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Foreign Relations of the United States

Diplomatic Papers

1942

(In Seven Volumes)

Volume I

General

The British Commonwealth

The Far East



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PREFACE

The *Foreign Relations* volumes have been compiled on an annual basis since the publication of diplomatic correspondence which accompanied President Lincoln's first annual message to Congress (December 3, 1861). Originally entitled *Papers Relating to Foreign Affairs Accompanying the Annual Message of the President*, the name of this series was changed in 1870 to *Papers Relating to the Foreign Relations of the United States*, and in 1947 to the present title.

Publication of these volumes, except for the year 1869, has been continuous. In addition to the annual volumes, supplements have also been published, among them the World War Supplements, the Lansing Papers, the special 1918-1919 Russia volumes, the Paris Peace Conference, 1919, series, Japan, 1931-1941, and The Soviet Union, 1933-1939.

The principles which guide the compilation and editing of *Foreign Relations* are stated in Department of State Regulation 045 of October 31, 1955, a revision of the order approved on March 26, 1925, by Mr. Frank B. Kellogg, then Secretary of State. The text of the current regulation is printed below:

045 DOCUMENTARY RECORD OF AMERICAN DIPLOMACY

045.1 *Scope of Documentation*

The publication *Foreign Relations of the United States, Diplomatic Papers*, constitutes the official record of the foreign policy of the United States. These volumes include, subject to necessary security considerations, all documents needed to give a comprehensive record of the major foreign policy decisions within the range of the Department of State's responsibilities, together with appropriate materials concerning the facts which contributed to the formulation of policies. When further material is needed to supplement the documentation in the Department's files for a proper understanding of the relevant policies of the United States, such papers should be obtained from other Government agencies.

045.2 *Editorial Preparation*

The basic documentary diplomatic record to be printed in *Foreign Relations of the United States, Diplomatic Papers*, shall be edited by the Historical Office, Bureau of Public Affairs (P/HO) of the Department of State. The editing of the record shall be guided by the principles of historical objectivity. There shall be no alteration of the text, no deletions without indicating where in the text the deletion is made, and no omission of facts which were of major im-

portance in reaching a decision. Nothing shall be omitted for the purpose of concealing or glossing over what might be regarded by some as a defect of policy. However, certain omissions of documents or parts of documents are permissible for the following reasons:

- a. To avoid publication of matters which would tend to impede current diplomatic negotiations or other business.
- b. To condense the record and avoid repetition of needless details.
- 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.
- e. To eliminate personal opinions presented in despatches and not acted upon by the Department. To this consideration there is one qualification—in connection with major decisions it is desirable, where possible, to show the alternatives presented to the Department before the decision was made.

045.3 Clearance

To obtain appropriate clearances of material to be published in *Foreign Relations of the United States, Diplomatic Papers*, the Historical Office (P/HO) shall:

- a. Refer to the appropriate policy offices of the Department and of other agencies of the Government such papers as appear to require policy clearance.
- b. Refer to the appropriate foreign governments requests for permission to print as part of the diplomatic correspondence of the United States those previously unpublished documents which were originated by the foreign governments.

In keeping with the spirit of the above-quoted Department regulation, the research staff is guided in compiling the record by the principles of historical objectivity. In the selection of papers the editors have attempted to give a substantially complete record of American foreign policy as contained in the files of the Department of State together with as much background material as possible, while keeping the volumes within reasonable limits with respect to size and number.

The responsibilities of the Historical Office of the Bureau of Public Affairs for the preparation of the *Foreign Relations* volumes for 1942 were entrusted, under the general supervision of the Director of the Office, G. Bernard Noble, to the Foreign Relations staff under the direction of the Officer in Charge of the Foreign Relations Series (Editor of *Foreign Relations*), E. R. Perkins. The research staff which compiles *Foreign Relations* is divided into three branches: The General Branch, Gustave A. Nuermberger, Chief, which compiles subjects of a general nature involving more than one area; the Eastern Branch, Rogers P. Churchill, Chief, which compiles the record for Eastern Europe, the Far East, the Near East, and South Asia; and the Western Branch, N. O. Sappington, Chief, which compiles

the record for the British Commonwealth, Western Europe, Africa, and the American Republics.

The compilers of *Foreign Relations*, 1942, Volume I were G. A. Nuernberger, N. O. Sappington, John G. Reid, Herbert Fine, and former staff members Matilda F. Axton and Shirley L. Phillips.

The Division of Publishing Services is responsible with respect to *Foreign Relations* for the editing of copy, proofreading, and preparation of indexes. Under the general direction of the Chief of the Division, Norris E. Drew, the editorial functions mentioned above are performed by the Foreign Relations Editing Branch in charge of Elizabeth A. Vary, Chief, and Ouida J. Ward, Assistant Chief.

For 1942, the arrangement of volumes is as follows: Volume I, General, the British Commonwealth, the Far East; Volume II, Europe; Volume III, Europe; Volume IV, The Near East and Africa; Volume V, The American Republics; Volume VI, The American Republics. The *Foreign Relations* series for 1942 also includes the unnumbered volume on 1942, China, previously published.

E. R. PERKINS

Editor of Foreign Relations

MARCH 23, 1960.

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GENERAL
DECLARATION BY UNITED NATIONS, SIGNED
JANUARY 1, 1942¹

740.0011 (European War 1939)/12-1941

*Memorandum for the Secretary of State by Mr. Carlton Savage,²
Assistant to the Assistant Secretary of State (Long)*

[WASHINGTON,] December 19, 1941.

1. The Joint Declaration prepared today contains the two principal features customarily found in a military alliance. These are (1) a pledge of full support and cooperation in conducting the war against a common enemy, and (2) a pledge not to cease hostilities against the common enemy except by mutual agreement. Military alliances usually stipulate that the participating parties shall not conclude peace except by a mutual agreement. This Joint Declaration may be an improvement in this connection as it provides that the signatory governments shall not "cease hostilities against or conclude a separate armistice" except by common agreement. The present alliance between Great Britain and the Soviet Union³ provides that the signatories will "neither negotiate nor conclude an armistice or treaty of peace except by mutual agreement". In this connection I think you will

¹ Secretary of State Cordell Hull describes the inception and development of the Declaration by United Nations in his *Memoirs (The Memoirs of Cordell Hull)* (New York, 1948), vol. II, pp. 1114-1126). He recalls that almost immediately after Pearl Harbor he had begun to consider the form of unity the nations fighting against Germany and Japan should take, and on December 13 he asked Maxwell M. Hamilton, Chief of the Division of Far Eastern Affairs, "to draw up a draft of a declaration to be made by the nations fighting the Axis, which would bind them together until victory and would commit them to the basic principles that we upheld." (pp. 1114-1115) Hull records that Hamilton prepared two alternative drafts of a declaration by the Allies and that: "These differed only in that one brought in all the Allies, whereas the other consisted of two separate declarations, the first to be signed by all the Allies with the exception of Russia, who was not at war with Japan, and the latter to be signed by Russia. We quickly decided to discard the second draft, believing it would be far more effective to have Russia included with the rest of the Allies." (p. 1115) Hull reports that a new draft was prepared at a meeting of a group of his associates in his office on December 14, and adds: "From December 15 to December 19 my associates and I spent considerable time perfecting drafts of the document that became the United Nations Declaration." (p. 1116)

² Mr. Savage was technically Assistant to Assistant Secretary of State Breckinridge Long but was working with the Secretary of State.

³ The British-Soviet Agreement and Protocol for Joint Action in the War Against Germany was signed at Moscow on July 12, 1941; for text, see League of Nations Treaty Series, vol. CCIV, p. 277, or Department of State *Bulletin*, September 27, 1941, p. 240.

find useful some of the information contained in my memorandum of December sixteenth on the subject of military alliances, a copy of which is attached hereto.⁴

2. The Supreme War Council envisaged in the memorandum prepared today presumably would be far more effective than the Supreme War Council of 1917-1918 because the United States would have a political representative actively participating, whereas then the participation was principally military in the person of General Bliss.⁵ Furthermore, this plan for a Supreme War Council envisages representation on the staff, responsible to the Supreme War Council, of members of the naval and air forces of the participating governments whereas the earlier one provided only for a permanent military representative. One of the greatest arguments in favor of the plan envisaged here is that it would probably result in unified command in many theatres of the war. One of the greatest achievements of the earlier Supreme War Council was that it did greatly assist in bringing about a unified command on the Western Front.

CARLTON SAVAGE

740.0011 (European War 1939)/12-1941

Memorandum by Mr. Carlton Savage, Assistant to the Assistant Secretary of State (Long)

[WASHINGTON,] December 19, 1941.

The drafts, (1) Joint Declaration and (2) Memorandum of Agreement: Supreme War Council, were completed today during a conference in the Secretary's office, at which were present the Secretary, Mr. Berle,⁶ Mr. Hackworth,⁷ Mr. Dunn,⁸ Mr. Feis,⁹ Mr. Pasvolsky,¹⁰ Mr. Hamilton, and Mr. Savage. The two papers were sent by the Secretary to the White House at one o'clock.¹¹ With them he sent a copy of my memorandum of December 17, 1941 containing a brief sketch of the Supreme War Council of 1917-1918.¹²

Just before the Secretary left for lunch at one o'clock he asked me to prepare before Cabinet meeting at two, a memorandum¹³ setting out the high points of these two papers.

The Secretary called Mr. Berle, Mr. Hackworth and me in about four o'clock this afternoon to say that these two papers had been

⁴ Not printed.

⁵ Gen. Tasker H. Bliss, Chief of Staff, United States Army.

⁶ Adolf A. Berle, Jr., Assistant Secretary of State.

⁷ Green H. Hackworth, Legal Adviser.

⁸ James Clement Dunn, Adviser on Political Relations.

⁹ Herbert Feis, Adviser on International Economic Affairs.

¹⁰ Leo Pasvolsky, Chief of the Division of Special Research, and Special Assistant to the Secretary of State.

¹¹ See memorandum by the Secretary of State to President Roosevelt, *infra*.

¹² Not printed.

¹³ *Supra*.

discussed at the Cabinet meeting. There seemed to be general approval of them. The President mentioned only one point about which he had hesitancy. This was about the constitutionality of the Joint Declaration, having in mind especially the agreement not to conclude a separate armistice or cease hostilities except by common agreement.

