitted by the Commission, and that we cannot entertain the Greek amendment which has just been put forward.

MR. ALEXANDER (U.K.) On the point raised by M. Vyshinsky, I can only observe that, when this was voted upon in the Commission, there were 8 abstentions because there had not been sufficient time to

study the amendments, and it seems to me eminently reasonable that those who have since had time to think about it should have a chance of voting.

M. VAN STARKENBORG (Netherlands) Mr. President, The Netherlands Delegation has the impression that M. Vyshinsky and the Greek Delegation are arguing at cross purposes. The point is that the Greek Delegation is not asking the Conference to consider a new proposal but to vote on the text of the amendment adopted by the Commission.

THE PRESIDENT (Interpretation)—Perhaps, I had better define the position clearly so that we may follow the rules of procedure. You are aware that it is now too late to table an amendment. In the Plenary meetings we can only vote on amendments which have already been tabled in the Commissions. I will therefore ask the Secretary-General if the amendment which is now being put forward by Greece has already been submitted to the Commission.

M. TSALDARIS (Greece) This is not a new amendment. It is an amendment which was submitted to the Commission by the Yugoslav Delegation and adopted by 10 votes to 9. The Greek Delegation is therefore not proposing an amendment but simply asking for a separate vote—first, on the amendment and then on the Article itself.

THE CHAIRMAN—I call upon the Secretary-General to give us some information on this point of voting procedure.

M. FOUQUES-DUPARC (Secretary-General) The original text of Article 21 of the Treaty was “Italy recognises and undertakes to respect the sovereignty and independence of the State of Albania”.

A Yugoslav amendment was submitted, proposing the insertion of the words “and territorial integrity” after the word “independence.” This amendment was discussed at the 34th meeting of the Political Commission and I see in the record of decisions that the Yugoslav amendment to Article 21 was adopted by 10 votes to 9 with one abstention.

The Conference must therefore decide if it approves the text of the Treaty with the amendment consisting in the addition of the words “and territorial integrity” after “sovereignty and independence”. The point raised by the Greek delegation is to apply in this case the provision in the Rules of Procedure that a separate vote is in order if a request is made to that effect.

M. BEBLER (Yugoslavia)—Gentlemen, I must first point out that the information just given by the Secretary-General is inaccurate. It is not true that this amendment was adopted by 10 votes to 9 and 1 abstention, it was in fact adopted by 11 votes to 1 (the Greek vote) and 8 abstentions.

But there is a more important question: the point raised by the Greek Delegation is based on a Yugoslav amendment. We consider that the Greek Delegation has no authority to do this. This is an amendment which we proposed to the Commission, which adopted it by a majority of 11 votes to 1, and it is consequently no longer an amendment. We therefore have before us a text adopted by the Commission and I ask that we vote upon this text.

THE PRESIDENT (Interpretation)—After hearing the explanations of the Secretary-General, I will now ask the Conference if it wishes to vote in accordance with the Greek proposal, that is, separately on the amendment and on the Article. I will put to the vote the amendment adopted by the Commission, that is, the inclusion of the words "territorial integrity".

(A vote was taken by roll-call).

The result of the vote was as follows:

Against: Australia, Belgium, Brazil, Canada, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, U.K., U.S.A.

For: Byelorussia, Czechoslovakia, Ethiopia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: China.

The Yugoslav amendment was therefore not adopted by 13 votes to 7 with 1 abstention.

THE PRESIDENT (Interpretation) I will now put to the vote the Article without the amendment and ask if there are any objections to this article. Any remarks?

Article 21 is adopted.

Article 22. THE PRESIDENT (Interpretation)—I will now put Article 22 to the vote.

M. TSALDARIS (Greece)—I ask for the vote on this Article to be taken by roll-call.

THE PRESIDENT (Interpretation)—We will therefore vote by roll-call in accordance with the Greek Delegate's request.

(A vote was taken by roll-call).

The result of the vote was as follows:

For: Byelorussia, Brazil, Czechoslovakia, Ethiopia, France, India, Norway, Poland, Ukraine, U.K., U.S.A., U.S.S.R., Yugoslavia.

Against: Greece, Union of South Africa.

Abstained: Australia, Belgium, Canada, China, Netherlands, New Zealand.

Article 22 was therefore adopted by 13 votes to 2 with 6 abstentions.

Article 23. THE PRESIDENT (Interpretation)—We will now vote on Article 23 with an addition which has already been adopted unanimously. Any remarks?

The Article is adopted.

*Article 24. THE PRESIDENT (Interpretation)*—We will now vote on Article 24. Any objections?

Article 24 is adopted.

*Article 25. THE PRESIDENT (Interpretation)*—We will now vote on Article 25.

M. BEBLER (Yugoslavia)—The Albanian Delegation had proposed the insertion of a new Article between Article 24 and Article 25. The text of this Article appears in Doc. Gen. 7 and reads as follows:

“The Italian Government undertakes to restore to the Albanian Government the gold reserves of the National Bank of Albania.”

I propose that this additional Article submitted by the Albanian Delegation be put to the vote.

THE PRESIDENT (Interpretation)—This Article and this proposal have already been discussed by the Commission. I call upon the Secretary-General to give us some information on this matter.

M. FOUQUES DUPARC (Secretary-General) Mr. President, I have just been advised by the Political Commission for Italy that the proposal in question had been referred to the Economic Commission for Italy; I would like to consult with the latter in order to obtain additional information.

THE PRESIDENT (Interpretation)—I propose that we revert to this question at our next meeting when we shall have all the information relating to the consideration of this matter by both the Political and Economic Commissions.

MR. BYRNES (U.S.A.)—Mr. President, the Economic Commission's report on its consideration of these questions appears on page 57 of the English text of its report.

M. BEBLER (Yugoslavia) (Interpretation)—And on page 60 of the French text of the Economic Commission's report.

M. VYSHINSKY (U.S.S.R.) (Interpretation)—And on page 52 of the Russian text of the Economic Commission's report.

THE PRESIDENT (Interpretation)—What is the Yugoslav Delegation's proposal?

M. BEBLER (Yugoslavia)—The report of the Economic Commission for Italy is perfectly clear. It says on page 60 that the Commission has considered the Albanian proposal supported by the Yugoslav Delegation for the inclusion of an additional Article 24(*b*) stipulating the restitution of any gold reserves of the National Bank of Albania located in Italy.

The text of the Albanian Delegation which we support reads as follows:

“Italy undertakes to restore to Albania the gold reserves of the National Bank of Albania.”

We ask the Conference to vote on the following question: should we or should we not insert an additional Article, with the text I have just indicated, between Articles 24 and 25.

THE PRESIDENT (Interpretation)—I will therefore ask the Conference to vote on the Yugoslav motion that an additional Article 24(*b*) be included in the treaty.

(A vote was taken by roll-call).

The result of the vote was as follows:

For: Byelorussia, Czechoslovakia, Ethiopia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, China, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, U.K., U.S.A.

Abstained: France.

The Conference therefore decided by 13 votes to 7 with 1 abstention not to include an additional Article 24(*b*) in the text of the Peace Treaty.

*Article 24.* (Adopted)

*Article 25.* (Adopted)

*Article 25a.* THE PRESIDENT (Interpretation)—I call upon the Delegate of Yugoslavia.

M. BEBLER (Yugoslavia)—The Yugoslav Delegation asks the Conference to vote on an amendment which it had already proposed to the Commission for the insertion of a new Article 25*a*. This Article reads as follows:

“For the purposes of this Treaty Albania shall be considered as an Associated Power.”

THE PRESIDENT (Interpretation)—I ask the Conference to vote on Article 25*a* as proposed by the Yugoslav Delegation.

(A vote was taken by roll-call).

The result of the vote was as follows:

For: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, China, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, U.K., U.S.A.

Abstained: Ethiopia.

Article 25*a* was therefore not adopted by 14 votes to 6 with 1 abstention.

*Article 26.* (Adopted)

*Article 27.* (Adopted)

*Article 28.* (Adopted)

*Article 29.* (Adopted)

*Article 30.* (Adopted)



MR. BYRNES (U.S.A.)—May I ask if the President intends to have a session tonight at 9.30, and if so, if he has given consideration to the fact that we will be back here at 9.30. In that case we had better adjourn shortly.

THE PRESIDENT (Interpretation)—I must admit that I had hoped to finish the consideration of the Political articles at this meeting and to begin the next meeting at 10 p. m. instead of 9.30 p. m. We could thus begin consideration of the military articles at this evening's meeting.

*Article 31.* THE PRESIDENT (Interpretation)—We will now take Article 31 in regard to which the Political Commission has adopted one amendment unanimously and the Economic Commission has adopted an additional clause by 9 votes to 7 and 4 abstentions. Any remarks?

The amendment to the first part of Article 31, made by the Political Commission, is adopted.

We will now deal with the second part of Article 31 as drafted by the Economic Commission.

(This text was read out).

M. VYSHINSKY (U.S.S.R.) (Interpretation)—I ask that a vote by roll-call be taken on this article. The Soviet Delegation intends to raise objections to the second part of the Article.

THE PRESIDENT (Interpretation)—I will put this part of Article 31 to the vote.

(A vote was taken by roll-call).

The result of the vote was as follows:

For: Australia, Belgium, Canada, Ethiopia, India, Netherlands, New Zealand, Norway.

Against: Byelorussia, Brazil, France, Greece, Ukraine, U.K., U.S.A., U.S.S.R., Yugoslavia.

Abstained: China, Czechoslovakia, Poland, Union of South Africa.

The second part of Article 31 was therefore not adopted by 9 votes to 8 with 4 abstentions.)

*Article 32.* (Adopted)

*Article 33.* MR. STIRLING (Australia)—The Australian Delegation will abstain from voting on Article 33 and requests, in accordance with para. 7 of the Rules of Procedure adopted at the last session of the Plenary Conference, that the reasons for its abstention which have already been lodged with the Secretariat be inserted in the records of this meeting.

MR. JORDAN (South Africa)—Mr. President, the South African Delegation also abstains from voting on Article 33.

M. POSWICK (Belgium)—Mr. President, the Belgian Delegation also abstains from voting on Article 33.

MR. MASON (New Zealand)—Mr. President, the New Zealand Delegation wishes to abstain from voting on this Article.

THE PRESIDENT (Interpretation)—A note of all these statements will be included in the records of this meeting.

As there is no opposition to Article 33, it will be considered as adopted.

Article 34. THE PRESIDENT (Interpretation)—We will now take Article 34.

M. VAN STARKENBORG (Netherlands)—The Netherlands Delegation wishes to abstain.

THE PRESIDENT (Interpretation)—Any other remarks? Article 34 is adopted.

Articles 35, 36 & 37. THE PRESIDENT (Interpretation)—The Conference will now consider Articles 35, 36 and 37. Any remarks?

Articles 35, 36 & 37 are adopted.

Gentlemen, the meeting is adjourned until tonight at 10 p. m.

(The meeting rose at 8:30 p. m.)

#### FORTY-EIGHTH MEETING OF THE ECONOMIC COMMISSION FOR THE BALKANS AND FINLAND, OCTOBER 9, 1946, 9 P. M.

[See the editorial note on page 819.]

#### THIRTY-SIXTH PLENARY MEETING, OCTOBER 9, 1946, 9:30 P. M.

CFM Files

#### *Verbatim Record*

C.P.(Plen) 36

President: M. Molotov

THE PRESIDENT (Interpretation): The meeting is open.

PEACE TREATY WITH ITALY—(Continuation of voting)<sup>26</sup>

THE PRESIDENT (Interpretation): The Plenary Conference will continue to vote on the Articles of the Peace Treaty with Italy.

Article 38.—THE PRESIDENT (Interpretation): We now come to Part III of the Treaty concerning War Criminals.—Article 38.

(The President (Interpretation) invites the Chairman and *Rapporteur* of the Military Commission to come to the platform).

THE PRESIDENT (Interpretation): Article 38 has been amended by the Commission.

<sup>26</sup> Regarding voting procedure and citations to relevant documentation, see the editorial note, p. 702.

I call on the Yugoslav Delegate.

M. BEBLER (Yugoslavia) (Interpretation) : The Yugoslav Delegation has no objections to this Article, but proposes that another vote should be taken on the paragraph which it suggested adding to the end of the Article. This amendment will be found on page 47 of the Report of the Political and Territorial Commission for Italy, and is as follows :

“Albania shall also benefit by the provisions of this Article”.

We request that this amendment be put to the vote.

THE PRESIDENT (Interpretation) : I will put it to the Conference.

(A vote was taken by roll-call).

(The result of the voting was as follows :

For : Byelorussia, Canada, Czechoslovakia, Ethiopia, Norway, Poland, Ukraine, Yugoslavia.

Against : Australia, Belgium, Brazil, China, France, Greece, India, Netherlands, New Zealand, Union of South Africa, U.K., U.S.A., U.S.S.R.

The amendment was rejected by 13 votes to 8).

I will now put Article 38 to the vote.

(Article 38 was adopted).

Article 39.—THE PRESIDENT (Interpretation) : We now take Part IV : Naval Military and Air Clauses.

Article 39 was adopted by the Commission without amendment. Any remarks?

(Article 39 was adopted).

Article 40.—THE PRESIDENT (Interpretation) : Any remarks on Article 40?

(Article 40 was adopted).

Article 41.—THE PRESIDENT (Interpretation) : An amendment to Article 41 was unanimously adopted by the Commission.

Any remarks?

(The amended Article 41 was adopted).

Article 42.—THE PRESIDENT (Interpretation) : I call on the U.S.S.R. Representative to speak on Article 42.

M. VYSHINSKY (U.S.S.R.) (Interpretation) : The original text of Article 42 stated that the Pelagian Islands (Lampedusa, etc.) shall be and shall remain completely demilitarised.

But a small correction was made, and only the word “demilitarised” was left, so that the word “completely” does not appear in the text. The Military Commission discussed this point, and considered that the word “demilitarised” was sufficient.

I therefore consider that this slight amendment should be made to Article 42.

THE PRESIDENT (Interpretation) : If there are no objections, the Article will be put to the vote as amended.

(Article 42 was unanimously adopted).

*Article 43.*—THE PRESIDENT (Interpretation) : Any remarks on Article 43?

(The Article was adopted).

*Article 44 and 45.*—THE PRESIDENT (Interpretation) : Any remarks on Articles 44 and 45?

(The Articles were adopted).

*Article 46 a).* THE PRESIDENT (Interpretation) : Any remarks on Article 46 a) ?

(The Article 46 a) was adopted).

*Article 46 b).* THE PRESIDENT. (Interpretation) : Any remarks on Article 46 b) ?

(The Article 46 b), was adopted).

*Article 47.*—THE PRESIDENT (Interpretation) : Any remarks on Article 47?

(The Article 47 was adopted).

*Article 48.*—THE PRESIDENT (Interpretation) : Any remarks on Article 48?

MR. HODGSON (Australia)—Mr. President, the Australian Delegation wishes to record its abstention on Article 48.

MR. THERON (Union of South Africa) : The South African Delegation wishes to associate itself with that.

THE PRESIDENT (Interpretation) : Are there any other remarks? (Article 48 was adopted with these reservations).

*Article 49.*—THE PRESIDENT (Interpretation) : The amendments to this Article by the Commission have been unanimously adopted.

Any remarks on this Article?

(Article 49 was adopted).

*Article 50.*—THE PRESIDENT (Interpretation) : The Commission adopted two paragraphs of Article 50, and also made an amendment to paragraph 6. The Commission was unanimous.

Are there any remarks?

(Article 50 as amended was adopted).

*Article 51.*—THE PRESIDENT (Interpretation) : The Commission has unanimously adopted an alteration to paragraph 2 of Article 51.

Are there any remarks on this Article?

(Article 51 was adopted).

*Article 52.*—THE PRESIDENT (Interpretation) : The Commission has not made any alteration to this Article. Any remarks?

(Article 52 was adopted).

*Articles 53 to 62.*—THE PRESIDENT (Interpretation) : Articles 53 to

62 have been adopted unanimously without alteration by the Commission.

Is a separate vote on each Article requested?

MR. HODGSON (Australia) : We do not ask for a vote to be taken Article by Article, but we should like it to be recorded that the Australian Delegation will abstain on Article 58.

THE PRESIDENT (Interpretation) : The Australian Delegation's request has been noted. Any other remarks?

(Articles 53 to 62 were adopted).

Article 62 A) THE PRESIDENT (Interpretation) : Article 62 A is a new Article adopted unanimously by the Commission. I put it to the vote. Any objections?

(Article 62 A was adopted).

Article 63.—THE PRESIDENT (Interpretation) : Article 63 has been adopted unanimously by the Commission, without alteration.

Any objections to this Article?

(Article 63 was adopted).

*Economic Clauses.* THE PRESIDENT (Interpretation) : We have now completed the consideration of the Articles concerning the military clauses. We shall now proceed to consider the Articles dealing with economic clauses.

(At the request of the President, the Chairman and *Rapporteur* of the Economic Commission for Italy came to the platform).

Article 64.—THE PRESIDENT (Interpretation) : No alteration was made in paragraph 1 of section A.

Are there any remarks? (Paragraph 1 was adopted).

In Paragraph 2, points *a*) and *b*) have not been amended. Any remarks?

(Points *a*) and *b*) were adopted).

The Commission made an addition to point *c*) which was adopted unanimously. I put to the vote the text with this addition (Point *c*) as amplified by the Commission was adopted.

The Commission made no comment on Paragraphs 3, 4 and 5. Any remarks?

(Paragraphs 3, 4 and 5 were adopted).

A sixth Paragraph was added by the Commission. I put it to the vote.

(Paragraph 6 was adopted).

We now pass to Section B.

Paragraph 1 and 2 were adopted unanimously by the Commission.

VISCOUNT HOOD (United Kingdom) : Paragraph 1 of Section B) of this Article does not contain any reference to the exact figure of the reparations for the four countries mentioned in this paragraph.

The United Kingdom Delegation suggests that, after voting on Paragraph 1 of Part B, the Conference should vote on the British proposal adopted by the Economic Commission, to fix the aggregate figure for the reparation due to the four countries in question, at 225 million dollars. The United Kingdom Delegation also suggests that the Conference should confirm the vote unanimously adopted in the Economic Commission that the reparation payments to Ethiopia should be fixed at 25 million dollars. The Delegation suggests in conclusion that a third vote be then taken to decide that the balance of 200 million dollars should be equally divided between Greece and Yugoslavia.

M. BEBLER (Yugoslavia) (Interpretation): I believe that the suggestion of the United Kingdom Delegation would involve us in a method which is not of the simplest. We first vote on the total amount, then on the share to be allocated to one of the countries, and lastly, on the division of the balance between the two others. This seems to me very complicated.

There is a much simpler way, namely, to take the countries specified one by one, and to vote on certain figures proposed for those four countries. One advantage of this method is that it is clear and simple; moreover it does not—like the British proposal—exclude one of the four countries. Otherwise we should not be voting on the reparation to be given to Albania, which would not be loyal.

The Plenary Conference must be allowed to vote on the question of Albanian reparation. Let me remind you that the voting in the Commission on this question was divided 10 votes to 10. We must therefore take a vote in the Plenary Conference on this point.

M. VYSHINSKY (U.S.S.R.) (Interpretation): The Soviet Delegation thinks that the method of allocating reparation to Yugoslavia and Greece, as proposed by the United Kingdom Delegation is unfair. We are considering the question of reparation payments to be made to Greece, Yugoslavia and Ethiopia.

Without mentioning absolute figures, I wish to point out that a figure must first be fixed for Albania in the same way as for Ethiopia, further, the proportion of reparation payments to be made to Yugoslavia and Greece should be, not as the United Kingdom Delegate has suggested in the proportion of one to one, but of two to one. I shall have another occasion to refer to the absolute figures.

THE PRESIDENT (Interpretation): The Chairman of the Economic Commission tells me that, the Commission considered the problem in the order as set out in the Article, namely, beginning with Albania, and then taking the other countries. He considered that the Plenary should adopt the same order. We will take the vote in this order; beginning with Albania.

M. BEBLER (Yugoslavia) (Interpretation): The Yugoslav Delegation associates itself with the proposal made in the Economic Commission to fix the amount of Italian reparation payments to be allocated to Albania at 25 million dollars. We ask that this proposal be put to the vote.

M. COUVE DE MURVILLE (France) (Interpretation): The French Delegation renews its proposal made in the Commission, to allocate a sum of 5 million dollars to Albania. If the Yugoslav proposal is put to the vote first and not adopted by the Conference. I ask that the proposal of the French Delegation be put to the vote.

VISCOUNT HOOD (United Kingdom): The U.K. proposal is that Albania should receive no dollars. If the Yugoslav and French proposals are rejected, I ask that the United Kingdom proposal be then put to the vote.

THE PRESIDENT (Interpretation): I put the Yugoslav proposal to allocate 25 million dollars to Albania, to the Conference.

(A vote was taken by roll-call).

(The result of the vote was as follows:

For: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, France, Greece, India, Netherlands, New Zealand, Union of South Africa, United Kingdom, United States.

Abstentions: China, Ethiopia, Norway.

(The Yugoslav proposal was therefore rejected by 12 votes to 6 with 3 abstentions).

THE PRESIDENT (Interpretation): We will now vote on the French proposal for 5 million dollars.

M. FISA (Czechoslovakia) (Interpretation): The Czechoslovak Delegation proposes 10 million dollars.

MR. BYRNES (U.S.A.) I should like to ask whether, or not either of these Amendment[s] was proposed in the Commission?

THE PRESIDENT (Interpretation): This Amendment for granting 10 million dollars as reparation to Albania was not submitted to the Commission, and consequently cannot be voted on.

M. BEBLER (Yugoslavia) (Interpretation): I think that when figures are being considered, we cannot treat such Amendments in the same way as amendments which have a different meaning. The amendments do not contradict one other [*another?*]: 10 millions are a part of 25 millions (laughter). Consequently, we can consider this Amendment.

THE PRESIDENT (Interpretation): I believe that such a proposal would be supported by several Delegations; unfortunately, we have

adopted certain rules for voting; I cannot, therefore, put this proposal to the vote, because it would conflict with the Rules of Procedure. We shall now vote on the French proposal for allocating 5 millions to Albania.

(A vote was taken by roll-call).

(The result of the vote was as follows:

For: Byelorussia, China, Czechoslovakia, Ethiopia, France, India, Poland.

Against: Australia, Belgium, Brazil, Canada, Greece, Netherlands, New Zealand, Ukraine, United Kingdom, Union of South Africa, United States, Yugoslavia.

Abstained: Norway.

The Proposal was rejected by 12 votes to 7, with 1 abstention).

THE PRESIDENT (Interpretation): We shall now vote on the U.K. proposal.

MR. BYRNES (U.S.A.) I do not quite understand what we are voting on. I should like to have the text of the proposal in hand [*hand?*].

THE PRESIDENT (Interpretation): The U.K. proposal is in favour of not fixing any amount of reparation for Albania. Have I understood it rightly?

LORD HOOD (U.K.): The United Kingdom proposal is that Albania should receive no reparation payments under Article 64.

THE PRESIDENT (Interpretation): I put the proposal to the Assembly.

(A vote was taken by roll-call).

Against: Byelorussia, China, Czechoslovakia, Ethiopia, France, India, Poland, Ukraine, U.S.S.R., Yugoslavia.

For: Australia, Belgium, Brazil, Canada, Greece, Netherlands, New Zealand, Union of South Africa, U.K., U.S.A.

Abstention: Norway.

THE PRESIDENT (Interpretation): Consequently, the proposal is not adopted: as there are 10 votes for, and 10 against, with 1 abstention.

The Council of Foreign Ministers will therefore be free to decide the matter as the Conference has not taken any decision. We will now take the question of reparation for Ethiopia. Are there any proposals?

The Commission decided to allocate 25 million dollars to Ethiopia. Are there any objections?

THE DELEGATE OF INDIA: I move that a sum of 35 million dollars be allocated to Ethiopia for reparation.

THE PRESIDENT (Interpretation): This proposal was submitted to the Commission; the Plenary can therefore vote on it. We shall first vote on the proposal of 35 million dollars, the most favourable to Ethiopia.



(A vote was taken by roll-call). (The result of the vote was as follows:

Against: Belgium, Brazil, Byelorussia, Canada, France, Greece, Netherlands, New Zealand, Union of South Africa, U.K., U.S.A., U.S.S.R.

For: Australia, China, Czechoslovakia, Ethiopia, India, Poland, Yugoslavia.

Abstention: Norway, Ukraine.)

THE PRESIDENT (Interpretation): The proposal is not adopted; there are 12 votes against, 7 in favour, with 2 abstentions.

We shall now vote on the proposal to allocate 25 million dollars to Ethiopia as reparation.

Are there any objections?

M. TERJE WOLD (Norway): The Norwegian Delegation wishes to explain that it will abstain from voting on the amounts to be allocated to Ethiopia and the other three countries mentioned in Article 64 B.

THE PRESIDENT (Interpretation): We note the Norwegian Delegation's explanation, and if there are no other objections, we shall consider that the amount of 25 million dollars for reparation to Ethiopia is adopted.

We now come to reparation for Greece. Are there any proposals?

MR. ALEXANDER (U.K.): I move that the sum of one hundred million dollars be allocated to Greece.

THE PRESIDENT (Interpretation): Are there any objections to the proposal for 100 million dollars?

MR. VYSHINSKY (U.S.S.R.) (Interpretation): The Soviet Delegation has already made a proposal regarding the ratio of reparations to be paid to Greece and Yugoslavia. It seems to me that we might do this before giving definite figures. It would be useful to determine the relative proportion of reparations to be paid to Greece and Yugoslavia, and then to deal with the question of the actual amount.

THE PRESIDENT (Interpretation): Mr. Vyshinsky has proposed that, before voting on the total amounts to be allocated to Greece and Yugoslavia, we should determine the ratio of these two amounts. I am told that the Economic Commission has examined the question under this aspect. The Chairman of the Economic Commission considers that the Plenary Conference should also deal with the question in this order, that is, first, to determine the proportions of the amounts allocated to Yugoslavia and Greece, before taking a decision as to the total amount.

MR. ALEXANDER (U.K.): I am quite agreeable and I move that the proportion be equal for both countries.

THE PRESIDENT (Interpretation): We will now vote on the proposals in their order. The first proposal is to determine the proportion of reparations to be paid to Greece and Yugoslavia, this proportion being 2 to 1.<sup>27</sup> We will first vote on this motion. (The vote was taken by roll-call)

(The result of the vote was as follows:

For: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, New Zealand, Netherlands, South Africa, U.K., U.S.A.

Abstained: Norway.

The proposal is therefore rejected by 14 votes to 6, with 1 abstention).

I will now put to the vote the U.K. proposal to give an equal share of reparations to Yugoslavia and Greece.

(The vote was taken by roll-call)

(The result of the vote was as follows:

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, N. Zealand, Netherlands, South Africa, U.K., U.S.A.

Against: Byelorussia, Yugoslavia.

Abstained: Czechoslovakia, Norway, Poland, Ukraine, U.S.S.R.)

The proposal is therefore adopted by 14 votes to 2, with 5 abstentions. What are the proposals concerning the reparation to be allocated to Yugoslavia?

MR. BEBLER (Yugoslavia) (Interpretation): The Yugoslav Delegation requests that we vote on the proposal which they already made in Commission for fixing the amount of reparations at 400,000,000 dollars.

THE PRESIDENT (Interpretation): In the Commission, a vote was taken on the amount of 400,000,000 dollars, regardless of the proportions to be given to Yugoslavia and Greece. Are there any objections to our proceeding in this manner?

MR. J. F. BYRNES (U.S.A.): I should like to know what has become of the third proposal, fixing the amount of reparations for Greece. Before we proceed to fix the amount for Yugoslavia, I think we should discuss the amount of reparations to be fixed for Greece. It is third on the list.

THE PRESIDENT (Interpretation): Mr. Byrnes is quite right, we must, of course, first vote on the amount to be allocated to Greece, in accordance with the order in which the proposals were submitted. I

<sup>27</sup> The ratio proposed by the Soviet Delegation was two for Yugoslavia to one for Greece; see the United States Delegation Journal account of the 38th Meeting of the Economic Commission for Italy, October 4, p. 674.

have only one proposal, that of the U.K., fixing the amount of reparations to Greece at 100,000,000 dollars. If there are no other proposals, we shall vote on the U.K. proposal.

(The vote was taken by roll-call)

(The result of the vote was as follows:

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, New Zealand, Netherlands, South Africa, U.K., U.S.A., Yugoslavia.

Abstained: Byelorussia, Czechoslovakia, Norway, Poland, Ukraine, U.S.S.R.)

The U.K. proposal is, therefore, adopted by 15 votes and 6 abstentions. Following the order chosen by the Economic Commission, we will now vote on the allocation to Yugoslavia of 400,000,000 dollars).

MR. ALEXANDER (U.K.): We have just been asked to take the vote in exactly the opposite order. We first decided upon the ration, that question was decided by the Conference vote for parity. We then fixed the amount of the reparations for Greece; it follows that the amount of reparations for Yugoslavia is necessarily the same. It was so decided by the Conference.

MR. BEBLER (Yugoslavia) (Interpretation): These are not "decisions" as Mr. Alexander says, but recommendations. The President has ruled that, according to the principle adopted by the Commission, the vote on the amount is independent of the vote on the ratio. There was no opposition when the President made this remark. Another reason is that the minority which voted against the parity proposal is not bound to abide by this proportion. We desire a vote on the amount regardless of the recommendation adopted by the majority. I think this is plain logic. I ask that the vote be taken on the amount of reparations to Yugoslavia which was proposed in Commission.

THE PRESIDENT (Interpretation): When I suggested a vote on the proposal already made in the Economic Commission to allocate 400,000,000 dollars to Yugoslavia for reparations, I was referring to a precedent. The Economic Commission considered the ratio of reparations to Yugoslavia and Greece, apart from the question of the total amount. That is why I asked the Plenary Conference if there was any objection to proceeding in the same order.

Is there any objection to our voting on the amount of 400,000,000 dollars as reparation payment to Yugoslavia? If there are any, we cannot take a vote.

MR. ALEXANDER (United Kingdom): In the Commission the vote on the sum of 400,000,000 dollars for Yugoslavia was taken before the vote on the question of the ratio. Tonight, at the request of the Dele-

gates and of the Chair, this Conference has taken a decision upon the ratio; and after having decided on parity between Greece and Yugoslavia, has also carried the sum of 100,000,000 dollars for Greece. Since both questions have been settled, it is illogical and impossible to vote again.

THE PRESIDENT (Interpretation) : If there is any opposition, I shall not put to the vote the proposal concerning the payment of 400,000,000 to Yugoslavia. I hope, M. Bebler, that the point is now quite clear.

M. BEBLER (Yugoslavia) (Interpretation) : I quite understand, but I do not think the proposal of the U.K. Delegate is quite logical, if he considers that after having adopted the motion for parity, any vote on the amount must automatically apply both to Greece and Yugoslavia. If this was the case, we should have begun by voting on the highest figure, as we did for the other reparation payments. We first voted on 25,000,000 then on 10,000,000, and so on. We should therefore have started by 400,000,000 and worked downwards. We ask that a vote should be taken on this motion on which the Commission voted. A vote has been taken on the ratio, the majority adopted a ratio; but we ask that a vote be taken on the amount because we, as a minority, do not feel bound by your vote. This seems quite logical to me. Your logic consists in making the vote of the majority binding on the whole Conference.

MR. ALEXANDER (U.K.) : We have voted according to a ruling of the President. I do not know what my friend thinks of logic, but I think his idea of parity is that one rabbit equals one horse.

THE PRESIDENT (Interpretation) : I must say that I have heard the views of the Chairman and the *Rapporteur* of the Economic Commission on this question, and they both consider it would be advisable to vote on the amount of 400,000,000 dollars and also feel that we should begin with a higher figure, whereas we have only voted on the amount of 100,000,000 dollars. There is a proposal for 400,000,000; we should therefore vote on the higher figure, and then work downwards. I repeat that the Chairman and the *Rapporteur* are in favor of this procedure.

MR. VYSHINSKI (U.S.S.R.) (Interpretation) : May I add one or two words? According to our rules of procedure, and apart from the decision of the majority, the minority is entitled to insist upon the Conference voting on a proposal, if such a proposal has been submitted to a Commission and voted upon. This is not a question of equality between horses and rabbits, but between human beings.

The second point is this: with regard to the substance of the question, Mr. Alexander seems to think that if the principle of parity has been adopted, and the reparations allocated to Greece also fixed

at 100,000,000, it follows that the amount allocated to Yugoslavia is settled automatically. If the Yugoslav proposal is adopted, I do not believe in miracles,—but they sometimes happen,—and the amount was thus fixed at 400,000,000, this would imply that Greece would also receive 400,000,000.

The two countries would thus be given parity on the basis of 400,000,000, instead of 100,000,000. This argues in favour of voting on the Yugoslav proposal which the Soviet Delegation supports; we therefore propose a vote be taken on the amount of 400,000,000.

THE PRESIDENT (Interpretation): All these considerations seem to prove that we had better vote on the amount proposed by the Yugoslav Delegation, that is, on the highest figure of reparations to be allocated to Yugoslavia. We will therefore vote on the amount of 400,000,000 dollars each to Yugoslavia and Greece.

(The vote was taken by roll-call).

(The result of the vote was as follows:

For: Byelorussia, Czechoslovakia, Greece, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, China, France, Norway, New Zealand, Netherlands, South Africa, U.S.A., United Kingdom.

Abstained: Ethiopia, India.

The Yugoslav proposal was therefore rejected by 12 votes to 7, with 2 abstentions).

THE PRESIDENT (Interpretation): We will now deal with the next question: is there any opposition to the second paragraph?

(The paragraph was adopted.)

We will now deal with paragraph 3. This paragraph was adopted by the Commission by 18 votes to 2. Does anyone wish to speak?

(Paragraph 3 was adopted.)

THE PRESIDENT (Interpretation): An Australian amendment to paragraph 2 [a portion of C.P.(Gen.)Doc.1.B.10] was adopted in the Commission by 12 votes to 6, with 2 abstentions. Does anyone wish to speak on this amendment?