This question was discussed for some time and it was generally felt that there was no real doubt as to the constitutionality of the provisions. The Secretary suggested, however, that the provision might well be taken from the Joint Declaration, which would be signed by many countries, and placed in the draft regarding the Supreme War Council, which would be signed by four countries. Mr. Welles,¹⁴ who came in during the discussion, suggested also that the first paragraph be changed to contain an enumeration of the titles of the heads of the four governments. Mr. Hornbeck¹⁵ had also suggested in writing that the term "world-wide" be removed from the Joint Declaration.

These three changes were made in the two papers and they were taken by Mr. Berle to the White House at six p. m.,¹⁶ to be substituted in place of the two papers the Secretary had taken over to the Cabinet meeting.

CARLTON SAVAGE

740.0011 (European War 1939)/12-1941

Memorandum by the Secretary of State to President Roosevelt

[WASHINGTON,] December 19, 1941.

Herewith I send you two documents, viz: (1) a draft joint declaration based on the Atlantic Charter¹⁷ predicated on the assumption that the declaring governments have subscribed to its principles; (2) a draft memorandum agreement constituting a supreme war council.

The four chief nations now fighting together, as well as any others who will join with them, should forthwith sign a common declaration of principle, which should embody a pledge to employ their entire resources and their full military effort to defeat the common enemy, and should include a pledge to coordinate these efforts, and should include also a pledge by all of them not to cease hostilities nor conclude a separate armistice with the common enemies or any of them until these enemies are finally defeated.

¹⁴ Sumner Welles, Under Secretary of State.

¹⁵ Stanley K. Hornbeck, Adviser on Political Relations.

¹⁶ *Post*, p. 6.

¹⁷ Joint statement by President Roosevelt and British Prime Minister Churchill, August 14, 1941, *Foreign Relations*, 1941, vol. I, p. 367.

Second, it seems essential to provide machinery which will effectively coordinate the use of resources and the military effort, making suitable allocation between theatres of war, keeping continuous check on the execution of war plans and, if possible, achieving unified command in theatres where this is feasible.

[Enclosure 1]

DECEMBER 19, 1941.

Draft Joint Declaration by the United States of America, China, Great Britain, the Union of Soviet Socialist Republics and Other Signatory Governments

The Governments signatory hereto,

Having subscribed to a common program of purposes and principles embodied in the Joint Declaration of the President of the United States of America and the Prime Minister of Great Britain dated August 14, 1941, known as the Atlantic Charter,

Being convinced that complete and world-wide victory of all of them is essential to defend life, liberty and independence, and to preserve human freedom and justice not only in their own lands but everywhere, and that the struggle in which they are now engaged is a common defense against savage and brutal forces seeking to subjugate the world, DECLARE:

(1) Each signatory Government pledges itself to employ its full resources against the Government or Governments which signed the Tripartite Pact on September 27, 1940,¹⁸ with which it is or may be at war, and to continue such employment until that Government or those Governments have been finally defeated;

(2) Each signatory Government pledges itself to cooperate with the others to the entire extent of its capacity to effect full coordination of military effort and use of resources against the common enemies or any of them;

(3) Each signatory Government pledges itself not to cease hostilities against or conclude a separate armistice with the common enemies or any of them, except by common agreement.

[Enclosure 2]

DECEMBER 19, 1941.

Draft Memorandum of Agreement: Supreme War Council

I

1. With a view to the more effective prosecution of warfare against Germany, Italy, and Japan, a Supreme War Council is created, composed of the heads of the governments of Great Britain, the United

¹⁸ Concluded between Germany, Italy, and Japan; for text, see League of Nations Treaty Series, vol. cciv, p. 386.

States of America and China; and the head of government of the Union of Soviet Socialist Republics in respect of warfare against those countries with which the Soviet Union is at war.

The head of any government may designate a member of his government with full power to represent him.

2. The function of the Supreme War Council is to supervise and coordinate the general conduct of the war and to provide for its successful prosecution.

3. The Supreme War Council may determine theatres of war and may provide for representation of any other government actively engaged in war against a common enemy in such theatres.

4. The Council will be responsible for coordinating distribution of available resources of all categories between various theatres of war.

5. The Supreme War Council shall be charged with effecting unified command in any theatre of war determined by it.

II

1. The Supreme War Council will create a Staff responsible to it and consisting of representatives of the armed forces of each of the members of the Council, who may be the highest ranking officers of the different branches of the respective armed forces.

2. The Staff may draw up general war plans, and shall review general war plans drawn up by the competent authorities of each country. It shall follow the execution by each country of the part allotted to it in any general operation or undertaking, but shall not exercise any of the powers of the commanders-in-chief in the field. It shall perform such other functions as may be assigned to it by the Council.

3. The members of the Staff shall receive from the government and the competent authorities of their respective countries all proposals, information and documents relating to the conduct of the war. They shall watch, day by day, the situation of the armed forces and the means of all kinds of which the armed forces and the enemy armed forces dispose.

4. By direction of the Supreme War Council, the Staff may designate a Staff Division to serve in respect of any theatre of war and may provide for representation of the armed forces of any other power engaged in active war against any of the common enemies in such theatre.

5. The general staffs and military, naval and air commands of the armed forces of each power charged with the conduct of military operations remain responsible to their respective governments, subject to the creation of any unified command which may be agreed upon.

6. The Staff shall sit continuously and shall establish headquarters for itself or for any Staff Division at such place or places, or in any region, as may be approved by the Supreme War Council.

740.0011 (European War 1939)/12-1941

DECEMBER 19, 1941.

*Draft Joint Declaration by the United States of America, China, Great Britain, the Union of Soviet Socialist Republics and Other Signatory Governments*¹⁹

The Governments signatory hereto,

Having subscribed to a common program of purposes and principles embodied in the Joint Declaration of the President of the United States of America and the Prime Minister of Great Britain dated August 14, 1941, known as the Atlantic Charter,

Being convinced that complete victory over their enemies is essential to defend life, liberty and independence, and to preserve human freedom and justice not only in their own lands but everywhere, and that the struggle in which they are now engaged is a common defense against savage and brutal forces seeking to subjugate the world,

DECLARE:

(1) Each signatory Government pledges itself to employ its full resources against the Government or Governments which signed the Tripartite Pact on September 27, 1940, with which it is or may be at war, and to continue such employment until that Government or those Governments have been finally defeated;

(2) Each signatory Government pledges itself to cooperate with the others to the entire extent of its capacity to effect full coordination of military effort and use of resources against the common enemies or any of them.

740.0011 (European War 1939)/12-1941

DECEMBER 19, 1941.

*Draft Memorandum of Agreement: Supreme War Council*¹⁹

I

1. With a view to the more effective prosecution of warfare against Germany, Italy and Japan, a Supreme War Council is created composed of H. B. M. Prime Minister in the United Kingdom, the President of the United States of America, the President of the Executive

¹⁹ This draft was taken by Assistant Secretary of State Berle to the White House at 6 p. m., December 19, 1941.

Yuan and Generalissimo of the Armies of the National Government of the Republic of China, and the President of the Soviet of People's Commissars of the Union of Soviet Socialist Republics in respect of warfare against those countries with which the Soviet Union is at war. They may designate a member of their government with full power to represent them.

2. The Chiefs of State or of government above named pledge themselves not to cease hostilities against or conclude a separate armistice with the common enemies or any of them, except by common agreement.

3. The function of the Supreme War Council is to supervise and coordinate the general conduct of the war and to provide for its successful prosecution.

4. The Supreme War Council may determine theatres of war and may provide for representation of any other government actively engaged in war against a common enemy in such theatres.

5. The Council will be responsible for coordinating distribution of available resources of all categories between various theatres of war.

6. The Supreme War Council shall be charged with effecting unified command in any theatre of war determined by it.

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1. The Supreme War Council will create a Staff responsible to it and consisting of representatives of the armed forces of each of the members of the Council, who may be the highest ranking officers of the different branches of the respective armed forces.

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3. The members of the Staff shall receive from the government and the competent authorities of their respective countries all proposals, information and documents relating to the conduct of the war. They shall watch, day by day, the situation of the armed forces and the means of all kinds of which the armed forces and the enemy armed forces dispose.

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5. The general staffs and military, naval and air commands of the armed forces of each power charged with the conduct of military op-

erations remain responsible to their respective governments, subject to the creation of any unified command which may be agreed upon.

6. The Staff shall sit continuously and shall establish headquarters for itself or for any Staff Division at such place or places, or in any region, as may be approved by the Supreme War Council.

740.0011 (European War 1939)/12-2041

Memorandum by the Secretary of State to President Roosevelt

[WASHINGTON,] December 22, 1941.

Referring further to your personal inquiry of me at Cabinet as to whether I considered legal and valid that provision of the Supreme War Council draft to the effect that the President can pledge himself as a member of the War Council "not to cease hostilities against or conclude a separate armistice with the common enemies or any of them, except by common agreement", I herewith enclose opinion by Mr. Hackworth prepared at my request which, in my judgment, makes clear the legal and constitutional validity of this provision. I hope you may have a chance to glance over it.

C[ORDELL] H[ULL]

[Enclosure]

Memorandum by the Legal Adviser (Hackworth) to the Secretary of State

[WASHINGTON,] December 20, 1941.

TERMINATION OF HOSTILITIES

THE SECRETARY: I do not feel that there is the slightest question regarding an undertaking by the President "not to cease hostilities against or conclude a separate armistice with the common enemies or any of them, except by common agreement".

The Constitution declares that the President "shall be Commander in Chief of the Army and Navy of the United States". (Art. 2, sec. 2.) The Supreme Court in *United States v. Sweeney* stated that the object of this provision is "evidently to vest in the President the supreme command over all the military forces,—such supreme and undivided command as would be necessary to the prosecution of a successful war." [Underscoring supplied.] ²⁰ (157 U. S. (1895) 281, 284.)

The power of the President as Commander in Chief and his duty to prosecute a war to a "successful" conclusion are no less extensive than

²⁰ Brackets appear in the original.

those of the Congress "To declare war . . . ;²¹ To raise and support Armies . . . ; To provide and maintain a Navy", etc. (Art. I, sec. 8.)