M. BEBLER (Yugoslavia) (Interpretation): We oppose this amendment, and ask that a vote be taken.

MR. BEASLY (Australia): Is the connection quite clear to the Delegate of Yugoslavia when he raises the objection, for it appears in the report circulated that the distinction between the adoption of Section A and B is not quite clear, and that this is why he is raising the objection. Perhaps the Secretary-General could throw some light on this point.

THE PRESIDENT (Interpretation): Does the Delegate of Australia

insist on the text referred to being read out or does he consider that the explanations given are sufficient.

MR. BEASLY (Australia) : It is a long reference. I do not want to waste the time of the Conference; if the Secretary-General would briefly explain the difference between parts A and B, this would be sufficient.

THE PRESIDENT (Interpretation) : I ask the Conference to vote on the Australian amendment to Paragraph 3.

MR. BARTOS (Yugoslavia) (Interpretation) : We do not see clearly the object of voting.

THE PRESIDENT (Interpretation) : There is an Australian amendment to Paragraph 3, of Section B. This amendment was adopted by the Economic Commission by 12 votes to 6, with 2 abstentions. It proposes the creation of an Italian Reparations Commission. I will put it to the vote.

(The vote was taken by roll-call).

(The result of the vote was as follows :

For : Australia, Belgium, Brazil, Canada, Ethiopia, Greece, India, New Zealand, Netherlands, South Africa, U.K., U.S.A.

Against : Byelorussia, China, Czechoslovakia, France, Norway, Poland, Ukraine, U.S.S.R., Yugoslavia.

The Australian amendment was therefore adopted by 12 votes to 9).

THE PRESIDENT (Interpretation) : Does anyone wish to speak on para. 4 of Section B? I will put it to the vote.

(Paragraph 4 was adopted).

(Paragraphs 5, 6, and 7 were successively put to the vote and adopted).

*Section C.* THE PRESIDENT (Interpretation) : Section C is an additional one, which was adopted in Commission by 14 votes to 6. I will put it to the vote.

(The vote was taken by roll-call).

(The result of the vote was as follows :

For : Byelorussia, China, Czechoslovakia, Ethiopia, France, India, Netherlands, New Zealand, Norway, Poland, Ukraine, U.S.A., U.S.S.R., Yugoslavia.

Against : Australia, Belgium, Brazil, Canada, Greece, South Africa, United Kingdom.

Section C was therefore adopted by 14 votes to 7).

*Section D.* THE PRESIDENT (Interpretation) : We now come to Section D. Paras. 1 and 2 are additional ones, unanimously adopted by the Commission.

M. TERJE WOLD (Norway) : The Norwegian Delegation asks that it be inserted in the Minutes that it is voting for Article 64D subject to

the explanation given in a written declaration to the Secretary-General.

THE PRESIDENT (Interpretation): This has been duly noted. Does anyone else wish to speak on Section D?

(Section D was adopted).

I will now put Art. 64 to the vote. (Art. 64 was adopted)

Article 65. THE PRESIDENT (Interpretation): Does anyone wish to speak on Article 65?

(Article 65 as a whole was adopted).

Article 66. THE PRESIDENT (Interpretation): Does anyone wish to speak on Article 66?

(Article 66 as a whole was adopted).

Article 67. THE PRESIDENT (Interpretation): The first two sub-paragraphs of Article 67 were adopted by the Commission without alteration. Sub-paragraph 3 is an additional one, adopted by 15 votes to 5, with 2 abstentions.

M. BEBLER (Yugoslavia) (Interpretation): We oppose sub-paragraph 3, as adopted by the Commission, and ask for a vote. We also ask for a vote on the Yugoslav amendment proposing to alter the last sub-paragraph of Art. 67 which deals with German assets in Italy.<sup>28</sup>

THE PRESIDENT (Interpretation): In accordance with the Yugoslav proposal, we will now vote on the amendment concerning the last part of Art. 67, as adopted by the Commission. I gather that M. Bebler would like us to vote on the amendment, as adopted by the Commission, and then vote on his own amendment.

M. BEBLER (Yugoslavia) (Interpretation): Yes, Mr. President.

THE PRESIDENT (Interpretation): We will therefore vote on the amendment as adopted by the Commission, concerning the latter part of Art. 67.

(A vote was taken by roll-call).

(The result of the voting was as follows:

For: Australia, Belgium, Brazil, Canada, China, France, Greece, India, Norway, New Zealand, Netherlands, United Kingdom, Union of South Africa and U.S.A.

Against: Byelorussia, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Czechoslovakia, Ethiopia, Poland.)

THE PRESIDENT (Interpretation): The amendment which had been adopted by the Commission is therefore adopted by the Conference by 14 votes to 4, with 3 abstentions. We will now vote on the Yugoslav amendment to Art. 67. The text of this amendment appears in No. 64.

(A vote was taken by roll-call).

<sup>28</sup> The Yugoslav amendment, C.P.(IT/EC) Doc. 64, not printed, was a new draft of the C.P.(Gen)Doc.1.U.20.

(The result of the voting was as follows:

Against: Australia, Belgium, Brazil, Canada, China, India, Norway, New Zealand, Netherlands, Union of South Africa, U.K., and U.S.A.

For: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Ethiopia, France, Greece).

THE PRESIDENT (Interpretation): The amendment is rejected by 12 votes to 6, with 3 abstentions.

We now come to Art. 68. All the paragraphs have been adopted by the Commission, except paragraph 4, which was adopted by 13 votes to 5, with 3 abstentions.

Are there any objections to the first paragraphs, which were adopted by the Commission without alteration?

(These paragraphs were adopted).

We will now come to para. 4. The Commission adopted a new draft concerning compensation up to 75%.

MR. VYSHINSKY (U.S.S.R.) (Interpretation): The Soviet Delegation considers that compensation should be restricted to one-third of the damage, that is, from 25 to 30%.

MR. BYRNES (U.S.A.): I ask for a separate vote on paras. A, B, C, and D.

THE PRESIDENT (Interpretation): On the proposal of the U.S. Delegate, we shall vote on these paragraphs separately.

The Commission was in favour of 75%. M. Vyshinsky has proposed 25%. Are there any other proposals?

If there are none we will vote on the lowest figure,—M. Vyshinsky's.

MR. MASON (New Zealand): On a point of order, Mr. Chairman, I confess I cannot follow the question at all. The question we are voting on is, I assume, in this report, but I cannot find it. May I have the number of the page in the report so that I may refer to it clearly? I should like to know exactly what we are voting on.

THE PRESIDENT (Interpretation): You will find it on page 25 of the report. We will first of all vote on the proposal contained in page 23 of the English text and then on the proposal which appears on page 25. We will now vote on the proposal for 25% compensation.

(A vote was taken by roll-call).

(The result of the vote was as follows:

For: Byelorussia, China, Norway, Ukraine, U.S.A., U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, Ethiopia, France, Greece, India, Netherlands, New Zealand South Africa, U.K.

Abstained: Poland, Czechoslovakia.



The proposal was therefore rejected by 12 votes to 7 with 2 abstentions).

I will now ask the Conference to vote on the proposal for 75% compensation.

(A vote was taken by roll-call).

(The result of the vote was as follows:

For: Australia, Belgium, Brazil, Canada, Czechoslovakia, Ethiopia, France, Greece, India, Netherlands, New Zealand, South Africa, U.K.

Against: Byelorussia, China, Norway, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Poland, U.S.A.

The proposal was therefore adopted by 13 votes to 6 with 2 abstentions).

THE PRESIDENT (Interpretation): We have thus adopted sub-paragraph (a) of paragraph 4. We will now vote on sub-paragraph (b).

(A vote was taken by roll-call).

(The result of the vote was as follows:

For: Australia, Belgium, Canada, Ethiopia, France, Greece, India, Netherlands, New Zealand, South Africa, U.K., U.S.A.

Against: Byelorussia, Brazil, Norway, Ukraine, U.S.S.R., Yugoslavia.

Abstained: China, Czechoslovakia, Poland.

Sub-paragraph (b) of para. 4 was therefore adopted by 12 votes to 6 with three abstentions).

THE PRESIDENT (Interpretation): Are there any objections to sub-para. (c)?

M. VYSHINSKY (U.S.S.R.) (Interpretation): We oppose this amendment and ask for a vote.

THE PRESIDENT (Interpretation): I will put sub-para. (c) to the vote.

(A vote was taken by roll-call).

(The result of the vote was as follows:

For: Australia, Belgium, Brazil, Canada, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, South Africa, U.K., U.S.A.

Against: Byelorussia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: China, Czechoslovakia.

Sub-para (c) was therefore adopted by 14 votes to 5, with 2 abstentions).

We will now vote on sub-para. (d).

(A vote was taken by roll-call).

(The result of the vote was as follows:

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France,

Greece, India, Netherlands, New Zealand, Norway, South Africa, U.K.

Against: Byelorussia, Ukraine, U.S.A., U.S.S.R., Yugoslavia.

Abstained: Czechoslovakia, Poland.

Sub-para. (d) was therefore adopted by 14 votes to 5 with 2 abstentions).

THE PRESIDENT (Interpretation): We will now vote on paras. 5, 6, 7 and 8 which have not been amended by the Commission.

(Paras. 5, 6, 7 and 8 were adopted).

I will now put Article 68 to the vote. Are there any remarks?

(Article 68 was adopted).

Article 69. THE PRESIDENT (Interpretation): In the case of Article 69, the Commission has made no change in paras. 1, 2 and 3.

M. BARANOWSKI (Ukraine) (Interpretation): The Ukrainian Delegation had already proposed to the Economic Commission an amendment for the addition of two new paragraphs 1 (a) and 1 (b) to paragraph 1, and the addition of a paragraph 6 to Article 69 taken as a whole.

The Ukrainian Delegation request that the text of their proposal contained in Annex 16 of Document Plen. 26 [the report of the Economic Commission for Italy] be read out and that this proposal be put to the vote.

THE PRESIDENT (Interpretation): The Ukrainian Delegation has proposed two amendments to paragraph 1 of Article 69. They request that the text of these amendments be read to the Conference.

M. FOUQUES DUPARC, Secretary-General (Interpretation): Here is the complete text of the proposal: "The following points should be added to article 69:

"1. The retention of Italian assets abroad by the Allied or Associated Powers concerned, insofar as this country was not occupied, shall be effected in such a way as not to interfere with the economic reconstruction of Italy and not to affect her balance of payments to any appreciable extent.

2. The four Ambassadors (U.S.S.R., U.S.A., U.K. and France) in Rome shall examine and fix the amounts of the claims of each of the Allied and Associated Powers, which can be met in accordance with the provisions of the present Article and determine the total amount of Italian assets which shall be retained by the said Powers.

3. Nothing in the present Article shall prevent Italy from satisfying the claims of the Allied and Associated Powers concerned by means of payment of the amount of the claim in the currency of that Power, or, by mutual agreement, by some other method in order to avoid the liquidation of Italian assets in the said country."

THE PRESIDENT (Interpretation): We will now vote on the Ukrainian amendment, paragraph 1 (a).

(A vote was taken by roll-call).

(The result of the vote was as follows:

For: Byelorussia, Czechoslovakia, Poland, Ukraine, Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, South Africa, U.K., U.S.A., U.S.S.R.

The amendment was therefore rejected by 16 votes to 5).

THE PRESIDENT (Interpretation): We will now vote on the Ukrainian amendment, para. 1 (*b*).

(A vote was taken by roll-call).

(The result of the vote was as follows:

For: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, South Africa, U.K., U.S.A.

The amendment was therefore rejected by 15 votes to 6.)

THE PRESIDENT (Interpretation): As none of the amendments to paragraph 1 have been adopted, I will put this paragraph to the vote.

(Paragraph 1 was adopted).

I put paragraph 2 to the vote.

(Paragraph 2 was adopted).

Does anyone wish to speak on paragraph 3? I will put it to the vote.

(Paragraph 3 was adopted).

Paras. 4 and 4 (*a*) are amendments unanimously approved by the Commission. I will put para. 4 to the vote.

(Paragraph 4 was adopted).

I will put paragraph 4 (*a*) to the vote.

(Paragraph 4 (*a*) was adopted).

I will now ask the Conference to vote on each sub-paragraph of paragraph 5 separately.

There have been no amendments adopted by the Commission to sub-paras. *a*, *b*, *c*, and *d*. I will put these sub-paragraphs to the vote:

(Sub-paras. *a*, *b*, *c*, and *d* were successively voted upon and adopted).

THE PRESIDENT (Interpretation): The Commission did not take any decision with regard to sub-paragraphs *e* and *f*, their consideration having been adjourned in connection with Annex 3: "Economic and financial provisions relating to ceded territories." This question was referred to the Council of Foreign Ministers.

MR. BYRNES (U.S.A.): The U.S. Delegation will abstain on paragraph *e* of Article 69 and desires that this be recorded in the minutes.

THE PRESIDENT (Interpretation): The U.S. Delegation's request is noted.

I ask the Conference to vote that sub-paragraphs *e.* and *f.*, together with the Annex "Economic and financial provisions relating to ceded territories" be referred to the Council of Foreign Ministers.

(This proposal was adopted).

I will put to the vote the new paragraph 6 proposed by the Ukrainian Delegation.<sup>29</sup>

(The vote was taken by roll-call).

(The result of the vote was as follows:

For: Byelorussia, Czechoslovakia, Norway, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, South Africa, U.K., U.S.A.

Paragraph 6, proposed by the Ukrainian Delegation, was therefore rejected by 14 votes to 7.)

THE PRESIDENT (Interpretation): We will now vote on Article 69 as a whole.

(Article 69 as a whole was adopted).

Article 70. THE PRESIDENT (Interpretation): Paragraphs 1 and 2 of Article 70 have not been altered by the Commission. But the latter adopted an amendment which constitutes paragraph 3. Does anyone wish to speak on this Article? I will then put it to the vote.

(Article 70 was adopted).

Article 71. THE PRESIDENT (Interpretation): Article 71—an amendment to Para. 1 has been accepted by the Commission. Are there any objections?

MR. VYSHINSKY (U.S.S.R.) (Interpretation): The Soviet Delegation considers that the time-limit laid down by the Council of Foreign Ministers should be maintained, namely, 18 months and not 3 years. It requests a vote on this amendment.

THE PRESIDENT (Interpretation): We will take a vote on the amendment adopted by the Commission to Para. 1 of Art. 71, as drafted by the Council of Foreign Ministers.

(A vote was taken by roll-call.)

(The result of the vote was as follows:

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa.

Against: Byelorussia, Czechoslovakia, France, Poland, Ukraine, United Kingdom, U.S.A., U.S.S.R., Yugoslavia.

The amendment was thus adopted by 12 votes to 9).

THE PRESIDENT (Interpretation): We pass on to sub-paras. *a* and *b* which were not modified by the Commission.

<sup>29</sup> Reference is to the third part of the Ukrainian amendment read earlier by Fouques Duparc: see p. 743.

(These paragraphs were adopted).

To sub-para. *c*, we have two amendments one submitted by the Delegations of the United Kingdom, the United States and France, and adopted by 12 votes to 10 [6] with 2 abstentions, and a second submitted by the Soviet Delegation which obtained 6 votes for, to 12 against with 2 abstentions.<sup>30</sup>

We will vote on the first, the Anglo-Franco-American amendment.  
(A vote was taken by roll-call).

(The result of the vote was as follows:

For: Australia, Belgium, Brazil, Canada, France, Greece, India, Netherlands, New Zealand, Union of South Africa, U.K., U.S.A.

Against: Byelorussia, Czechoslovakia, Ukraine, U.S.S.R., Yugoslavia.

Abstained: China, Ethiopia, Norway, Poland.

The amendment was adopted by 12 votes to 5, with 4 abstentions).

THE PRESIDENT (Interpretation): I put to the vote the Soviet amendment concerning para. *c*.

(A vote was taken by roll-call).

(The result of the vote was as follows:

Against: Australia, Belgium, Brazil, Canada, France, Greece, India, Netherlands, New Zealand, Union of South Africa, U.K., U.S.A.

For: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: China, Ethiopia, Norway.

The amendment was rejected by 12 votes to 6, with 3 abstentions.)

THE PRESIDENT (Interpretation): I put to the vote the proposal of the United States Delegation on civil aviation.

(A vote was taken by roll-call).

(The result of the vote was as follows:

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, India, Greece, Netherlands, New Zealand, Norway, Union of South Africa, U.K., U.S.A.

Against: Byelorussia, Czechoslovakia, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Poland.

The proposal was adopted by 15 votes to 5 with 1 abstention.

THE PRESIDENT (Interpretation): I put to the vote the Netherlands amendment to this same paragraph.<sup>31</sup>

(A vote was taken by roll-call).

<sup>30</sup> Reference is to proposals contained in the draft treaty; see vol. iv, pp. 1, 33.

<sup>31</sup> For substance, see C.P. (Plen) Doc. 26, Report of the Economic Commission for Italy, *ibid.*, p. 338.

(The result of the vote was as follows:

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, U.K., U.S.A.

Against: Byelorussia, Czechoslovakia, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Poland.

The Netherlands amendment was adopted by 15 votes to 5, with 1 abstention).

THE PRESIDENT (Interpretation): Are there any objections to paragraph 2 of Article 71?

No objections: Adopted.

*Article 72.* THE PRESIDENT (Interpretation): We pass to Article 72. The Commission accepted a United States amendment by 14 votes to 6.<sup>32</sup> Are there any objections to the decision of the Commission?

MR. VISHINSKY (U.S.S.R) (Interpretation): The Soviet Delegation maintains its previous position which is stated in the Draft Treaty prepared by the Council of Foreign Ministers, and requests that a vote be taken on this text.

THE PRESIDENT: (Interpretation): I ask the Conference to vote on the United States amendment which was accepted by the Commission.

(A vote was taken by roll-call).

(The result of the vote was as follows:

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, United Kingdom, United States.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

The U.S. amendment was therefore adopted by 15 votes to 6.)

THE UKRAINIAN DELEGATE (Interpretation): Although the Ukrainian Delegation has voted against the United States amendment, it desires to repeat what it said in the Commission concerning Article 71; namely, it requests that it should be stated that the Arbitration Tribunal shall decide not only questions relating to the application of Articles 65 and 68, but also those relating to Article 69. Therefore, it would be necessary to make the corresponding changes in the text.

THE PRESIDENT (Interpretation): I will ask the Conference to vote on the Ukrainian proposal.

(A vote was taken by roll-call).

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<sup>32</sup> Reference is to the United States proposal contained in the draft treaty; see vol. IV, p. 34.

(The result of the vote was as follows:

For: Byelorussia, China, India, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, Ethiopia, France, Greece, Netherlands, New Zealand, Norway, Union of South Africa, United Kingdom, United States.

Abstained: Czechoslovakia.

As a result, the Ukrainian proposal was rejected by 13 votes to 7, with 1 abstention).

THE PRESIDENT (Interpretation): The Commission unanimously accepted an amendment to Article 73. Are there any objections?

MR. VYSHINSKY (U.S.S.R.) (Interpretation): No vote has been taken on the Soviet Delegation's proposal regarding Article 72. A vote has been taken only on the United States proposal and on the Ukrainian proposal.

THE PRESIDENT (Interpretation): You are quite right; we revert to Article 72, and I ask the Conference to vote on the U.S.S.R. proposal.

(A vote took place by roll-call).

(The result of the vote was as follows:

For: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, United Kingdom, United States.

The U.S.S.R. proposal was therefore rejected by 15 votes to 6).

Article 73. THE PRESIDENT (Interpretation): We pass now to Article 73 which contains an addition unanimously adopted by the Economic Commission. Are there any remarks?

(Article 73 was adopted).

The Secretariat asks me to make a correction regarding the result of the vote on the Ukrainian proposal.

(This proposal was rejected by 6 votes to 14, with 1 abstention).

Article 74. THE PRESIDENT (Interpretation): If no one wishes to speak on the subject of Article 74, I put it to the vote.

(Article 74 was adopted).

Article 74A. THE PRESIDENT (Interpretation): Article 74A is an addition which obtained 13 votes in favour and 7 votes against, in the Commission. I ask the Conference to vote on it.

(A vote was taken by roll-call).

(The result of the vote was as follows:

For: Australia, Belgium, Brazil, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, U.K., U.S.A.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Canada, China, Ethiopia.

Article 74A was adopted by 12 votes to 6 with 3 abstentions).

*Article 75.*<sup>33</sup> **THE PRESIDENT** (Interpretation): Article 75 was adopted without change in the Commission. I put it to the vote.

(Article 75 was adopted).

*Article 76.* **THE PRESIDENT** (Interpretation): The U.K., U.S. and French proposal in connection with Article 76 was adopted in the Commission by 14 votes to 6.

I put Article 76 to the vote.

(A vote was taken by roll-call).

(The result of the vote was as follows:

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, U.K., U.S.A.

Against: Byelorussia, Czechoslovakia, Poland, Ukrainian S.S.R., U.S.S.R., Yugoslavia.

The Proposal was adopted by 9 [15] votes to 6).

**M. VYSHINSKY** (U.S.S.R.) (Interpretation): I ask that a vote be taken on the Soviet proposal.

**THE PRESIDENT** (Interpretation): Agreed.

(A vote was taken by roll-call).

(The result of the vote was as follows:

For: Byelorussia, Czechoslovakia, Poland, Ukrainian S.S.R., U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, China, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, U.K., U.S.A.

Abstained: Ethiopia.

The Soviet proposal is rejected by 14 votes to 6 with one abstention.)

**MR. BEASLEY** (Australia): Mr. President, I draw your attention to the proposed amendment that we had on the principle of revision, and I understand it should precede Article 76. Or should it follow it? Just as you say.

**THE PRESIDENT** (Interpretation): To which amendment exactly does the Australian Delegation refer?

**MR. BEASLEY.** (Australia): If the President wishes, I can read out the amendment. I should draw his attention to my remarks in the opening Session of this Conference, where I particularly mentioned this matter to the Conference and where a vote was taken upon this particular matter in the Italian Treaty Commission. The amendment is in the office of the Secretary-General and perhaps, Mr. President,

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<sup>33</sup> Articles 75-78 had been considered by the Political and Territorial Commission for Italy.



you should ask him to read it, for we think it is proper at this stage that it be put to the vote.

THE PRESIDENT (Interpretation) : That is Document 88.<sup>34</sup> I call for a vote on the Australian proposal.

(A vote was taken by roll-call).

(The result of the vote was as follows :

For: Australia, Belgium, Brazil, Canada, Ethiopia, Netherlands.

Against: Byelorussia, Czechoslovakia, France, India, Norway, Poland, Ukrainian S.S.R., Union of South Africa, U.K., U.S.A., U.S.S.R., Yugoslavia.

Abstained: China, Greece, New Zealand.

The Australian proposal is rejected by 12 votes to 6 with 3 abstentions).

M. BEBLER (Yugoslavia) (Interpretation) : We ask for a vote on the Albanian amendment appearing in Document C.P. 7,<sup>35</sup> whereby the application of Article 77 would be extended to Albania, although she is not yet a member of the United Nations.

THE PRESIDENT (Interpretation) : Did the Commission come to any decision in this connection?

M. BEBLER (Yugoslavia) (Interpretation) : Yes, you will find it on page 47 of the report.

THE PRESIDENT (Interpretation) : I call for a vote on the Yugoslav proposal to which M. Bebler has just referred.

(A vote was taken by roll-call).

(The result of the vote was as follows :

For: Byelorussia, Czechoslovakia, Poland, Ukrainian S.S.R., U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, China, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, U.K., U.S.A.

Abstained: Ethiopia, France.

The Yugoslav amendment is rejected by 13 votes to 6 with 2 abstentions).

Article 77. THE PRESIDENT (Interpretation) : If nobody wishes to speak on Article 77, we shall now proceed to vote.

(Article 77 was adopted).

Article 77A. THE PRESIDENT (Interpretation) : I would ask you to vote on Article 77A, adopted in the Commission by 11 votes to 8 with 1 abstention.

(A vote was taken by roll-call).

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<sup>34</sup> The Australian amendment under reference was proposed in C.P.(IT/P) Doc. 88; for text, see footnote 68, p. 572.

<sup>35</sup> For text, see memorandum dated August 30, vol. iv, p. 799.

(The result of the vote was as follows:

For: Australia, Belgium, Brazil, Canada, China, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, U.K., U.S.A.

Against: Byelorussia, Czechoslovakia, Ethiopia, France, Poland, Ukrainian S.S.R., U.S.S.R., Yugoslavia.

Article 77A is adopted by 13 votes to 8).

*Article 78.* THE PRESIDENT (Interpretation): Article 78 has not been modified by the Commission. Does anybody wish to speak on this Article?

M. BEBLER (Yugoslavia) (Interpretation): The Yugoslav amendment is referred to on page 48 of the report. We press for a vote on this amendment.

THE PRESIDENT (Interpretation): The Yugoslav Delegation proposed to include a new provision in this Article, whereby the present Treaty would come into force only after it had been ratified by the Great Powers and—these last words constituted the Yugoslav amendment—Allied and Associated Powers having a common frontier with Italy and having suffered the Italian occupation. I put this amendment to the vote.

(A vote was taken by roll-call).

(The result of the vote was as follows:

For: Byelorussia, Czechoslovakia, Poland, Ukrainian S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, New Zealand, Norway, Union of South Africa, U.K., U.S.A., U.S.S.R.

The Yugoslav amendment is rejected by 16 [15] votes to 5).

*Article 78.* THE PRESIDENT (Interpretation): I call for a vote on Article 78.

(Article 78 was adopted.)

That concludes the voting on the Articles. We now come to the Annexes. The Secretary-General will read out Annex I.

*Annex I.* M. FOUQUES DUPARC, Secretary-General (Interpretation): Annex I consists of maps.

The text adopted in the Commission reads as follows:

(The Secretariat to insert—no references given).

The text was adopted without discussion in the Commission.

THE PRESIDENT (Interpretation): If no objections are forthcoming, I take it that Annex I is adopted.

*Annex II.* THE PRESIDENT (Interpretation): An amendment has been submitted and adopted. Failing any objections, we shall adopt Annex II as amended.

*Annex III.* THE PRESIDENT (Interpretation) : Any comments on Annex III? Otherwise the text is adopted.

*Annexes IV and V.* THE PRESIDENT (Interpretation) : We now come to Annex IV *a*) and *b*) and Annex V *a*), *b*), *c*) and *d*), which have been adopted without comment.

M. BEBLER (Yugoslavia) (Interpretation) : I understand that Annex IV *a*) was not adopted unanimously, and that the Yugoslav Delegation voted against it. I do not ask for a vote, but merely that my statement be recorded in the minutes.

THE PRESIDENT (Interpretation) : Agreed. Annexes IV and V are adopted.

*Annex VIA.* THE PRESIDENT (Interpretation) : Annex VIA, as amended, was unanimously agreed upon in the Commission.

(Annex VIA was adopted).

*Annex VIB.* THE PRESIDENT (Interpretation) : The British amendment was adopted by 14 votes to 6. I must therefore consult the Conference on Annex VIB.

(A vote was taken by roll-call).

(The result of the vote was as follows :

For : Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, U.K., U.S.A.

Against : Byelorussia, Czechoslovakia, Poland, Ukrainian S.S.R., U.S.S.R., Yugoslavia.

(Annex VIB was adopted by 15 votes to 6).

THE PRESIDENT (Interpretation) : I call for a vote on paragraph 1 (Contracts) of Annex 7. The British proposal which obtained 7 votes in favour, 8 against and 5 abstentions in the Commission.

(A vote was taken by roll-call).

(The result of the vote was as follows :

For : Australia, Belgium, Canada, France, Greece, Netherlands, New Zealand, Norway, Union of South Africa, U.K.

Against : Byelorussia, China, India, Poland, Ukrainian S.S.R., U.S.A., U.S.S.R., Yugoslavia.

Abstained : Brazil, Czechoslovakia, Ethiopia.

Paragraph (1) (Contracts) was therefore rejected by 10 votes to 8 with 3 abstentions).

THE PRESIDENT (Interpretation) : Paragraph 2 (Periods of Prescription) has given rise to the Soviet and British proposals.

I put the Soviet proposal to the vote.

(A vote was taken by roll-call).

(The result of the vote was as follows :

For : Byelorussia, Czechoslovakia, France, Norway, Poland, Ukrainian S.S.R., U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Canada, China, India, Netherlands, New Zealand, U.K., U.S.A., U.S.S.R.

Abstained: Brazil, Ethiopia, Greece.

The Soviet proposal was therefore rejected by 10 votes to 8 with 3 abstentions).

I now call for a vote on the British proposal in connection with paragraph (2) (Periods of Prescription) which obtained 8 votes to 6 with 6 abstentions in the Commission.

(A vote was taken by roll-call).

(The result of the vote was as follows:

For: Australia, Belgium, Canada, Greece, India, Netherlands, New Zealand, Union of South Africa, U.K.

Against: Byelorussia, China, Norway, Poland, Ukrainian S.S.R., U.S.A., U.S.S.R., Yugoslavia.

Abstained: Brazil, Czechoslovakia, Ethiopia, France.

The British proposal was therefore adopted by 9 votes to 8 with 4 abstentions).

As regards paragraph 3 (Negotiable Instruments) the British proposal obtained 8 votes to 6 in the Commission with 6 abstentions.

I put it to the Conference.

(A vote was taken by roll-call).

(The result of the vote was as follows:

For: Australia, Belgium, Canada, France, Greece, India, Netherlands, New Zealand, Norway, U.K., Union of South Africa, U.S.A.

Against: Byelorussia, China, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstentions: Brazil, Czechoslovakia, Ethiopia.

The British amendment to Section III (Negotiable instruments) is therefore adopted by 12 votes to 6 with 3 abstentions).

THE PRESIDENT (Interpretation): I put to the vote the fifth part of the British amendment which was adopted by 9 votes to 8 with 4 abstentions.

(A vote was taken by roll-call).

(The result of the vote was as follows:

For: Australia, Belgium, Canada, France, Greece, India, Netherlands, New Zealand, U.K., Union of South Africa.

Against: Byelorussia, China, Czechoslovakia, Poland, Ukraine, U.S.A., U.S.S.R., Yugoslavia.

Abstentions: Brazil, Norway, Ethiopia.

The fifth part was therefore adopted: 10 votes to 8, with 3 abstentions).

THE PRESIDENT (Interpretation): I put Annex 8 A to the vote. Are there any objections? Annex 8 A is adopted without objection.

I put to the vote the American proposal regarding Annex 8 B, adopted by the Commission by 13 votes to 5, with 2 abstentions.

(A vote was taken by roll-call).

(The result of the vote was as follows:

For: Australia, Byelorussia, Brazil, Canada, China, Czechoslovakia, India, Norway, Netherlands, New Zealand, Poland, Ukraine, U.S.A., U.S.S.R., Yugoslavia.

Against: France, U.K., Union of South Africa.

Abstained: Belgium, Ethiopia, Greece.

The American proposal was adopted by 15 votes to 3 with 3 abstentions).

The Commission has also voted on the French and British proposals.

THE DELEGATE OF FRANCE (Interpretation): We do not press it to a vote.

THE DELEGATE OF U.K.: We do not press it either.

MR. BYRNES (U.S.A.): Mr. President, may I call to the attention of the Chair that in the English text of the Economic Commission, on page 51, it is recorded that the United States Delegation proposed in Document 78 the insertion of a clause by virtue of which, having regard to the legislative system of the United States, the provisions of the various parts of Annex VII should not be applicable as between the United States and Italy. It was voted upon, there were 4 votes against it and 11 in favour. It would seem to have been passed over in some way and I desire to call it to the attention of the Chair and ask for a vote upon it.

THE PRESIDENT (Interpretation): We will take a vote on the United States proposal relating to Annex 7.

(A vote was taken by roll-call).

(The result of the vote was as follows:

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, U.K., U.S.A., Union of South Africa.

Against: Byelorussia, Ukraine, U.S.S.R., Yugoslavia.

Abstentions: Czechoslovakia, Poland.

The U.S. proposal relating to Annex 7 is adopted by 15 votes to 4, with 2 abstentions.)

THE PRESIDENT (Interpretation): There is a final amendment to Article 2 on the Franco-Italian frontier. No objection has been made and it has been accepted by the Legal and Drafting Commission. I put it to the vote.

(The amendment was put to the vote and adopted).

We have come to the end of the Articles and Annexes of the Peace Treaty with Italy.

We have thus finished at least half of the Italian question. Today, we shall have to deal with the question of Roumania.

Is it agreed that we should meet at 10?

MR. DUNN (United States): Mr. Chairman, I understand that Annex No. IX is being referred to the Council of Foreign Ministers. I want to make sure on the record that Annex XIII<sup>36</sup> is also referred to the Council of Foreign Ministers, as the Economic Commission did not have time to consider it.

MR. VISHINSKY (U.S.S.R.) (Interpretation): May I inquire what is this Annex?

MR. DUNN (United States): It is an Annex to the United States proposals for Article 16, and in the Political and Territorial Commission the last evening we met it was sent to the Economic Commission for Italy. The Economic Commission for Italy did not have time to consider it, and therefore it, together with Annex IX, should be referred to the Council of Foreign Ministers.

MR. VISHINSKY (U.S.S.R.) (Interpretation): The Soviet Delegation has no knowledge of this Annex.

We know of an American amendment to Article 16, but this amendment is included in the Draft Peace Treaty with Italy.

We know nothing of an Annex 13. Moreover, if there were such an Annex, I wonder what has become of Annexes 10, 11 and 12. We stop at Annex 9. Some light must be thrown on the question of where the various Annexes have gone to.

MR. DUNN (United States): In the record of the 39th meeting of the Political and Territorial Commission for Italy,<sup>37</sup> it states that at the suggestion of the United States Delegate the Chairman proposes and the Commission agree that Annex XIII, as it is a provision of an entirely economic character, shall be referred to the Economic Commission for a decision. It was so referred to it, but the Commission did not have time to consider it, and I understand it was agreed to send it on to the Council of Foreign Ministers. I merely want that noted in the record of the Plenary Conference.