The Constitution itself contains no specific grant of power to any branch of the Government to make peace. The matter was discussed, however, at the Constitutional Convention, on August 17, 1787, in connection with the granting of power to Congress to make war. A motion was made to add the words "and peace" after the word "war", so as to give Congress the power to declare both war and peace. The motion was unanimously rejected. (II *Journal of the Constitutional Convention* (Hunt's ed., 1908) 188, 189.)*

While Congress has authority under the Constitution to declare war, once it is declared it is for the President to determine when peace may be concluded. He may conclude an armistice or negotiate a treaty of peace, or both. The armistice is wholly a function of the President but a treaty of peace requires senatorial approval.

Hare, in his work on the Constitution, says that "it is the right of the President, and not of Congress, to determine whether the terms [of peace] are advantageous, and if he refuses to make peace, the war must go on." (I. Hare, *American Constitutional Law* (1889) 171-172.)

In the report of the Judiciary committee to the Forty-ninth Congress on the treaty power, it is stated that "Congress cannot create the status of peace by repealing its declaration of war, because the former requires the concurrence of two wills, the latter but the action of one." (H. Rept. 4177, 49th Cong., 2d sess., p. 9; Henry St. George Tucker, *Limitations on the Treaty-Making Power* (1915) 342, 356-357.)

In August 1919 Senator Fall of New Mexico presented the following question to President Wilson: "In your judgment, have you not the power and authority, by proclamation, to declare in appropriate words that peace exists and thus restore the status of peace between the Governments and peoples of this country and those with whom we declared war?" The President replied: "I feel constrained to say . . . not only that in my judgment I have not the power by proclamation to declare that peace exists, but that I could in no circumstances consent to take such a course prior to the ratification of a formal treaty of peace." (58 *Cong. Rec.* Pt. 4, pp. 4176, 4177.)

The question of the procedure for terminating war was raised by House Joint Resolution 327 of May 21, 1920 intended to repeal the Joint Resolution of April 6, 1917 declaring a state of war to exist between the United States and Germany, and the Joint Resolution of December 7, 1917 declaring a state of war to exist between the United States and the Austro-Hungarian Government, and to declare a state of peace. (59 *Cong. Rec.* Pt. 7, p. 7423.)

²¹ Omissions throughout this document indicated in the original.

* Article IX of the Articles of Confederation had given Congress sole and exclusive power to determine on peace and war. [Footnote in the original.]

The resolution was vetoed by President Wilson on May 27 on the ground that it did not "accomplish any of these objects" for which the United States had entered the war. He stated:

" . . . I have not felt at liberty to sign this joint resolution because I can not bring myself to become party to an action which would place an inefaceable stain upon the gallantry and honor of the United States. The resolution seeks to establish peace with the German Empire without exacting from the German Government any action by way of setting right the infinite wrongs which it did to the peoples whom it attacked and whom we professed it our purpose to assist when we entered the war. Have we sacrificed the lives of more than 100,000 Americans and ruined the lives of thousands of others and brought upon thousands of American families an unhappiness that can never end for purposes which we do not now care to state or take further steps to attain?

" . . . when we entered the war we set forth very definitely the purposes for which we entered, partly because we did not wish to be considered as merely taking part in a European contest. This joint resolution which I return does not seek to accomplish any of these objects, but in effect makes a complete surrender of the rights of the United States so far as the German Government is concerned.

"But the treaty as signed at Versailles has been rejected by the Senate of the United States, though it has been ratified by Germany. By that rejection and by its method we have in effect declared that we wish to draw apart and pursue objects and interests of our own, unhampered by any connections of interest or of purpose with other Governments and peoples." (59 *Cong. Rec.* Pt. 9 [8], pp. 7747, 7748.)

However, on July 2, 1921, President Harding signed a Joint Resolution declaring "at an end" the state of war "declared to exist between the Imperial German Government and the United States of America by the Joint Resolution of Congress approved April 6, 1917." It also declared to be at an end the war between the United States and the Austro-Hungarian Government. (42 Stat. 105.) A joint resolution of Congress announcing the termination of war is undoubtedly valid so far as domestic law is concerned but so far as concerns the international situation, the attitude of the enemy must be taken into account. Peace between the United States and Germany, for example, was not formally restored until the exchange on November 11, 1921 of ratifications of the Treaty of Berlin. President Harding in proclaiming the treaty stated that the war terminated on July 2, 1921. His

action in so doing is probably explainable by the fact that the treaty incorporated parts of the Joint Resolution of that date.

The Circuit Court of Appeals for the Third Circuit declared in a decision in 1930 that—

“The Joint Resolution of Congress of July 2, 1921, did not terminate the war. This resolution was not legally binding on Austria, and regardless of its political effect, it was not a legal restoration of peace as that can be accomplished only by a bilateral treaty of peace . . .” (*First Nat. Bank of Pittsburgh v. Anglo-Oesterreichische Bank, for Use of Anglo-Austrian Bank, Limited, for Use of Grouf*, 37 F. (2d) 564, 567-568.)

In the case of *Arnold et al. v. Ellison et al., Appellants*, the Superior Court of Pennsylvania held that the war between the United States and Germany ended on November 14, 1921, the date when the President proclaimed the treaty of peace between the United States and Germany. The court said:

“Nor can we give our assent to appellants’ contention that the war was terminated by the joint resolution of Congress, passed July 2, 1921, (42 Stat. at L. 105, Sec. 1). A state of war cannot be terminated by a mere declaration of one of the belligerents that there is no longer any reason for its continuation. The actual termination of a war is a mutual matter evidenced by a treaty, duly ratified by both parties, and it cannot properly be said that a war has ended until the ratifications have been exchanged. True, the section of the Trading with the Enemy Act which we have quoted, after fixing ‘the date of proclamation of exchange of ratifications’ as the ‘end of the war’ added ‘unless the President shall by proclamation declare a prior date.’ This seems to contemplate, for the purposes of that act, the possibility of a proclamation declaring the war ended prior to the exchange of ratifications. No such proclamation was made. The only proclamation was that of November 14, 1921, reciting the exchange of ratifications and declaring the war to have terminated on July 2, 1921. We are not persuaded that this proclamation should be given the retroactive effect contended for; to do so would be equivalent to saying that a right of action, to which the statute would have been a bar within a few days after the end of the war, may, by a proclamation made three days later, be set back more than four months, with the effect that it could never be enforced.” (96 Pa. Superior Ct. 118, 124 (1929).)

In the case of *Kotzias v. Tyser*, the Court of King’s Bench held—“the authorities show that, in the absence of any specific statutory or contractual provision to the contrary, the general rule of international law is that as between civilized Powers who have been at war, peace is not concluded until a treaty of Peace is finally binding upon the belligerents, and that that stage is not reached until ratifications of the treaty of peace have been exchanged between them.” (1920) 2 K. B. 69, 77.

Furthermore, whatever may be said of the effect of the Joint Resolution of July 2, 1921, it is to be borne in mind that it was the joint act of the Congress and the President. If in the present situation Congress should pass a resolution with the President's commitment regarding hostilities still outstanding, he could veto it as President Wilson did in 1920 and it could not become operative even domestically unless passed over his veto.

The only way by which Congress could compel the President to "cease hostilities" would be by cutting off the appropriations. Even in such a situation he could do as President Theodore Roosevelt is said to have threatened to do when the Chairman of the Senate Committee on Naval Affairs reportedly announced that Congress would refuse to appropriate money to send the fleet around the world. In referring to the incident he stated:

" . . . However, I announced in response that I had enough money to take the fleet around to the Pacific anyhow, that the fleet would certainly go, and that if Congress did not choose to appropriate enough money to get the fleet back, why, it would stay in the Pacific. There was no further difficulty about the money." (Roosevelt, *An Autobiography* (1913) 592, 598.)

The resolutions of Congress declaring the existence of a state of war between the United States and Japan, Germany and Italy pledge "all of the resources of the country" to bring the conflict to "a successful termination". Both by the resolutions of Congress and by the Constitution the President is to be the judge as to how best to prosecute the war. Its successful termination may depend upon the ability of the President to make certain that Great Britain, Soviet Russia, and China shall continue in the struggle until the enemies are defeated. The best way to be sure that this situation shall obtain is through a pledge by them not to cease fighting except by common agreement of all four Powers. The President could not obtain such a pledge from the other Powers without making one himself. He is justified in doing so by reason of his responsibility as Commander in Chief and his broad powers in the conduct of foreign relations. As stated by the Supreme Court regarding this latter prerogative:

"In this vast external realm, with its important, complicated, delicate and manifest [*manifold*] problems, the President alone has the power to speak or listen as a representative of the nation. . . . Into the field of negotiation the Senate cannot intrude; and Congress itself is powerless to invade it." (*United States v. Curtiss-Wright Export Corp. et al.*, 299 U. S. 304, 319 (1936).

GREEN H. HACKWORTH

Hopkins Papers

President Roosevelt to the Secretary of State ²²

WASHINGTON, December 27, 1941.

The Prime Minister ²³ showed me the War Cabinet recommendations relative to the draft of a Joint Declaration.²⁴ I have reread the draft and I have these comments to make:

1. I think every effort should be made to get religious freedom into this document. I believe Litvinoff ²⁵ can be induced to agree to this.

2. I think the language on page 2, paragraph 1 is difficult for the Russians. Some such language as this might handle it:

"Each government pledges itself to employ its full resources against those Axis forces of conquest with which it is at war. Each government pledges itself to continue such employment until these forces have been finally defeated."

I have been trying to think of a way to obviate the necessity of two different documents.

3. I believe the list of countries in paragraph 1 should include all of the nations at war, including the South American Republics. It seems to me a distinct advantage to have as long a list of small countries as possible in this Declaration.

4. I believe that China and the U. S. S. R. should be lifted from an alphabetical listing and included as are the United States and the British Empire on the theory that they are fighting in their own countries.

I have a feeling the U. S. S. R. would not be pleased to see their name following some of the countries which are realistically making a minor contribution.

5. I presume it is up to the British to decide whether or not India should be included, but I don't understand why they don't include it. Perhaps you could prod them a little.

6. I feel that the Free French should not be included in this document.

I am anxious that the most careful thought be given to the language in this Declaration, which will supplement the Atlantic statement, particularly in reference to the real purposes for which we fight.

As soon as you and Halifax ²⁶ have reached a meeting of minds on a Joint Declaration, I think we should have a prompt conference between yourself, Halifax, the Prime Minister and me.

F[RANKLIN] D. R[OSEVELT]

²² Copy obtained from the Franklin D. Roosevelt Library, Hyde Park, N. Y.

²³ British Prime Minister Winston Churchill. Correspondence regarding the conference at Washington between President Roosevelt and Prime Minister Churchill, with their advisers, December 22, 1941-January 14, 1942, is scheduled for publication in a subsequent volume of *Foreign Relations*.

²⁴ Draft of December 19, p. 4.

²⁵ Maxim Maximovich Litvinov, Soviet Ambassador in the United States.

²⁶ Viscount Halifax, British Ambassador in the United States.

Hopkins Papers

*Draft Joint Declaration by the United States of America, China, Great Britain, the Union of Soviet Socialist Republics, Australia, Belgium, Canada, Costa Rica, Cuba, Czechoslovakia, Dominican Republic, El Salvador, Greece, Guatemala, Haiti, Honduras, Netherlands, New Zealand, Nicaragua, Norway, Panama, Poland, Union of South Africa, and Yugoslavia*²⁸

The Governments signatory hereto,

Having subscribed to a common program of purposes and principles embodied in the Joint Declaration of the President of the United States of America and the Prime Minister of Great Britain dated August 14, 1941, known as the Atlantic Charter;

Having determined that the effective prosecution of warfare against their enemies imperatively requires the creation of a Supreme War Council,

Being convinced that complete victory over their enemies is essential to defend life, liberty, independence and religious freedom, and to preserve human rights and justice not only in their own lands but everywhere, and that the struggle in which they are now engaged is a common defense against savage and brutal forces seeking to subjugate the world, DECLARE:

(1) Each Government pledges itself to employ its full resources against those Axis forces of conquest with which it is at war. Each Government pledges itself to continue such employment until these forces have been finally defeated;

(2) Each signatory Government pledges itself to cooperate with the others to the entire extent of its capacity to effect full coordination of military effort and use of resources against the common enemies or any of them.

The foregoing declaration may be adhered to by other nations which are, or which may be, rendering material assistance and contribution towards the defeat of the members of the Tripartite Pact.

740.0011 (European War 1939)/12-2741

*Memorandum by Mr. Carlton Savage, Assistant to the
Assistant Secretary of State (Long)*

[WASHINGTON,] December 27, 1941.

There was a conversation in the Secretary's office at 4:30 p. m. to consider the President's memorandum of this date commenting on the draft Joint Declaration sent from the Department to the White House

²⁸ Copy obtained from the Franklin D. Roosevelt Library, Hyde Park, N. Y. This draft was prepared in the Department of State on December 27, 1941, as a result of President Roosevelt's memorandum of December 27, *supra*, and was carried to the White House by the Secretary of State about 6 o'clock that evening.

on December 19. Those present were the Secretary, Mr. Welles, Mr. Hackworth, and Mr. Savage.

The changes suggested by the President were incorporated in a new draft of the Joint Declaration.²⁹ Furthermore, two additional statements were incorporated in the new draft: (1) The signatories had determined that the effective prosecution of warfare against their enemies required the creation of a Supreme War Council; (2) the Declaration might be adhered to by other nations which are or which may be rendering material assistance and contributions towards the defeat of the members of the Tripartite Pact.

The President, in his memorandum of December 27, made no direct comment on the draft proposal for creating a Supreme War Council. However, he did say that he had been trying to think of a way to obviate the necessity of two different documents. To meet this point, a draft³⁰ was prepared for the Joint Declaration and the proposal for a Supreme War Council. This joint draft is little different from the two separate drafts; a few changes were made in the first two numbered paragraphs relating to the Supreme War Council. The draft of December 19, regarding the Supreme War Council, was not changed in any way.

For a White House conference tonight, at which were to be present the President, the British Prime Minister, Secretary Hull, and the British Ambassador, the Secretary had prepared copies of the document of December 19, 6 p. m., relating to the Supreme War Council; the new draft Joint Declaration of December 27; and the amalgamated draft of this date containing the Joint Declaration and the memorandum on the Supreme War Council.

At 5:30 the British Ambassador joined the conference and there was a discussion of the three drafts. His principal comment was that the British dominions probably would have to be given a status in the set-up similar to that given Great Britain. It was explained to him that if the Supreme War Council should be made up of a large number of representatives, it would become unwieldy and ineffective. It was also pointed out that provision is made for representation on the Supreme War Council and on the Staff of governments actively engaged against the common enemy in specific theatres of war.

There was a discussion of the position of the Soviet Union and it was generally thought that the Soviet Government would be willing to subscribe to the principles contained in the Joint Declaration and would agree to the formation of a Supreme War Council.

The Secretary and the British Ambassador left for the White House shortly after six, taking with them the three drafts.

CARLTON SAVAGE

²⁹ *Supra.*

³⁰ *Infra.*

740.0011 (European War 1939)/12-2741

*Draft Joint Declaration by the United States of America, China, Great Britain, the Union of Soviet Socialist Republics, Australia, Belgium, Canada, Costa Rica, Cuba, Czechoslovakia, Dominican Republic, El Salvador, Greece, Guatemala, Haiti, Honduras, Netherlands, New Zealand, Nicaragua, Norway, Panama, Poland, Union of South Africa, and Yugoslavia*³¹

I

The Governments signatory hereto,

Having subscribed to a common program of purposes and principles embodied in the Joint Declaration of the President of the United States of America and the Prime Minister of Great Britain dated August 14, 1941, known as the Atlantic Charter,

Having determined that the effective prosecution of warfare against their enemies imperatively requires the creation of a Supreme War Council,

Being convinced that complete victory over their enemies is essential to defend life, liberty, independence and religious freedom, and to preserve human rights and justice not only in their own lands but everywhere, and that the struggle in which they are now engaged is a common defense against savage and brutal forces seeking to subjugate the world, DECLARE:

(1) Each Government pledges itself to employ its full resources against those Axis forces of conquest with which it is at war. Each Government pledges itself to continue such employment until these forces have been finally defeated;

(2) Each signatory Government pledges itself to cooperate with the others to the entire extent of its capacity to effect full coordination of military effort and use of resources against the common enemies or any of them.

II

SUPREME WAR COUNCIL³²

1. With a view to the more effective prosecution of warfare against Germany, Italy and Japan, the Chiefs of State or of Government of

³¹ This draft was prepared in the Department of State on December 27, 1941, and carried to the White House by the Secretary of State about 6 o'clock that evening.

³² Secretary Hull indicates in his *Memoirs* that the proposal for the Supreme War Council met with opposition from Prime Minister Churchill. He records that in a telephone conversation with President Roosevelt on December 31, 1941, "the President said, with respect to the memorandum on the creation of a Supreme War Council, that it seemed desirable to work on a regional basis for the time being, with the possibility that eventually it might be feasible to create an over-all Council. A Supreme War Council such as we at the State Department had suggested was not set up, but the President and the Prime Minister took a major step in that direction during Mr. Churchill's visit by creating the Combined Chiefs of Staff, with headquarters in Washington, to integrate the strategy of the two countries. They also established combined Anglo-American boards to deal with the assignment of munitions, the supply of raw materials, production and resources, shipping and food. Subsequently, unified commands were agreed upon for the Mediterranean, European, Southwest Pacific, and Southeast Asia theaters." (*The Memoirs of Cordell Hull*, vol. II, pp. 1121, 1124.)

the United Kingdom, the United States of America, the Republic of China, and the Union of Soviet Socialist Republics in respect of warfare against those countries with which it is at war, shall constitute a Supreme War Council. They may designate a member of their government with full power to represent them on the Council.

2. The members of the Council pledge themselves not to cease hostilities against or conclude a separate armistice with the common enemies or any of them, except by common agreement.

3. It shall be the function of the Council to supervise and coordinate the general conduct of the war and to provide for its successful prosecution.

4. The Council may determine theatres of war and may provide for representation of any other government actively engaged in war against a common enemy in such theatres.

5. It will be responsible for coordinating distribution of available resources of all categories between various theatres of war.

6. It shall be charged with effecting unified command in any theatre of war determined by it.

7. The Supreme War Council will create a Staff responsible to it and consisting of representatives of the armed forces of each of the members of the Council, who may be the highest ranking officers of the different branches of the respective armed forces.

8. The Staff may draw up general war plans, and shall review general war plans drawn up by the competent authorities of each country. It shall follow the execution by each country of the part allotted to it in any general operation or undertaking, but shall not exercise any of the powers of the commanders-in-chief in the field. It shall perform such other functions as may be assigned to it by the Council.

9. The members of the Staff shall receive from the government and the competent authorities of their respective countries all proposals, information and documents relating to the conduct of the war. They shall watch, day by day, the situation of the armed forces and the means of all kinds of which the armed forces and the enemy armed forces dispose.

10. By direction of the Supreme War Council, the Staff may designate a Staff Division to serve in respect of any theatre of war and may provide for representation of the armed forces of any other power engaged in active war against any of the common enemies in such theatre.

11. The general staffs and military, naval and air commands of the armed forces of each power charged with the conduct of military operations remain responsible to their respective governments, subject to the creation of any unified command which may be agreed upon.

12. The Staff shall sit continuously and shall establish headquarters for itself or for any Staff Division at such place or places, or in any region, as may be approved by the Supreme War Council.

The foregoing declaration may be adhered to by other nations which are, or which may be, rendering material assistance and contributions towards the defeat of the members of the Tripartite Pact.

740.0011 European War 1939/18038

Memorandum of Conversation, by the Secretary of State

[WASHINGTON,] December 29, 1941.