M. VISHINSKY (U.S.S.R.) (Interpretation): Is there a copy of the record of Decisions?

THE PRESIDENT (Interpretation): Are you referring to Document 16?

M. BEBLER (Yugoslavia) (Interpretation): I must admit that in the Economic Commission for Italy we have knowledge of only one sentence of the American proposal. This sentence was mentioned in

<sup>36</sup> The United States proposal for an Annex XIII was contained in C.P.(IT/P) Doc. 16; for text, see vol. iv, pp. 780, 783.

<sup>37</sup> The United States Delegation Journal summary of the 39th Meeting of the Political and Territorial Commission for Italy, October 1, is printed on p. 617.

M. Alphand's report. The U.S. Delegation is now submitting a Document with several pages; it is a mystery.

THE PRESIDENT (Interpretation): I suggest that Mr. Dunn repeat his proposal.

MR. DUNN (United States): That it be noted in the Minutes of this Meeting, as is already noted in the report from the Economic Commission, that the Economic Commission is sending Annex XIII as well as Annex IX to the Council of Foreign Ministers.

M. BEBLER (Yugoslavia) (Interpretation): I do not think that a non-existent document can be referred to the Council of Ministers or to any other Council or Commission. Perhaps the *Rapporteur* of the Economic Commission could tell us the purport of this Annex which in my opinion does not exist. It is a phantom-annex.

THE PRESIDENT (Interpretation): We can ask the Chairman or the *Rapporteur* of the Economic Commission.

M. ALPHAND (France) (Interpretation): It is true that the Economic Commission was informed at the beginning of its last meeting that the Political and Territorial Commission was referring to it for decision the U.S. proposal Annex 13, included in the Document 16 mentioned by Mr. Dunn.

For myself, I have never seen this Annex and since it was received during the last meeting of the Commission when there was no time to examine it, we decided to refer it to the Council of Foreign Ministers, as was done in the case of all questions for which they had no time to examine in the Commission.

THE PRESIDENT (Interpretation): I shall sum up the question briefly. The Document mentioned by the U.S. Delegate certainly exists. It should have been examined by the Political and Territorial Commission and by the Economic Commission. But it has not been examined by either.

MR. BYRNES (United States): Mr. Chairman, if it has not been examined by either the Political and Territorial Commission or the Economic Commission, it is not the fault of the United States Delegation; and I therefore ask one of two things; either that the request of the Committee be complied with and the Annex be sent to the Council of Foreign Ministers, or that it be taken up now or to-morrow morning by this Conference; because no reason can be given for refusing consideration to a proposal which has been before the Commissions since August 22nd, and I do not understand why anyone would object to the action taken by the Economic Committee in suggesting it be sent to the Council of Foreign Ministers. If that is not to be done, then we ask that to-morrow at the Plenary Session we proceed to the consideration of the proposal.

THE PRESIDENT (Interpretation) : It seems obvious now that none of the organs of the Conference have examined this document. Perhaps the best course would be for the U.S. Delegation to submit it direct to the Council of Ministers for consideration.

MR. BYRNES (United States) : Mr. President, there is no reason that I can see why the Economic Committee's action should not be followed. The report from the Economic Committee is that, because they did not have time to examine it, it was to be referred along with other proposals of the same character, to the Council of Foreign Ministers for it to give consideration to it; and I really do not see what objection there can be to carrying out the recommendation of the Commission. I am informed that Annex IIIa and Annex IX were in the same condition. They were referred to the Commissions, the Commissions did not have time to act upon them, and they have forwarded them to the Council of Foreign Ministers, and all the United States Delegates ask is that the same course be followed with this particular document. They go to the Council without any recommendations of the Conference; therefore, I do not see that any great harm can be done by permitting it to take this course.

M. BEBLER (Yugoslavia) (Interpretation) : There is a misunderstanding. As I understand it the document now wrongly called Annex XIII—since there is neither Annex 10, 11 nor 12—is the same thing as document 16. If so, the Economic Commission has taken no decision to refer the document to the Council of Ministers. In the last paragraph of the report we have all received, it is stated that Annex III, the Greek and Yugoslav amendment, Annex IX and the first sentence of the Draft Article 16 B included in the U.S. proposal should be referred to the Council of Ministers.

Therefore, the Economic Commission has decided that only one sentence should be referred to the Council of Ministers, not the whole document.

The document as a whole was not, therefore, considered by the Economic Commission to have sufficient importance to warrant its being referred to the Council of Ministers.

I do not see what other decision we could now take in a Plenary Session.

M. ALPHAND (France) (Interpretation) : There is a Corrigendum to the report and in the Corrigendum it is stated that we received Annex 13 but that the Economic Commission for Italy had not time to examine the document before the end of its work. It is true that there was no decision by the Commission itself to refer the document to the Council of Ministers but it is also true that the document was received and that we had not time to consider it.



THE PRESIDENT (Interpretation) : I propose to adopt the American proposal and to submit the document to the Council of Ministers.

I also propose that the discussion should be adjourned and that the meeting should rise.

M. BEBLER (Yugoslavia) (Interpretation) : The Yugoslav Delegation protests against the proposal to refer to the Council of Foreign Ministers a document which has not been circulated to any Delegation.

THE PRESIDENT (Interpretation) : The meeting is adjourned.

(The meeting rose at 3:20 on Thursday 10 October 1946).

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## THURSDAY, OCTOBER 10, 1946

### THIRTY-SEVENTH PLENARY MEETING, OCTOBER 10, 1946, 10 A. M.

CFM Files

#### *United States Delegation Journal*

#### USDel(PC) (Journal) 67

The Conference began discussion of the Rumanian treaty, M. Molotov in the Chair. Senator Vandenberg (U.S.) stated that the economic clauses of the treaty with Rumania raised vital issues, particularly regarding the ability of Rumania to trade freely in world markets as well as other countries to trade with Rumania. Consequently, the U.S. Delegation desired to bring to the urgent attention of the Conference Article 34, since it believes a free Danube is indispensable to the economic health and peace of Central Europe. Though having no commercial interest of its own in the Danube, the U.S. must, nevertheless, act as an economic trustee for parts of occupied Germany and Austria, and a free Danube under unified control was therefore indispensable. The larger problem of the general peace, however, was its greater concern, particularly avoidance of international trade barriers which invited discriminations and dangerous frictions. Article 34 proposed to restore the wisdom of history and experience by reasserting the general principle that navigation of the Danube should be free and open on terms of equality to all states without discrimination. The general principles operative for 90 years were thus being restated. It would, therefore be a tragic mistake for the Conference to turn its back on historical experience. To keep silent on the subject would be an actual retreat—an abandonment of freedoms long established. The U.S. Delegation was urging the Conference to give an even more convincing vote in Plenary Session than in the Economic Commission (8-5). No telling arguments had been raised against the proposal. There was only reference to the invasion of sovereign rights and the contention that the riparian states should have exclusive jurisdiction.

The Senator pointed out that this obligation on Rumania did not invade its sovereignty any more than any other obligation in the treaty. There was no remote analogy between St. Lawrence and the Danube, which had several times been put forward as an argument. In fact water traffic of all nations is welcome on a free St. Lawrence with total equality with vessels of U.S. and Canada.

The U.S. Delegate also urged the Conference to adopt certain articles of the treaty dealing with general economic relations, particularly those seeking to eliminate discriminatory trade. It would be untimely and inappropriate for the Conference to go on record as favoring new preferences, new hurdles and new barriers. The Senator concluded by stating that the question at issue was whether the Conference was to take a backward step by agreeing that Rumania after emerging from her war of aggression was free to discriminate against the United Nations or whether it should not call on Rumania to deal with the United Nations on a basis of fair play and non-discrimination (for full text see USD (PC) (PR) 37).<sup>38</sup>

M. Kardelj (Yugoslavia) said that he would only speak on one point, i.e., the Danube, with which Yugoslavia was far more concerned than any other country. The Yugoslav Delegation rejected the proposal for international control of the Danube since it could not agree that other powers than riparian states should participate. The Conference should not impose obligations on Allies. If a clause was inserted in the Rumanian treaty regarding the Danube, it would affect Yugoslavia. The Yugoslav Delegate noted that the riparian states themselves had voted against the French proposal in the Commission while the states farthest removed were by their votes forcing a decision on these riparian countries. M. Kardelj then traced the history of the international regime for the Danube, pointing out that it had involved imperialistic policies in southeastern Europe and a conception not based on the freedom of navigation but more on who was to be in control. The Yugoslav Delegation could not conceal the fact that it knew that the campaign for an international control of the Danube was really a struggle for spheres of influence. Were not the independent riparian states capable and trustworthy enough to organize their own system? If other countries were so anxious to recognize their independence and were not indeed imperialist-minded, why was it necessary to create an international regime for the Danube? Any Conference for establishing a Danube regime, which included the Big Powers and such countries as Italy and Greece, which were not riparian states, would deprive the Danube countries of a voice. M. Kardelj also wondered whether the state of mind which prevented

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<sup>38</sup> For text, see *Department of State Bulletin*, October 20, 1946, p. 711.

the return of some 200 Yugoslav ships from the upper Danube increased confidence in any international regime for the river. He concluded that there was a remarkable difference between the attitude of certain countries towards Trieste and the Danube. In the former case Yugoslavia was losing its vital port, while in the latter, their attitude would result in diminishing Yugoslav influence on the Danube. This was all part of an imperialistic policy, an interference with sovereignty and a threat to peace. It was time to change a system which aimed at imperialism and spheres of influence to the detriment of small nations. These small nations should live according to their own desires.

General Pika (Czechoslovakia) said he thought the Conference should adopt an understanding attitude towards Rumania, particularly because of its great contribution to the final defeat of Germany and the liberation of Czechoslovakia. The defection of Rumania from the German side was a great strategic blow. Rumania had, in fact, done a great deal more than it undertook under the Armistice terms. For this reason, Czechoslovakia had refrained from proposing any amendments injurious to Rumania. Since Rumania had already given proof of its worthiness to become one of the peace-loving nations, the Conference should take into consideration its contribution to the final victory and treat it accordingly.

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**THIRTY-EIGHTH PLENARY MEETING, OCTOBER 10, 1946, 3: 30 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 67

Mr. Bevin, speaking during the general discussion of the treaty with Rumania, said that Great Britain was not opposed to nationalization of industry but was not content to see the interests of the United Nations squeezed out and discriminated against. It would be difficult for Great Britain to accept the treaty unless equal treatment were accorded to all nationals in Rumania. He pointed out that Allied oil interests were still bound by legislation forced on Rumania by Hitler. He said that Rumanian oil was not earning foreign exchange to rehabilitate the oil industry and that consequently production would remain low and the whole economy of Rumania was hurt. He said that the cause of the difficulty was a mistaken price policy and that the Soviet-Rumanian prices were below the cost of production.

Mr. Bevin was glad to note that Stalin had subscribed to the principle that free contact between individuals in different countries was an essential of peace.

With regard to navigation on the Danube Mr. Bevin said that the situation was worse than before the war. Soviet policy in regard to navigation on the Danube gave rise to suspicion as to the objectives of Soviet policy in this part of the world. Modification of the policy would do much to close the division between East and West. Mr. Bevin said Great Britain was willing to adopt the French proposal for a conference on the Danube question to be attended by the riparian states and the interested Allied States. He said that Great Britain stood for freedom of navigation on the Danube and for the organization of an international control body. A control body was necessary now because the river was silting up particularly the Saluna Canal. He asked the Conference to accept Article 34 and oppose restrictions to commerce.

The Belgian Delegate waived his right to speak and said that his Delegation would present its views on the treaty with Rumania in writing under Article 7 of the Rules of Procedure. His Delegation would vote in favor of the treaty with Rumania. He requested that his remarks be recorded in the minutes.

Mr. Molotov asked M. Fouques Duparc to take the Chair while he spoke for the Soviet Delegation. He said that the treaty with Rumania was a matter of great importance for the peace of Europe. Rumania was now a democratic state and it was essential that the question of Transylvania be settled to the satisfaction of the Rumanian people. He said that the speech of Senator Vandenberg had contributed to the present general approach to the discussion of the Rumanian treaty. Senator Vandenberg had centered his speech on the Danube question and upon equality of economic opportunity in Rumania. M. Molotov thought that Mr. Kardelj's speech had been an excellent reply to the other speeches made during the Conference and earlier on the Danube question. While the US and UK Delegations considered equality of economic opportunity a matter of supreme importance they desired to settle the Danube question by way of dictation to the vanquished countries. They wished to apply the terms imposed on the ex-enemy states to Allies. There was no right to dictate to the latter. At Potsdam President Truman and Mr. Byrnes had widened the scale of discussion by taking up the question of the regime for the Danube, the Rhine and the Black Sea Straits at one time. The previous Danube regime established in 1856 was the expression of imperialism and while Mr. Bevin had said that Great Britain had abandoned the imperialism of the 19th century a regime similar to the previous imperialistic regime was now put forward. It was not possible for the Soviet Union to accept this project. Why was there such concentration on nondiscrimination for the Danube when there were other important waterways, specifically, the Suez Canal and the Pan-

ama Canal? In judging this matter it should be noted that some countries had suffered very heavily during the war whereas others had not. M. Molotov cited a figure of 679 billion rubles which he represented as the cost of the damage done in Russia. On the other hand, he quoted figures from the World Almanac of 1946 showing the increase in the national income of the US from \$96 billion in 1941 to \$160 billion in 1944. He thought that if one judged by these figures the US had been enriched by the war and therefore had no right to claim large amounts in reparations. He said that if American and British capital had free reign in countries which had suffered heavily during the war such as Rumania and Yugoslavia that their few remaining assets could be readily purchased with dollars or with sterling. The countries which were weak economically would be ruled by private capital in England and America. Here M. Molotov referred to Senator Thomas' expression "dollar democracy". He also referred to the statement of the US Delegate to the Social and Economic Council where it had been said that the US would not release the 800 ships which it held on the Danube until the US demands were accepted. M. Molotov said that this method of pressure and threat should not be used against small countries. He concluded by saying that the Conference should make sure that there were no Fascist countries in Europe or attempts to take advantage of postwar difficulties to further the interests of powerful states in weakened states and that the question of the Danube must not be settled in a hurry.<sup>39</sup>

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THIRTY-NINTH PLENARY MEETING, OCTOBER 10, 1946, 9:30 P. M.

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*Verbatim Record*

C.P. (Plen) 39

President: M. Molotov

THE PRESIDENT (Interpretation): The meeting is open.

PEACE TREATY WITH ROUMANIA—VOTING OF THE ARTICLES <sup>40</sup>

THE PRESIDENT (Interpretation): The Conference now proceeds to the vote on the Articles of the Draft Treaty with Roumania. (At the request of the President, M. Baranovsky, Chairman of the Political and Territorial Commission for Roumania, and M. Lisicky, *Rapporteur* of this Commission, come to the rostrum).

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<sup>39</sup> For text of Molotov's statement, see V. M. Molotov, *Problems of Foreign Policy, Speeches and Statements, April 1945–November 1948* (Moscow, Foreign Languages Publishing House, 1949), p. 207.

<sup>40</sup> Regarding voting procedure and citations to relevant documentation, see editorial note, p. 702.

*Preamble*—THE PRESIDENT (Interpretation) : We shall proceed to discuss the Preamble.

An alteration to the Preamble was adopted unanimously by the Commission.

Does any one wish to speak?

The amended Preamble is adopted.

*Article 1*—THE PRESIDENT (Interpretation) : We shall proceed to vote on Article 1.

Does any one wish to speak?

Article 1 is adopted.

*Article 2*—THE PRESIDENT (Interpretation)—This Article was adopted by the Commission by 10 votes, with two abstentions.

MR. BEASLEY (Australia)—The Australian Delegation again abstains from the voting on this Article.

MR. THERON (Union of South Africa)—The South African Delegation acts likewise.

THE PRESIDENT (Interpretation)—The declarations of the delegates of Australia and South Africa will be inserted in the minutes.

No one else wishes to speak?

Article 2 is adopted.

*Article 3*—THE PRESIDENT (Interpretation)—We shall proceed to vote on Article 3.

M. TCHIJOV (Byelorussia) (Interpretation)—The Byelorussian Delegation considers that Article 3, in its present form, constitutes an infringement of Roumanian sovereignty. That Delegation seconded the proposal moved by the Roumanian Delegation in the Commission, and submitted to the Conference as document *Plen. No. 3*.<sup>41</sup>

It makes the following proposal:

Delete the existing text of Article 3, and to replace it by:

“Roumania, in the exercise of her full sovereign rights and in accordance with the principles embodied in her Constitution and in virtue of the legislation subsequently enacted on 23rd August, 1944 and 6th March 1945, undertakes to ensure the effective enforcement of the principles which are expressed in Chapter II (Articles 5 to 32—Rights of Roumanians) in the said Constitution.”

THE PRESIDENT (Interpretation)—The amendment submitted by the Byelorussian Delegation is put to the vote.

(A vote was taken by roll call).

THE PRESIDENT (Interpretation)—The result of the vote is:

Voted for: Australia, Belgium, Canada, China, France, Greece, India, Norway, Netherlands, United Kingdom, USSR, Union of South Africa, U.S.A.

<sup>41</sup> For text of C.P. (Gen) Doc. 3, Observations on the Draft Peace Treaty with Rumania by the Rumanian Government, see vol. iv, p. 217.

Voted against: Byelorussia, Ukraine.

Abstained: Czechoslovakia, Poland, Yugoslavia.

The Byelorussian amendment is therefore adopted by 13 votes to 2, with 3 abstentions.<sup>42</sup>

Are there any objections to Article 3 as submitted by the Commission?

M. TCHIJOV (Byelorussia) (Interpretation).—The Byelorussian Delegation will vote against.

THE PRESIDENT (Interpretation).—Does the Delegation insist upon a vote by roll call?

M. TCHIJOV (Byelorussia) (Interpretation).—Yes, Mr. President.

M. [BARANOWSKY?] (Ukraine) (Interpretation).—My Delegation will also vote against.

THE PRESIDENT (Interpretation).—I put Article 3 to the vote.

(A vote was taken by roll call)

The result of the vote is:

Voted for: Australia, Belgium, Canada, China, Czechoslovakia, Ethiopia, France, Greece, India, Norway, Netherlands, Poland, United Kingdom, Union of South Africa, USSR, U.S.A., Yugoslavia.

Voted against: Byelorussia, Ukraine.

Article 3 is therefore adopted by 17 votes to 2.

Article 3A—THE PRESIDENT (Interpretation)—I put Article 3 A to the vote. This is a new text proposed by the Commission.

M. VYSHINSKY (U.S.S.R.) (Interpretation)—We are opposed to this text, and ask for a vote by roll call.

M. [LANGE?] (Norway) (Interpretation)—I request that record of the declaration of the Norwegian Delegation concerning Article 3 be inserted. This declaration has been transmitted to the Secretariat.

GEN. CATROUX (France) (Interpretation)—When the question was considered in the Commission, the French Delegation voted against this Article because it was of the opinion at that moment that, submitted in this form, the Article was unfriendly and discriminatory towards the Roumanian Government; but the French Delegation in fact shared the feeling which prompted the representative of the United Kingdom to make the proposal in order to provide the necessary guarantees for the Jewish population of Roumania; and declared itself willing, as is indicated in the Record of Decisions, to vote for this Article, if a similar provision is embodied in the other Treaties submitted to the Conference. Having since learnt that the same provision has been embodied in the Treaty with Hungary, the French Delegation will vote for Article 3 A.

<sup>42</sup> The Verbatim Record is evidently in error. The Record of Recommendations by the Conference on the Draft Peace Treaty with Rumania, vol. iv, p. 918, indicates that article 3 was adopted without modification; the Byelorussian amendment was therefore not adopted.

THE PRESIDENT (Interpretation)—The request of the Norwegian Delegate will be dealt with by the Secretary General of the Conference.

M. VYSHINSKY (USSR) (Interpretation)—The Soviet Delegation has made a proposal at this point, but without explaining it, as it did not foresee that other delegations would move a similar one. The French Delegation has given its reasons for voting Article 3 A. The Soviet Delegation therefore feels it must also make a Statement explaining its vote.

The Soviet Delegation will agree to all clauses the aim of which is to prevent the Treaty from including any provisions of a discriminatory character, which might be adopted by various States. This problem, however, is already solved by other Articles of the Treaty; and is covered by Article 3. Article 4 provides that the Roumanian Government shall undertake to respect the rights of its nationals, irrespective of race or religion. Discriminatory legislation is therefore impossible.

The Soviet Delegation thinks it is unnecessary to repeat the same thing three times, since discriminatory provisions have already been prohibited by Articles 3 and 4. The Soviet Delegation therefore considers that the adoption of a new Article is unnecessary, and will vote against its insertion in the Treaty.

THE PRESIDENT (Interpretation)—These two declarations are contrary to the Rules of Procedure adopted by this Conference. I therefore request the delegates to abstain from explaining their votes.

Article 3 is put to the vote.

(A vote was taken by roll call).

THE PRESIDENT (Interpretation)—The result of the vote is:

Voted for: Australia, Belgium, Brasil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Union of South Africa, United Kingdom, U.S.A.

Voted against: Byelorussia, Czechoslovakia, Norway, Poland, Ukraine, USSR, Yugoslavia.

Article 3 A is adopted by 14 votes to 7.

The following Articles (4 to 13) were adopted unanimously without alteration. Are there any objections to all these Articles being voted on together? If a Delegation asks for a vote article by article, these Articles will be put to the vote separately. Otherwise, all these Articles will be submitted together to the approval of the Conference. No objections? I consider that all these Articles are adopted by the Conference.

I have a proposal to make, namely that we now finish voting on the political articles of the Peace Treaty with Roumania, that is we shall



take up Article 21 and immediately after Article 35, and then Articles 36, 37, and 38. If there are no objections, we shall proceed in this order.

Are there any objections to Article 21?

No objections, the Article is adopted.

Article 35 is put to the vote, are there any objections?

No objections, the Article is adopted.

Article 36 is put to the vote, are there any objections?

M. VYSHINSKY (USSR) (Interpretation)—The Soviet Delegation moves that the Soviet proposal, contained on page 20 of the Draft Treaty with Roumania, should also be put to the vote.

THE PRESIDENT (Interpretation)—The Soviet proposal to Article 36 is put to the vote.

(A vote was taken by roll call).

The result of the vote is:

Voted for: Byelorussia, Czechoslovakia, Poland, Ukraine, USSR, Yugoslavia.

Voted against: Australia, Belgium, [Brazil?], Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, United Kingdom, U.S.A.

The Soviet proposal is rejected by 15 votes to 6.

Article 36, as adopted by the Commission, is put to the vote.

(A vote was taken by roll call).

The result of the vote is:

Voted for: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Norway, Netherlands, New Zealand, Union of South Africa, United Kingdom, U.S.A.

Voted against: Byelorussia, Czechoslovakia, Poland, Ukraine, USSR, Yugoslavia.

Article 36 as drafted by the Commission, is adopted by 15 votes to 6.

Article 37 is put to the vote. Are there any objections?

This Article is adopted.

Article 38 is put to the vote. Are there any objections?

This Article is adopted.

We now come to Annex 1 of Article 1 (Map of the frontiers of Roumania). Are there any objections to this Annex?

Annex 1 is adopted.

I now request the Chairman and the *Rapporteur* of the Military Commission to take their seats on the rostrum.

We had already begun to adopt the military clauses when we adopted Articles 11, 12 and 13. We now come to Article 14.

Are there any objections to this Article?

MR. BYRNES (U.S.A.)—I wish to draw your attention to the draft table of new articles and amendments submitted by the Commission.

After Article 14, there is a resolution, which the report states was adopted unanimously. I submit it to the Conference, and ask for its consideration in the order in which it appears.

COL. NASZKOWSKI (Poland) (Interpretation)—As concerns the declaration in question, I note that in the Military Commission the representatives for Byelorussia, Poland, Czechoslovakia, Ukraine, USSR, and Yugoslavia declared that, in their opinion, the Commission had not reached an unanimous decision on this point.

I request that the declaration of these six States, which already figures in the report, should be inserted in the minutes of the Plenary Meeting.

MR. BYRNES (U.S.A.)—In order that the matter may be made clear, I call attention to page 1 of what is called the "Table of New Articles and Amendments submitted by the Commission", where it is stated: "Resolutions hereafter adopted unanimously: . . . 4. The Commission agrees that the article on prohibition in the Balkan and Finnish Treaties, Article 12 of the Bulgarian Treaty, Article 14 of the Roumanian Treaty, Article 13 of the Hungarian Treaty, and Article 16 of the Finnish Treaty, should be in identical language", that is as they were adopted for Article 12 of the Bulgarian Treaty.

Now the Delegate from Poland says that after it was adopted unanimously there was included a statement which he read, in which he dissents from this statement as to it being adopted unanimously as this is true, in justice to the Delegate from Poland, and to the majority of the Commission, if his statement that a majority did vote for it is correct, I submit that the resolution be voted on in the Plenary Session, so that it can be determined whether or not the Conference wishes this rule to govern its course.

THE PRESIDENT (Interpretation)—I will ask the Chairman and the *Rapporteur* of the Military Commission to give us certain information on this matter.

THE CHAIRMAN OF THE MILITARY COMMISSION (GENERAL MOSSOR) (Poland) (Interpretation)—When the Military Commission proceeded to consider Article 14 of the Peace Treaty with Roumania, the U.S. Delegation requested that the adoption of this Article be postponed until the consideration of the corresponding Article of the Peace Treaty with Bulgaria.

As soon as an amendment has been adopted concerning the corresponding article of the Peace Treaty with Bulgaria (amendment concerning the demilitarisation of the frontier), the U.S. Delegation proposed the declaration you have read in the report.

This declaration was adopted unanimously. Subsequently, by a simple majority, a new amendment concerning motor torpedo boats was

adopted. The minority considered that this resolution did not affect the second amendment.

This is the origin of the discrepancy between the opinions of the majority and the minority of the Commission.

The minority then submitted a declaration, which figures in the report, concerning the military clauses of the Peace Treaty with Bulgaria.

THE PRESIDENT (Interpretation)—The minority declaration was made by six Delegations. I request that the minority declaration be read.

M. FOUQUES DUPARC (France) (Interpretation)—Here is the text of the minority declaration, as it appears in the Report. It is taken from the Record of Decisions:

MR. BYRNES (U.S.A.)—I do not think it important, but the representative of the United States on the Military Commission calls my attention to the fact that the first page of the record of the decisions of the Military Commission at the 28th Meeting shows that the vote on the torpedo boats in the Bulgarian Treaty was taken before the Resolution was adopted unanimously by the Commission considering the Roumanian Treaty; but as I have investigated the matter, it is evident to me that, while the Roumanian Commission did unanimously adopt the resolution which appeared on page 1 of the Report handed us by the Commission, it is clear from the statement by five or six States inserted in the Record that there was genuine misunderstanding about it; and I therefore think that it should be solved by having the Conference vote on the question; I also think it might be helpful to the Chair if I should move that this Resolution which was voted on in the Military Commission, should now be put to the vote, and allow the Conference to decide it and determine what course it wishes to follow.

THE PRESIDENT (Interpretation)—When examining the final texts in the Plenary Conference we decided to follow a certain procedure. It was decided that during the Plenary Meeting a vote should only be taken on amendments adopted by the Commissions, or sub-amendments moved in the Commissions by a minority and on which that minority insisted on a vote being taken in the Plenary Conference.

We have no other rule regarding voting, except what has been decided in accordance with the rules of Procedure, namely that no new amendments should be voted on.

On the other hand it has now been decided that resolutions of the Commissions would be voted on in the Plenary Conference.

I therefore consider there is no reason to raise the question whether a vote can be taken on the resolution of a Commission.

MR. BYRNES (U.S.A.)—I agree that if a Commission should adopt a resolution having no reference to the article under discussion, it

would not be in order to ask for a vote on that resolution. But when the Commission adopts a resolution, which says that Article 14 shall read exactly the same as the corresponding article in the Bulgarian Treaty, then that is dictating to the Conference the language the Commission wishes to have in Article 14. If they were adopting a resolution of thanks to the Chairman, or to many other people to whom they owe debts of gratitude, that would be different. But this resolution is tied to and made a part of Article 14, because it says that Article 14 shall read in accordance with what we say in this Resolution, namely, that it shall be in accord with the paragraph in the Bulgarian Treaty. Therefore, I submit that this is not an isolated resolution, but is really part of Article 14.

THE PRESIDENT (Interpretation)—I shall call upon the Chairman of the Military Commission to make a declaration on this point.

GENERAL MOSSOR (Poland) (Interpretation)—In reply to the question about the amendments submitted to the Commission, I shall say that two amendments were submitted concerning the Peace Treaty with Bulgaria, Article 12: one amendment concerning the demilitarisation of the frontier, and another concerning the prohibition imposed upon Bulgaria to have motor torpedo boats. But no formal and regular amendment was submitted on the same questions concerning the Peace Treaty with Roumania. There is a difference of opinion on this point, for as I have already stated the United States Delegation submitted this amendment before the second amendment had been accepted.

THE PRESIDENT (Interpretation)—In my opinion, the proposal made by Mr. Byrnes is equivalent to a new amendment, and according to our Rules of Procedure, new amendments cannot be put to the vote in Plenary meetings. On the other hand, if we vote on this Resolution, as requested by Mr. Byrnes, we should infringe the rules adopted by the Conference. But, if Mr. Byrnes insists, I shall put the matter to the Plenary Conference and ask, whether it wishes to vote or not, on the Resolution. If Mr. Byrnes does not insist upon his resolution, we shall proceed to Article 13.

MR. BYRNES (U.S.A.)—I do insist on the proposal. I understood you were going to submit to the Conference whether or not we had to vote on it. This will be entirely satisfactory. Let the Conference do as it pleases.

THE PRESIDENT (Interpretation)—I propose the following procedure: the Rules of the Conference do not provide for taking a vote on the United States resolution, but if the Conference so desires, it can alter them. I ask the Conference if it wishes to modify these rules and to vote on the Resolution?

MR. VYSHINSKY (U.S.S.R.) (Interpretation)—The Soviet Delegation considers that all the delegations which are represented here are bound by the Rules of Procedure adopted by the Conference, and that these Rules are binding on them. If, in particular cases and for special reasons, we alter the general Rules of Procedure adopted by the Conference, we shall soon be in a difficult position. It is probable that Mr. Byrnes' proposal will obtain 13 votes, without that of the United States; it will therefore obtain 14 votes, which will create a precedent for any new alteration in the Rules it is proposed to make, in cases where certain delegations may consider such an alteration justified. This would tend to jeopardize the work of the Conference.

The Soviet Delegation considers that the explanation given by the President, based upon our Rules, and more particularly on Part 6, is quite satisfactory, and that no Delegations should insist for the adoption of new proposals which would cause the alteration of this [*these?*] rules. Consequently, the Soviet Delegation considers that it is inopportune to insist on a vote on such a proposal, and that it is contrary to the Rules.

M. VAN STARKENBERG (Netherlands)—The Netherlands Delegation agree with M. Vyshinski, and is against altering the Rules of this Conference; but feels, on the other hand, that in order to decide the matter, it is not necessary to alter anything. All that is necessary is for the Meeting to decide whether or not this Resolution is in fact an amendment or not, and I believe the Resolution on this matter is simply intended to give the Committee's special wording of Article 14.

MR. BYRNES (U.S.A.)—I only want to say that I would not want to let go unchallenged the statement that we could not consider a matter presented in the form of a resolution. The Trieste Statute proposal submitted by the representative of France was presented in the form of a resolution, and was voted on last night.

Here, however, the position is different, there is an amendment. In the Commission, the majority of the members admitted that, once this text had been adopted for Bulgaria, it would automatically be embodied in Article 14 of the Draft Treaty with Roumania.

THE PRESIDENT (Interpretation)—Three quarters of an hour have already been wasted in discussing this question, and I wish to point out that there are certain Delegations who may ask the Conference for an explanation on this point.

I draw your attention to the fact that the Chairman of the Military Commission, the Secretary General, and the President of the Conference have just explained that the American proposal is to be regarded merely as a new amendment. Now, we have unanimously

decided that new amendments shall not be voted on in a Plenary Meeting. Therefore, I can take no decision in respect of the American proposal without changing our rules of procedure, and for the purpose of a vote on such amendments, I shall ask the United States Delegation to explain the text which it has submitted.

MR. JEBB (United Kingdom)—I merely wish to say, with all deference to the President and to the Secretary General, that my Delegation does not consider that this is an infringement of our rules of procedure. As a matter of fact, the rules adopted do not provide for an explanation of the vote nor that any new amendment shall not be submitted. In this case we do not see that there is a new amendment, it is a proposal which has been formulated by the Military Commission, unanimously adopted and submitted some time back. There is therefore nothing new in this. Accordingly, there is nothing to conflict with our rules of procedure and I think that we should immediately vote on this question in order to gain time and to speed up the work of this Conference.

THE PRESIDENT (Interpretation)—There are three ways of overcoming this difficulty; the first, to withdraw the proposal; the second, to reconsider the procedure and, on the basis of new rules, to vote on the American proposal. The third method would be to state that this text does not constitute a new amendment. In this case, the point of view of the Conference would differ from that of the Chairman of the Military Commission, the Secretary General, and of the President of this meeting.

If Mr. Byrnes maintains his proposal, I am ready to adopt one of the three methods indicated. I leave it to him to state which of the three methods should be selected by the Conference.

MR. BYRNES (United States)—Mr. President, I venture, with all deference due to you, to propose that, in my opinion, the best way would be to allow the Conference to decide whether this is a new amendment or not. This would amount to the third solution which you have exposed [*proposed*]. I again say that the best way would be to leave it to the Conference.

THE PRESIDENT (Interpretation)—I ask the honourable representative of the United States to which Article of the Peace Treaty with Roumania this amendment applies.

MR. BYRNES (United States)—Mr. President, as is shown in the report, this proposal was adopted subsequently to the unanimous adoption of Article 14. It concerns an amendment to Article 14, not a new amendment since it is included in the report.

THE PRESIDENT (Interpretation)—The Commission has not submitted an amendment to this Article. Therefore, I cannot put to the vote this proposal as an amendment to this Article.