Ambassador Litvinov called at my request. The President had on Saturday ³³ handed to him a copy of a proposed Joint Declaration (copy attached) for all countries at war against Japan, Germany and Italy to sign, (with Japan excepted as to Russia), to be sent by the Ambassador to his Government for its approval. The Ambassador handed me the amendments to the Declaration submitted by his Government (copy attached). The Ambassador seemed a little surprised when I stated that the proposed declaration had not been delivered to any other country for signature pending the action of Russia. He then handed to me at my request a copy of a separate declaration (copy attached) ³⁴ which Russia had planned to make upon the possible assumption that the joint declaration was already in circulation among other countries for signature. After some informal discussion I indicated to the Ambassador that my tentative view was that the amendments were unobjectionable with the possible exception of the proposed amendment of the final paragraph which would strike out the words "towards the defeat of members or adherents of the Tripartite Pact" and insert "and contributions in the struggle for victory over Hitlerism". I said that while this Government was engaged during past months in an effort to handle the Japanese situation pending fuller preparations of the United States, Great Britain, Australia and the Netherlands East Indies to defend themselves against the Japanese military movement, the President and others of us had not mentioned Japan in summing up on Hitler's efforts at world conquest and that, therefore, it would be almost impossible for us to omit Japan from the document, should Hitler be mentioned. The Ambassador said it was the other way around with his Government—that Hitlerism stood for Naziism, Fascism and Nipponism. I said that we must undertake to work the matter out in some way that would be mutually satisfactory, and that I was sure that it could be done. The

³³ December 27.

³⁴ Not printed.

Ambassador seemed to feel the same way about it. He thereupon left with the understanding that I would give the matter further attention and I would see the Ambassador later after consulting with the President on the suggested amendments.

C[ORDELL] H[ULL]

[Annex 1]

*Draft Joint Declaration by the United States of America, China, the United Kingdom of Great Britain and Northern Ireland, the Union of Soviet Socialist Republics, Australia, Belgium, Canada, Costa Rica, Cuba, Czechoslovakia, Dominican Republic, El Salvador, Greece, Guatemala, Haiti, Honduras, Netherlands, New Zealand, Nicaragua, Norway, Panama, Poland, South Africa, and Yugoslavia*³⁵

The Governments signatory hereto,

Having subscribed to a common program of purposes and principles embodied in the Joint Declaration of the President of the United States of America and the Prime Minister of Great Britain dated August 14, 1941, known as the Atlantic Charter,

Being convinced that complete victory over their enemies is essential to defend life, liberty, independence and religious freedom, and to preserve human rights and justice not only in their own lands but everywhere, and that they are now engaged in a common struggle against savage and brutal forces seeking to subjugate the world,
DECLARE:

(1) Each Government pledges itself to employ its full resources, military or economic, against those members of the Tripartite Pact and its adherents with which such government is at war.

(2) Each Government pledges itself to cooperate with the other Governments signatory hereto; and to continue war against, and not to make a separate armistice or peace with the common enemies or any of them.

The foregoing declaration may be adhered to by other nations which are, or which may be, rendering material assistance and contributions towards the defeat of members or adherents of the Tripartite Pact.

[Annex 2]

Amendments by the Soviet Union to the Proposed Joint Declaration

Preamble: . . . "in their own lands as well as in other lands, . . . " instead of " . . . not only in their own lands, but everywhere."

³⁵ Marginal note: "OK F.D.R."

(2) "Each government pledges itself to cooperate with the governments signatory hereto and not to make a separate armistice or peace with the enemies . . ." instead of the original text.

Final Para: ". . . and contributions in the struggle for victory over Hitlerism," instead of ". . . and contributions towards the defeat of members, etc."

740.0011 European War 1939/18705

Memorandum of Conversation, by the Assistant Chief of the Division of European Affairs (Henderson)

[WASHINGTON,] December 29, 1941.

The Polish Ambassador³⁸ came in to see me late this afternoon. He said that on Saturday, December 27, the President had called to the White House a number of Chiefs of Mission and had given them to understand that an agreement was being drawn up which all nations engaged in war against Germany would be given an opportunity to sign.

The Ambassador said that he had received the distinct impression that the agreement in question was being prepared at conferences of representatives of a group of powers and that after the wording of the agreement had been decided upon the representatives of other powers engaged in war against Germany would be called in and given a chance to sign.

The Germans, he pointed out, were undoubtedly watching closely the manner in which the international agreement was being drawn up and would make every endeavor to ridicule it and to minimize its importance. From the point of view of the European continent it would be extremely unfortunate if the agreement should be drawn up and signed in such a way as to give the Germans an opportunity to spread propaganda to the effect that it did not represent the spontaneous views of all the powers signing it; that it had been drawn up by a few powers selected because of their immediate strategical importance; and that the other powers had played merely the passive role of signers. German propaganda in Poland, for instance, that the Soviet Union had been given a voice in the drafting of the document while Poland was treated as a secondary power might serve to lower the morale and capacity to resist of the population.

The Ambassador expressed the hope that the document in question would be shown to the various powers which were to be invited to sign it and particularly to Poland before its final text had been irrevocably decided upon and before it had been signed by any other power.

³⁸ Jan Ciechanowski.

In making his suggestion he wished to emphasize the confidence which Poland had in both the President and Mr. Churchill. President Roosevelt understood the Polish problem thoroughly and there could be no better representative of Poland connected with the drawing up of the document than the President himself. His main concern was that it might appear that the appearance of equality was being abandoned. He was sure that the American Government, which had always been a staunch defender of the principles of equality among foreign powers, would understand the position of Poland in this matter.

I told the Ambassador that his suggestions and comments would be passed along to my superiors in the Department.

740.0011 European War 1939/18568

*Memorandum of Conversation, by the Under Secretary of State
(Welles)*

[WASHINGTON,] December 29, 1941.

The British Ambassador called to see me this evening.

The Ambassador read to me from a memorandum, which he said he had left with Harry Hopkins³⁹ this morning for transmission to the President, which contained the views of the British Cabinet with regard to the proposed allied declaration.

It was pointed out that Luxembourg had been omitted from the list of countries. I said that of course Luxembourg should be included and had undoubtedly been omitted by oversight.

It was further stated that India should be included; that the Viceroy had agreed and was now merely awaiting the technical authority which had to be given by the Viceroy's council.

The Cabinet further expressed particular regret that in the first paragraph the phrase "social security" had been omitted in that part of the text which deals with life, liberty, religious freedom, et cetera.

The Ambassador then referred with great emphasis to the insistence of the British Cabinet that the "Free French Committee" be included in the list. The British Cabinet maintained that inasmuch as the Free French had adhered to the Atlantic Charter, had fought with the British from the outset of the war, and had placed at the disposal of the British Government all of the French colonies where they exercised jurisdiction, the United States Government had no right to veto the inclusion of the Free French Committee.

I stated to the Ambassador that my views with regard to this matter had been set forth to him in full detail in our conversation of December 27⁴⁰ and that I understood the Secretary of State had likewise

³⁹ Special Assistant to the President.

⁴⁰ For memorandum of conversation, *Foreign Relations, 1941*, vol. II, p. 204.

expressed his general opinions with regard to the Free French during the last forty-eight hours.⁴¹ Further than that I said the President, in his memorandum to the Secretary of State containing his own suggestions for modifying the text of the proposed declaration, had made it clear that in his judgment the Free French should not be included.

The Ambassador argued at some considerable length with regard to the need for including the Free French Committee in some way. He urged that this Government give further thought to the matter. I stated that undoubtedly, in view of the communication which the Ambassador had given Harry Hopkins this morning, the President would have the matter fully in mind.

S[UMNER] W[ELLES]

740.0011 European War 1939/18110

The Secretary of State to the Chinese Ambassador (Hu Shih)

WASHINGTON, December 30, 1941.

MY DEAR MR. AMBASSADOR: I transmit herewith to you for your Government a Joint Declaration.⁴² I hope that your Government will indicate its willingness to join as a signatory and will authorize you to sign at the earliest possible moment. Until its issuance, the text of the Declaration and everything connected with it should, of course, be held in strictest confidence.

Very sincerely yours,

CORDELL HULL

740.0011 (European War 1939)/12-3041

Memorandum by Mr. Carlton Savage, Assistant to the Assistant Secretary of State (Long)

[WASHINGTON,] December 30, 1941.

This morning the President sent back with his O. K. the attached Joint Declaration,⁴³ in which had been incorporated the amendments suggested by the Soviet Government.

There was a conversation in the Secretary's office this morning attended by the Secretary, Mr. Berle, Mr. Hackworth, Mr. Hornbeck,

⁴¹ See *Foreign Relations*, 1941, vol. II, pp. 557-558.

⁴² *Ante*, p. 19.

⁴³ Not printed. A handwritten marginal note on the attachment reads: "CH OK. It is approved now by Russia and W. S. C[hurchill] but not yet by China FDR Let['s] get it out on Jan. 1. That means speed FDR" The text of the draft declaration is identical with that signed on January 1, 1942 (*post*, p. 25) except for the correction of the title of Prime Minister Churchill as requested by Lord Halifax (see the final paragraph of this document), and the addition of the title, "Declaration by United Nations." Mr. Hull records in his book that the title was suggested December 31 by President Roosevelt to Prime Minister Churchill and agreed to by the latter. (*The Memoirs of Cordell Hull*, vol. II, p. 1124.)

Mr. Hamilton, Mr. Ballantine, and Mr. Savage. It was decided to transmit immediately to the Governments listed in the Joint Declaration a copy of the Declaration asking, in response to the President's request, immediate response so that the document could be made public on January 1. A telegram was sent today to Ambassador Biddle in London to take up the question with all the governments to which he is accredited.⁴⁴ Telegrams to the same effect were sent to our Missions in the American Republics which had declared war against the Axis powers.⁴⁵ Furthermore, a telegram was sent to our Minister at Ottawa, instructing him to present the Declaration to the Luxembourg Government.

The Secretary received the Chinese Ambassador today and handed him a copy of the Joint Declaration; the attached letter ⁴⁶ was sent to the Ambassador confirming the conversation.

Lord Halifax desired to insert the expression "social security" in the Declaration but since the President and Prime Minister Churchill desired not to make any changes in the Declaration, in view of the approval already given by the Soviet Government, Mr. Berle convinced Lord Halifax that his Government should recede from this position.

Lord Halifax also suggested that in the Declaration the title of Churchill should be given as "Prime Minister of the United Kingdom of Great Britain and Northern Ireland". This change was made. He also desired to make a change at the end of the document to enable organizations such as the Free French to sign. The Secretary did not feel that we could make any change without the approval of the President, so nothing was done on this point.

CARLTON SAVAGE

740.0011 European War 1939/18742

Memorandum of Telephone Conversation, by the Assistant Secretary of State (Berle)

[WASHINGTON,] December 30, 1941.

Lord Halifax telephoned me about six o'clock this evening, relative to the proposed Joint Declaration.

He said that he had had a cable from his Foreign Office which advised:

(1) That India might be included. Unless we regrouped the British Dominions under the United Kingdom, it would be all right to put in the name "India" in alphabetical order, as we now have it.

⁴⁴ Belgium, Czechoslovakia, Greece, Netherlands, Norway, Poland, and Yugoslavia.

⁴⁵ Costa Rica, Cuba, Dominican Republic, El Salvador, Guatemala, Haiti, Honduras, Nicaragua, and Panama had declared war.

⁴⁶ Not attached to the file copy, but see *supra*.

(2) Of more importance, the Foreign Office wished to use the words "high contracting parties" in place of "governments signatory hereto"; and thereafter to use the words "high contracting parties" in place of the word "governments", and "each high contracting party" in place of the words "each government"; and in place of the words "governments signatory" etc., to use the words "the high contracting parties signatory" etc.

He said that the reason why they wished this was that inclusion of India raised a troublesome point. Much of India was made up of native states who could only be bound by the signature of their king. By making it a governmental agreement rather than an agreement of chief of state, they would avoid the difficulty.

I said that the use of the words "high contracting party" might raise difficulties on our side. There was a running constitutional question as to the point at which a governmental agreement became a treaty; that the words "high contracting parties" were classically treaty-making words with us, and that if we used this phrase the President might be faced with a demand to submit the agreement to the Senate as a treaty, instead of having it as it was now, an agreement based on his war-making power.

A. A. BERLE, JR.

740.0011 European War 1939/18384

*Memorandum of Conversation, by the Assistant Secretary of State
(Berle)*

[WASHINGTON,] December 31, 1941.

Mr. Wrong⁴⁷ came in to see me today at his request. He wished to discuss the drafting of the Joint Declaration. He presented the attached memorandum⁴⁸ which embodied the comments his Government desired to make on the drafting, and maintained that no question of substance really was involved.

I said that if no real question was involved, I hoped the Canadian Government would not press them. We had reached a point at which many parties, and particularly the U. S. S. R., were now prepared to sign. But if we reopened the draft we probably might have some new claims advanced which would not be to the general advantage. I told Mr. Wrong in confidence that the first instinct of the Russians had been not to sign this draft but to issue a statement of their own which included no solid agreements regarding a separate peace or other necessary commitments. I hoped therefore that the Canadian Government would consider that if we did not adopt

⁴⁷ Hume Wrong, Minister Counselor of the Canadian Legation in the United States.

⁴⁸ Not printed.

their suggestions, it was due to the fact that there was danger in reopening the subject.

Mr. Wrong adverted to the fact that the document had been presented to Canada through the British Embassy. In view of the unusual nature of the proceeding they did not wish to make a point of this and merely called our attention to the fact that they rather expected that in all similar joint negotiations, we would address them directly.

I said that I had specifically raised this point with Lord Halifax and had inquired of him whether, under the circumstances, it would not be well for us to talk directly to the Canadians. Lord Halifax said he knew the Canadian view but under the peculiar circumstances, he thought it could be handled through the Embassy. The Canadian Government therefore might take note of the fact that we had entered a caveat on the point.

As he was leaving Mr. Wrong observed that if their suggestions could not be included in the draft he was of opinion his Government would nevertheless sign it, although Mackenzie King⁴⁹ did attach importance to the redrafting of the second paragraph.

A. A. BERLE, JR.

Executive Agreement Series No. 236
740.0011 European War 1939/18239

Declaration by United Nations:

A JOINT DECLARATION BY THE UNITED STATES OF AMERICA, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, THE UNION OF SOVIET SOCIALIST REPUBLICS, CHINA, AUSTRALIA, BELGIUM, CANADA, COSTA RICA, CUBA, CZECHOSLOVAKIA, DOMINICAN REPUBLIC, EL SALVADOR, GREECE, GUATEMALA, HAITI, HONDURAS, INDIA, LUXEMBOURG, NETHERLANDS, NEW ZEALAND, NICARAGUA, NORWAY, PANAMA, POLAND, SOUTH AFRICA, YUGOSLAVIA

The Governments signatory hereto,

Having subscribed to a common program of purposes and principles embodied in the Joint Declaration of the President of the United States of America and the Prime Minister of the United Kingdom of Great Britain and Northern Ireland dated August 14, 1941, known as the Atlantic Charter.

Being convinced that complete victory over their enemies is essential to defend life, liberty, independence and religious freedom, and to preserve human rights and justice in their own lands as well as in other lands, and that they are now engaged in a common struggle against savage and brutal forces seeking to subjugate the world,

DECLARE:

⁴⁹ Canadian Prime Minister.

(1) Each Government pledges itself to employ its full resources, military or economic, against those members of the Tripartite Pact and its adherents with which such government is at war.

(2) Each Government pledges itself to cooperate with the Governments signatory hereto and not to make a separate armistice or peace with the enemies.

The foregoing declaration may be adhered to by other nations which are, or which may be, rendering material assistance and contributions in the struggle for victory over Hitlerism.

Done at WASHINGTON

January First, 1942.

The United States of America by FRANKLIN D. ROOSEVELT	The Kingdom of Greece by CIMON P. DIAMANTOPOULOS
The United Kingdom of Great Britain & Northern Ireland by WINSTON CHURCHILL	The Republic of Guatemala by:—ENRIQUE LOPEZ-HERRARTE
On behalf of the Government of the Union of Soviet Socialist Republics MAXIM LITVINOFF <i>Ambassador</i>	La Republique d'Haiti par FERNAND DENNIS
National Government of the Republic of China TSE-VUNG SOONG <i>Minister for Foreign Affairs</i>	The Republic of Honduras by JULIÁN R. CÁCERES
The Commonwealth of Australia by R. G. CASEY	India by GIRJA SHANKAR BAJPAI
The Kingdom of Belgium by CTE R. V. STRATEN	The Grand Duchy of Luxembourg by HUGUES LE GALLAIS
Canada by LEIGHTON MCCARTHY	The Kingdom of the Netherlands A. LOUDON
The Republic of Costa Rica by LUIS FERNÁNDEZ	Signed on behalf of the Govt. of the Dominion of New Zealand by FRANK LANGSTONE
The Republic of Cuba by AURELIO F. CONCHESO	The Republic of Nicaragua by LEÓN DE BAYLE
Czechoslovak Republic by V. S. HURBAN	The Kingdom of Norway by W. MUNTHE MORGENSTIERNE
The Dominican Republic by J. M. TRONCOSO	The Republic of Panamá by JAÉN GUARDIA
The Republic of El Salvador by C. A. ALFARO	The Republic of Poland by JAN CIECHANOWSKI
	The Union of South Africa by RALPH W. CLOSE
	The Kingdom of Yugoslavia by CONSTANTIN A. FOTITCH

740.0011 European War 1939/19567

*Memorandum of Conversation, by the Assistant Secretary of State
(Berle)*

[WASHINGTON,] January 2, 1942.

Participants: Mr. Berle

The Ambassador or Minister of: Australia; Belgium; Canada; Costa Rica; Cuba; Czechoslovakia; Dominican Republic; El Salvador; Greece; Guatemala; Haiti; Honduras; India; Luxembourg; Netherlands; New Zealand; Nicaragua; Norway; Panama; Poland; Union of South Africa; Yugoslavia.

The above named gentlemen called, at my request.

They thereupon signed the Declaration by United Nations,⁵⁰ in my presence and in the presence of Mr. Carlton Savage.

The Polish Ambassador said he had instructions to call to the attention of this Government, at time of signing, the declaration made by his Government under date of September 24, 1941; ⁵¹ he would embody this in a note. I said we were glad to take note of it.

The Norwegian Minister said that at the meeting held in the White House some days ago there had been some talk as to whether the Danish Minister ⁵² should sign on behalf of the Danish Government. The Danish Government, had, however, declined to resist at the same time when the Norwegian Government had elected to fight it out, and accordingly Norway was suffering many griefs. With all of the kindest feeling in the world for the Danish people, he did not think that the two governments could stand in the same category. I called to his attention that the document did not provide for signature by the Danish Government, and could not do so, since the Danish Government was not at war; and Mr. De Kauffmann would not, I thought, feel that he could have signed the document as it stood, in any event.

Sir Girja Shankar Bajpai signed the document "The Government of India, by" etc. He later telephoned to say that on re-reading his instructions he was directed to sign merely, "India", and authorized me to erase the words "Government of"; Mr. Savage and I thereupon did, under that authority.

The American republics, other than Panama, came in a body and signed at 11:30. The Panamanian Ambassador, who was ill, arrived rather later.

⁵⁰ President Roosevelt, Prime Minister Churchill, Ambassador Litvinov, and Foreign Minister Soong, representing the United States, United Kingdom, Soviet Union, and China, respectively, had signed the Declaration by United Nations on January 1, 1942, in President Roosevelt's study.

⁵¹ British Cmd. 6315, Misc. No. 3 (1941): *Inter-Allied Meeting Held in London at St. James's Palace on September 24, 1941, Report of Proceedings*, p. 14.

⁵² Henrik de Kauffmann.

The Canadian Minister signed, asking if we were content to accept telephonic authority, to which I, of course, at once agreed.

The signatures were completed at 2: 05.

Following instructions from Mr. Welles, I said to each one that I had understood that the principal signatory governments took the view that the last paragraph of the Declaration would make it possible to permit adherence by free representatives of subjugated peoples where there was no actual government; but in any such case adherence would presumably have to be to the "principles" of the Declaration, since such representatives of course were not at war and therefore could not enter into a covenant not to make a separate peace. It might be that we should wish to exchange notes on the subject later.

A. A. BERLE, JR.

740.0011 (European War 1939)/1-242

Memorandum by Mr. Carlton Savage, Assistant to the Assistant Secretary of State (Long)

[WASHINGTON,] January 2, 1942.