On the other hand, if this proposal amounts to a resolution, there is nothing in our rules of procedure providing for a vote on resolutions. Therefore, if this proposal is to be put to the vote, I would ask that a reference to a clause in our rules of procedure, to serve as a basis for this vote, should be made in an Article.

GENERAL CATROUX (France)—Mr. President, I think we could overcome the difficulties of procedure if this proposal were to be considered as a recommendation; when the Commission, in the text in which it drafted this resolution, states "The Commission is of the opinion that", this means that it recommends to the Conference a text as a recommendation which, moreover, applies not only to the Roumanian Treaty, but to all the Balkan treaties. It seems to me that we could thereby overcome the difficulties of procedure and that the Conference would be able to take a decision.

MR. JEBB (United Kingdom)—Mr. President, with all the deference due to you, I do not quite understand your difficulties. You ask under what provision of our rules of procedure the Conference can take a decision on this resolution, but, according to point 5 of these rules, the Conference can just as well take a decision on the proposal submitted, and the word "proposal" figures in this text. If this resolution is not a proposal, I do not quite see what it is. It is, in my opinion, a proposal drafted by the Military Commission and submitted to us for a decision. Therefore, it is quite in accordance with the rules of procedure that we should vote on this proposal. And as I have already stated, it seems to me that we should gain time by voting at once.

THE PRESIDENT (Interpretation)—There has just been a reference to point 5 of our rules of procedure. It is stated that after the close of the general debate, the Plenary Conference shall examine the proposals and amendments submitted by the Commissions. But this statement was not made by the Military Commission; point 5 of our rules of procedure cannot therefore apply in this case. This proposal does not emanate from the Military Commission, whose Chairman is present here, and he himself regards this proposal as a new amendment.

The proposal submitted to the meeting by the United States Delegate cannot be identified with that of the Military Commission.

M. VYSHINSKI (U.S.S.R.)—(Interpretation)—General Catroux and Mr. Jebb have stated that the resolution which we have been discussing so long is in reality a recommendation. That is that the Commission has adopted a proposal which it recommends for examination by the Plenary Conference. But what are the reasons for regarding this resolution as such? And on what are these reasons based? In the text of the resolution, it is stated that the Military Commission has agreed that the clauses concerning certain prohibitions of a military character, which have been adopted in respect of the Peace Treaty

with Bulgaria, shall be extended to the Peace Treaties with the other Balkan countries, and with Finland. But there is no question of recommendations. It is merely a question of internal agreement in the Commission as to the method to be adopted for the settlement of this question.

Why should the method adopted in the Military Commission be considered as a recommendation to be examined by the Plenary Conference? This is not a recommendation, it is merely an agreement among the members of the Military Commission for the settlement of this question.

The agreement in question provides that Article 14 of the Treaty of Peace with Roumania should be drafted in the same way as Article 12 of the Treaty of Peace with Bulgaria. If it were a recommendation, it would be necessary to submit a definite text on which we could have taken a decision. In reality, agreement was reached on one thing, and another thing was done. The Commission adopted Article 14, with a Belgian amendment, but without the clauses which might have been added, and the question raised here which is, in reality, under the pretext of inserting an identical text in the various Peace Treaties, of introducing into the Treaty with Roumania this sentence on torpedo-launching apparatus which appears in the other Article, has not actually been dealt with. It, therefore, considers that this is neither a resolution nor a recommendation. It is merely an internal agreement reached by the Military Commission on a certain method for the settlement of the question, and I think that it should be settled by the President in the Plenary Meeting of the Conference.

MR. BYRNES (United States)—Mr. President, if the Chair is kind enough to indulge me for a few moments, I will not again speak on this subject. I would not want the Chair to take the position that this is a new proposal, not submitted by the Military Commission, but a new proposal submitted by the United States Delegation. How does it come to us? It comes to us in a report from the Military Commission. Every Member of this Conference has read the Report, and the Report, in addition to recommending Article 14, says "The Commission expresses the opinion". The Commission, and not the United States Delegation.

Further, this opinion is unanimous when expressed in respect of Article 14, "The Commission is of the opinion that all Articles on prohibitions in the Balkan and Finnish Treaties, Article 12 of the Bulgarian Treaty, Article 14 of the Roumanian Treaty, etc. should be in identical language. Therefore, The Commission recommends to the Conference Article 14 provided it should not differ from the Article contained in the Bulgarian Treaty, and if this Article is different, the Commission, through its Chairman, reports that the Article in the



Roumanian Treaty should be made identical with that in the Bulgarian Treaty.

Therefore no one can say that this is a new amendment. It comes here only from the Military Commission, and comes with the recommendation that Article 14 must be made identical with the corresponding Article in the Bulgarian Treaty.

Therefore, under these circumstances, I do not think we can fail to submit to this Conference the question whether we will adopt all recommendation of the Military Commission or only part of it.

THE PRESIDENT (Interpretation)—I do not wish to repeat myself; Article 14 has been adopted. We now come to Article 15. Are there any objections?

MR. BEASLEY (Australia)—Mr. President, I am not prepared to take the course that you suggest, and after all, the Conference is master of its own business, and the Chair is not competent to exercise any form of dictatorship on this question when it comes down to an interpretation. You have shifted your ground several times in connection with this question. First of all, you stated that the Conference could not accept a resolution because it happened to be a resolution. It was then proved that the Conference had already accepted a resolution in the case of the proposal of the French Delegate on the Trieste Statute. At that moment, that argument was brushed aside and you declared that the Conference could not contemplate a new question of this kind. But, it was then proved that the question at issue is not a new question, a new proposal, but that this resolution formed part of the Commission's report, and is therefore a proposal of the Military Commission, submitted to the Conference by that Commission.

The third line that you took later was to suggest three alternatives, and you asked the United States Delegate to state which alternative he would choose so that the Chair might be directed how to deal with the matter. The United States Delegate chose the third alternative, namely, to let the Conference decide the matter. Now it appears that you have again shifted your ground.

I therefore wish to confirm my disagreement with the decision of the Chair. It seems to me that this is not a new matter, but a question of interpretation. It is not a question of procedure nor of determining procedure. It is a question of determining what the procedure really means. I think that all the Delegates here are absolutely entitled to express their views on the real meaning of the procedure. My Delegation, therefore, intends to dissent from your ruling, so that the Conference can decide the question itself.

M. WIERBLOWSKI (Poland) (Interpretation)—Mr. President, I think there are certain Delegations who wish to handicap the work

of this Conference. The proposal in question is described as a resolution in the report of the Commission, not as an amendment, a recommendation, or a proposal.

The President has proposed a compromise to enable the Conference to speed up its work; but certain Delegations have objected to this proposal and held up the work; our time is precious, as we wish to terminate the Roumanian Treaty.

As for the question to which Article this resolution refers (or this resolution, amendment, proposal, or recommendation), according to the reply made by the President, it would seem that it refers to Article 14. But Article 14 has already been voted, and I cannot see what clause in Rules of Procedure would enable us to re-open the discussion on an Article already adopted by the Conference.

It has been stated, on the other hand, that a resolution had already been adopted on the question of Trieste. I should point out that, in reality, this was not a resolution, but a recommendation indicating the general lines to be followed in drafting the Article. It seems to me that enough time has been lost in discussing this question of procedure.

The President should be competent to settle the question, all the more as he is acting in agreement with the Secretariat General and the Chairman of the Commission, despite the fact that several delegations are seeking to restrict this right of the Chair and to make us waste time.

THE PRESIDENT (Interpretation)—Some of the Delegations have been guilty of inaccuracy in commenting on my explanations. But I do not wish to reopen this question, to save time and to avoid misunderstanding, I shall ask the Delegations if they wish for a vote on Mr. Byrnes' proposal, and I put this question to the vote.

(A vote was taken by roll-call).

THE PRESIDENT (Interpretation)—The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, Ethiopia, France, Greece, India, New Zealand, Norway, Netherlands, Union of South Africa, United Kingdom, U.S.A.

Against: Byelorussia, China, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

The proposal to vote on Mr. Byrnes' suggestion is therefore adopted by 14 votes to 7.

In view of the fact that the majority of the Delegations are in agreement with Mr. Byrnes' proposal, I ask the American Delegation if it desires that this proposal should be voted on as a resolution or as an amendment.

MR. BYRNES (U.S.A.)—Mr. President, I have said that I considered this resolution as an amendment, and I wish it to be put to the vote as a text contained in the report of the Military Commission.

THE PRESIDENT (Interpretation)—Have I rightly understood that Mr. Byrnes wishes his proposal to be voted on as an amendment to Article 14?

MR. BYRNES (U.S.A.)—Mr. President, in the report of the Military Commission, it is stated: "The above resolution was unanimously adopted"; the text follows. I should like to know whether or not the Conference is in agreement on the Commission's report. I do not wish to discuss whether it is a resolution or an amendment. I merely ask that a vote should be taken on the measures adopted by the Commission, that is to say, that the report of the Commission be adopted or rejected.

I propose to substitute for the word "Commission" the word "Conference", so that the text should read "The Conference expresses the opinion, etc."

THE PRESIDENT (Interpretation)—I hope that the Delegations have understood the proposal of the U.S. representative. This proposal is put to the vote.

(A vote was taken by roll-call).

THE PRESIDENT (Interpretation)—The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, United Kingdom, U.S.A.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Mr. Byrnes's proposal is therefore adopted by 15 votes to 6.

Article 15. THE PRESIDENT (Interpretation)—We now come to Article 15. Any objections?

Article 15 is adopted.

Articles 16, 17, 18, 19, 20, 22 and 23. THE PRESIDENT (Interpretation)—We now come to Articles 16, 17, 18, 19, 20, 22 and 23. There are no changes or amendments in respect of these Articles, which were all adopted unanimously.

Are any alterations proposed?

MR. BEASLEY (Australia)—Mr. President, the Australian Delegation will abstain from voting on Article 16.

THE PRESIDENT (Interpretation)—The Australian Delegation's observations will be taken into consideration.

No objections being raised, Articles 16, 17, 18, 19, 20, 22 and 23 are considered as adopted.

*Article 21.* THE PRESIDENT (Interpretation)—Article 21 has already been adopted.

*Annexes 2 and 3 to the Military Clauses.* THE PRESIDENT (Interpretation)—The Secretary General proposes that we should now adopt Annexes 2 and 3 to the Military Clauses. These Annexes have been adopted by the Commission without any change.

Any objections?

Annexes 2 and 3 are adopted.

*Economic Clauses.* THE PRESIDENT (Interpretation)—We now come to the economic clauses. I call upon Dr. Korbél, Chairman of the Commission, and M. Gerashchenko, *rapporteur*, to come to the rostrum.

*Article 24.* THE PRESIDENT (Interpretation)—We will now take Article 24. Any objections?

M. VYSHINSKI (U.S.S.R.) (Interpretation)—The Soviet Delegation has a proposal to make with regard to Article 24, paragraph 4. If this paragraph is now to be put to the vote, I wish to make a statement on substance.

*Paragraphs 1, 2 and 3.* THE PRESIDENT (Interpretation)—I shall first take a vote on paragraphs 1, 2 and 3. Paragraphs 1 and 2 were adopted unanimously by the Commission with certain amendments, paragraph 3 without alteration.

Any objections?

Paragraphs 1, 2, and 3 of Article 24 are accordingly adopted.

*Paragraph 4.* THE PRESIDENT (Interpretation)—We now come to paragraph 4 of Article 24.

M. VYSHINSKI (U.S.S.R.) (Interpretation)—Mr. President, The United States proposal for paragraph 4, point 4, paragraph *a*), omits definition of the percentage required for the reparation of damage to property.

The Commission did not adopt the 25% proposed by the United States Delegation. The Soviet Delegation, however, regards this figure as fair and requests a vote on the question.

M. ALPHAND (France)—The French Delegation agrees to a vote on the amount of reparations and suggests a percentage of 75%.

THE PRESIDENT (Interpretation)—I put to the vote the Soviet proposal concerning paragraph 4 of Article 24, sub-paragraph *a*). This proposal suggests a compensation percentage of 25.

The French proposal will be put to the vote after.

(A vote was taken by roll-call).

THE PRESIDENT (Interpretation)—The result of the vote is as follows:

For: Byelorussia, China, Norway, Ukraine, U.S.A., U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, Czechoslovakia, Ethiopia, France, Greece, India, Netherlands, New Zealand, Union of South Africa, United Kingdom.

Abstention: Poland.

The Soviet proposal is therefore rejected by 13 votes to 7, with 1 abstention.

I now put to the vote the French proposal for 75% compensation.  
(A vote was taken by roll-call).

THE PRESIDENT (Interpretation)—The result of the vote is as follows:

For: Australia, Belgium, Canada, Czechoslovakia, Ethiopia, France, Greece, India, Netherlands, New Zealand, Union of South Africa, United Kingdom.

Against: Byelorussia, Ukraine, U.S.S.R., Yugoslavia.

Abstentions: Brazil, China, Norway, Poland, United States.

The French proposal is therefore adopted by 12 votes to 4, with 5 abstentions.

*Sub-paragraph a) of Paragraph 4.* THE PRESIDENT (Interpretation)—I put to the vote sub-paragraph *a)* of paragraph 4.

(A vote was taken by roll-call).

THE PRESIDENT (Interpretation)—The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, China, France, Greece, India, Netherlands, New Zealand, Union of South Africa, United Kingdom, U.S.A.

Against: Byelorussia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstentions: Czechoslovakia, Ethiopia, Norway.

Sub-paragraph *a)* of paragraph 4 is therefore adopted by 13 votes to 5, with 3 abstentions.

*Sub-paragraph b) of Paragraph 4.* THE PRESIDENT (Interpretation)—I put to the vote sub-paragraph *b)* of paragraph 4.

Any objections?

M. GOUSEV (U.S.S.R.) (Interpretation)—The Soviet Delegation objects to the adoption of this sub-paragraph.

THE PRESIDENT (Interpretation)—Do you ask for a vote?

M. GOUSSEV (U.S.S.R.) (Interpretation)—Yes.

THE PRESIDENT (Interpretation)—The Secretary General asks that sub-paragraphs *b)* *c)* *d)* be voted on at the same time.

Any objections?

(A vote was taken by roll-call).

THE PRESIDENT (Interpretation)—The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, China, France, Greece,

India, Netherlands, New Zealand, Union of South Africa, United Kingdom, U.S.A.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstentions: Ethiopia, Norway.

Sub-paragraphs *b*), *c*) and *d*) are accordingly adopted by 13 votes to 6, with 2 abstentions.

*Sub-paragraph e*) of Paragraph 4. THE PRESIDENT (Interpretation)—Any objections to sub-paragraph *e*)?

M. VYSHINSKY (U.S.S.R.) (Interpretation)—The Soviet Delegation objects to this sub-paragraph and asks for a vote.

THE PRESIDENT (Interpretation)—I put sub-paragraph *e*) to the vote.

(Vote by roll-call).

The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, China, France, Greece, India, Norway, Netherlands, New Zealand, Union of South Africa, United Kingdom.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., U.S.A., Yugoslavia.

Abstained: Ethiopia.

Sub-paragraph *e*) is accordingly adopted by 13 votes to 7, with one abstention.

*Paragraph 4 bis*. THE PRESIDENT (Interpretation)—I put sub-paragraph 4 bis to the vote.

Any objections?

Paragraph 4 bis is adopted.

*Paragraphs 5, 6 and 7*. THE PRESIDENT (Interpretation)—I put paragraphs 5, 6 and 7 to the vote.

Any objections? If none, the vote is to take place.

Paragraphs 5, 6 and 7 are adopted.

*Paragraph 8*. THE PRESIDENT (Interpretation)—I put paragraph 8 to the vote.

MR. BARTOS (Yugoslavia)—I ask for a vote on each separate sub-paragraph.

*Sub-paragraph a* of Paragraph 8. THE PRESIDENT (Interpretation)—I put sub-paragraph *a*) of paragraph 8 to the vote.

(A vote was taken by roll-call).

THE PRESIDENT (Interpretation)—Sub-paragraph *a*) of paragraph 8 is adopted unanimously.

*Sub-paragraph b* of Paragraph 8. THE PRESIDENT (Interpretation)—I put sub-paragraph *b*) of paragraph 8 to the vote. Any objections? Sub-paragraph *b*) of paragraph 8 is adopted.

*First Part of Sub-paragraph c.* THE PRESIDENT (Interpretation)—I put to the vote the first part of this paragraph, which was adopted as it stood by the Commission. The proposal is adopted.

*Second Part of Sub-paragraph c.* I put to the vote the first proposal in regard to the second part of sub-paragraph *c* of paragraph 8—a proposal submitted by the Sub-Commission.

(A vote was taken by roll-call).

THE PRESIDENT (Interpretation)—The result of the vote is as follows:

For: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, China, Ethiopia, Greece, India, Norway, New Zealand, Union of South Africa, United Kingdom, U.S.A.

Abstained: France, Netherlands.

The proposal is therefore rejected by 13 votes to 6 with two abstentions.

THE PRESIDENT (Interpretation)—I put to the vote the second proposal, submitted by the U.S.A. Delegation, in regard to the second part of sub-paragraph *c* of paragraph 8.

(A vote was taken by roll-call).

The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, United Kingdom, U.S.A.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: France.

The proposal is accordingly adopted by 14 votes to 6 with one abstention.

THE PRESIDENT: I will put to the vote Article 24 bis. We will vote on each proposal separately, and begin with the U.K. proposal.

(A vote was taken by roll-call).

THE PRESIDENT—The result of the vote was as follows:

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, South Africa, United Kingdom, U.S.A.

Against: Byelorussia, Czechoslovakia, Norway, Poland, Ukraine, U.S.S.R., Yugoslavia.

(The U.K. proposal was adopted by 14 votes to 7).

The President of the Commission wishes me to ask the U.S. Delegation if they insist on a vote being taken on their proposal.

MR. THORP (U.S.A.) We are quite agreeable to the first two paragraphs of the U.S. proposal being withdrawn.

THE PRESIDENT—I will put to the vote paragraph 3 of the U.S. proposal.

(A vote was taken by roll-call).

THE PRESIDENT—The result of the vote was as follows:

For: Australia, Belgium, Brazil, Canada, Greece, India, Netherlands, New Zealand, Norway, South Africa, United Kingdom, U.S.A.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: China, Ethiopia, France.

The U.S. proposal was adopted by 12 votes to 6 with 3 abstentions.

Article 25. THE PRESIDENT: I will put Article 25 to the vote.

Any remarks?

Article 25 was adopted.

Article 26. M. BARANOWSKY (Ukraine). When Article 26 was discussed by the Commission the Ukrainian Delegation made a proposal which the Commission did not adopt.

The Ukrainian proposal was to replace the text of Article 26 as it now stands by another draft which is contained in Document 29, page 12 in the Russian text.

The Ukrainian delegation asks that this proposal be put to the vote.

THE PRESIDENT: I will put the Ukrainian proposal to the vote. (A vote was taken by roll-call).

THE PRESIDENT: The result of the vote was as follows:

For: Byelorussia, Poland, Ukraine, Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, China, France, Greece, India, New Zealand, Norway, S. Africa, Netherlands, U.K., U.S.S.R., U.S.A.

Abstained: Czechoslovakia, Ethiopia.

(The Ukrainian proposal was rejected by 15 votes—4 with 2 abstentions).

The Secretary-General and the President of the Commission would like to know if Mr. Thorp has any objection to a vote being taken on Article 26 as a whole? If there are no objections, I will put to the vote Article 26 as a whole.

MR. THORP (U.S.). The U.S. Delegation has no objection to our voting on this article as a whole, however, we would like it recorded in the minutes that the U.S. Delegation abstains on the new sub-paragraph *e* of paragraph 5. We are not asking for a vote by roll-call on this sub-paragraph but we want our abstention recorded.

THE PRESIDENT: I will put the whole of Article 26 to the vote. (A vote was taken by roll-call).

THE PRESIDENT: The result of the vote was as follows:—

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France,



Greece, India, Netherlands, New Zealand, Norway, S. Africa, U.S.A., U.S.S.R., U.K.

Against: Byelorussia, Ukraine, Yugoslavia.

Abstained: Czechoslovakia, Poland.

(Article 26 was adopted by 16 votes to 3 with 2 abstentions).

*Article 27.* THE PRESIDENT: We now come to Article 27.

Are there any objections?

M. GOUSEV. (U.S.S.R.). The U.S.S.R. Delegation proposes that a vote be taken on the Soviet proposal contained in Article 27.

THE PRESIDENT: I will put the Soviet proposal concerning Article 27 to the vote.

(A vote taken by roll-call).

For: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, France, Greece, India, New Zealand, Netherlands, Norway, S. Africa, U.K., U.S.A.

Abstained: China, Ethiopia.

(The Soviet proposal was rejected by 13 votes to 6 with 2 abstentions), I will now put the vote Article 27 with the text which the Commission adopted by a majority vote.

(A vote was taken by roll-call).

THE PRESIDENT: The result of the vote was as follows.

For: Australia, Belgium, Brazil, Canada, France, Greece, India, New Zealand, Netherlands, Norway, S. Africa, U.K., U.S.A.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: China, Ethiopia.

(The proposal was adopted by 13 votes to 6 with 2 abstentions).

*Article 28.* THE PRESIDENT. I will put Article 28 to the vote.

Are there any objections?

(Article 28 was adopted)

*Article 29.* THE PRESIDENT: I will put Article 29 to the vote. Are there any objections?

(Article 29 was adopted)

*Article 30—paragraph 1.* THE PRESIDENT: I will put to the vote Article 30, para. 1, sub-paragraphs *a* and *b*.

Are there any objections to Paragraph 1, sub-paragraphs *a* and *b*?

(There being no objections to the first sentences and sub-paragraphs *a* and *b* of Paragraph 1 of Article 30 these were adopted).

*Sub-paragraph c.* THE PRESIDENT: Are there any objections to sub-para. *c*?

M. GOUSEV (U.S.S.R.) The Soviet Delegation asks for a vote on sub-paragraph *c* with the supplement proposed by the Soviet Delegation.

THE PRESIDENT: I will put the Soviet proposal to the vote.

(A vote was taken by roll call).

THE PRESIDENT. The result of the vote was as follows:

For: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, China, France, Greece, India, New Zealand, S. Africa, U.S.A., U.K.

Abstained: Ethiopia, Netherlands, Norway.

(The Soviet proposal was rejected by 12 votes to 6, with 3 abstentions).

I will now put to the vote the proposal concerning this sub-paragraph *c* which the Commission adopted by a majority.

(A vote was taken by roll-call).

For: Australia, Belgium, Brazil, Canada, China, France, Greece, India, Netherlands, New Zealand, S. Africa, U.K., U.S.A.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Ethiopia, Norway.

The proposal is adopted by 13 votes to 6 with 2 abstentions. I will now first put to the vote the U.S. proposal on this paragraph.

(A vote was taken by roll-call).

THE PRESIDENT (Interpretation).—The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, South Africa, U.K., U.S.A.

Against: Byelorussia, China, Czechoslovakia, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Poland.

The U.S. proposal is adopted by 14 votes to 6 with 1 abstention. I will now put the French proposal to the vote.

(A vote was taken by roll-call).

THE PRESIDENT (Interpretation).—The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, South Africa, U.K., U.S.A.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: China.

The French proposal is adopted by 14 votes to 6 with 1 abstention. We come to Point 2.

Are there any objections to this paragraph?

THE U.S.S.R. DELEGATE (Interpretation).—The Soviet Delegation proposes that a vote be taken on the Soviet proposal contained in paragraph 2.

THE PRESIDENT (Interpretation).—I will put the Soviet proposal concerning point 2 to the vote.

(A vote was taken by roll-call).

THE PRESIDENT (Interpretation).—The result of the vote is as follows:

For: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, China, France, Greece, India, New Zealand, Norway, South Africa, U.K., U.S.A.

Abstained: Ethiopia, Netherlands.

(The proposal was rejected by 13 votes to 6 with 2 abstentions).

*Article 30 Point 2.* THE PRESIDENT (Interpretation): I put to the vote point 2 of Article 30, in the form adopted by the majority of the Commission.

(A vote was taken by roll-call).

THE PRESIDENT (Interpretation): The results of the vote are as follows:

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, U.K., U.S.A., Union of South Africa.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

*Article 30.* Point 2 is therefore adopted by 15 votes to 6.

*Article 30 bis.* THE PRESIDENT (Interpretation): We now pass to Article 30 bis, a new Article.

THE NORWEGIAN DELEGATE: The Norwegian Delegation will abstain.

M. GOUSEV (U.S.S.R.) (Interpretation): The Soviet Delegation is opposed to the inclusion of this Article in the text of the Treaty and proposes that a vote should be taken on this article.

(A vote was taken by roll-call).

THE PRESIDENT (Interpretation): The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, China, France, Greece, India, Netherlands, New Zealand, U.S.A., U.K., Union of South Africa.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Ethiopia, Norway.

Article 30 bis is therefore adopted by 13 votes to 6 with 2 abstentions.

*Article 31.* THE PRESIDENT (Interpretation): I put Article 31 to the vote.

M. GOUSEV (U.S.S.R.) (Interpretation): The Soviet Delegation moves that a vote be taken on the Soviet proposal included in Article 31.

THE PRESIDENT (Interpretation) : I put the Soviet proposal to the vote.

(A vote was taken by roll-call).

THE PRESIDENT (Interpretation) : The result of the vote is as follows:

For: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, China France, Greece, India, Netherlands, New Zealand, Norway, U.K., U.S.A., Union of South Africa.

Abstained: Ethiopia.

The Soviet proposal relating to Article 31 is therefore rejected by 14 votes to 6, with 1 abstention.

I now put to the vote the text of Article 31 adopted by the majority of the Commission.

(A vote was taken by roll-call).

THE PRESIDENT (Interpretation) : The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, U.K., U.S.A., Union of South Africa.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Article 31 is therefore adopted by 15 votes to 6.

*Article 32.* THE PRESIDENT (Interpretation) : We now pass to the vote on Article 32.

Does any Delegate wish to speak?

Article 32 is adopted.

*Article 33.* THE PRESIDENT (Interpretation) : We shall now take a vote on Article 33. Does any Delegate wish to speak?

Article 33 is adopted.

*Article 34.* THE PRESIDENT (Interpretation) : We now come to the vote on Article 34.

M. GOUSEV (U.S.S.R.) (Interpretation) : The Soviet Delegation is opposed to the insertion of Article 34 in the text of the Peace Treaty and asks that the proposal be put to the vote.

THE PRESIDENT (Interpretation) : I do not think that such a vote is necessary. We will simply vote on the Article, as proposed by the majority of the Commission.

THE NORWEGIAN DELEGATE (Interpretation) : In that case, I request that Points 1 and 2 of the proposal be dealt with separately and also that the statement now in the hands of the Secretary-General be in-cluded in the report of the meeting.

M. DRAGOUMIS (Greece) (Interpretation): We will vote on the French proposal, but we ask that our statement be included in the record of the meeting.

THE PRESIDENT (Interpretation): I have noted the Norwegian and Greek statements. A separate vote will be taken; I put the first paragraph of Article 34 to the vote.

*Paragraph 1.* (A vote was taken by roll-call).

THE PRESIDENT (Interpretation): The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, U.K., U.S.A., Union of South Africa.

Against: Byelorussia, Poland, Czechoslovakia, Ukraine, U.S.S.R., Yugoslavia.

Article 34 Paragraph 1 is therefore adopted by 15 votes to 6.

*Paragraph 2.* We now come to the vote on Paragraph 2.

(A vote was taken by roll-call).

THE PRESIDENT (Interpretation): The result of the vote is as follows:

For: Australia, [Belgium?], Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, U.K., U.S.A., Union of South Africa.

Against: Byelorussia, Czechoslovakia, Poland, Norway, Ukraine, U.S.S.R., Yugoslavia.

Article 34 Paragraph 2 is therefore adopted by 14 votes to 7.

*Annex 4, Section A.* THE PRESIDENT (Interpretation): A vote has been taken on each of the Articles of the Treaty; we now come to the Annexes. Annexes 1, 2 and 3 have already been adopted. We shall vote on Annex 4, Section A.

Does anyone wish to speak?

Annex 4, Section A is adopted.

*Annex 4, Section B.* THE PRESIDENT (Interpretation): I put Section B to the vote.

M. GOUSEV (U.S.S.R.) (Interpretation): Mr. President, in the opinion of the Soviet Delegation the inclusion in the Peace Treaty of special clauses relating to insurance serves no useful purpose. We therefore propose that a vote be taken on this matter.

THE PRESIDENT (Interpretation): I put the Soviet Delegation's proposal to the vote.

(A vote was taken by roll-call).

THE PRESIDENT (Interpretation): The result of the vote is as follows:

For: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, China, France, Greece, India, Netherlands, New Zealand, Norway, U.K., U.S.A., Union of South Africa.

Abstained: Ethiopia.

The Soviet Delegation's proposal is therefore rejected by 14 votes to 6, with 1 abstention.

THE PRESIDENT: I will now put to the vote Section B with the text which the Commission adopted by a majority vote.

(A vote was taken by roll-call).

The result of the vote was as follows:

For: Australia, Belgium, Brazil, Canada, China, France, Greece, India, Netherlands, New Zealand, Norway, U.K., U.S.A., Union of South Africa.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Ethiopia.

(Section B of Annex 4 was adopted by 14 votes to 6 with one abstention).

THE PRESIDENT: We now come to Section C of Annex 4. Are there any objections?

THE DELEGATE OF YUGOSLAVIA. Mr. President, Section C is not included in the Commission's proposal. It is already embodied in Article 24 para. 8 *c*.

THE PRESIDENT: I should explain that the first paragraph of this Section has been adopted, but the others have not yet been voted upon.

MR. GREGORY (U.K.). I ask that a vote be taken. (A vote was taken by roll-call).

(The result of the vote was as follows:

For: Australia, Greece, India, Netherlands, New Zealand, S. Africa, U.K.

Against: Byelorussia, Canada, Czechoslovakia, France, Norway, Poland, Ukraine, U.S.A., U.S.S.R., Yugoslavia.

Abstained: Belgium, Brazil, China, Ethiopia.

The proposal was rejected by 10 votes to 7 with 4 abstentions).

THE PRESIDENT: We now come to Section D. Are there any objections?

M. GOUSEV (U.S.S.R.) (Interpretation): Mr. President, the Soviet Delegation proposes that no special provisions concerning oil be included in the Peace Treaty. We ask that this proposal be put to the vote.

THE PRESIDENT: The Soviet Delegation's proposal is put to the vote. (A vote was taken by roll-call).

(The result of the vote was as follows:

For: Byelorussia, Czechoslovakia, Norway, Poland, Ukraine, U.S.A., U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, Greece, India, New Zealand, Netherlands, S. Africa, U.K.

Abstained: China, Ethiopia, France.

The Soviet proposal was therefore rejected by 10 votes to 8 with 3 abstentions).

THE PRESIDENT: I will now put to the vote para. 1 of Section D in the text adopted by a majority vote of the Commission. I will put paragraphs 1 and 2 to the vote.

(A vote was taken by roll-call).

(The result of the vote was as follows:

For: Australia, Belgium, Brazil, Canada, Greece, India, Netherlands, New Zealand, S. Africa, U.K.

Against: Byelorussia, Czechoslovakia, Norway, Poland, Ukraine, U.S.A., U.S.S.R., Yugoslavia.

Abstained: China, Ethiopia, France.

10 votes were cast for and 8 against paras. 1 and 2 and there were 3 abstentions. No majority was therefore secured.)

THE PRESIDENT: I will now put paragraph 3 to the vote.

(A vote was taken by roll-call).

(The result of the vote was as follows:

For: Australia, Belgium, Brazil, Canada, France, Greece, India, Netherlands, N. Zealand, S. Africa, U.K.

Against: Byelorussia, Czechoslovakia, France, Norway, Ukraine, U.S.A., U.S.S.R., Yugoslavia.

Abstained: China, Ethiopia.

Paragraph 3 was therefore adopted by 11 votes to 8 with 2 abstentions.)

THE PRESIDENT: I will now put paragraph 4 to the vote.

(A vote was taken by roll-call).

(The result of the vote was as follows:

For: Australia, Belgium, Brazil, Canada, Greece, India, Netherlands, New Zealand, S. Africa, U.K.

Against: Byelorussia, Czechoslovakia, France, Norway, Poland, Ukraine, U.S.A., U.S.S.R., Yugoslavia.

Abstained: China and Ethiopia.

Result: 10 votes for, 9 against, 2 abstentions.)

THE PRESIDENT: The proposal has not obtained a majority vote and cannot therefore be considered as adopted.

MR. WILGRESS (Canada): Mr. President, I request that the Canadian Delegation's statement concerning Annex 5 be included in the Minutes of this Plenary meeting.

THE PRESIDENT: This will be done. We will now vote on Annex 5. Are there any objections to the adoption of Section I of Annex 5?

M. GOUSEV (U.S.S.R.) (Interpretation): Mr. President. We have objections and ask for a vote.

THE PRESIDENT: I will put to the vote the Soviet Delegation's proposal concerning Section 1 of Annex 5. (A vote was taken by roll-call).

(The result of the vote was as follows:

For: Byelorussia, Czechoslovakia, China, India, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Canada, France, U.K., Greece, Norway, New Zealand, S. Africa.

Abstained: Belgium, Brazil, Ethiopia, Netherlands, U.S.A.

The proposal was therefore rejected by 8 votes to 8 with 5 abstentions.)

THE PRESIDENT: I will now put to the vote the U.K. proposal. (A vote was taken by roll-call).

(The result of the vote was as follows:

For: Australia, Canada, France, Greece, Netherlands, Norway, New Zealand, S. Africa, U.K.

Against: Byelorussia, Czechoslovakia, China, India, Poland, Ukraine, U.S.A., U.S.S.R., Yugoslavia.

Abstained: Belgium, Brazil, Ethiopia.

As there were 9 votes for, 9 against, with 3 abstentions, the proposal was not adopted).

THE PRESIDENT: I will now put the U.S. proposal to the vote:—

(A vote was taken by roll-call).