This morning the Joint Declaration came from the White House to Mr. Welles, signed by the President, Prime Minister Churchill, Ambassador Litvinoff, and Foreign Minister Soong. Mr. Welles turned the document over to Mr. Berle.

Mr. Berle called me in to discuss procedure. It was decided that the representatives of the nine American Republics should be asked to sign together at 11: 30; that the representatives of the other nations should come to his office around that time.

Mr. Berle and I were present during the affixing of the signatures. The time of signing by the representative of each country was as follows: Australia, 11: 07; Czechoslovakia, 11: 10; Belgium, 11: 33; Cuba, 11: 40; Costa Rica, 11: 42; Dominican Republic, 11: 44; Haiti, 11: 45; Honduras, 11: 46; Nicaragua, 11: 48; Guatemala, 11: 49; El Salvador, 11: 50; India, 11: 55; New Zealand, 11: 56; Greece, 12: 00; Luxembourg, 12: 05; Norway, 12: 07; Yugoslavia, 12: 08; Poland, 12: 15; Netherlands, 12: 20; Panama, 12: 35; South Africa, 12: 50; Canada, 2: 05.

The Czechoslovak Minister said it was the most important document he had ever signed. He was so nervous that he could not sign for some minutes after he entered the room. The Panamanian Minister got up from a sick bed to sign for his Government. The Greek and Yugoslav Ministers expressed themselves as being very eager to sign this important Declaration. The representative from India remarked that he signed for four hundred million people, more than any other, except perhaps the representative of China. When it became evident that the Canadian Minister would be the last to sign because he had

not received authorization from his Government we contacted the Legation. After some time the Minister received telephone authorization from Ottawa and came immediately to the Department.

After the document was signed a copy was sent to the White House at 2:15. The original we had photostated immediately. The original was photographed by representatives of AP, Acme, International, Harris and Ewing, Underwood and Underwood, Chicago *Sun*, Paramount, and Pathé.

I talked with the Secretary about five o'clock about a proposed press release regarding the Joint Declaration, wherein it was referred to as an alliance. I suggested that that term be not used as the President had not gone so far in a description of it. The press release was changed accordingly and issued tonight.⁵³

CARLTON SAVAGE

740.0011 European War 1939/18509

*Memorandum of Conversation, by the Assistant Secretary of State
(Berle)*

[WASHINGTON,] January 3, 1942.

The Danish Minister came in to see me, at his request. He pointed out that he had sent in his statement of adherence to the Declaration by United Nations.⁵⁴

I said at once that the problem of who should and who should not be permitted to adhere was a matter which, by direction of the Secretary, I was referring to the White House; and that I assumed that precipitate action was not necessary. The Minister observed that since he had sent in his adherence, he presumed that if and when the problem were settled, the date of his declaration of adherence could be taken as the date of adherence itself. I said I thought that could be arranged when the time came.

A. A. B[ERLE], JR.

740.0011 European War 1939/19532½

*Memorandum of Conversation, by the Assistant Secretary of State
(Berle)*

[WASHINGTON,] January 6, 1942.

The Latvian Minister⁵⁵ came in to see me, at my request. I refer to his note of January 4, 1942,⁵⁶ which requested that the adherence of Latvia be attached to the Declaration by United Nations. I said that

⁵³ For text, see Department of State *Bulletin*, January 3, 1942, p. 4.

⁵⁴ Statement not printed.

⁵⁵ Alfred Bilmanis.

⁵⁶ Not printed.

no one was better aware than he of the deep sympathy which the United States, and which I personally, had for the Latvian people. But, I said, no one was in a better situation to appreciate the complications which this request made at this time. I therefore hoped he would withdraw the note.

The Minister said that unfortunately he could not very well do that, because he had published the fact of its delivery; and had cabled its contents to the Latvian Minister in London, who had discussed it with the Ministers of the Baltic states. Under these circumstances he suggested, instead, that the note be merely left on file, and that the Latvian Government should not press for an answer.

I said I thought under the circumstances that was the best thing to do, and we would leave it that way.

The Latvian Minister then said that, recognizing the difficulty of their situation as respected Russia, he had this to say. Permanent conquest or dominion over Latvia by Germany meant simply extermination. On the other hand, they had always hoped for an adjustment with Russia.

I said that I had hoped that that would be possible; and that in the evolution of affairs a time might come when some such project could be discussed, as manifestly it could not now. Possibly, when victory over Germany was complete and any fear from the German side was removed, the U. S. S. R. might be prepared to consider some basis which respected the essential integrity of Latvia.

A. A. BERLE, JR.

740.0011 European War 1939/18926

*Memorandum of Conversation, by the Assistant Secretary of State
(Berle)*

[WASHINGTON,] January 9, 1942.

The Icelandic Minister ⁵⁷ came in to see me at his request.

He said that he had been invited by the President to the original meeting at which the Declaration by United Nations had been discussed, and the President had said he hoped Iceland would sign. When, however, the document was later opened for signature Iceland had not been invited. He wished to cable the situation to his Government. He made it clear that this was not in the nature of a protest but merely an inquiry as to the circumstances.

I said that as the Declaration had finally been drawn it applied only to governments which were at war, since it included a covenant not to make a separate peace. The Icelandic Government had made it very plain that it was not a belligerent but a neutral. In these circum-

⁵⁷ Thor Thors.

stances, and since the President had opened the question with the Icelandic Minister, I had considered that we should leave it to the Icelandic Government to follow up or not, as it chose. Since it was not at war, I feared that the Minister might have been put in the position of having to refuse to sign the Declaration and that the kindest method was, accordingly, to leave it to the Minister's discretion and the determination of his Government. This was peculiarly true since American troops were on Icelandic soil and we wanted it perfectly clear that there was not the slightest desire to influence their course.

The Minister said he knew all this, and was very appreciative of the fact that we had left the matter entirely to their discretion. Iceland, he said, was not at war and could not enter the stipulations of the Declaration without an act of Parliament, which did not meet until February 15. Their policy had been that of nonbelligerency. He had thought, at the time of the White House discussion, that the Declaration was merely one of principle, without including the stipulation making it virtually an act of belligerence; and that when that clause appeared, a different set of considerations came into play.

He wondered whether some other form of adherence ought to be considered.

I said that particularly because our troops were in Iceland, we were loath to advise. I personally thought that they might want to take into consideration the possibility of adhering to the Atlantic Charter; or conceivably they might wish to propose adherence to the Declaration by United Nations, with reservation that, not being at war, the "no separate peace clause" naturally did not apply. But, I said, as to that, it was entirely a matter for their determination and we would sympathetically consider any approach they might make.

The Minister said he was going to report to his Government by mail in time for discussion at the next meeting of the Icelandic Parliament.

A. A. B[ERLE], JR.

740.0011 European War 1939/19264

Memorandum of Conversation, by the Acting Chief of the Division of European Affairs (Atherton)

[WASHINGTON,] January 10, 1942.

The Soviet Ambassador called on me by reference from the Secretary. He said that he had discussed with Mr. Hull the signatories to the United Declaration. He said that at the time of signing when he had discussed it with the President, it had been suggested, and warmly seconded by Mr. Churchill, that it should read: Nations "and Authorities". Mr. Churchill stressed very much that this would permit the Free French to sign. Mr. Litvinov said that he had no authority to agree to it and therefore was unable to accede even though in the

course of the argument it was set down that any authorities who signed would only be those authorities that were agreed to by the four principal signatory powers, such as, *inter alia*, the Free French, to whom Mr. Churchill was making reference. Consequently, the Soviet Ambassador asked me, in regard to the many groups asking who would be permitted to sign, and what was the attitude of this Government? Could I give him any information with particular reference to reports of King Carol, a Free German group, or the Latvian Minister? I replied to the Ambassador that this was not a question of individual authority at the present time—it was a question of policy that must be decided as a whole before any single authority or group could be permitted and therefore I could not discuss it on the basis of any one applicant but rather must await a final decision of policy which, I assume, would be in a few days. The Soviet Ambassador said that in that case it would give him time to raise the matter with the President. He then asked me whether any of these applicants for signature were receiving replies. I said we had had one or two telegrams from our diplomatic missions abroad and we had answered them that this was a question of policy which must be decided upon, but beyond that, no individual applicant had received any acknowledgment or answer to a written application. (This was subsequently confirmed to me by Mr. Berle.)

The Ambassador said he was very grateful for the information, but he could not get out of his mind the fact that even when the policy was determined, there was a semi idea remaining in his mind, that it had been tentatively discussed at the White House with the President and Mr. Churchill that no movement or authority could be permitted to sign the United Declaration except by previous reference to the four principal signatories.

R[AY] A[THERTON]

740.0011 European War 1939/18197 : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, January 10, 1942—2 p. m.

123. Your 63, January 6.⁵⁸ Department has not adopted the practice of acknowledging receipt of messages of this kind. It receives them as merely expressions of sentiment of individuals or organizations. Naturally they are not accepted as adherences to the Declaration.

⁵⁸ Not printed; it reported receipt of a telegram from Dr. V. V. Tilea, President of the Rumanian National Committee, declaring that the Free Rumanians adhered to the United Nations Declaration.

Department's present attitude is that official adherence to the Declaration should be permitted only to movements or groups whose character is so representative that they can be considered as the equivalent of national councils. No indication has been given to any movement or group that it will be permitted to adhere officially and Department considers that great caution must be exercised before permitting such adherence.

HULL

740.0011 European War 1939/18823

Memorandum by Mr. Samuel Reber. of the Division of European Affairs

[WASHINGTON,] January 12, 1942.

The Free French Commissioner informed the Department on December 10 [30th], 1941, that the French National Committee in London was studying the question of adherence to the joint declaration of the 26 Powers. Mr. Tixier explained that General de Gaulle⁵⁹ had informed him that in all previous Allied conferences in London the Free French had been admitted on a basis of equality with the other exile governments. It therefore seemed strange that as soon as America entered the war the Free French were eliminated from the Allied conferences in spite of the military effort which they are making and their effort of full cooperation, particularly as regards bases in the Pacific Ocean. Mr. Tixier went on to explain that General de Gaulle felt it would not be possible for him to adhere if the Free French movement were relegated to the same position as the so-called Free German movement, King Carol, a Free Austrian movement, et cetera, movements which represented no military effort and which were not in control of any territory.