(The result of the vote was as follows:

For: Australia, Brazil, Canada, France, Greece, India, New Zealand, Norway, S. Africa, U.K., U.S.A.

Against: Byelorussia, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Belgium, China, Czechoslovakia, Ethiopia, Netherlands, Poland.

The U.S. proposal was therefore adopted by 11 votes to 4 with 6 abstentions).

THE PRESIDENT: We now come to Section 2 "Periods of Prescription".

Are there any remarks?

There are 2 proposals in this connection and I will put each one to the vote.

I put to the vote the Soviet Delegation's proposal.

(A vote was taken by roll call).



(The result of the vote was as follows:

For: Byelorussia, Czechoslovakia, Norway, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, Greece, India, Netherlands, New Zealand, Union of South Africa, U.K., U.S.A.

Abstained: China, Ethiopia.

The Soviet proposal was therefore rejected by 11 votes to 8 with 2 abstentions.)

THE PRESIDENT: I will now put to the vote the U.K. proposal.

(A vote was taken by roll call).

(The result of the vote was as follows:

For: Australia, Belgium, Canada, Greece, India, Netherlands, New Zealand, South Africa, U.K.

Against: Byelorussia, China, Czechoslovakia, Poland, Norway, Ukraine, U.S.A., U.S.S.R., Yugoslavia.

Abstained: Brazil, Ethiopia, France.

The U.K. proposal was therefore not adopted as there were 9 votes for and 9 against with 2 [3] abstentions.)

THE PRESIDENT: Are there any remarks on Section 3? I put the U.K. proposal to the vote.

(A vote was taken by roll call).

(The results of the vote were as follows:

For: Australia, Belgium, Brazil, Canada, France, Greece, India, Netherlands, New Zealand, Norway, South Africa, U.K., U.S.A.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: China, Ethiopia.

The U.K. proposal was therefore adopted by 13 votes to 6 with 2 abstentions.)

THE PRESIDENT: I will now put to the vote the U.K. proposal concerning Section IV.

(A vote was taken by roll-call).

(The result of the vote was as follows:

For: Australia, Belgium, Canada, France, Greece, India, Netherlands, New Zealand, South Africa, U.K.

Against: Byelorussia, Czechoslovakia, China, Poland, Ukraine, U.S.A., U.S.S.R., Yugoslavia.

Abstained: Brazil, Ethiopia, Norway.

Result: 10 votes for, 8 against with 3 abstentions.)

THE PRESIDENT: The proposal has not obtained a majority, and cannot therefore be taken as adopted.

*Section V.* THE PRESIDENT: As Section V has already been voted on, we need not revert to it.

*Annex 6, Section A.* THE PRESIDENT: We now come to Annex 6, Section A. Any remarks?

(Annex 6, Section A was adopted.)

*Section B.* THE PRESIDENT: We will take Section B. I will first put the U.S. proposal to the vote.

(A vote was taken by roll call).

(The result of the vote was as follows:

For: Byelorussia, Brazil, Canada, China, Czechoslovakia, India, Norway, Ukraine, U.S.A., U.S.S.R., Yugoslavia.

Against: Australia, Belgium, France, Greece, Netherlands, New Zealand, South Africa, U.K.

Abstained: Ethiopia, Poland.

The proposal was therefore adopted by 11 votes to 8 with 2 abstentions.)

THE PRESIDENT: As the first proposal drawn up by the United States has been adopted, the Chairman of the Commission suggests that no vote be taken on the other proposals.

There being no objections we may say that we have, more or less happily, finished with the consideration of the Articles of the draft Treaty.

I remind the Conference that tomorrow's meeting will be held at 9:30 a. m. Mr. Byrnes will take the chair.

The meeting is adjourned.

(The meeting rose at 1.40)<sup>43</sup>

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## FRIDAY, OCTOBER 11, 1946

### FORTIETH PLENARY MEETING, OCTOBER 11, 1946, 9:30 A. M.

CFM Files

#### *United States Delegation Journal*

#### USDel(PC) (Journal) 68

The Conference began the discussion of the Bulgarian Treaty with Mr. Byrnes in the chair. Mr. Wierblowski (Poland) declared that while his Delegation had not participated in the work of the Commission since Poland had not been at war with Bulgaria, Poland should speak here as it was a question of peace as a whole and because Bulgaria was her close neighbor. He stated that the task of the Conference was to organize peace on democratic principles, differing in this respect from the Congress of Vienna and the Versailles Conference, and enemy countries had here been given a chance to state their views.

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<sup>43</sup> 1:40 a. m., October 11.

He criticized the draft of the Bulgarian Treaty on the following points: (1) Although the Italian Treaty paid tribute to the Italian resistance movement no credit was given to the heroic fight of the Bulgarian Partisans who had joined the Allied forces against Germany on the 9th of September 1944, 6 weeks before signing an armistice. (2) Notwithstanding admiration for the Greeks' contribution to the war he considered that the amount of \$125,000,000 reparation to be paid by Bulgaria to this country (*sic*) was too heavy a burden for an economically poor agricultural country which had suffered serious war damages. (3) Objection was made to the decision on the demilitarization of the Greco-Bulgarian frontier and exclusion of motor torpedo boats. Demilitarization, he pretended [*contended?*], would be prejudicial in the defense of the country in as much as its capital was only 80 miles from the border. As regards the navy he stated discrimination was made in favor of Italy as compared to the limited tonnage allowed Bulgaria. (4) He remarked that Article 28 trespassed on the internal life of the state and that no such clause had been inserted in the other peace treaties. In conclusion he approved of the disallowment of territorial adjustment in favor of Greece and supported the claim of Bulgaria for an outlet to the Aegean. He repeated that trespassing in internal affairs and discrimination in international affairs would lead to eventual difficulties. Declaring that his Delegation was against the constitution of Eastern and Western blocs, he stated that Poland was opposed to unfair discrimination against Bulgaria and asked the Conference to alter the military and economic clauses and those relating to communications.

Mr. Tsaldaris (Greece) declared that the Conference should pronounce on Articles 2A and 34 and that Greece would support a majority vote. The wording of Article 1 cannot be accepted by Greece, as the Greek Delegation came to the Conference seeking frontier security. The Bulgarians have shown their aggressive tendencies by asking for Greek territory. He elaborated on the exhaustive study given to Article 1, its submission to the Military Commission and the final refusal of the Political Commission to consider amendments to it. Greece reserves its right to present its views on this question to the C.F.M. He continued that Bulgaria had acquired Dobruja from Rumania and that this country was better off economically and militarily than after the last war. The tonnage to be allowed the Bulgarian navy would be 6 times greater than before the war. He stated that after fighting 3 times against its neighbor and twice against the Big Powers Bulgaria was now stronger than ever since its economy and natural resources were unaffected, while Greece, on the other hand,

was sorely stricken, devastated and now being denied suitable frontiers. In a spirit of equity victims of aggression should not be in a less favorable position than aggressors. He referred to the deep wisdom of Marshal Smuts in deploring East-West blocs and would welcome the disappearance of same. Unity of world can be obtained only by a spirit of justice and he felt that the treaties had showered bounty on some nations and not on others. Greece would accept the decision of the C.F.M. if based on justice, not on policy of balance of power. He placed his faith in their decision and hopes that they will give justice that Conference has denied Greece.

M. Pijade (Yugoslavia) stated the basic principle of Yugoslav Delegation and the Commission was to permit Bulgaria to establish democratic regime. The new Yugoslavia's role in the Balkans was to be the bulwark of the new order and to further brotherly cooperation among Balkan peoples and states. He paid tribute to the Bulgarians' contribution to the defeat of Germany. After a lengthy dissertation on this general subject with a special reference to Bulgaria, Albania and Rumania, he declared only dark spot in the Balkans was the attitude of the Greeks as shown at the Conference. He criticized defeat of Byelo-russian proposal to recognize Bulgaria as co-belligerent, pointing out discrimination in favor of Italy in this respect. He stated that Article 2 of the Bulgarian Treaty and Article 14 of the Italian Treaty were identical in the C.F.M. draft and considered the additional Article 2 *a*, safeguarding Jews, accepted by the Commission, to be superfluous. He objected to frontier demilitarization and the \$125,000,000 reparation to be paid to Greece and Yugoslavia pointing out that this was a far higher percentage than the reparations demanded from Italy. He then spoke at length about the Greco-Bulgarian frontier and accused the Greek regime of throwing covetous glances on neighboring territory while the new Bulgaria had no aggressive intentions. Greece, he said, was being prevented from participating in Balkan solidarity. He recalled that the Balkans had been the tools of imperialism in the past, referred to British troops in Greece and U.S. ships in the Aegean, and declared that in the interest of peace the Balkans must bring an end to outside interference in the internal affairs of their countries.

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**FORTY-NINTH MEETING OF THE ECONOMIC COMMISSION FOR THE  
BALKANS AND FINLAND, OCTOBER 11, 1946, 2:15 P. M.**

[See the editorial note on page 819.]

## FORTY-FIRST PLENARY MEETING, OCTOBER 11, 1946, 3 P. M.

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 68

The afternoon meeting, with Secretary Byrnes in the Chair, opened with Mr. Caffery's (US) discussion of the important respects in which the Bulgarian Treaty differs from the Rumanian and Hungarian. There was no arrangement made for the payment of reparations by Bulgaria in the Armistice. Consequently, it will be necessary for the Conference to reach a conclusion on the subject. The United States supports the recommendations of the Economic Commission, namely \$125 million to be divided equally between Greece and Yugoslavia. A second major task of the Conference has been, Mr. Caffery added, to provide for the particular security requirements of Greece which has suffered three times in a generation from Bulgarian aggression. One important measure to this end, supported by the United States, would prohibit the construction of certain permanent fortifications along the Bulgarian frontier with Greece. This would assure that there would be no threat to the long and exposed communications route east of Salonika. The United States, in this connection, takes note of a recent Bulgarian law establishing a frontier militia, and has placed on record its position that this militia would be illegal under the treaty unless it is counted in as part of the total strength permitted. Lastly, there is the Greek request for a rectification of Greece's frontier with Bulgaria, which has been studied by the United States long and earnestly because the United States recognizes its importance to the future security of Greece. However, Mr. Caffery said, the United States believes that the firm security for Greece lies rather in the powers of the United Nations and its measures for international security. The United States can be counted on to act through the United Nations if Greece's security should be endangered by an aggressor.<sup>44</sup>

M. Vyshinsky (USSR) prefaced his specific remarks with a general discussion in which, among other things, he called attention to the reserved attitude toward Bulgaria presently evinced by the United States and the United Kingdom. This appears to put Bulgaria in a position less favorable than that of any of the other ex-enemy countries with whom peace treaties are being concluded. M. Vyshinsky then touched on the following points in the Bulgarian Treaty: 1) He termed as unjustified the proposed demilitarization of the Bulgarian frontier with Greece; 2) he trusted that the Conference would also

<sup>44</sup> For text of Ambassador Caffery's statement, see Department of State *Bulletin*, October 20, 1946, p. 714.

reject the Greek claim on Bulgarian Territory, and described even the earlier annexation by Greece of Western Thrace with Kavalla as a mistake; 3) he took exception to the proposed prohibition of torpedo boats for the Bulgarian Navy; and 4) while recognizing the damage inflicted by Bulgaria and her obligation to pay, he felt that the Greek claims for reparations were excessive and hoped that the whole question would be referred to the CFM for further study and decision.

Mr. Alexander (UK) took the rostrum to answer M. Vyshinsky, pointing out in opening that Bulgaria has twice in the past thirty years been an enemy state and that the bulk of the Bulgarian effort in this war was directed against Greece. He then commented on Greece's territorial claims against Bulgaria which he did not think had received sufficient consideration. However, recognizing that these claims will probably not be met, he felt that the demilitarization of the Bulgarian frontier was indispensable. This was no more than France and Yugoslavia had asked and received in respect of their frontiers with Italy, and in fact put no particular burden on Bulgaria since she has never fortified the frontier in the past. In regard to the prohibition of torpedo boats for the Bulgarian navy, Mr. Alexander felt that this was a perfectly logical extension of the decision already taken to prohibit such boats in the Italian navy since they were of an offensive character. Already the Bulgarian navy has been permitted to grow to a strength six times its pre-war level, and should torpedo boats be permitted, a sizable part of the navy could be constituted of these offensive weapons. Although the \$125 million figure for reparations to Greece and Yugoslavia was low in Mr. Alexander's opinion, in view of the losses inflicted on those countries by Bulgaria, he felt that it had the virtue of not placing too heavy a burden on Bulgaria and of giving certain badly needed assistance to the two recipients.

Dr. Sokaninova (Czechoslovakia) explained the Czechoslovak attitude on the Bulgarian Treaty in general. Ex-enemies are judged, she said, on the basis of their contribution to the war effort and their progress since the war toward the establishment of truly democratic institutions. Bulgaria appears favorably in this light, having contributed substantially to the fight against Germany and being well on the path to democracy.

M. Kisselev (Byelo-russia) reviewed Bulgaria's part in the war including casualties numbering 32,000 and material losses amounting to \$290 million. He also spoke favorably of the establishment of the republic and the new constitution, and the elimination of Fascist elements within the country. M. Kisselev did take exception to the proposal that Bulgaria pay \$125 million in reparations to Greece and Yugoslavia; he felt that the sum requested was high compared to the

damage suffered and that it did not follow the principle of partial compensation. He added that the larger part of the damage done in the area of Greece occupied by Bulgaria in the latter years of the war had been done earlier, almost entirely by Italy and Germany, and should be charged against them. He stated, moreover, that the Greek calculations of loss are highly exaggerated. Furthermore, the Bulgarian standard of living is already low and would be seriously reduced by heavy reparations, and so he recommended that the Conference either adopt a lower figure for reparations from Bulgaria or perhaps submit the whole matter for the consideration of the Council of Foreign Ministers.

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FORTY-SECOND PLENARY MEETING, OCTOBER 11, 1946, 9:30 P. M.

CFM Files

*Verbatim Record*

C.P.(Plen) 42

President Mr. Byrnes

THE PRESIDENT: The meeting is open.

DRAFT PEACE TREATY WITH BULGARIA—VOTING ON THE ARTICLES <sup>45</sup>

THE PRESIDENT. The Conference continues the consideration of the Draft Treaty with Bulgaria. We shall proceed to vote on the Articles.

*Preamble.* We begin with the Preamble; p. 4 of the French text of the Draft Treaty. Account should also be taken of what is said on p. 3 of the report of the Political and Territorial Commission for Bulgaria. The Commission unanimously recommends that sub-paragraphs 1 and 2 of the Preamble should be adopted without alteration.

Are there any objections?

I invite the Chairman and the *Rapporteur* of the Commission to come to the rostrum.

Are there any objections to the adoption of sub-paragraphs 1 and 2 of the Preamble?

If there are no objections, sub-paragraphs 1 and 2 are adopted unanimously.

We now come to paragraph 3, which the Commission, in its report, unanimously recommended should be adopted.

Are there any objections to the adoption of paragraph 3?

Since there are no objections, paragraph 3 is adopted unanimously.

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<sup>45</sup> Regarding voting procedure and citations to relevant documentation, see the editorial note, p. 702.

THE DELEGATE FOR BYELORUSSIA (Interpretation). I ask that the amendment moved by the Byelorussian Delegation concerning subparagraph 3 of the Preamble be put to the vote.

THE PRESIDENT. Gentlemen, you have heard the statement of the Delegate of Byelorussia, requesting that the amendment submitted by the Byelorussian Delegation be put to the vote. This proposal will therefore be put to the vote.

(A vote was taken by roll call)

(The result of the votes was:—

For: Byelorussia, Czechoslovakia, Poland, Ukraine, Yugoslavia.

Against: United States, Australia, Belgium, Brazil, Canada, China, France Great Britain, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, U.S.S.R.

Abstention: Ethiopia.

By 15 votes to 5, with one abstention, the amendment was rejected.)

THE PRESIDENT: We now come to paragraph 4 of the Preamble.

Paragraph 4 was amended by the Commission, and the amended text unanimously adopted.

Are there any objections to the adoption of the amended text of paragraph 4?

As there are no objections, paragraph 4 is adopted.

We now come to paragraph 5 of the Preamble, which was unanimously adopted by the Commission.

Are there any objections to the adoption of paragraph 5?

(Paragraph 5 was adopted)

Article 1. We return to Article 1.

Are there any objections to considering Article 1?

M. TSALDARIS (Greece) (Interpretation) I ask for a vote by roll call.

(A vote by roll call was taken)

(The result of the voting was:

For: Byelorussia, Czechoslovakia, France, Norway, Poland, Ukraine, U.S.A., U.S.S.R., Yugoslavia.

Abstentions: Australia, Belgium, [Brazil?], Canada, China, Ethiopia, Greece, India, Netherlands, New Zealand, Union of South Africa, U.K.

Article 4 [1] was therefore not adopted by 9 votes "for" with 12 "abstentions.")

Article 2. THE PRESIDENT: Article 2 was adopted unanimously by the Commission.

Are there any objections to the adoption of this Article? If there were no objections, Article 2 is adopted unanimously.

The report of the Commission states that a supplementary Article 2 a was adopted. I will ask the General Secretary be good enough to read it to us.



M. FOUQUES DUPARC: (Interpretation) "Bulgaria further undertakes that the laws in force in Bulgaria shall not, either in their content or in their application, discriminate or entail any discrimination between persons of Bulgarian nationality on the ground of their race, sex, language or religion, whether in reference to their persons, property, business, professional or financial interests, status, political or civic rights, or any other matters".

THE PRESIDENT: Are there any objections to the adoption of this new Article 2 *a*, the text of which has just been read to you? The Delegate of the Soviet Union has stated that he is opposed to the adoption of this text. A vote by roll call will therefore be taken.

(A vote by roll call was taken)

(The result of the vote was as follows:

For: Australia, Belgium, Brazil, Canada, Ethiopia, Great Britain, Greece, [India?], Netherlands, New Zealand, Union of South Africa, U.S.A.

Against: Byelorussia, France, Norway, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: China, Czechoslovakia.

Article 2 was therefore, adopted by 12 votes to 7, with two abstentions.)

*Article 3.* THE PRESIDENT: We will now take Article 3.

Are there any objections to its adoption?

MR. VYSHINSKY (USSR) (Interpretation). Since the Commission recommended unanimously that Articles 3 to 11 should be adopted, The Soviet Delegation requests that these articles be submitted to the approval of the Conference as a whole.

THE PRESIDENT: I put Articles 3 to 11 to the vote as a whole, on the proposal of the Delegate of the Soviet Union.

Any objections to the adoption of these Articles?

(Articles 3 to 11 were adopted unanimously).

*Article 12.* THE PRESIDENT: We shall now take Article 12.

LORD HOOD. (U.K.) There is a new article, which it is proposed to insert before Article 12.

THE PRESIDENT: That is correct; having completed the political clauses at the beginning of the Treaty; and since we are now going to consider the military clauses of the Treaty, the Chairman and *Rapporteur* of the Military Commission are requested to take place on the rostrum.

MR. VYSHINSKY (USSR) (Interpretation). I think it would be useful to consider the other Articles of a political nature now; I refer to Articles 33, 34, 35 and 36, which are not military articles. I therefore suggest that we now take the Articles I mentioned, that is Articles

33 to 36, with their Annexes, and that we only take the military clauses later. We adopted this procedure yesterday for Roumania.

THE PRESIDENT: The Delegate of the Soviet Union has proposed that, rather than to pursue the consideration of the Articles of the present Treaty in the order in which they occur, we should temporarily set aside the military and economic clauses, in order to take the final clauses, from Article 33 to Article 36.

Are there any objections?

LORD HOOD (U.K.) Article 19 is also a political Article, and should be taken first.

THE PRESIDENT: In accordance with the wish which has been expressed, we shall proceed to consider Article 19 concerning the withdrawal of the Allied forces.

The adoption of this text was recommended unanimously by the Commission.

Are there any objections?

(Article 19 was adopted).

Article 33. THE PRESIDENT: We now come to Article 33, adopted unanimously by the Commission. Does anybody wish to speak?

(Article 33 was adopted).

Article 34. THE PRESIDENT: The Commission was unable to reach any agreement on Article 34. There were several distinct proposals. The U.K. and U.S.A. proposal to adopt the text was carried by 8 votes to 5.

The Soviet proposal obtained 5 votes to 8.

The joint U.K. and U.S.A. proposal is submitted for approval by the Conference. Failing any objection, Article 34 is adopted.

M. GOUSEV. (U.S.S.R.) (Interpretation): I ask that a vote be taken on the U.S.S.R. proposal.

THE PRESIDENT: Agreed.

(A vote was taken by roll call)

(The result of the voting is as follows:

For: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, United Kingdom, Union of South Africa, U.S.A.

The U.S.S.R. proposal was rejected by 15 votes to 6.)

THE PRESIDENT: Does anybody wish the joint U.K.-U.S. proposal on Article 34 to be put to the vote?

Yes, a vote will be taken.

(A vote was taken by roll call)

(The result of the vote was:

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, U.K., Union of South Africa, U.S.A.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

The joint U.K.-U.S.A. proposal was adopted by 16 [15] votes to 5 [6].)

*Articles 35 and 36.* THE PRESIDENT: Articles 35 and 36 were adopted unanimously by the Commission. Is there any objection to our accepting them here?

(Articles 35 and 36 were adopted).

*Annex 1 to Article 1.* THE PRESIDENT: Annex 1 relates to Article 1, which was not adopted by the Conference. Consequently there is no need to examine Annex 1.

The Conference is therefore asked to pursue its consideration of the military clauses.

The U.K. Delegate has drawn attention to a supplementary Article proposed by the Commission, which appears on page 6 of the report without any indication as to its number.

If the U.K. Delegate wishes to propose the insertion of this new Article, either after Article 10 or Article 11, I should be glad if he would make a proposal to that effect.

The text in question is given on page 6 of the Military Commission's report and consists of paragraphs *a* and *b*.

Does anybody ask for a separate vote?

We shall vote on paragraphs *a*. and *b*. as a whole.

(A vote was taken by roll call).

(The result of the vote was:

For: Australia, Belgium, Brazil, Canada, France, Greece, India, Netherlands, New Zealand, U.K., Union of South Africa, U.S.A.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: China, Ethiopia, Norway.

The amendment was adopted by 12 votes to 6, with 3 abstentions.)

THE PRESIDENT: Article 11 has already been adopted so we now come to Article 12.

*Article 12.* THE PRESIDENT: The Commission unanimously adopted a text comprising certain amendments; subsequently a new amendment was proposed by the U.K. and Greek Delegations to the effect that the following words "as well as M.T.B.S." be added after the words "and other submersible vessels."

GENERAL CATROUX (France) (Interpretation): I should like a more accurate translation, specifying in French that "vedettes lance-torpilles" (torpedo launching vessels) are meant.

THE PRESIDENT: The amendment to insert the words "torpedo-launching vessels" after the words "and other submersible vessels", is submitted to the Conference for approval.

(A vote was taken by roll call).

(The result of the vote was as follows:

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, Greece, India, Netherlands, New Zealand, Norway, U.K., Union of South Africa, U.S.A.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: France.

The amendment was adopted by 14 votes to 6, with 1 abstention.)

Article 12. THE PRESIDENT: Article 12, as amended, is put to the vote.

(A vote was taken by roll call)

(The result of the vote was as follows:

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, Greece, India, Netherlands, New Zealand, Norway, U.K., Union of South Africa, U.S.A.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: France.

Article 12 was adopted by 14 votes to 6, with one abstention.)

Article 13. THE PRESIDENT: Article 13 was adopted in the Commission with a change of drafting in the French version. Does anybody wish to speak on this Article?

(Article 13 was adopted)

Articles 14, 15, 16, 17 & 18. MR. VYSHINSKY (USSR) (Interpretation): The U.S.S.R. Delegation has proposed to vote on the 5 following Articles, as a whole.

THE PRESIDENT: Articles 14, 15, 16, 17 and 18, together with Annexes II and III relating thereto, will be submitted simultaneously to the Conference.

MR. BEASLEY (Australia): We did not ask for a separate vote, but the Australian Delegation wishes to record its abstention in connection with Article 14.

THE PRESIDENT: The Secretary-General will note that the Australian Delegation abstains with regard to Article 14.

That concludes the Military Clauses of the Treaty. We now come to the Economic Clauses.

Will the Chairman and *Rapporteur* of the Economic Commission for the Balkans and Finland please come to the platform?

Article 20. THE PRESIDENT: Article 20 inaugurates Part V of the Treaty entitled "Reparation and Restitution".

First we have the Economic Commission's proposal on page 2 of the report, to the effect that Article 20, as drafted by the Council of Foreign Ministers, be adopted unanimously, leaving in blank the amount and time limit for reparation payments, but adding a definition of the dollar value.

Is there any objection to adopting the Economic Commission's recommendations, that is, that Article 20, drafted as I have suggested, without defining either the amount, of, or the time limit for reparations, and on the understanding that we shall subsequently vote on the various proposals to determine the total amount of reparations?

The Article, as drafted by the Council of Foreign Ministers, is adopted.

In connection with the amount to be paid as reparations, the Economic Mission's report refers, first, to the Yugoslav proposal. We shall start by voting on this proposal, to the effect that reparations be fixed at 25 million dollars.

MR. . . . . (Norway) : The Norwegian Delegation would like it to be recorded in the Minutes that we abstained from voting on this question, and will communicate our reasons for so doing to the Secretariat.

THE PRESIDENT: The Norwegian Delegate's statement will be recorded in the Minutes.

I call for a vote on the Yugoslav proposal to assess the figure for reparations at 25 million dollars.

(A vote was taken by roll call).

(The result of the voting was as follows:

For: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, China, France, Greece, India, Netherlands, New Zealand, United Kingdom, Union of South Africa, U.S.A.

Abstained: Ethiopia, Norway.

The Yugoslav proposal was rejected by 13 votes to 6, with 2 abstentions.)

THE PRESIDENT: I would ask the Conference to vote on the U.K. proposal to assess reparations at 125 million dollars.

(A vote was taken by roll call).

(The result of the vote was as follows:

For: Australia, Belgium, Brazil, Canada, China, France, Greece, India, Netherlands, New Zealand, Union of South Africa, U.K., U.S.A.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Ethiopia, Norway.

The United Kingdom proposal was therefore adopted by 13 to 6 with 2 abstentions.)

THE PRESIDENT: The report of the Economic Commission shows, on the other hand, that there is an amendment submitted by the Greek Delegation which provides for an addendum to Article 20. Does any one wish this amendment to be put to the vote.

The amendment in question, according to the report, was adopted by the Commission by 7 votes to 6.

MR. VYSHINSKY (USSR) (Interpretation) I ask for a vote to be taken by roll call.

THE PRESIDENT: I ask the Conference to vote on the Greek amendment.

(A vote by roll call was taken)

(The result of the vote was as follows:

For: Australia, Belgium, Brazil, Canada, France, Greece, India, Netherlands, New Zealand, Union of South Africa, U.K., U.S.A.

Against: Byelorussia, China, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Ethiopia, Norway.

The Greek amendment was therefore adopted by 12 votes to 7 with 2 abstentions)

*Article 21—Restitution.* THE PRESIDENT: We now come to Article 21, "Restitution". This text was adopted unanimously by the Commission with the two following amendments: in paragraph 1, add the words "within the shortest possible time" and in paragraph 2 "restitution of works of art".

Are there any objections?

Article 21 was adopted.

*Article 22, Section IV.* THE PRESIDENT: We now come to Article 22, Section IV, Economic clauses.

The Commission's report shows that in this Article 22, paragraphs 1, 2, 3, 5, 6, and 7 were adopted unanimously by the Commission. Are there any objections to the paragraphs mentioned being adopted? If not, these paragraphs are adopted.

We will now take paragraph 4 of Article 22, "Compensations".

The Commission first voted on the French proposal for compensation to the extent of 75%. The result of the vote in the Commission was 9 votes for, and 4 votes against.

The Commission then voted on the U.K. proposal for 100 [%] compensation. The result of the vote was 6 votes for, and 7 votes against.

Lastly, the Commission voted on the joint U.S.A. and U.S.S.R. proposal for 25% compensation. The result was 5 votes for and 9 against.

I ask the opinion of the Conference on the text only of paragraph 4, independently of the extent of compensation.

M. TERJE WOLD (Norway) (Interpretation): The Norwegian Delegation wishes to have a separate vote taken on paragraphs *a*) and *b*).

VISCOUNT HOOD (U.K.) I think it would be preferable to follow the same order as the Commission.

THE PRESIDENT: I think that these questions must be considered in the order in which they are submitted in the Commission's report. This report shows that in the first place the proposal for 100% compensation was proposed and voted on in the Commission. The report then shows that the proposal which was next considered by the Commission was that for 25% compensation. I will ask the Conference to decide on the latter point.

(A vote by roll call was taken)

(The result of the vote was as follows:

For: Byelorussia, China, Norway, Poland, Ukraine, U.S.A., U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Canada, Czechoslovakia, Ethiopia, France, Greece, India, Netherlands, New Zealand, Union of South Africa, U.K.

Abstained: Brazil.

The proposal was therefore rejected by 12 votes to 8 with 1 abstention.)

THE PRESIDENT: We now come to paragraph 4 on the same article.

I think I understood that the Delegate for Norway wishes the text to be taken separately and that a separate vote be taken on points *a*) and *b*) of this paragraph.

VISCOUNT HOOD (U.K.): We have not yet voted on the French proposal.

THE PRESIDENT: I made a mistake about the last vote; the question now before the Conference concerns the French proposal for 75% compensation. I ask the meeting to vote upon this proposal.

(A vote by roll call was taken)

(The result of the vote was as follows:

For: Australia, Belgium, Canada, Czechoslovakia, Ethiopia, France, Greece, India, Netherlands, New Zealand, Union of South Africa, U.K.

Against: Byelorussia, Norway, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Brazil, China, Poland, U.S.A.

The proposal was therefore adopted by 12 votes to 5 with 4 abstentions.)

THE PRESIDENT: We will now consider the text which is on page 10 of the report.

The Delegate for Norway has asked for the two paragraphs *a*) and *b*) to be put to the vote separately.

I put paragraph *a*) to the vote.

(A vote was taken by roll-call)

(The result of the vote was as follows:

For: Australia, Belgium, Brazil, Canada, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, U.K., U.S.A.

Against: Byelorussia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: China, Czechoslovakia, Ethiopia.

Paragraph *a*) was therefore adopted by 13 votes to 5, with 3 abstentions.)

THE PRESIDENT: Points *b*), *c*) and *d*) were adopted by a single vote of the Commission. Does any member of the Conference ask for a separate vote to be taken on paragraph *b*) ?

M. TERJE WOLD (Norway): I ask for a separate vote to be taken on paragraph *b*).

(A vote was taken by roll-call)

(The result of the vote was as follows:

For: Australia, Belgium, Brazil, Canada, France, Greece, India, Netherlands, New Zealand, Union of South Africa, U.K., U.S.A.

Against: Byelorussia, Czechoslovakia, Norway, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: China, Ethiopia.

Paragraph *b*) was therefore adopted by 12 votes to 7 with 2 abstentions.)

THE PRESIDENT: Are there any objections to paragraphs *c*) and *d*) ?

A vote will first be taken on point *c*) since objections have been voiced concerning the adoption of this point.

(A vote was taken by roll-call)

(The result of the vote was as follows:

For: Australia, Belgium, Brazil, Canada, China, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, U.K., U.S.A.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Ethiopia.

Paragraph *c*) was therefore adopted by 14 votes to 6 with 1 abstention.)

THE PRESIDENT: Are there any objections to paragraph *d*) ?

If there are objections to paragraph *d*) a vote will be taken by roll call.

(A vote was taken by roll-call)

For: Australia, Belgium, Brazil, Canada, China, France, Greece, India, Netherlands, New Zealand, Norway, U.K., Union of South Africa, U.S.A.



Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Ethiopia.

Paragraph *d*) is therefore adopted by 14 votes to 6, with 1 abstention.

Any objections to paragraph *e*) ?

(The vote was taken by roll call).

THE PRESIDENT: The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, New Zealand, Netherlands, Norway, U.K., Union of South Africa.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., U.S.A., Yugoslavia.

Paragraph *e*) is therefore adopted by 14 votes to 7.

It would seem that no vote has yet been taken on point 6 of Article 22; in the Commission, the results of the voting were as follows:

13 for, with one abstention.

M. POLITIS (Greece): There is a Greek amendment to paragraph 6—document I.J.29. [C.P.(Gen.) Doc. I.J.29] When this was discussed in the Commission, we withdrew the final sentence. The paragraph in question is paragraph 6 bis in the report of the Commission, on page 5 of the English text.

THE PRESIDENT: From the report which I have in hand it appears that the Commission had contemplated an amendment for the insertion of a new text paragraph 6 *a*) at the end of paragraph 6 of Article 21. Is this the proposal to which the Greek Delegate refers and on which he now wishes to have a vote?

M. POLITIS (Greece): That is the proposal, Mr. President.

M. FOUQUES DUPARC. This is the text of the amendment:

“After paragraph 6 of article 22, add a new paragraph 6 bis, reading as follows:

“The Bulgarian Government undertakes to permit United Nations nationals, possessors of the legal rights and interests referred to in the present article, to enter and stay in Bulgaria for the purpose of taking possession of the property, rights and interests mentioned above and of accomplishing all acts relating to the administration or disposal thereof; those nationals will, in particular, have the right to sell their movable and immovable property on the same terms as Bulgarian nationals.”

THE PRESIDENT: The text which has just been read will be put to the vote.

(The vote was taken by roll call)

THE PRESIDENT: The result of the vote is as follows:

For: Australia, Belgium, Brazil, China, Greece, Netherlands, U.K., Union of South Africa.

Against: Byelorussia, Canada, Czechoslovakia, France, India, New Zealand, Norway, Poland, Ukraine, U.S.S.R., U.S.A., Yugoslavia.

Abstained: Ethiopia.

The Greek amendment is therefore rejected by 12 votes to 8, with 1 abstention.

We now come to paragraph 8 of article 22. Are there any objections? If none, the paragraph is adopted.

*Article 23.* Article 23 was unanimously adopted by the Commission. Are there any objections?

THE PRESIDENT: Article 23 is adopted.

*Article 24.* We now come to article 24.

There are two different proposals, one by the U.S., U.K. and French Delegations the final text of which is contained in the report of the Economic Commission on page 8; further, there is the proposal of the Soviet Delegation, as contained in the text of the draft Treaty itself.

The joint proposal of the U.S., U.K. and France will now be put to the vote.

Are there any objections to the adoption of the joint proposal of the U.S., the U.K. and France?

THE U.S.A. DELEGATE: Mr. President, if we vote on this question, including paragraph *e*), which is an amendment, the U.S. Delegation will vote for the article but will abstain from voting on sub-paragraph *e*).

(The vote was taken by roll call)

THE PRESIDENT: The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, New Zealand, Netherlands, Norway, U.K., Union of South Africa, U.S.A.

Against: Byelorussia, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Czechoslovakia, Poland.

The joint proposal of the U.S., U.K. and France was therefore adopted by 15 votes to 4, with 2 abstentions.

We have further a text submitted by the Soviet Delegation for the same article 24.

Given the result of the vote which has just been announced, does the Soviet Delegation still wish its proposal to be put to the vote?

The vote has been requested: It will be taken by roll call.

The question concerned is the adoption of the text of the Soviet Delegation which is to be found on page 22 of the draft Treaty, (French text) at the end of the text proposed for article 24.

I put this proposal to the vote.

(The vote was taken by roll call)

THE PRESIDENT: The result of the vote is as follows:

For: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, New Zealand, Netherlands, Norway, U.K., Union of South Africa, U.S.A.

The Soviet proposal for article 24 is therefore rejected by 15 votes to 6.

*Article 25.* THE PRESIDENT: We now come to Article 25.

Here we have also two proposals before us, A Soviet proposal and a joint proposal by the U.K., U.S. and French Delegations. I put the Soviet proposal to the vote.

(The vote was taken by roll call)

THE PRESIDENT: The result of the vote is as follows:

For: Byelorussia, Czechoslovakia, Ethiopia, Poland, Ukraine, and U.S.S.R., [Yugoslavia?]

Against: Australia, Belgium, Brazil, Canada, China, France, Greece, India, New Zealand, Netherlands, Norway, U.K., Union of South Africa, U.S.A.

The Soviet proposal is therefore rejected by 14 votes to 7.

We will now take the other proposal, that of the U.K., U.S. and French Delegations.

Are there any objections to the adoption of the text.

Objections have been raised, the vote will therefore be taken by roll call.

I put to the vote the proposal submitted by the Delegations of the U.K., U.S. and France.

(The vote was taken by roll call)

THE PRESIDENT: The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, China, France, Greece, India, New Zealand, Netherlands, Norway, U.K., Union of South Africa, U.S.A.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Ethiopia.

The proposal of the U.K., U.S. and French Delegations is therefore adopted by 14 votes to 6 with 1 abstention.

*Article 26.* THE PRESIDENT: We now come to Article 26, which has been unanimously adopted by the Commission.

Any objections?

Article 26 is unanimously adopted.

*Article 27.* THE PRESIDENT: We will now take Article 27, which has also been unanimously adopted by the Commission.

Any objections?

Since there are no objections, Article 27 is unanimously adopted.

*Article 28.* THE PRESIDENT: As regards article 28, the situation is as follows:

Paragraph 1, sub-paragraphs *a)* and *b)* have been unanimously adopted.

Since we do not foresee any objections, this text will be considered as unanimously adopted; as regards paragraph *c)*, there are two proposals. We have the Soviet proposal concerning certain branches of activity. In the vote in the Commission, 5 Delegations voted for this proposal and 9 delegations against.

We have further a proposal by the U.S., U.K. and France, for which 9 Delegations have voted, 5 voting against.

The Soviet proposal for sub-paragraph *c)* of this article is now put to the vote.

(The vote was taken by roll call)

THE PRESIDENT: The result of the vote is as follows:

For: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, France, Greece, India, New Zealand, Netherlands, U.K., Union of South Africa, U.S.A.

Abstained: China, Ethiopia, Norway.

The Soviet proposal for sub-paragraph *c)* is therefore rejected by 12 votes to 6, with 3 abstentions.

We will now take the proposal of the Delegation of the U.K., U.S. and France for the completion of the text of sub-paragraph *c)*.

(The vote was taken by roll call).

THE PRESIDENT: The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, Ethiopia, France, Greece, India, New Zealand, Netherlands, U.K., Union of South Africa, U.S.A.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: China and Norway.

Therefore the proposal of the U.K., U.S. and French Delegation is adopted by 13 votes to 6, with 2 abstentions.

THE PRESIDENT: We have also an addition to this paragraph submitted by the United States and United Kingdom Delegations, and subsequently amended by the French Delegation.

It is the amended text which is now put to the vote.

LORD HOOD (U.K.) I ask for a separate vote, Mr. President.

THE PRESIDENT: A separate vote has been requested.

In these circumstances, the United States and United Kingdom proposal is put to the vote.

(The vote was taken by roll call).

THE PRESIDENT: The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France,

Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, United Kingdom, United States of America.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

The proposal of the United States and United Kingdom Delegations is therefore adopted by 15 votes to 6.

The text of the French amendment is now put to the vote.

(The vote was taken by roll call).

THE PRESIDENT: The result of the vote is as follows:

For: Australia, [Belgium?], Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, United Kingdom, United States of America.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

The proposal is therefore adopted by 15 votes to 6.

For the second part of Article 28 we also have two proposals—one by the Soviet Delegation, the other a joint proposal of the French, United Kingdom and United States Delegations.

I put the Soviet proposal to the Conference.

(The vote was taken by roll call).

THE PRESIDENT: The result of the vote is as follows:

For: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, China, France, Greece, India, Netherlands, New Zealand, Norway, United Kingdom, Union of South Africa, U.S.A.

Abstained: Ethiopia.

The proposal is therefore rejected by 14 votes to 6.

We now come to a vote on the proposal contained in para. 7 of the French text and jointly put forward by the French, United Kingdom and United States Delegations.

(The vote was taken by roll call).

THE PRESIDENT: The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, China, [Ethiopia?], France, Greece, India, Netherlands, New Zealand, Norway, United Kingdom, Union of South Africa, United States.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

The proposal is therefore adopted by 15 votes to 6.

In the report of the Economic Commission we are informed that there is a new French proposal for the adoption of Article 28 A concerning rail transit rights.

This proposal has been adopted by 9 votes to 4, with 1 abstention.

As the Conference has been requested to vote, we shall proceed by roll call.

(The vote was taken by roll call).

THE PRESIDENT: The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, China, France, India, Netherlands, New Zealand, Norway, United Kingdom, Union of South Africa, United States.

Against: Byelorussia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Czechoslovakia, Ethiopia.

The proposal is therefore adopted by 14 [13] votes to 5, with 2 abstentions.

*Article 29.* THE PRESIDENT: We will now consider Article 29, which deals with the settlement of disputes.

First, we have a proposal by the United Kingdom.

I put this proposal to the Conference.

(The vote was taken by roll call.)

THE PRESIDENT: The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, United Kingdom, Union of South Africa, United States.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

The United Kingdom proposal is therefore adopted by 15 votes to 6.

I now put to the Conference the Soviet proposal.

(The vote was taken by roll call).

THE PRESIDENT: The result of the vote is as follows:

For: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, United Kingdom, Union of South Africa, United States.

The Soviet proposal is therefore rejected by 15 votes to 6.

*Article 30.* We now come to Article 30, which concerns the application of the provisions of the Annexes of this Treaty.

The Article has been unanimously adopted by the Commission, with an amendment proposed by the Norwegian Delegation.

Any objections? If none, Article 30 is adopted as amended.

*Article 31.* We now come to Article 31.

It has been unanimously adopted by the Commission.

Any objections?

Article 31 is unanimously adopted.

*Article 32.* We will now take Article 32. This is a French proposal seconded by the United States Delegation and by the Delegation of the United Kingdom who have withdrawn their original proposal.

The text of the French proposal is to be found in the report of the Economic Commission, pages 11 and 12. Are there any objections to its adoption?

THE NORWEGIAN DELEGATE: The Norwegian Delegation asks for a separate vote on paragraphs 1 and 2 of Article 32.

THE PRESIDENT: Since a separate vote has been requested, I put to the Conference Para. 1 of the text in question.

(The vote was taken by roll call).

THE PRESIDENT: The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, United Kingdom, Union of South Africa, United States.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Paragraph 1 of Article 32 is therefore adopted by 15 votes to 6.

MR. POLITIS (Greece): I ask that the reservation which we have handed in to the Secretariat should be inserted in the Minutes.

THE PRESIDENT: The Secretary-General is requested to insert in the Minutes of this meeting the reservation in question.

The Norwegian Delegation also asks that the statement which it has handed to the Secretariat should be inserted in the Minutes of this meeting.

THE PRESIDENT: I put paragraph 2 of Article 32 to the Conference.

(The vote was taken by roll call).

THE PRESIDENT: The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, United Kingdom, Union of South Africa, United States.

Against: Byelorussia, Czechoslovakia, Norway, Poland, Ukraine, U.S.S.R., Yugoslavia.

The proposal is therefore adopted by 14 votes to 7.

*Annex 4 A.* We will now take Annex 4 A, of which we have already adopted the final clauses.

Annex 4 A deals with industrial, literary and artistic property.

The Commission has already unanimously adopted paras. 1, 2, 3, 5, 6 and 8. It recommends the adoption of paras. 4 and 7 as amended and contained on page 11 of the report.

Any objections?

Annex 4 A is adopted.

*Annex 4 B.* As regards Annex 4 B, we have the United Kingdom's proposal concerning insurance. In the Commission, the result of the vote on this proposal was 6 votes for, 5 against, with 3 abstentions.

I put the proposal to the Conference.

(The vote was taken by roll call).

THE PRESIDENT: The result of the vote is as follows:

For: Australia, Canada, China, Greece, New Zealand, United Kingdom, Union of South Africa.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Belgium, Brazil, Ethiopia, France, India, Netherlands, Norway, United States.

There are therefore 7 votes for, 6 votes against, with 8 abstentions.

*Annex 5.* We now come to Annex 5 concerning contracts.

We have before us a United Kingdom proposal. I put this proposal to the Conference.

(The vote was taken by roll call).

THE PRESIDENT: The result of the vote is as follows:

For: Australia, Belgium, Canada, France, Greece, Netherlands, New Zealand, Norway, United Kingdom, United States [*Union of South Africa?*].

Against: Byelorussia, China, Czechoslovakia, India, Ukraine, United States, U.S.S.R., Yugoslavia.

Abstained: Brazil, Ethiopia, Poland.

The proposal is therefore [not] adopted by 10 votes to 8, with 3 abstentions.

*Annex 5—Section II.* We now take Section 2 of Annex 5, which concerns periods of prescription.

In this connection there are two proposals, the U.K. proposal contained in the draft Treaty, and the Soviet proposal to be found on page 15 of the report. In the Commission the result of the vote on the Soviet proposal, amended by the Yugoslav and French Delegations, was 6 votes for, 6 votes against, with 2 abstentions.

The United Kingdom proposal was also voted on, the result being 6 votes for, 6 against, with 2 abstentions.

I now put to the Conference the Soviet proposal contained on page 15 of the report.

(The vote was taken by roll call).

THE PRESIDENT: The result of the vote is as follows:

For: Byelorussia, Czechoslovakia, France, Norway, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Canada, China, Greece, India, Netherlands, New Zealand, U.K., Union of South Africa, U.S.A.

Abstained: Brazil, Ethiopia.

The proposal is therefore rejected by 11 votes to 8, with 2 abstentions.

I now put to the vote the U.K. proposal contained in the draft Treaty.

(The vote was taken by roll call).



THE PRESIDENT: The result of the vote is as follows:

For: Australia, Belgium, Canada, Greece, India, Netherlands, New Zealand, U.K., Union of South Africa.

Against: Byelorussia, China, Czechoslovakia, Norway, Poland, Ukraine, U.S.A., U.S.S.R., Yugoslavia.

Abstained: Brazil, Ethiopia, France.

Therefore the proposal is not adopted. There are 9 votes for, 9 against, with 3 abstentions.

*Section III.* We now come to section III of annex 5, which deals with negotiable instruments. On this point there is a proposal by the U.K. which is now put to the vote.

(The vote was taken by roll call).

THE PRESIDENT: The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, France, [Greece?], India, Netherlands, New Zealand, Norway, U.K., Union of South Africa, U.S.A.

Against: Byelorussia, China, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Ethiopia.

The proposal is therefore adopted by 15 votes to 7, with 1 abstention.

The Soviet Delegation has made a proposal, which was put to the vote in the Commission, and concerns the omission of this section.

In view of the fact that a majority has just expressed itself in favour of the text of this section, I ask the Soviet Delegation if it maintains its proposal for the omission of the section and wishes it to be put to the vote.

U.S.S.R. DELEGATE (Interpretation): We can be satisfied with the vote on the U.K. proposal.

*Section IV.* THE PRESIDENT: We now come to section IV of annex 5 (Miscellaneous).

We have before us the text proposed by the U.K. Delegation which is now put to the vote.

(The vote was taken by roll call).

THE PRESIDENT: The result of the vote is as follows:

For: Australia, Brazil, Byelorussia, Canada, France, Greece, India, New Zealand, U.K., Union of South Africa.

Against: Belgium, China, Czechoslovakia, Norway, Ukraine, U.S.S.R., U.S.A., Yugoslavia.

Abstained: Ethiopia, Netherlands, Poland.

The proposal is therefore rejected by 10 votes to 8, with 5 abstentions.

The U.S. Delegation has proposed the addition of a paragraph to the text of annex 5. This text is to be found in document 31 and reads as follows:

“Having regard to the legal system of the United States of America the provisions of this annex shall not apply as between the United States of America and Bulgaria”.

Any objections?

MR. BRUCE R. MACDONALD (Canada). The Canadian Delegation asks that its reservation in respect of annex 5, which has been deposited with the Secretariat, should be recorded in the minutes of this meeting.

THE PRESIDENT: The Secretary-General is asked to comply with this request.

Are there any objections to the adoption of the addendum proposed by the U.S. Delegation, the text of which is to be found on page 16 of the Commission's report? The Yugoslav Delegate has pointed out that he objects to this addendum. In these circumstances, a vote will be taken by roll call.

(The vote was taken by roll call).

THE PRESIDENT: The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, China, France, Greece, India, Netherlands, New Zealand, Norway, U.K., Union of South Africa, U.S.A.

Against: Ukraine, U.S.S.R., Yugoslavia.

Abstained: Byelorussia, Czechoslovakia, Ethiopia, Poland.

The amendment is therefore adopted by 14 votes to 3, with 4 abstentions.

*Annex 6.* We now come to Annex 6. (Judgments).

There are three proposals: one submitted by the U.S.S.R. Delegation, a second by the U.K. Delegation, and a third by the French Delegation.

According to the report of the Commission, the U.S. and U.S.S.R. proposals obtained 7 votes for, 5 against, with 2 abstentions.

The result of the voting on the U.K. proposal was 5 for, 5 against, with 3 abstentions.

For the French proposal there was 1 for, 10 against, with 3 abstentions.

We will proceed in the same order as the Commission, and vote first on the proposal of the U.S. Delegation.

(The vote was taken by roll call)

THE PRESIDENT: The result of the vote is as follows:

For: Australia, Brazil, Byelorussia, Canada, China, Czechoslovakia, Ethiopia, India, New Zealand, Norway, Poland, Ukraine, U.S.S.R., U.S., Yugoslavia.

Against: Belgium, France, Greece, U.K., Union of South Africa.

Abstained: Netherlands.

Therefore the proposal is adopted by 15 votes to 5, with 1 abstention.

THE PRESIDENT: Does the U.K. Delegation ask for a vote?

LORD HOOD (U.K.): No, Mr. President.

THE PRESIDENT: Does the French Delegation ask for a vote?

M. COUVE DE MURVILLE (France): No, Mr. President.

THE PRESIDENT: Annex 6 is therefore adopted.

The next meeting will be held at 10 o'clock. The meeting is adjourned.

(The meeting was adjourned at 1:15, on Saturday, October 12th.)

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## SATURDAY, OCTOBER 12, 1946

### FORTY-THIRD PLENARY MEETING, OCTOBER 12, 1946, 10 A. M.

CFM Files

#### *United States Delegation Journal*

USDel(PC) (Journal) 69

The Conference convened to consider the draft treaty for Hungary and the reports of the various commissions.

M. Simic (Yugoslavia) stated that his country had no desire to diminish the responsibility of the Fascist regimes for the war against the Allies. He wondered why there were no provisions preventing fascist propaganda in the Italian Treaty as there were in the Balkan treaties. Hungary had pursued a policy of revisionism which had contributed to German and Italian imperialism. It was not, however, the Hungarian people who were responsible, but the Horthy regime and certain forces in the West. Yugoslavia had joined the League of Nations, believing in the necessity for collective security for the Danube Basin. The western countries had retreated and the Little Entente then collapsed. There had been no indivisibility of peace and security. The Danubian countries had been unable to prevent the rise of fifth columns and consequently these governments had signed pacts with the aggressors. However, Yugoslavia had challenged Hitler, and its people had resumed the struggle in which many lives were lost. Hungary's relations with its neighbors had already taken a new course as indicated by agreements with Czechoslovakia and Yugoslavia regarding voluntary exchange of populations and water rights regarding the Danube. The efforts of the riparian states, however, were hampered by the retention of their ships in the American occupied zones of Austria and Germany. M. Simic stated his country expected that Hungary would now conclude an agreement with Czechoslovakia for the transfer of 200,000 Magyars. He then concluded his statement by noting that the South African Delegate had said he regretted

the Serbs "were not on our side." He was surprised at this remark. There was only one side as a result of this war, and that was the side of truth. But at Paris there had been brought to bear a ruthless voting system which Yugoslavia believed was not as good as general agreement. Yugoslavia had come to the Plenary Session still in the hope of arriving at such agreement. Therefore it denies the binding force of decisions made by voting. The CFM should make no decisions without the concurrence of Yugoslavia.

M. Clementis (Czechoslovakia) said his country's relations with Hungary had been and still were unsatisfactory. Nevertheless, Czechoslovakia had not been motivated by revenge nor had it asked for territory on strategic grounds despite Hungarian aggression. Czechoslovakia had two fundamental aims—the liquidation of Munich and the Vienna decision. The former had been attained, but the effort to prevent a repetition of the fifth column in Czechoslovakia had led his delegation to request in vain the transfer of 200,000 Hungarians to Hungary. If Hungary opposed this proposal, it was to have a basis for future territorial revision. All the delegates had sympathized with the Czech's motives and the Slav states had fully supported their amendment. However, the US and UK Delegations had contended that it was unacceptable to insert a provision for a forced transfer of peoples in the treaty, so his Delegation had withdrawn its original amendment and proposed instead bilateral negotiations. He hoped that Hungary would now recognize that it must negotiate with Czechoslovakia, and that all the nations assembled would watch the manner in which Hungary would behave. It would be tragic if this Conference should give Hungary any idea that it had been released from an obligation to negotiate on this matter. It was unfortunate that in some sections of the world press and also in Paris the Slav countries were described as satellites of the USSR. These Slav states had made great sacrifices and their cooperation should be accepted with gratitude rather than with suspicion. Czechoslovakia hoped that the proposed treaty would give Hungary a new basis for reconstruction and development, which would contribute to the economic stability and peace of the Danube Basin. That was what Czechoslovakia itself strived for.

General Smith (US) said the US gladly supported the new Czechoslovak proposal which provided for bilateral negotiations with Hungary on the minority problem. The US Delegation had stated in the Hungarian Commission meetings that although it sympathized with the motives behind the original Czechoslovak amendment to transfer the Magyars from Slovakia, it could not look with favor on incorporating into a treaty of peace the principle of a forced transfer of populations. The US consistently supported the view that the subject was

one for bilateral negotiations between the two countries concerned and should be settled to their mutual satisfaction so as to avoid future friction. It was the opinion of the US Delegation that voluntary transfer should be stressed to the utmost and every effort including minor territorial adjustments made to the end that a minimum number of people be uprooted.

All Conference members would certainly follow with the keenest interests the course of these negotiations. The use of restraint in the treatment of those eligible for transfer would create an atmosphere of good will.

Successful conclusion of an agreement between Czechoslovakia and Hungary would lead the US to hope that Hungary and Rumania might also seek through bilateral negotiations to solve some of their outstanding differences. (For full text, see USD(PC) (PR)-40)<sup>46</sup>

M. Manuilsky (Ukraine) said he would speak on reparations and the Danube, and only on the former because he thought the US would press its proposal to reduce the amount of reparations which Hungary would have to pay. He spoke of the Ukraine's immense material losses. If all Hungarian reparations went to Ukraine, it would amount to only one-half of one percent of these losses. This suggestion for reparations reduction had come from a country which had not suffered materially during the war and had not been bombed. It had in fact enriched itself. It was an unfriendly act by the US against those who had suffered. It would seem that there was more sympathy towards yesterday's aggressor than yesterday's victims of aggression. There appeared to be other ways to help Hungary, i.e., restitution. In regards to the Danube, he said M. Molotov and M. Kardelj had shown how artificial was the idea of linking control of the Danube into the treaties. The US and UK wished to solve the Danube problem against the will of the USSR and those riparian states which that country had liberated. After liberation, the Danubian peoples had believed that victory over Germany would remove political and economic aggression against small states. Since the original Danube regime was established 90 years ago, the world had gone through two wars. People had changed. What other motive was there in this present proposal but a desire to dominate small states? For the first time the Danubian countries wanted to be free economically. M. Manuilsky then pointed out that the USSR had never been asked to participate in the 1921 convention and was still left outside. The Ukrainian Delegation could not recognize the previous votes taken in the Rumanian and Bulgarian treaties regarding the Danube. He noted that the French proposal had not received a two-thirds majority in the Commission

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<sup>46</sup> For text of Ambassador Smith's statement, see Department of State *Bulletin*, October 27, 1946, p. 744.

where the members were those who had actually participated in the war. The two-thirds majority had only been gained in Plenary Session by virtue of the votes of countries who were not at war with the satellite states and far removed from them. He concluded by asking the CFM to take into account the Ukrainian Delegation's views.

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**FIFTIETH MEETING OF THE ECONOMIC COMMISSION FOR THE  
BALKANS AND FINLAND, OCTOBER 12, 1946, 1 P. M.**

[See the editorial note, *infra*.]

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**FIFTY-FIRST MEETING OF THE ECONOMIC COMMISSION FOR THE  
BALKANS AND FINLAND, OCTOBER 12, 1946, 2 P. M.**

[EDITORIAL NOTE—The Commission held its final six meetings (meetings 46–51), on October 7 (two meetings), October 9, October 11, and October 12 (two meetings), to consider the reports on the four Draft Treaties to be submitted to the Plenary Conference. No accounts of these sessions were included in the United States Delegation Journal. United States Delegation Minutes of the 46th Meeting, October 7, indicate that the Commission adopted the report for the Treaty with Rumania suggested by the *Rapporteur* without making significant changes (CFM Files). No minutes for the Commission's last five meetings were found in Department files. C.P.(B&F/EC) Docs. 70–73, which contained corrigenda to the draft reports for the treaties other than that for Rumania (based upon modifications decided upon at the final five meetings), also were not found in Department files. The Records of Decisions of these final meetings present no evidence that significant revision of the reports suggested by the *Rapporteur* occurred (CFM Files).

The reports of the Commission are printed in volume IV: C.P.(Plen) Doc. 29 (for the Treaty with Rumania), page 434; C.P.(Plen) Doc. 31 (for the Treaty with Bulgaria), page 486; C.P.(Plen) Doc. 34 (for the Treaty with Hungary), page 535; and C.P.(Plen) Doc. 39 (for the Treaty with Finland), page 573.]

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**FORTY-FOURTH PLENARY MEETING, OCTOBER 12, 1946, 3:30 P. M.**

CFM Files

*United States Delegation Journal*

USDel(PC) (Journal) 69

Mr. Beasley (Australia) said that the Australian Delegation could not agree to a forced transfer of thousands of persons against the

wishes of the receiving country. He hoped for the success of the Czech-Hungarian negotiations. Australia, Mr. Beasley said, felt there was danger in carrying bilateral economic agreements with the ex-enemy states too far. The ex-enemy states should be encouraged to trade with countries all over the world. There should be no attempt to create regional self-sufficiency artificially. No victorious neighbor should be put in a position to dominate the economy of an ex-enemy state. Australia would support the clauses of the treaty which would prevent economic discrimination.

Mr. Beasley said that the Danube should serve not only to unify the countries along its banks but should form a canal for the commerce of the whole world. The principle of international control of Danube navigation should be accepted by the Conference and plans made for such control as soon as possible. Mr. Beasley said that no definite figure for reparations payments by Hungary could be accepted by Australia. The figure suggested for Finnish, as well as Hungarian, reparations was also too high and needed to be reconsidered. Mr. Beasley thought that bilateral agreements on reparations were dangerous and regretted that the reparation authority suggested by his Delegation had not been accepted. However, he hoped that the system adopted by the Economic Commission for Italy by a 12-9 vote could be applied, in the case of Hungary. If prices of products for reparations payments were set too low by bilateral agreement, it would result in reparations much higher than those agreed to. Mr. Beasley concluded by saying that there should be provision for revision of the treaties should it seem necessary.

M. Gousev (USSR) spoke for the Soviet Delegation on the Treaty with Hungary. The main point of his discourse was that the Germans and Szalasists had taken \$3 billion worth of property out of Hungary as the Red Army advanced into the country. He gave some detailed statistics to show what property had been removed. He said that he had recalled these facts so that the Conference could understand the basis of current economic conditions in Hungary. He said that the Soviet Union had been unable to accept the United States proposal for a commission composed of the UK, the USSR, USA and Hungary to plan for the reconstruction of Hungary because it would have deprived the Hungarian Government of the right to direct the economic life of their country. He asked the United States to return the property taken from Hungary which he had mentioned above. He wondered if the refusal of the United States and others of the Economic Commission to accept the Soviet proposal for Article 26 on the restitution of Hungarian property meant that this property would be used as an instrument of political pressure on the democratic government of Hungary.

He said in rebuttal of the United States argument that the reparations claims against Hungary were too heavy, that in 1945 Hungary had sent 10.5 million worth of goods to the USSR and had received in return \$6.3 million worth of goods. This meant that Hungary was only paying \$4.2 million worth of goods to the Soviet Union. He said that furthermore there were excellent and well-established understandings between the USSR and Hungary on the question of reparations and that they should not be disturbed. He asked the Conference to accept the Soviet proposal for Article 25. He would not repeat the arguments previously put forward with regard to navigation on the Danube but said that his Delegation would oppose the UK and US proposals for Article 33.

Mr. Thorp (US) said that the figure of \$3 million fixed for reparations to be paid by Hungary was too high and that the US Delegation would vote against Article 21, although it would not press its amendment to reduce the figure to \$2 million. He said that the responsibility undertaken by the USSR, the UK and USA at the Yalta Conference to solve the economic problems of the former Axis satellites had not been met in the case of Hungary. Mr. Thorp referred to the expression used by M. Spaak "collective prosperity". He subscribed to the idea put forward in this expression. He showed by a comparison of the levels of production in six key industries of the year 1938 and the present that the economy of Hungary was still far from its former condition.

Mr. Thorp showed that there was no further need to state the damage done to Allied countries as a basis for reparation claims. He said that it would not affect the situation if the damages could be proved to be twice the amount asserted or if they were reduced one half. He opposed the idea that the Armistice and other agreements established the final right to reparation. He said that if they did, there would be no need for a reparation article in the peace treaty. He showed that the Soviet argument that the failure of the US to restore the property taken from Hungary was the chief cause of Hungary's economic difficulties was without basis. He asked how the figure of \$3 billion claimed as the value of this property could be justified when the total wealth of Hungary was considerably less than \$10 billion, most of which was in land and buildings. The circumstances under which this amount of property was alleged to have been removed made it impossible to believe the estimate of such a large figure.

He thought that a modification of the reparation agreement would help international good will rather than hurt it as had been stated. He concluded by saying that the US vote against Article 21 would



represent the unwillingness of the US to approve the Article in its present form rather than opposition to the principle of reparation.<sup>47</sup>

Mr. Alexander (UK) drew the attention of the Conference to the speeches of the Czechoslovak, United States and Australian Delegates on the Hungarian Treaty. He said that those speeches disclosed sentiments with which Great Britain agreed heartily. He said that the UK would support a transfer of the Hungarian minority from Czechoslovakia which did not transgress humanitarian principles. He agreed with the statement of the US Delegate to the effect that an improvement in the economic health of Hungary would contribute to the general prosperity of Europe and elsewhere in the world.

#### FORTY-FIFTH PLENARY MEETING, OCTOBER 12, 1946, 9:30 P. M.

CFM Files

#### *Verbatim Record*

C.P.(Plen) 45

President: Mr. Byrnes.

PRESIDENT: The meeting is open.

#### PEACE TREATY WITH HUNGARY—VOTE ON THE ARTICLES<sup>48</sup>

PRESIDENT: The Conference will now proceed to vote on Articles of the Peace Treaty with Hungary.

I will ask the Chairman and the *Rapporteur* of the Political and Territorial Commission for Hungary to take their places on the rostrum.

*Preamble*—THE PRESIDENT: I will take the vote on the Preamble together with its amendments, as adopted by the Political and Territorial Commission by 11 votes, with 2 abstentions.

The Preamble is adopted unanimously.

MR. BARTOS (Yugoslavia) (Interpretation): The Yugoslav Delegation does not ask for a vote on the preamble, but requests that its abstention should be noted in the record of this meeting.

THE PRESIDENT: The General Secretariat will take the necessary steps.

*Article 1.* THE PRESIDENT: Are there any objections to Article 1, together with the amendments adopted unanimously by the Political and Territorial Commission?

(Article 1 is adopted)

<sup>47</sup> For text of Thorp's statement, see *Department of State Bulletin*, October 27, 1946, p. 746.

<sup>48</sup> Regarding voting procedure and citations to relevant documentation, see the editorial note, p. 702.

THE PRESIDENT: We will now take the following Article:

*Article 2.* THE PRESIDENT: Are there any objections to Article 2, as adopted by the Commission without amendment?

The Delegate of the U.S.S.R. (Interpretation): I ask for a vote paragraph by paragraph.

THE PRESIDENT: Are there any objections to Article 2 adopted unanimously by the Political and Territorial Commission?

There is a new paragraph proposed in connection with this Article.

As far as I understand, there are no objections to Article 2, but a vote has been asked on the new paragraph proposed in connection with the Article.

I will take a vote on the new paragraph proposed for Article 2.

(The vote was taken by roll-call).

THE PRESIDENT: The result of the vote is:

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, U.K., Union of South Africa, U.S.A.

Against: Byelorussia, Norway, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstention: Czechoslovakia.

The new paragraph to Article 2 is therefore adopted by 14 votes to 6, with 1 abstention.

We will now take the next Article.

*Article 3 and Article 4.* THE PRESIDENT: I will take a vote on Article 3, as recommended by the Political and Territorial Commission without amendment.

Article 4 was amended by the Commission.

Both these Articles were recommended unanimously by the Political and Territorial Commission.

Any objections?

MR. BEASLEY (Australia): The Australian Delegation wishes to abstain from voting on Article 4.

THE PRESIDENT: The Secretariat will take the necessary action.

Articles 3 and 4 are adopted.

THE PRESIDENT: Are there any objections to the new Article proposed by the Czechoslovak Delegation, to come after Article 4, concerning the transfer of populations?

The new Article, after Article 4, is adopted.

*Articles 5 to 9.* THE PRESIDENT: I put to the vote Articles 5 to 9 to which no objections were made by the Political and Territorial Commission.

Are there any objections to the adoption of these Articles as a whole?

The Articles are adopted.

THE PRESIDENT: Are there any objections to the new Article, proposed by the Yugoslav Delegation, regarding literary and cultural property and archives?

The proposed new Article is adopted.

*Article 20.* THE PRESIDENT: I suggest that we should not for the moment deal with the Military Clauses, but should examine Article 20.

This Article was not altered in any way by the Political and Territorial Commission.

Any objections?

The Article is adopted.

*Article 35.* THE PRESIDENT: I will take a vote on the proposal of the U.K. and U.S.A., which was adopted by the Commission by 8 votes to 5.

(A vote was taken by roll-call).

The result of the voting was:

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, U.K., Union of South Africa, U.S.A.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

The U.K. and U.S.A. proposal is therefore adopted by 15 votes to 6.

THE PRESIDENT: Does anyone wish to take a vote on the U.S.S.R. proposal?

(A vote was taken by roll-call).

THE PRESIDENT: The result of the vote is:

For: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, [Canada?], China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, U.K., Union of South Africa, U.S.A.

The U.S.S.R. proposal is therefore rejected by 15 votes to 6.

We will now take the next article.

*Articles 36 and 37.* THE PRESIDENT: Are there any objections to Article 36 and Article 37, recommended unanimously by the Commission without alteration?

Articles 36 and 37 are adopted.

This completes the voting on the political clauses.

*Military Clauses.* THE PRESIDENT: We will now take the Military Clauses.

I will ask the Chairman and the *Rapporteur* of the Military Commission to take their seats on the rostrum.

*Article 10.* THE PRESIDENT: Are there any objections to Article 10?

Article 10 is adopted.

We will now take the next Article.

*Articles 11 and 12.* THE PRESIDENT: Articles 11 and 12 were not altered by the Commission.

Are there any objections?

Articles 11 and 12 are adopted.

We will now take the next Article.

*Article 13.* THE PRESIDENT: Article 13 was altered by the Commission, which decided on 10 October that the same clause in each Treaty should be drafted in identical language.

On 11 October, it was decided to insert in the Article, after the word "submarines", the words "motor torpedo boats".

THE PRESIDENT: I will take the vote on this amendment. (A vote was taken by roll-call).

THE PRESIDENT: The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, South Africa, United Kingdom, United States.

Against: Byelorussia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Czechoslovakia.

(The amendment is adopted by 15 votes to 5, with 1 abstention).

We now come to the next Article.

*Article 14.* THE PRESIDENT: Are there any objections to Article 14? It has not been altered, but the French text has been re-drafted.

(Article 14 is adopted)

*Article 15.* THE PRESIDENT: Article 15 has not been altered. Are there any objections?

THE AUSTRALIAN DELEGATE: The Australian Delegation would like its abstention on this Article recorded in the minutes.

THE PRESIDENT: The Secretary-General will have the Australian Delegation's wishes complied with.

(Article 15 is adopted).

*Articles 16, 17, 18 and 19, and Annexes II and III.*

THE PRESIDENT: The Commission unanimously recommended, without alteration, Articles 16, 17, 18, and Annexes II and III.

Are they [*there?*] any objections to the adoption of these Articles and Annexes as a whole?

As there are no objections, the Articles and Annexes referred to are adopted, and we have completed the voting on the military clauses.

THE PRESIDENT: I will ask the President and *Rapporteur* of the Economic Commission to take their places on the rostrum.

*Article 21:* THE PRESIDENT: We now come to Article 21—Reparations and Restitution.

There were no amendments, and the Commission adopted this Article by 8 votes to 4, with 1 abstention.

Are there any objections?

As a vote has been asked for, I will now take the vote on Article 21.

**THE DELEGATE OF NORWAY:** The Norwegian Delegation will abstain on the vote concerning the amount of reparations to be paid by Hungary and on the apportionment of these reparations. We have already supplied the Secretary-General with a written statement to this effect.

**THE PRESIDENT:** The Secretary-General will take note of this and we will now vote on Article 21.

(A vote was taken by roll call).

**THE PRESIDENT:** The result of the vote is as follows:

For: Byelorussia, China, Czechoslovakia, Ethiopia, France, India, Poland, United Kingdom, South Africa,\* Ukraine, U.S.S.R., Yugoslavia.

Against: U.S.A., Canada.

Abstained: Belgium, Brazil, Greece, Netherlands, New Zealand, Norway.

The article was adopted by 12 votes to 2, with 7 abstentions.

**THE DELEGATE OF CZECHOSLOVAKIA** (Interpretation).

Mr. President, the Czechoslovak Delegation requests the insertion in the minutes of the interpretation they have given to Article 21, and which was adopted by the Economic Commission.

**THE PRESIDENT:** The Secretary-General will take the necessary steps.

*Article 21 A:* We now come to Article 21 A; Economic consequences of the Vienna Award. This Article was unanimously adopted by the Commission.

Are there any objections?

(Article 21 A is adopted).

*Article 22:* We now come to Article 22. The amended version of Article 22 was unanimously adopted by the Commission.

Are there any objections?

**THE DELEGATE OF CZECHOSLOVAKIA** (Interpretation)—The Czechoslovak Delegation requests the insertion in the minutes of the statement made in connection with Article 21 bis, which has been handed to the Secretary-General.

**THE PRESIDENT:** The Secretary-General will take the necessary steps.

Are there any objections to Article 22?

Article 22 was adopted and we shall now take Article 23.

*Article 23:* **THE PRESIDENT:** Paragraphs 5, 6, 7 have not been altered; paragraphs 1, 2, 3 and 8 were altered. This will be found in the Report.

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\*See alteration in the vote requested at the end of the meeting by the South African Delegation. [Footnote in the source text. Regarding the alteration in the vote, see pp. 839-840.]

The Commission unanimously adopted paragraph 4 *a* concerning northern Transylvania.

Are there any objections to the adoption of these paragraphs, 1, 2, 3, 4 *a*, 5, 6, 7, 8?

DELEGATE OF THE U.S.S.R. (Interpretation)—I understand that a vote will be taken on each paragraph separately.

CHAIRMAN: I will take a vote on paragraph 1 of Article 23; I will first call on the Delegate of the U.S.S.R.

DELEGATE OF THE U.S.S.R. (Interpretation)—Paragraphs 1, 2, 5, having been adopted unanimously by the Commission, I suggest that this meeting should vote on these 3 paragraphs as a whole.

As regards paragraph 4 I will ask for a separate vote on each of the sub-paragraphs.

THE PRESIDENT: I understand that a vote is asked on paragraph 4. Are there any objections?

DELEGATE OF THE U.S.S.R. (Interpretation)—There are no objections.

THE PRESIDENT: Paragraphs 1, 2, 3 may therefore be regarded as adopted, and the Conference will now take a vote on paragraph 4.

LORD HOOD: U.K., Mr. President, I think that owing to an error in translation, members have not, in listening to the French and Russian translations, understood correctly the proposal you have made.

THE PRESIDENT: My proposal is as follows—that a vote be taken on paragraph 4. As regards the other paragraphs, that is, paras. 1, 2, 3, 4 *a*, 5, 7 and 8, which were unanimously adopted by the Commission, these should be regarded as having been adopted by the Conference, with regard to the question of compensation; there are 3 proposals: one for 100%, one for 25%, and the third for 75%.

Do the members wish to vote on the principle of 100%?

LORD HOOD, U.K.: No, Mr. President, I do not insist on a vote of 100%.

THE PRESIDENT: The question is then, to ascertain whether the Conference shall adopt the proposal specifying 25% compensation. I will take a vote on this proposal.

(A vote was taken by roll-call).

THE PRESIDENT: The result of the vote is as follows:—

For: Byelorussia, China, Norway, Poland, Ukraine, U.S.S.R., U.S.A., Yugoslavia.

Against: Australia, Belgium, Canada, Czechoslovakia, France, Ethiopia, Greece, India, Netherlands, New Zealand, U.K., Union of South Africa.

Abstained: Brazil.

The proposal is therefore rejected by 12 votes to 8, with 1 abstention.

THE PRESIDENT: The other proposal submitted concerns a 75% compensation.

Any objections?

THE SOVIET DELEGATE (Interpretation). I ask to the meeting the proposal for 75% compensation, and put the same proposal to the vote. (The vote was taken by roll call).

THE PRESIDENT: The result of the vote is as follows:

For: Australia, Belgium, Canada, Czechoslovakia, Ethiopia, France, Greece, India, Netherlands, New Zealand, Union of South Africa, United Kingdom.

Against: Byelorussia, Norway, Ukraine, United States, U.S.S.R., Yugoslavia.

Abstained: Brazil, China, Poland.

Therefore the proposal for 75% compensation is adopted by 15 [12] votes to 6, with 3 abstentions.

We now come to paragraph 4.

Any objections to the study of sub-paras. *a*, *b*, *c*, and *d* as a whole?

THE NORWEGIAN DELEGATE: The Norwegian Delegation asks for a separate vote on these sub-paragraphs.

THE PRESIDENT: I put sub-paragraph *a* to the vote.

(The vote was taken by roll call).

THE PRESIDENT: The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, United Kingdom, United States.

Against: Byelorussia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: China, Czechoslovakia, Ethiopia.

Therefore, sub-paragraph *a* is adopted by 13 votes to 5, with 3 abstentions.

I put sub-paragraph *b* to the vote.

(The vote was taken by roll call).

THE PRESIDENT: The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, China, France, Greece, India, Netherlands, New Zealand, United Kingdom, Union of South Africa, United States.

Against: Byelorussia, Czechoslovakia, Norway, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Ethiopia.

Therefore sub-paragraph (*b*) is adopted by 13 votes to 7, with 1 abstention.

I put sub-paragraph (*c*) to the vote.

(The vote was taken by roll call).

THE PRESIDENT: The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, China, France, Greece, India, Netherlands, New Zealand, Norway, United Kingdom, Union of South Africa, United States.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Ethiopia.

Therefore, sub-paragraph (c) is adopted by 14 votes to 6, with 1 abstention.

I put subparagraph (d) to the vote:

(The vote was taken by roll call):

THE PRESIDENT: The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, China, France, Greece, India, Netherlands, New Zealand, Norway, United Kingdom, Union of South Africa, United States.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Ethiopia.

Therefore sub-paragraph (d) is adopted by 14 votes to 6, with 1 abstention.

I put to the vote sub-paragraph (e) submitted by the French Delegation.

THE DELEGATE OF YUGOSLAVIA: In view of the fact that this amendment concerns private companies, I shall ask that it be read out, because certain delegates do not even know to what private companies it refers.

THE PRESIDENT: (Reads an English text).

THE DELEGATE OF THE UNITED KINGDOM: I think there is some mistake. This is not the text.

M. ALPHAND (Delegate of France): I think that the Yugoslav Delegate has made a mistake as regards the Article, and that the text read by the President is the right one.

THE PRESIDENT: We now come to the French proposal for the addition of a new paragraph 9 to Article 23.

I first put to the vote sub-paragraph (e) (French proposal).

(The vote was taken by roll call).

For: Australia, Belgium, Canada, France, Greece, India, Netherlands, New Zealand, Norway, United Kingdom, Union of South Africa.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., United States, Yugoslavia.

Abstained: Brazil, China, Ethiopia.

Therefore, paragraph (e) is adopted by 11 votes to 6, with 3 abstentions.

THE DELEGATE OF YUGOSLAVIA: Since No. 9 covers the two paragraphs, I ask that a vote should be taken on the new paragraph 9, and that the text should be read out.

THE PRESIDENT: I call on the Delegate of Czechoslovakia.



**THE DELEGATE OF CZECHOSLOVAKIA:** The Czechoslovakia Delegation asks that the interpretation of Article 23, paragraph 8, sub-para. 2, which was unanimously adopted by the Economic Commission, should be inserted in the Minutes of the Meeting, as deposited with the Secretariat.

**THE PRESIDENT:** The Secretary-General will see that the request of the Czechoslovak Delegate is complied with.

In accordance with the request of the Yugoslav Delegate, I shall ask the Secretary General to read new paragraph 9.

**THE SECRETARY-GENERAL:** The French Delegation proposes to add to Article 23 a new paragraph 9 worded as follows:

"The Hungarian Government shall negotiate with the other Governments concerned, the Danube-Sava-Adriatic Railway Co., and the Committee of Bond-Holders of that company, in order to determine the method of applying the provisions of the Rome Agreement of March 29, 1923, embodying the Company's Articles of Association, and the alterations required to that Agreement, and to ensure the equitable servicing of the Bonds of the Company".

**THE PRESIDENT:** I put this French amendment to the vote.

(The vote was taken by roll call).

**THE PRESIDENT (Interpretation):** The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, China, France, Greece, India, Netherlands, New Zealand, United Kingdom, Union of South Africa, United States.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Ethiopia, Norway.

The French proposal is therefore adopted by 15 [13] votes to 6, with 2 abstentions.

**THE PRESIDENT:** The report of the Economic Commission mentions a proposal by the United Kingdom and United States delegations for the introduction of a new Article 23 A concerning the restitution of the rights and interests of persons having sustained damage through persecution.

**M. ALPHAND (France):** The French Delegation asks for a vote on paragraphs 1 and 2 of this Article.

**THE PRESIDENT (Interpretation):** I put paragraph 1 to the vote.

(The vote was taken by roll call).

**THE PRESIDENT:** The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, United Kingdom, Union of South Africa, United States.

Against: Byelorussia, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Czechoslovakia, Poland.

Paragraph 1 is therefore adopted by 15 votes to 4, with 2 abstentions.

I put paragraph 2 to the vote.

(The vote was taken by roll call).

THE PRESIDENT: The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, Greece, India, Netherlands, New Zealand, Norway, United Kingdom, Union of South Africa, United States.

Against: Byelorussia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Czechoslovakia, France.

Paragraph 2 is therefore adopted by 14 votes to 5, with 2 abstentions.

Article 24: THE PRESIDENT: This Article has been unanimously adopted by the Commission.

Any objections?

Article 24 is adopted.

Article 25: THE UNITED STATES DELEGATE: In respect of this Article, the United States Delegation will abstain from voting on paragraph 5, sub-paragraph (e).

We make this statement in order to avoid a separate vote on each paragraph.

THE PRESIDENT: The United States' statement is noted.

I now put to the vote the first proposal with regard to this Article.

(The vote was taken by roll call).

THE PRESIDENT: The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, United Kingdom, Union of South Africa, United States.

Against: Byelorussia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Czechoslovakia.

The first proposal with regard to Article 25 is therefore adopted by 15 votes to 5, with 1 abstention.

I now put to the vote the Soviet proposal for the same Article.

(The vote was taken by roll call).

THE PRESIDENT: The result of the vote is as follows:

For: Byelorussia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, United Kingdom, Union of South Africa, United States.

Abstained: Czechoslovakia.

The Soviet proposal is therefore rejected by 15 votes to 5, with 1 abstention.

*Article 26:* THE PRESIDENT: With regard to this Article, a proposal by the United Kingdom, United States and France obtained in the Commission 9 votes to 5. I now put it to the vote.

(The vote was taken by roll call).

THE PRESIDENT: The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, China, France, Greece, India, Netherlands, New Zealand, Norway, United Kingdom, Union of South Africa, United States.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Ethiopia.

The proposal of the United Kingdom, United States and French Delegations is therefore adopted by 14 votes to 6, with 1 abstention.

In regard to the same article, there is a proposal by the Soviet Union which is now put to the vote.

(The vote was taken by roll call).

THE PRESIDENT: The result of the vote is as follows:

For: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, China, France, Greece, India, Netherlands, New Zealand, Norway, United Kingdom, Union of South Africa, United States.

Abstained: Ethiopia.

The Soviet proposal is therefore rejected by 14 votes to 6, with 1 abstention.

*Article 27:* THE PRESIDENT: Article 27 has been unanimously adopted by the Commission.

Any objections?

Article 27 is adopted.

*Article 28:* THE PRESIDENT: Article 28 has been unanimously adopted by the Commission.

Any objections?

Article 28 is adopted.

*Article 29.* THE PRESIDENT—The Commission adopted the first sub-paragraph of paragraph 1, and also sub-paragraphs *a* and *b*.

Are there any objections to the adoption of the 3 paragraphs which have been unanimously adopted by the Commission?

Since there are no objections, these 3 paragraphs are adopted.

As regards sub-paragraph (*c*), the Conference has to deal with two proposals—one from the United Kingdom, United States and French Delegations, the other from the Soviet Delegation.

I put to the vote the proposal of the United Kingdom, United States and French Delegations.

(The vote was taken by roll call).

THE PRESIDENT—The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, France, Greece, India, Netherlands, New Zealand, United Kingdom, Union of South Africa, United States.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: China, Ethiopia, Norway.

The proposal of the United Kingdom, United States and French Delegations is therefore adopted by 12 votes to 6, with 3 abstentions.

I now put to the vote the Soviet Delegation's proposal concerning the same Article.

(The vote was taken by roll call).

THE PRESIDENT—The result of the vote is as follows:

For: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, France, Greece, India, Netherlands, New Zealand, United Kingdom, Union of South Africa, United States.

Abstained: China, Ethiopia, Norway.

The proposal of the Soviet Delegation is therefore rejected by 12 votes to 3 [6], with 3 abstentions.

THE UNITED STATES DELEGATION, supported by the United Kingdom Delegation, has proposed an addendum to sub-paragraph (c) of the first paragraph, which concerns civil aviation.

I put this proposal to the vote.

(The vote was taken by roll call)

THE PRESIDENT—The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, United Kingdom, Union of South Africa, United States.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

The proposal of the United States Delegation seconded by the United Kingdom Delegation, is therefore adopted by 15 votes to 6.

An amendment to this proposal has been submitted by the French Delegation. An objection having been raised by the Soviet Delegation, I put to the vote the amendment of the French Delegation.

(The vote was taken by roll call)

THE PRESIDENT—The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, China, France, Greece, India, Netherlands, New Zealand, Norway, United Kingdom, Union of South Africa, United States.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Ethiopia.

The French amendment is therefore adopted by 14 votes to 6 with 1 abstention.

I now put to the vote the proposal of the United States, United Kingdom and French Delegation with regard to the wording of paragraph 2 of Article 29.

(A vote was taken by roll call)

THE PRESIDENT—The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, China, France, Greece, India, Netherlands, New Zealand, Norway, United Kingdom, Union of South Africa, United States.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Ethiopia.

The proposal of the United States, United Kingdom and French Delegations is therefore adopted by 14 votes to 6, with 1 abstention.

I now put to the vote the Soviet proposal with regard to the same paragraph.

(The vote was taken by roll call)

THE PRESIDENT—The result of the vote is as follows:

For: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, China, France, Greece, India, Netherlands, New Zealand, Norway, United Kingdom, Union of South Africa, United States.

Abstained: Ethiopia.

The Soviet proposal is therefore rejected by 14 votes to 6 with 1 abstention.

*Article 29 bis.* THE PRESIDENT—A French proposal for the insertion in the Treaty of a new Article 29 bis, concerning the resumption of transit traffic by rail was adopted by the Commission by a majority exceeding two-thirds, 11 votes to 3. The Soviet Delegation having raised objections, I put this proposal to the vote.

(The vote was taken by roll call)

THE PRESIDENT—The result of the vote is:

For: Australia, Belgium, Brazil, Czechoslovakia, Canada, China, Netherlands, New Zealand, Norway, United Kingdom, Union of South Africa, United States.<sup>48a</sup>

Against: Byelorussia, Poland, Ukraine, U.S.S.R., Yugoslavia.

The new article 29 bis proposed by the French Delegation is therefore adopted by 16 votes to 5.

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<sup>48a</sup> The Ethiopian, French, Greek, and Indian Delegations presumably voted for the proposal.

*Article 30.* THE PRESIDENT—I now put to the vote the United Kingdom proposal concerning Article 30.

(The vote was taken by roll call)

THE PRESIDENT—The result of the vote was as follows:

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, United Kingdom, Union of South Africa, United States.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

The United Kingdom proposal is therefore adopted by 15 votes to 6.

THE PRESIDENT—I now put to the vote the Soviet proposal concerning the same Article.

(The vote was taken by roll call).

THE PRESIDENT—The result of the vote is as follows:

For: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, United Kingdom, Union of South Africa, United States.

The Soviet proposal is therefore rejected by 15 votes to 6.

*Article 31.* We now come to Article 31.

THE PRESIDENT—Article 31 was unanimously adopted by the Commission.

Any objections?

Article 31 is adopted.

We will go on to the following Article.

*Article 32.* THE PRESIDENT. Article 32 was also unanimously adopted by the Commission.

Any objections?

Article 32 is adopted.

*Article 33.* THE PRESIDENT—Article 33—

THE GREEK DELEGATE. The Greek Delegation asks that its statement with regard to paragraph *b*) of the French proposal, which is now deposited with the Secretariat, should be recorded in the Minutes of this Meeting.

THE PRESIDENT—The Secretary General will take the request of the Greek Delegation into account.

I call upon the Norwegian Representative.

THE NORWEGIAN DELEGATE. The Norwegian Delegation asks that a separate vote be taken on each of the two paragraphs of Article 33. Our Delegation's statement on this question has been deposited with the Secretary General.

**THE PRESIDENT**—At the request of the Norwegian representative a separate vote will be taken. Therefore, I now put to the vote paragraph 1 of the French proposal.

(The vote was taken by roll call).

**THE PRESIDENT**—The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, [Greece?], India, Netherlands, New Zealand, Norway, United Kingdom, Union of South Africa, United States.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Paragraph 1 of the French proposal is therefore adopted by 15 votes to 6.

**THE PRESIDENT**—We now come to the vote of the second paragraph. (The vote was taken by roll call).

**THE PRESIDENT**—The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, United Kingdom, Union of South Africa, United States.

Against: Byelorussia, Czechoslovakia, Norway, Poland, Ukraine, U.S.S.R., Yugoslavia.

The second paragraph of the French proposal is therefore adopted by 14 votes to 7.

**THE PRESIDENT**—In view of the fact that this proposal has been adopted I ask the Soviet Delegation if it maintains its request that a vote be taken on its proposal with regard to Article 33.

**THE SOVIET REPRESENTATIVE**—No, Mr. President, I do not maintain my request.

**THE PRESIDENT**—We have now finished with the voting on the Articles of the Treaty, and we come to the vote on Annex 4, Section A:—Industrial, commercial, artistic and literary property.

**THE PRESIDENT**—The Commission unanimously approved paragraphs 1, 2, 3, 5, 6 & 8 and also paragraphs 4 & 7, with a revised wording which is contained in pages 18 & 19 of the report.

Any objections to the adoption of these paragraphs in the form indicated by the Commission?

This section is adopted, and we now come to Section B "Insurance".

The French Delegation had submitted a proposal designed to replace those contained in the draft Treaty. This proposal was adopted by the Commission, by 9 votes to 5.

Any objections?

I put to the vote the French proposal which has been adopted by the Commission.

(The vote was taken by roll-call).

THE PRESIDENT—The result of the vote is as follows:

For: Australia, Canada, China, France, Greece, India, Netherlands, New Zealand, Norway, United Kingdom, Union of South Africa, United States.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Belgium, Brazil, Ethiopia.

The French proposal is therefore adopted by 12 votes to 6, with 3 abstentions.

We now come to Annex 5.

THE PRESIDENT—Annex 5 deals with contracts. We shall vote on the proposal of the U.K. Delegation.

(The vote was taken by roll call).

THE PRESIDENT—The result of the vote is as follows:

For: Australia, Belgium, Canada, France, Greece, Netherlands, New Zealand, Norway, United Kingdom, Union of South Africa.

Against: Byelorussia, China, Czechoslovakia, India, Ukraine, U.S.S.R., United States, Yugoslavia.

Abstentions: Brazil, Ethiopia, Poland.

The British proposal is therefore adopted by 10 votes to 8, with 3 abstentions.

THE PRESIDENT—Does the Soviet Delegate maintain his request for a vote on his proposal?

THE SOVIET DELEGATE: No, Mr. President.

THE PRESIDENT—Annex 5 part 2 "Periods of Prescription". We have a proposal of the Soviet Delegate with Yugoslav and French amendments. It will be found on page 21.

The question is whether the Conference shall adopt or reject this proposal.

THE PRESIDENT—I put to the vote the Soviet proposal amended by Yugoslavia and France.

(The vote was taken by roll call).

THE PRESIDENT—The result of the vote is as follows:

For: Byelorussia, Czechoslovakia, France, Norway, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, China, Greece, India, New Zealand, United Kingdom, Union of South Africa, United States.

Abstentions: Ethiopia, Netherlands.

The Soviet proposal is therefore rejected by 11 votes to 8 with 2 abstentions.

THE PRESIDENT—I put to the vote the U.K. proposal.

(The vote was taken by roll call).



THE PRESIDENT—The result of the vote is as follows :

For: Australia, Belgium, Canada, Greece, India, Netherlands, New Zealand, United Kingdom, Union of South Africa.

Against: Byelorussia, China, Norway, Ukraine, U.S.S.R., U.S.A., Yugoslavia.

Abstentions: Brazil, Czechoslovakia, Ethiopia, France, Poland.

Therefore, with 9 votes for, 7 against, and 5 abstentions, the U.K. proposal is not adopted.

THE PRESIDENT—I put to the vote Section 3 of Annex 5, the U.K. proposal adopted by the Commission.

(The vote was taken by roll call).

THE PRESIDENT—The result of the vote is as follows :

For: Australia, Belgium, Brazil, Canada, France, India, Greece, Netherlands, New Zealand, Norway, United Kingdom, Union of South Africa, United States.

Against: Byelorussia, China, Czechoslovakia, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Ethiopia, Poland.

Section 3 of Annex 5 is therefore adopted by 13 votes to 6, with 2 abstentions.

We now come to Section 4 of Annex 5. I put the Soviet proposal to the vote.

(The vote was taken by roll-call)

THE PRESIDENT—The result of the vote is as follows :

For: Belgium, Byelorussia, China, Czechoslovakia, Poland, Ukraine, U.S.A., U.S.S.R., Yugoslavia.

Against: Australia, Canada, France, Greece, India, New Zealand, United Kingdom, Union of South Africa.

Abstentions: Brazil, Ethiopia, Netherlands, Norway.

Section 4 of Annex 5, by 9 votes to 8, with 4 abstentions is therefore rejected.

I now put to the vote the U.K. proposal to forward this question to the Council of Foreign Ministers.

(The vote was taken by roll-call)

THE PRESIDENT—The result of the vote is as follows :

For: Australia, Belgium, Canada, France, Greece, India, New Zealand, United Kingdom, Union of South Africa.

Against: Byelorussia, China, Czechoslovakia, Poland, Ukraine, U.S.S.R., United States, Yugoslavia.

Abstained: Brazil, Ethiopia, Netherlands, Norway.

The proposal by 9 votes to 8, with 4 abstentions, is therefore not adopted.

THE PRESIDENT—We come now to part 5 of Annex 5.

THE CANADIAN DELEGATE: The Canadian Delegation wishes its statement in respect of Annex 5, which is deposited with the Secretary General, to be recorded in the Minutes of the Meeting.

THE PRESIDENT—The Secretary General has noted this request.

Any objections to the U.S.A. proposal for the insertion of the new part 5 in Annex 5 (Page 21 of their report)

I put this proposal to the vote.

(The vote was taken by roll-call).

THE PRESIDENT—The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, China, France, Greece, India, Netherlands, New Zealand, Norway, United Kingdom, Union of South Africa, United States.

Against: Byelorussia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Czechoslovakia, Ethiopia.

Therefore the U.S. Proposal is adopted by 14 votes to 5, with 2 abstentions.

We now come to Annex 6.

*Annex 6. U.S.A. proposal.* I put the proposal to the vote.

(The vote was taken by roll-call)

THE PRESIDENT—The result of the vote is as follows:

For: Belgium, Brazil, Canada, China, Czechoslovakia, India, Netherlands, New Zealand, Norway, Poland, Ukraine, U.S.A., U.S.S.R., Yugoslavia.

Against: Australia, Byelorussia, France, Greece, United Kingdom, Union of South Africa.

Abstained: Ethiopia.

The U.S.A. proposal is therefore adopted by 14 votes to 6 with one abstention.

The French and U.K. Delegations do not maintain their request for a vote on their proposals.

THE SOVIET DELEGATE—Annex 1 of the Treaty with Hungary has not been voted on by the Conference. Should we consider this Annex as adopted?

THE PRESIDENT—This Annex is included in paragraph 5 of Article 1.

Are there any objections to this Annex being considered as included in paragraph 5 of Article 1?

Annex 1 is adopted.

THE DELEGATE OF THE UNION OF SOUTH AFRICA: I wish to rectify a statement in connection with the vote on Article 21. We wish the vote of the South African Delegation to be recorded as an abstention.

THE PRESIDENT—Article 21 was adopted by 12 votes to 7, with 2 abstentions, the vote of the Union of South Africa being in favour.

Since the Delegation of the Union of South Africa states that it abstained from voting, this abstention will be recorded in the results of the vote.

The Secretary General informed me this afternoon that there could be no meeting to-morrow so that the Secretariat would have the time to bring its work up to date. I am quite in agreement and the next meeting will therefore be held on Monday at 10 a. m.

The Meeting is adjourned.

The Meeting adjourned at 12:10 a. m. October 13, 1946.

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## MONDAY, OCTOBER 14, 1946

### FORTY-SIXTH PLENARY MEETING, OCTOBER 14, 1946, 10 A. M.

CFM Files

#### *United States Delegation Journal*

#### USDel(PC) (Journal) 70

The Byelorussian representative, M. Kisselev, opened the meeting by reviewing the damage inflicted during the war on the Soviet Union and in particular on the Leningrad region, Byelorussia, Lithuania, Latvia, Esthonia, and Finno-Karelia. He pointed out Finland's participation in this destruction and looting during the fighting and the period of occupation. Finland surrendered, however, and has subsequently taken the democratic road, and the Soviet Union has no spirit of vengeance. Nevertheless it asks compensation, although only in small part, for the damage done. This is indicated in Article 22 of the Treaty, providing that Finland pay \$300 million over an eight-year period. The United States and Canada, generous at the expense of the Soviet Union and professing concern for the Finnish economy, have asked that the reparations figure be reduced to \$200 million. The motive for the United States proposal is, instead, the desire of certain circles in that country to destroy friendship between Finland and the Soviet Union. Canada, if she is to act in line with her professed motives, should reduce the sum of \$20 million due her from the Soviet Union for nickel mines in Finland.

The Finnish Treaty, Mr. Bevin (UK) stated, reproduces the more permanent terms of the Finnish Armistice.<sup>49</sup> He felt that his Soviet colleagues would agree that the Finns have loyally fulfilled the Armistice terms and other related obligations. In spite of the difficulties of reconstruction Mr. Bevin hoped that Finland can look forward to better days and indicated that Britain is ready to welcome Finland

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<sup>49</sup> See footnote 15, p. 7.

back, reborn and truly democratic. Mr. Bevin then turned to the consideration of the work of the Conference as a whole and suggested that the general progress of the Conference not be allowed to be obscured by the difficulties and disagreements which centered around four or five of the principal Articles of the treaties. The job of the Conference was to consider the Council of Foreign Ministers drafts and send back recommendations to the Council and to hear the enemy countries as well as all of the Allies; this has all been accomplished and should lead to successful final drafting of the treaties in New York.

Senator Vandenberg (US) spoke about reparation payments by Finland, pointing out initially that he had no intention of minimizing the damage done by Axis aggression nor to keep from any of our Allies any of the pitifully small percentage of reparation which it may be wise for them to collect. Further recognizing the limited part played by the United States in relation to the Finnish Treaty he said, however, that the United States wishes to register its concern lest the treaty result in inequity and injustice. He drew the attention of the Conference to Article 22 of the Finnish Treaty which sets the reparations to be paid by Finland at \$300 million. By the same tests by which the Rumanian and Hungarian reparations burdens are to be judged, Finland should be expected to pay one-third as much as these countries rather than the standard figure of \$300 million. The fact that Finland has begun to pay toward the higher sum does not indicate its justice but rather recalls her record of scrupulous fidelity to fiscal obligations. Moreover the reparations burden on Finland is greater in that, with the system of pricing that is called for, the reparations totals would approach \$450 million at present prices. Compared with Finland's reduced production capacity and national income reparation payments totaling \$300 million present a severe problem; payments already made in the first year represented 15% of the total national income. The Finnish Government itself has said that it hopes that the reparations burden "does not exceed her (Finland's) economic capacity and destroy the economic resources which if they are preserved, can allow her to make her best contribution not only to the reconstruction of her own recovery, but also to that of the whole world". The United States Delegation therefore is obliged to vote against Article 22. This should not be construed as a refusal to recognize any Finnish obligation but only as a means of registering the United States conviction that \$300 million is too heavy a burden for Finland. The United States Delegation had earlier tried to have a lower figure of \$200 million considered, but this was ruled out because of procedural difficulties in the Economic Commission. It is hoped by the United States that other nations will support it in rejecting

Article 22, meaning not the end of Finnish reparations but the reconsideration of the figure \$300 million in the light of the circumstances and considerations outlined above. In conclusion Mr. Vandenberg recalled that in an earlier speech the United States motives on this matter had been attacked in a manner already too familiar to the Conference. He said he refused to act as a defendant before Allies to whom the United States has given every aid and support. The United States will continue, he said, to speak for the American conception of justice and fair play, hoping for a re-establishment of the sympathetic unity which in the past made possible the common victory.<sup>50</sup>

M. Molotov (USSR) pointed out that those provisions which were submitted to the Conference, having already received approval of the Council of Foreign Ministers, also were adopted by the Conference. But on Trieste, for example, in the Conference there was a retreat from the Council of Foreign Ministers decision in the adoption of several anti-democratic clauses; the United States, UK, and France were responsible for this retreat by violating obligations they had assumed earlier. Other places where the Council of Foreign Ministers agreement would have improved the work of the Conference are the matters of compensation for damage done to United Nations property, the foreign assets of ex-enemy countries, and navigation on the Danube. It has been clear that in the Conference there has been a group of states which refused to come to agreement in the Council of Foreign Ministers and have dominated the Conference and dictated to some of its members in order to achieve its ends. When in some instances this group failed to achieve its purposes in the Commissions it brought about a 15-6 decision in the Plenary Session. An example of this is the pressure which made Norway, India and Ethiopia vote as they did on the Danube question. It may be imagined that in a matter like this in which the Indians themselves were not directly concerned their voice would have been more impartial if it had been the voice of an independent India. In the matter of the Greek-Bulgarian frontier the same British representative who, in the Council of Foreign Ministers voted in favor of one definite frontier, headed a group of 12 other states and took a totally different position on this matter in the Bulgarian Commission. As a result there has been no decision on this frontier. Bulgaria may rest assured that the vote on this subject in the Conference was incorrect and will not be adopted by the Council of Foreign Ministers and could not have been approved before and will not be approved after the Conference. M. Molotov said that it was evident through the Conference that the

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<sup>50</sup> For text of Senator Vandenberg's statement, see Department of State *Bulletin*, October 27, 1946, p. 744.

most convincing arguments lost any weight if not in line with the position of the dominating group. The United States in voting first has continually set the tone for 12 or 13 subsequent voters. Further indication of the game the United States is playing with the small countries is its effort to prove that the reparations requested are too heavy for Finland to pay. The attitude of the United Kingdom toward the seizure of foreign assets in Finland, as contrasted with its position on this question with regard to all other ex-enemy countries provides a further demonstration. These countries are playing the same game as before the war, the game which put the Finnish Government into a position which led it into the war on the side of the Axis. The Soviet Union desires cooperation and unanimity among the great powers and all nations. In speaking as he did of the veto M. Spaak, Chairman of the General Assembly, leveled reckless criticism at one of the most important decisions of the United Nations in regard to unanimity. In closing M. Molotov referred to Mr. Stalin's recent statement that the latter believes fully in the possibility of cooperation between the East and West, despite ideological differences. Wherever there exists a desire for such cooperation, which was so fruitful during the war, the Soviet Union will support it.<sup>51</sup>

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**FORTY-SEVENTH PLENARY MEETING, OCTOBER 14, 1946, 3:30 P. M.**

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*Verbatim Record*

C.P.(Plen) 47

President: Mr. M. Quo Tai-Chi.

THE PRESIDENT: The Meeting is open.

**DRAFT PEACE TREATY WITH FINLAND AND CONTINUATION OF GENERAL DISCUSSION**

The President: The Plenary Conference will continue its examination of the Draft Peace Treaty with Finland.

The speech of Mr. Molotov, First Delegate of the Soviet Union, will be translated into French. (Mr. Molotov's speech was translated into French).

The President: If no-one else wishes to speak, the general debate is closed.

**VOTE ON ARTICLES <sup>52</sup>**

The President: We shall now vote on the articles of the Draft Peace Treaty with Finland.

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<sup>51</sup> For text of Molotov's statement, see Molotov, *Problems of Foreign Policy*, p. 221.

<sup>52</sup> Regarding voting procedure and citations to relevant documentation, see the editorial note, p. 702.

The Conference will take the political and territorial clauses, then the military clauses, and, finally, the economic clauses.

At the President's invitation, Mr. Beasley, Chairman, and Mr. Mac Neil, *Rapporteur* of the Political and Territorial Commission for Finland take their place on the rostrum.

*Preamble.* THE PRESIDENT: Paragraphs 1, 2, 3 and 5 of the Preamble have been unanimously adopted, without any amendment, by the Political and Territorial Commission for Finland.

Does anyone wish to speak?

Paragraphs 1, 2, 3 and 5 are adopted.

Paragraph 4, amended by an Australian proposal, has been unanimously adopted by the Commission.

Does anyone wish to speak?

Paragraph 4 is adopted as amended.

*Articles 1-12.* THE PRESIDENT: Articles 1-12 have been unanimously adopted by the Commission without any amendment.

I recall that the adoption of Article 1 carries with it that of Annex 1.

Does anyone wish to speak?

M. BYRNES (U.S.) I have no objection to the procedure proposed by the President as regards voting the articles by group.

I should merely like the Secretary General of this Conference to know that the U.S. Delegation abstains from voting on article 1, article 2, and annex 1.

The President: The Secretary General will see that this statement is mentioned in the Record of Decisions of this Meeting, namely that the U.S. Delegation abstains from voting on articles 1 and 2 and on annex 1.

Articles 1-12 are adopted.

*Article 32.* THE PRESIDENT: We now come to Article 32 which has been adopted by the Commission as it stands.

Any objections?

Article 32 is adopted.

*Article 33.* THE PRESIDENT: We shall now take Article 33. There are 2 proposals: one by the U.K., which has been adopted in the Commission by 7 votes to 4.

We have also a proposal from the Soviet Union that has been rejected by the Commission by 4 votes to 7.

I should like to know if the Conference wishes first to vote on the U.K. proposal.

LORD HOOD (U.K.) I ask that the Conference vote on the U.K. proposal concerning Article 33.

THE PRESIDENT: I put the U.K. proposal to the vote.

(The vote was taken by roll-call).

THE PRESIDENT: The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, U.K., U.S.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

The U.K. proposal is therefore adopted by 15 votes to 6.

Does the Soviet Delegation wish its proposal with regard to Article 33 to be put to the vote?

THE SOVIET DELEGATE: Yes, Mr. President.

THE PRESIDENT: I put the Soviet proposal to the vote.

(The vote was taken by roll-call).

THE PRESIDENT: The result of the vote is as follows—

For: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, U.K., U.S.

The Soviet proposal concerning Article 33 is therefore rejected by 15 votes to 6.

*Article 34.* THE PRESIDENT: We now come to Article 34 which has been unanimously adopted by the Commission as it stands.

Any objections?

Article 34 is adopted.

All the Political and Territorial clauses of the Peace Treaty with Finland have now been adopted.

THE AUSTRALIAN DELEGATE: The Australian Delegation wishes its abstention with regard to Article 18 to be noted.

THE PRESIDENT: The Secretary General will note Australia's abstention in respect of Article 18.

*Articles 13, 14, 15, 18, 19, 20, 21, Annexes 2 and 3.* THE PRESIDENT: We now come to the Military clauses.

At the President's invitation, Brigadier General Mossor, Chairman of the Military Commission, takes his seat on the rostrum.

THE PRESIDENT: Articles 13, 14, 15, 18, 19, 20, 21 and annexes 2 and 3 (Military clauses) have been adopted by the Commission as they stand.

*Article 16.* Article 16 is accompanied by an amendment. If there are no objections, I shall consider it as adopted.

THE U.K. DELEGATE: I should like to know what would be the effect of the amendment arising from the adoption of Article 12 on the Peace Treaty with Bulgaria. Three days ago, the Conference adopted a resolution according to which the text of the Balkan and of the Finnish Treaties will be brought into line.



THE PRESIDENT: I inform the U.K. Delegate that his interpretation is correct.

M. NOVIKOFF (U.S.S.R.) Mr. President, I ask that the British amendment and Article 16 be put to the vote.

THE PRESIDENT: We shall therefore vote on Article 16, including the amendment submitted by the Belgian Delegate. I think I remember that the Belgian amendment has been unanimously adopted by the Commission. Does the Soviet Delegate really wish the amended text to be put to the vote? I believe that the Soviet Delegation does not wish for a vote on Article 16 amended by the Belgian proposal, but rather on the British amendment and on the interpretation of the British Delegation.

M. NOVIKOFF (U.S.S.R.) That is so, Mr. President.

THE PRESIDENT: I therefore put Article 16 with the British amendment to the vote.

(The vote was taken by roll-call).

THE PRESIDENT: The result of the vote is as follows:

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, U.K., U.S.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Article 16 with the British amendment is therefore adopted by 15 votes to 6.

*New Article 16.* THE PRESIDENT: We have a proposal by the U.K. for the addition of a new Article 16.

New Article 16 is unanimously adopted by the Commission.

Any objections?

New Article 16 is adopted.

This finishes the Military clauses.

*Economic Clauses.* THE PRESIDENT: I ask the Chairman and the *Rapporteur* of the Economic Commission to take their seats on the rostrum.

*Article 22.* THE PRESIDENT: We shall now take the Economic clauses. There is no recommendation in respect of Article 22.

When the Commission voted on the Draft, there were 9 votes for, 4 against, and 1 abstention.

THE NORWEGIAN DELEGATE. Mr. President, the Norwegian Delegate asks that it be noted in the record of Decisions that this Delegation has abstained from voting on the amount of the reparations to be paid. On this subject a note has been sent to the Secretary General.

THE PRESIDENT: The Secretary General has noted a statement of the Norwegian Delegation and it will be inserted in the record of Decisions.

Article 22 is put to the vote.

(A vote was taken by roll-call).

THE PRESIDENT: The result of the vote is as follows—

For: Byelorussia, China, Czechoslovakia, Ethiopia, France, India, Poland, Ukraine, U.K., U.S.S.R., Yugoslavia.

Against: Canada, Netherlands, New Zealand, Union of South Africa, U.S.

Abstained: Australia, Belgium, Brazil, Greece, Norway.

Article 22 is therefore adopted by 11 votes to 5 with 5 abstentions.

Article 23. THE PRESIDENT: We now come to Article 23. There is no amendment. Since there are no objections, we shall regard this article as adopted.

Article 24. THE PRESIDENT: We have now Article 24. Paragraphs 1, 2, 3, 5, 6, 7 and 8 have been approved by the Commission as they stand.

As regards paragraph 4 there is no recommendation. Since there is no objection, paragraphs 1, 2, 3, 5, 6, 7 and 8 of Article 24 will be considered as adopted.

As regards paragraph 4, as I have already said, there is no recommendation and no proposal that have commanded a majority. In respect of this same paragraph there have been three proposals. It deals with the payment of reparations.

We have first the proposal of the U.K. for a payment of 100%; then the proposal of the U.S.A. for payment of 25%; finally, France claims compensation up to 75%.

These three proposals will be put consecutively to the vote.

THE U.K. DELEGATE: Mr. President, the Delegation of the U.K. wishes to withdraw its proposal with regard to paragraph 4, in respect of total compensation.

THE PRESIDENT: There remain the two other proposals: the U.S. proposal for 25% compensation; the French proposal for 75%.

I ask the U.S.A. Delegation if it wishes for a vote on its proposal.

MR. THORP (U.S.A.): Mr. President, we wish our proposal to be put to the vote.

THE PRESIDENT: I put the U.S.A. proposal to the vote.

(The vote was taken by roll-call).

THE PRESIDENT: The result of the vote is as follows—

For: Byelorussia, China, Czechoslovakia, Norway, Poland, Ukraine, U.S.A., U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Canada, Ethiopia, France, Greece, India, Netherlands, New Zealand, Union of South Africa, U.K.

Abstention: Brazil.

Therefore, the proposal is rejected by 11 votes to 9 with 1 abstention.

THE PRESIDENT: We will now put the French proposal to the vote.  
(The vote was taken by roll-call).

THE PRESIDENT: The result of the vote is as follows—

For: Australia, Belgium, Canada, Ethiopia, France, Greece, India, Netherlands, New Zealand, Union of South Africa, U.K.

Against: Byelorussia, China, Czechoslovakia, Norway, Ukraine, U.S.A., U.S.S.R., Yugoslavia.

Abstained: Brazil, Poland.

The French proposal, by 11 votes to 8 with 2 abstentions, thus obtains a simple majority.

THE PRESIDENT: As regards paragraph 4, we have another proposal by the U.K., which is seconded by Greece.

The point is to replace paragraph 4 of the Draft Treaty by a new paragraph of 5 sub-paragraphs, *a, b, c, d, e*. This proposal is contained in document 39 of the Plenary Conference, page 4 of the report of the Economic Commission.

The U.K. proposal at first contained 4 sub-paragraphs, *a, b, c, d*, and a paragraph *e* proposed by France in agreement with the United Kingdom. We shall now put each of these sub-paragraphs separately to the vote.

I put sub-paragraph 4 to the vote.

(The vote was taken by roll-call).

THE PRESIDENT: The result of the vote is as follows—

For: Australia, Belgium, Brazil, Canada, China, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, U.K., U.S.A.

Against: Byelorussia, Czechoslovakia, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Ethiopia, Poland.

Therefore sub-paragraph *a* is adopted by 14 votes to 5 with 2 abstentions.

I now put to the vote sub-paragraph *b*.

(The vote was taken by roll-call).

THE PRESIDENT: The result of the vote is as follows—

For: Australia, Belgium, Brazil, Canada, France, Greece, India, Netherlands, New Zealand, Union of South Africa, U.K., U.S.A.

Against: Byelorussia, China, Czechoslovakia, Norway, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Ethiopia.

Therefore sub-paragraph *b* is adopted by 12 votes to 8 with one abstention.

I put sub-paragraph *c* to the vote.

(The vote was taken by roll-call).

THE PRESIDENT: The result of the vote is as follows—

For: Australia, Belgium, Brazil, Canada, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, U.K., U.S.A.

Against: Byelorussia, China, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Ethiopia.

Therefore sub-paragraph *c* is adopted by 13 votes to 7 with 1 abstention.

I put to the vote sub-paragraph *d*.

(The vote was taken by roll-call).

THE PRESIDENT: The result of the vote is as follows—

For: Australia, Belgium, Brazil, Canada, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, U.K., U.S.A.

Against: Byelorussia, China, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstention: Ethiopia.

Therefore sub-paragraph *d* is adopted by 13 votes to 7 with 1 abstention.

THE PRESIDENT: I put to the vote sub-paragraph *e*.

(The vote was taken by roll-call).

THE PRESIDENT: The result of the vote is as follows—

For: Australia, Belgium, Brazil, Canada, China, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, U.K.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.A., U.S.S.R., Yugoslavia.

Abstention: Ethiopia.

Therefore sub-paragraph *e* is adopted by 13 votes to 7 with 1 abstention.

*Article 25.* THE PRESIDENT: Article 25 has been unanimously adopted by the Commission with a drafting amendment in the French text.

If there is no objection, Article 25 will be considered as adopted.

Since there is no objection, Article 25 is adopted.

*Article 26.* THE PRESIDENT: We now come to Article 26. Paragraphs 1 and 2 have been adopted by the Commission as they stand.

With regard to paragraph 3, there is no recommendation from the Commission, but a proposal by the U.K. to suppress this paragraph altogether.

As regards paragraphs 1, 2, seeing that they have been unanimously adopted without any amendment by the Commission, I shall consider them as adopted by the Conference, if there are no objections.

MR. THORP (U.S.A.): Mr. President, as regards paragraph 2, the U.S.A. Delegation does not ask for a vote by roll-call, but wishes the Conference to know that it will abstain from voting.

THE PRESIDENT: The Secretary General has noted the statement by the U.S.A. Delegate with regard to paragraph 2.

As regards the U.K. proposal, that paragraph 3 be deleted altogether, I ask if the U.K. Delegate wishes his proposal to be put to the vote.

THE PRESIDENT: This being the case, I put the United Kingdom proposal to the vote.

(The vote was taken by roll-call).

THE PRESIDENT: The result of the vote is as follows—

For: Australia, Belgium, Brazil, Canada, Greece, India, Netherlands, New Zealand, Union of South Africa, United Kingdom, United States.

Against: Byelorussia, China, Czechoslovakia, Ethiopia, Norway, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: France.

Therefore the British proposal with regard to paragraph 3, by 11 votes to 9 and 1 abstention, is adopted by a simple majority.

We will go on to the following Article:

*Article 27.* THE PRESIDENT: Article 27 includes 4 sub-paragraphs. It had been unanimously adopted as a whole by the Commission, except in the case of sub-paragraph 3 where a drafting amendment was made.

Article 27 is adopted.

*Article 28.* THE PRESIDENT: Article 28 appears rather complicated; sub-paragraphs *a* and *b* of para. 1 have been adopted by the Commission as they stand.

Any objections?

Sub-paragraphs (*a*) and (*b*) are adopted.

As regards sub-paragraph (*c*) of paragraph 1 of Art. 28, we have 2 proposals. The first has been made by the Soviet Union.

The various proposals will be put separately to the vote.

I put to the vote the Soviet proposal with regard to sub-paragraph (*c*) of paragraph 1 of Article 28.

(The vote was taken by roll-call).

THE PRESIDENT: The result of the vote is as follows—

For: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, France, Greece, India, Netherlands, New Zealand, Union of South Africa, United Kingdom, United States.

Abstained: China, Ethiopia, Norway.

Therefore the Soviet proposal concerning sub-paragraph (c) of para. 1 of Article 28 is rejected, by 12 votes to 6, with 3 abstentions.

We now come to the second proposal, that of the United Kingdom.

THE PRESIDENT: I put to the vote Article 28, paragraph 1, sub-paragraph (c).

(The vote was taken by roll-call).

The result of the vote is as follows—

For: Australia, Belgium, Brazil, Canada, France, Greece, India, Netherlands, New Zealand, Union of South Africa, United Kingdom, United States.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: China, Ethiopia, Norway.

Therefore the proposal of the United Kingdom for sub-paragraph (c) para. 1 of Article 28 is adopted by 12 votes to 6, with 3 abstentions.

There is another proposal by the United Kingdom concerning civil aviation. I put it to the vote.

(The vote was taken by roll-call).

THE PRESIDENT: The result of the vote is as follows—

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, United Kingdom, United States.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Therefore the British proposal is adopted by 15 votes to 6. I put to the vote the French proposal.

(The vote was taken by roll-call).

THE PRESIDENT: The result of the vote is as follows—

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, United Kingdom, United States.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Therefore the French proposal is adopted by 15 votes to 6.

*Paragraph 2.* THE PRESIDENT: We have no recommendation with regard to this paragraph, but two proposals have been submitted—one by the Soviet Union, the other by the United Kingdom.

I put the Soviet proposal to the vote.

(The vote was taken by roll-call).

THE PRESIDENT: The result of the vote is as follows—

For: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, China, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, United Kingdom, United States.

Abstained: Ethiopia.

The Soviet proposal is therefore rejected by 14 votes to 6, with 1 abstention.

I put the British proposal to the vote:

(The vote was taken by roll-call).

THE PRESIDENT: The result of the vote is as follows—

For: Australia, Belgium, Brazil, Canada, China, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, United Kingdom, United States.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Ethiopia.

The United Kingdom proposal is therefore adopted by 14 votes to 6, with 1 abstention.

*Article 29.* THE PRESIDENT: There is no recommendation from the Commission in respect of this Article and no agreed text has been drawn up by the Council of Ministers.

We have 2 proposals, one by the United Kingdom, the other by the Soviet Union.

I put the United Kingdom proposal to the vote.

(The vote was taken by roll-call).

THE PRESIDENT: The result of the vote is as follows—

For: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, United Kingdom, United States.

Against: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

The British proposal was therefore adopted by 15 votes to 6.

I put the Soviet proposal to the vote.

(The vote was taken by roll-call).

THE PRESIDENT: The result of the vote is as follows—

For: Byelorussia, Czechoslovakia, Poland, Ukraine, U.S.S.R., Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, China, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, United Kingdom, United States.

The Soviet proposal was therefore rejected by 15 votes to 6.

*Article 30.* THE PRESIDENT: Article 30 has been unanimously adopted.

Does anyone wish to speak?

Article 30 is adopted.

*Article 31.* THE PRESIDENT: Article 31 has been unanimously adopted by the Commission.

Does anyone wish to speak?

Article 31 is adopted.

*Annexes.* THE PRESIDENT: There are 3 annexes to the economic clauses of the Treaty: 4, 5 and 6.

*Annex 4—Section A.* THE PRESIDENT: Paragraphs 1, 2, 3, 5, 6 and 8 have been unanimously adopted by the Commission.

If there is no objection, they will be considered as adopted.

As regards paragraph 4, the Commission unanimously adopted a new text to replace the wording contained in the draft Treaty.

Does no one wish to speak?

Paragraph 4 is adopted.

As regards paragraph 7, the Commission unanimously recommends the adoption of a new text to replace that contained in the draft.

I would draw attention to the fact that the Council of Foreign Ministers did not reach complete agreement on the original text of paragraph 7.

If there is no objection to the text recommended by the Commission, I shall consider it as adopted.

Does no one wish to speak?

The new text of paragraph 7 is adopted.

*Annex 4—Section B.* THE PRESIDENT: As regards Section B of Annex 4 there is a proposal by the United Kingdom suggesting that the text contained in the draft Treaty should be replaced by a new text which has been circulated. This new text contains 2 paragraphs.

I put to the vote the United Kingdom proposal as a whole.

(The vote was taken by roll-call).

THE PRESIDENT: The result of the vote is as follows—

For: Australia, Belgium, Canada, China, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, U.K., U.S.A.

Against: Byelorussia, Czechoslovakia, Poland, U.S.S.R., Ukraine, Yugoslavia.

Abstained: Brazil, Ethiopia.

Therefore the United Kingdom proposal is adopted by 13 votes to 6, with 2 abstentions.

*Annex 5—Section 1.* THE PRESIDENT: Annex 5, Section 1 deals with Contracts. There is no text on which agreement has been reached by the Council of Foreign Ministers. Nor is there a recommendation from the Commission. The various proposals will therefore be put to the vote one after the other.



For the Section concerning contracts, there is a United Kingdom proposal which is contained in document C.P. (Plen) 39 at the bottom of page 8.<sup>53</sup> I put it to the vote.

(The vote was taken by roll-call).

THE PRESIDENT: The result of the vote is as follows—

For: Australia, Canada, France, Greece, New Zealand, Norway, U.K., Union of South Africa.

Against: Byelorussia, China, Czechoslovakia, India, Poland, Ukraine, U.S.A., U.S.S.R., Yugoslavia.

Abstained: Belgium, Brazil, Ethiopia, Netherlands.

The United Kingdom proposal is therefore rejected by 9 votes to 8, with 4 abstentions.

THE PRESIDENT: We now come to Section 2 of Annex 5, periods of prescription. Here again we have no text upon which agreement has been reached in the Council of Foreign Ministers, nor is there a recommendation from the Commission.

The Soviet Delegation has made a proposal for certain amendments. Does it wish this proposal to be put to the vote? I recall that this proposal was rejected by the Commission.

THE SOVIET DELEGATE: Yes, Mr. President, I wish our proposal to be put to the vote.

THE PRESIDENT: The Soviet proposal is to be found in document C.P. (Plen) 39, page 9.

(The vote was taken by roll-call).

THE PRESIDENT: The result of the vote is as follows:

Against: Australia, Belgium, Brazil, Canada, Greece, India, New Zealand, Union of South Africa, U.K., U.S.A.

For: Byelorussia, China, Czechoslovakia, France, Norway, Poland, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Ethiopia, Netherlands.

The Soviet proposal is therefore rejected by 10 votes to 9, 2 abstentions.

MR. ALEXANDER (United Kingdom): There is also the proposal of the United Kingdom in respect of Section 2.

THE PRESIDENT: True, there is a proposal from the United Kingdom (Document 39, page 10) with regard to Section 2.

(The vote was taken by roll-call).

THE PRESIDENT: The result of the vote is as follows—

For: Australia, Belgium, Canada, Greece, India, Netherlands, New Zealand, Union of South Africa, U.K.

Against: Byelorussia, China, Czechoslovakia, Norway, Poland, [Ukraine?], U.S.A., U.S.S.R., Yugoslavia.

Abstained: Brazil, Ethiopia, France.

<sup>53</sup> Vol. IV, pp. 573, 580.

The proposal is therefore rejected by 9 votes to 9, with 3 abstentions. We now come to Section 3: negotiable instruments.

We have no recommendation by the Commission, but there are two proposals, one by the Soviet Union and the other by the United Kingdom. The Commission has, however, recommended the Conference to vote first on the U.K. proposal. I therefore put it to the vote.

(The vote was taken by roll-call).

THE PRESIDENT: The result of the vote is as follows:

For: Australia, Belgium, Canada, France, Greece, India, Netherlands, New Zealand, Norway, Union of South Africa, U.K., U.S.A.

Against: Byelorussia, China, Czechoslovakia, Ukraine, U.S.S.R., Yugoslavia.

Abstained: Brazil, Ethiopia, Poland.

The proposal is therefore adopted by 12 votes to 6, with 3 abstentions.

THE PRESIDENT: We now come to Section 4. Here again there is no recommendation, but two proposals, one by the Soviet Union and the other by the United Kingdom. Does the Delegate of the United Kingdom wish his proposal to be put to the vote?

THE UNITED KINGDOM DELEGATE: Yes, Mr. President.

(The vote was taken by roll-call).

THE PRESIDENT: The result of the vote is as follows—

For: Australia, Belgium, Canada, France, Greece, India, New Zealand, Union of South Africa, U.K.

Against: Byelorussia, China, Czechoslovakia, Poland, Ukraine, U.S.A., U.S.S.R., Yugoslavia.

Abstained: Brazil, Ethiopia, Netherlands, Norway.

Therefore, the proposal having obtained 9 votes for to 8 against, and 4 abstentions, is not adopted.

Does the Soviet delegate wish his proposal to be put to the vote?

THE SOVIET DELEGATE: No, Mr. President.

THE CANADIAN DELEGATE: The Canadian Delegation would be glad if its statement with regard to Annex 5 as a whole, now in the hands of the Secretary General, could be inserted in the minutes of this Meeting.

THE PRESIDENT: The Secretary General will take note of the statement made by the Canadian Delegation in respect of Annex 5.

We now come to Annex 6.

Section A of this Annex deals with prize courts. It has been unanimously adopted as it stands by the Commission.

If there are no objections, it will be considered as adopted.

We now come to Section B (judgments). We have no recommendation from the Commission, but two proposals, one by the Soviet Union, the other by the United Kingdom.

I put the Soviet proposal to the vote.

(A vote was taken by roll-call).

THE PRESIDENT: The result of the vote is as follows:

For: Byelorussia, Canada, China, Czechoslovakia, India, Norway, Poland, Ukraine, U.S.A., U.S.S.R., Yugoslavia.

Against: Australia, Belgium, France, Greece, Netherlands, New Zealand, Union of South Africa, U.K.

Abstained: Brazil, Ethiopia.

The Soviet proposal is therefore adopted by 11 votes to 9 [8] with 2 abstentions.

THE PRESIDENT: I put to the vote the U.K. proposal with regard to Section B of Annex 6.

(The vote was taken by roll-call).

THE PRESIDENT: The result of the vote is as follows—

For: Australia, Belgium, Greece, Netherlands, New Zealand, Union of South Africa, U.K.

Against: Byelorussia, Canada, China, Czechoslovakia, France, Norway, Poland, Ukraine, U.S.A., U.S.S.R., Yugoslavia.

Abstained: Brazil, Ethiopia, India.

The U.K. proposal is therefore rejected by 11 votes to 7, with 3 abstentions.

The vote on the economic clauses of the Treaty and the annexes thereof marks the end of our work.

*Article 17.* It has been pointed out that Article 17 concerning the military clauses of the Treaty has not been voted. I recall that this same article had been unanimously adopted by the Military Commission with a slight drafting, amendment in the French text to bring it into line with the English and Russian texts.

No one wishes to speak?

Article 17 is unanimously adopted.

The next Meeting will be held to-morrow, at 3 o'clock, and will be the last Plenary Meeting of the Conference.

The meeting was adjourned at 6:30 p. m.

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**SEVENTH INFORMAL MEETING OF THE COUNCIL OF FOREIGN MINISTERS AT THE PARIS PEACE CONFERENCE, OCTOBER 14, 1946, 9 P. M.**

CFM Files

*United States Delegation Minutes*

SECRET

PRESENT

U.K.

Mr. Bevin (Chairman)  
Mr. Dixon

## FRANCE

M. Bidault  
M. Couve de Murville  
M. Seydoux

## U.S.S.R.

M. Molotov  
M. Vyshinsky  
M. Gusev  
M. Pavlov

## U.S.

Mr. Byrnes  
Senator Connally  
Senator Vandenberg  
Mr. Bohlen

## DATE OF MEETING IN NEW YORK

MR. BEVIN who was presiding said that the meeting had been called at Mr. Byrnes' request. He would, therefore, ask him to explain what he had in mind.

THE SECRETARY replied that he thought it would be wise to consider the procedure that would be followed in discussing the peace treaties in New York and to fix a date as early as possible for the first meeting of the Council. He said he thought that the Deputies could continue with their work here in Paris and proceed to New York arriving there by the third or fourth of November or perhaps a day or so earlier. He thought, therefore, that it might be possible to set the first meeting of the Council on the second, third, or fourth of November. He emphasized that the earliest possible meeting would be desirable in view of the fact that it probably would not be possible because of the General Assembly to hold meetings every day in New York.

M. BIDAULT said he had already made it clear to his colleagues that the date of the General Assembly created difficulties for the French Government for reasons that they all knew. It was, therefore, difficult if not impossible for him to make any definite commitment as to when he or any other French Foreign Minister could get to New York, but he would agree to have France represented at the Council by M. Couve de Murville until he could arrive in New York.

M. MOLOTOV said he agreed that the Council should meet as soon as possible in New York.

MR. BEVIN suggested that Monday, November 4, be set as the date which was agreed to by the Council.

## DISCUSSION OF GERMANY

M. MOLOTOV then said he wished to raise the question of the German discussions. He felt that it would be better to hold the German discussions in Europe since they would have to draw on their respective officials in Germany and it would be difficult if the meeting were held in the U.S. He said he realized they must consider the position of the U.S. representative in this matter but he thought that Mr. Byrnes also would need direct contact during the German discussions with his representatives in Germany.

THE SECRETARY said he merely wished to say that although he had traveled to Yalta, then to Potsdam, to London twice, and had since spring virtually lived in Paris, he did not mind the inconvenience. He agreed that it was necessary to have constant reference to our representatives on the Allied Control Council in Germany. He pointed out, however, that at the July discussion of Germany it had been agreed that they would discuss the German problem in November. He, therefore, felt that the German question should at least be started in New York. He said if as a result of the discussion in New York it appeared that all four countries were ready to undertake a serious and thorough discussion of Germany, he would then yield to the wishes of his colleagues if they desired to meet in Europe, but he did not wish to come all the way to Europe for a general and preliminary discussion such as was held last July.

M. MOLOTOV said he wished to emphasize that his remarks did not contemplate any delay in the German question.

THE SECRETARY said that he thought for example if we should finish the work on the treaties by November 20 then the Council could discuss Germany in order to ascertain whether they were all prepared to go into a thorough consideration of the German problem. In other words, we should start the discussions in New York and then consider whether it was desirable to continue them elsewhere in Europe.

MR. BEVIN agreed with this proposal.

M. MOLOTOV said he felt that we should finish work on the peace treaties first but he had no objection to Mr. Byrnes suggestion.

M. BIDAULT stated that the French Government did not want to discuss the substance of the German question in the absence of a responsible representative of France. He suggested that the discussion in New York should be of a preliminary nature for the purpose of drawing up an agenda for a future substantive discussion.

MR. BEVIN replied that M. Molotov's remark meant that they could not take up the German question until the peace treaties were finished.

THE SECRETARY inquired whether M. Bidault could not get to New York by the middle of November.

M. BIDAULT replied that he was no prophet and that it naturally depended on the outcome of the elections which were on November 10. In any event some time would be required to form a new Government and he could therefore make no promises. He said, however, that if the conversations were to be of a preliminary nature then M. Couve de Murville could represent France, but if discussion was to go into the heart of the question then a responsible representative of France would have to be present.

MR. BEVIN then inquired whether it would not be possible to agree that irrespective of the status of the work on the peace treaties the

German question would be discussed if only for one day at New York in order to fix the time and place of the real discussion on Germany. He said he did not like making a discussion of the German question conditional on the completion of the work of the peace treaties.

M. MOLOTOV said that from a practical point of view it would be better to finish the treaties first but he would have no objection to an agreement to take up the German question in a preliminary fashion while they were in New York.

MR. BEVIN said they would of course make every effort to finish the peace treaties before leaving New York, but if for one reason or another this was not done they should in any case have a preliminary German discussion before leaving New York.

Mr. Bevin's suggestion was accepted by the Council, namely, that irrespective of the status of the peace treaties there would be a preliminary discussion of the German problem.

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## TUESDAY, OCTOBER 15, 1946

FORTY-EIGHTH PLENARY MEETING, OCTOBER 15, 1946, 3 P. M.

CFM Files

### *United States Delegation Journal*

USDel(PC) (Journal)71

The final meeting of the Paris Conference was held in Plenary Session at the Luxembourg Palace this afternoon. The Chinese Delegate, Dr. Quo, presided. The Chairman announced the receipt of a communication from the Yugoslav Delegation saying that it was unable to participate in the final session of the Conference. He said that a copy of the communication would be circulated to members of the Conference.

The Conference approved tables of the record of its recommendations on the draft peace treaties of Italy, Rumania, Bulgaria, Hungary and Finland. The Secretariat was charged with revising and adopting definitive draft texts before the end of the week. These final texts will then be submitted by the Secretary General to the Council of Foreign Ministers together with the record of votes and written observations of Delegates on particular ballots.

Mr. Byrnes asked for recognition to say a few words and offer two resolutions: (1) an expression of thanks to the Secretariat and staff of the Conference and (2) an expression of appreciation to M. Bidault and the French Government for their country's hospitality. The Secretary continued by emphasizing the participation in the Conference of the nations not members of the Council of Foreign Min-

isters, as well as representatives of the ex-enemy countries, and the valuable contribution which they had brought to the drafting of the treaties. This contribution, he said, had fully justified the position of the United States in urging, since September 1945, that this Conference be held. The Secretary continued that, as no one state had won the war so, no one nation had the power to dictate the peace. He concluded by reiterating a statement made in the first week of the Conference that he would do all that he could to secure the incorporation of recommendations, which received a vote of two-thirds of the states represented in the Conference, in the treaties regardless of how the United States had voted on that recommendation in the Conference. (For full text of the Secretary's remarks, see USD(PC) (PR)-43).<sup>54</sup>

M. Molotov associated the Soviet Delegation with the resolution of thanks and appreciation to the Secretariat and the French Government. As the Soviets had made a contribution to the winning of the war, recognized by all her Allies, so the Soviet Government would continue to work for peace and fight for the objectives which it considers will establish a democratic peace, he said.<sup>55</sup>

Mr. Bevin supported the Secretary's resolutions and expressed his keen pleasure at the opportunity of attending a peace conference in France and observing at first hand the resurrection of the French nation in the immediate post-war period after years of occupation by the enemy. He spoke of the heavy responsibility on all persons engaged in peace making which he described as the task of legislating for future generations. He concluded with an expression of hope that the Conference has contributed to the construction of a peace which will never again be broken.

The Chairman associated the Chinese Delegation with the expressions of thanks to the Secretariat and the French Government and emphasized the gratitude of the Conference for the hospitality of France and of Paris. The two resolutions submitted by the Secretary were then adopted. Dr. Quo said that it was fitting that for the closing of the Conference the President of the French Government should preside. He asked M. Bidault to come to the rostrum and take the Chair.

M. Bidault thanked Dr. Quo and the Delegates for their generous words about France. He also thanked the Conference for having chosen Paris as a meeting place and making it for the past 2½ months

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<sup>54</sup> For text of Byrnes' statement, see Department of State *Bulletin*, October 27, 1946, p. 749.

The Secretary of State reported on the Paris Peace Conference in a radio address delivered in Washington October 18, 1946; for text, see *ibid.*, p. 739.

<sup>55</sup> For text of Molotov's statement, see Molotov, *Problems of Foreign Policy*, p. 235.

the political center of the world. In speaking of the procedure of the Conference he referred to the parliamentary system which had been followed and the complete publicity which had been given to its meetings. While he approved of this "daring" procedure he felt that it had slowed up the work of the Conference particularly in the early phases. He also referred to the lack of uniformity among the various Delegations in preparation for the Conference and suggested that this defect should receive serious consideration before the peace conferences for Germany and Japan. He felt that it had been difficult to prepare peace treaties for the satellite countries before the main lines of settlement with Germany had been laid down. Frankness, he continued, had dominated the discussions of the Conference and the world was not unaware of the differences of which had been revealed during its course. He concluded with an expression of hope that the consciousness of these facts would lead the nations to action rather than words in the establishment of a solid and enduring peace.

M. Bidault announced the closing of the Paris Conference at 5:30 p. m.





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