It was appreciated that no official recognition of the Free French movement as a government could be forthcoming but it was felt that some recognition could be given to the fact that the Free French National Committee in London was in control of strategically important French territories and was fully associated with the united nations in their war effort.

It was hoped that it might be possible for this Government to adopt the same attitude as the British Government which "regards the Free French National as representing all free Frenchmen wherever they may be who rally to the Free French movement in support of the Allied cause and treats with the Committee on all questions involving their collaboration with the Free French movement and with the French overseas territories, which place themselves under its territory".

⁵⁹ Gen. Charles de Gaulle, President of the French National Committee.

740.0011 European War 1939/195324

The Estonian Acting Consul General (Kaiv) to the Secretary of State

No. 594

NEW YORK, January 12, 1942.

SIR: The Declaration by United Nations signed at Washington on January first is of greatest importance to the Estonian people.

Unfortunately at present the Estonian nation, silenced by military force of Germany, does not have the possibility to speak through its legal Government and elected representatives, practically all of whom have been deported to Russia long before the hostilities had begun between the Reich and the Union of Soviet Socialist Republics. Under the provisions of the Constitution of Estonia the authority to adhere to acts of the nature of the Declaration of Washington on behalf of the Estonian nation rests with the Government and the Parliament of Estonia.

However, in my capacity as the recognized representative of the Estonian Republic in this country, I feel entitled to assure the Government of the United States, as the depository for that declaration, that, when the Estonian people will be informed of the fact that the accredited representative of the Soviet Union subscribed, on behalf of his Government and without any reservations, to a common program of purposes and principles embodied in the Atlantic Charter of August 14, 1941,—the Estonians will be strengthened in their faith that all the injustices which were perpetrated against the Estonian liberty by two successive occupations, will be redeemed. The fact that the Declaration of Washington has been signed by the United States, Great Britain, and other democratic nations is a guaranty that it will be performed by all the Parties involved.

In due time, when the Estonian people will again become free in their deliberations and decisions, Estonia will join other free nations in the common struggle against all brutal forces seeking to subjugate the world.

Accept [etc.]

JOHANNES KAIIV

740.0011 European War 1939/18682

Memorandum by the Assistant Chief of the Division of European Affairs (Henderson) to the Acting Chief of the Division (Atherton)

[WASHINGTON,] January 13, 1942.

MR. ATHERTON: You will note Mr. Long's memorandum⁶⁰ covering a conversation which he has had with Litvinoff.

It is likely that the Russians will oppose the adherence of all "Free Movements" to the Declaration of the 26 Nations except those which

⁶⁰ Dated January 12, 1942, not printed.

have a Communist center or are willing to work for certain specific Soviet aims. If Litvinoff succeeds in obtaining a veto power for the Soviet Government with regard to future adherences to the Declaration, the Soviet Government is likely at some time or other to use this power in a manner which may be embarrassing to us and to the other signatories.

740.0011 European War 1939/18691a: Telegram

*The Secretary of State to the Ambassador in the United Kingdom (Winant)*⁶¹

WASHINGTON, January 17, 1942—11 p. m.

204. Please transmit to Zog I King of the Albanians the following message:

"Your cable of January 6⁶² has been received with appreciation and I reciprocate your hope for the triumph of human rights and international justice. Franklin D. Roosevelt."

You may add verbally that as yet no procedure has been established for adherence to the principles of the Declaration by United Nations for other than governments but that note has been taken of his request.

HULL

740.0011 European War 1939/19236: Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, February 5, 1942—6 p. m.

[Received 8:10 p. m.]

548. As the Department suggested, I asked Mr. Eden⁶³ to keep me informed regarding developments in the Near East. He has just given me a memorandum on Iraq and Saudi Arabia, the substance of which I give below:

It is the wish of the British Government that the United States Government should know that recently General Nuri⁶⁴ approached the British Government with the proposal that Iraq and Saudi Arabia simultaneously should declare war on Germany and Italy and should accede to the 26-Power Pact. At the same time he asked for an assurance that Iraqi troops would not be used outside Iraq. The British Government had come to the conclusion already that a declaration of war on the part of Ibn Saud⁶⁵ would have a valuable effect morally

⁶¹ Marginal note: "OK FDR."

⁶² Sent direct to the President.

⁶³ Anthony Eden, British Secretary of State for Foreign Affairs.

⁶⁴ Gen. Nuri as-Said, Iraqi Prime Minister and Acting Minister of Defense.

⁶⁵ King of Saudi Arabia.

throughout the Middle East and that facilities for air and land communications across Saudi Arabia would be very useful in certain circumstances. The British Government therefore think that the Iraqi Government should be permitted and an invitation be sent to Ibn Saud to adopt action on the lines which General Nuri proposed, and the British Ambassador at Baghdad has been instructed to inform him that the British Government concurs in his proposal in general provided a beginning is made with Ibn Saud and that General Nuri is content to wait upon the result of the approach to Saudi Arabia. Sir K. Cornwallis, however, has been instructed also to point out to General Nuri that Iraq cannot accede to the 26-Power Pact conditionally and that the British Government is not in a position without consulting the other signatories, to interpret a multilateral pact of this nature; and he has been authorized to add that it is obvious that many of the signatories will not do more than Iraq is bound already to do under the Treaty of Alliance⁶⁶ and that it is the intention clearly of all concerned that the obligations of the various signatories shall be reasonably interpreted. The proposal is that the British Minister at Jedda shall in the near future sound Ibn Saud personally. The United States Government will be kept informed of developments. The British Government trust that for the time being, this information will be treated as very secret by the United States Government.

WINANT

740.0011 European War 1939/19207

*Memorandum by the Chief of the Division of Far Eastern Affairs
(Hamilton)*

[WASHINGTON,] February 5, 1942.

Reference Dr. Syngman Rhee's note of February 2, 1942,⁶⁷ requesting that he be permitted to sign on behalf of the Korean people the Declaration by the United Nations.

In the Department's press release of January 4 [5], 1942,⁶⁸ it was stated that ". . .⁶⁹ the government of the United States as the depository for that Declaration, will receive statements of adherence to its (the Declaration by the United Nations) principles from appropriate authorities which are not governments". A considerable number of requests for permission to adhere have been received from such authorities. The Department has as yet taken no action in regard to any of them. As Dr. Rhee is stated by the Provisional Government of the Republic of Korea to be its representative, it is suggested

⁶⁶ Between the United Kingdom and Iraq, signed June 30, 1930; League of Nations Treaty Series, vol. cxxxii, p. 363.

⁶⁷ Not printed.

⁶⁸ Department of State *Bulletin*, January 10, 1942, p. 44.

⁶⁹ Omission indicated in the original memorandum.

that the attached note from Dr. Rhee⁷⁰ be forwarded to Mr. Hoskins in Mr. Berle's office to be held with other similar communications, which are understood to be some 25 in number. It would seem that consideration of the action to be taken with regard to Dr. Rhee's note should be deferred until consideration is also given to the similar requests.

M[AXWELL] M. H[AMILTON]

740.0011 European War 1939/19236 : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, February 7, 1942—7 p. m.

474. Referring to your 548 of February 5 with respect to proposed declarations of war and adherences of Iraq and Saudi Arabia to the Declaration by United Nations, please communicate following to Foreign Office:

The Government of the United States, as the depository for the Declaration, considers that any generally recognized nation which is "at war" with one or more of the common enemies and is, or may be, "rendering material assistance and contributions" becomes eligible to adhere to the Declaration. In any such case this Government will accept an adherence for deposit with the original Declaration.

This Government concurs with the British view that declarations of war by the two governments and adherences by them to the Declaration would be advantageous.

HULL

Roosevelt Papers : Telegram

*The British Prime Minister (Churchill) to President Roosevelt*⁷¹

[LONDON,] February 27, 1942—7:56 p. m.

No. 33. United Nations Declaration. I believe that a number of foreign individuals, organizations, or groups have recently told the United States Government, and in some cases they have told us as well, of their wish to accede to the United Nations Declaration as "appropriate authorities" within the terms of the statement issued by the United States Government on January sixth [*fifth*].⁷² You will remember that this statement was devised for the Free French. Applications have been received, among others, from Otto Strassers Free German movement, the Basque and Catalan Émigré movements, King Zog and the Latvian Minister at Washington. Halifax has

⁷⁰ i. e., the note of February 2, not printed.

⁷¹ Copy obtained from the Franklin D. Roosevelt Library, Hyde Park, N. Y.

⁷² See memorandum by the Chief of the Division of Far Eastern Affairs, February 5, p. 36.

told the State Department that the acceptance of statements of accession by these groups would be embarrassing to us and I understand that there is not in fact any question of such accessions being accepted. We may, however, shortly have to consider approaches from more welcome candidates such as Persia and Ethiopia and possibly Iraq and Saudi Arabia as well as the Free French. My feeling is that it should be left to the country desiring to join to take the initiative but that we should welcome adherence of these particular countries. I am most anxious that you and we should keep in step and that no accession should be accepted without previous consultation between the two of us. As I understand that you are dealing personally with this question, I put my views directly to you. Each particular case which arises can of course be discussed through the usual channels.

PRIME

740.0011 European War 1939/19874a : Telegram

President Roosevelt to the British Prime Minister (Churchill)

[WASHINGTON,] March 3, 1942.

The views outlined in your telegram on the adherences to the United Nations declaration very closely coincide with mine.

I believe we should without question accept the adherence of the French National Committee in London, whenever submitted, but that we should consult as to the action to be taken on requests for further adherences from governments with which we are still in official communication.

We might then determine at what moment we should bring the Soviet Government and other governments of the United Nations, which may be directly concerned, into these consultations.

As for "free groups" representing the populations of occupied countries and other organizations I have no intention of taking any action without full consultation with you.

Welles had already commenced the discussion of this general problem with Halifax prior to the receipt of your message, and he will continue these conversations along the lines above indicated.⁷³

ROOSEVELT

[By May 1, 1945, the text of this declaration had been acceded to and signed also by Bolivia, Brazil, Chile, Colombia, Ecuador, Egypt, Ethiopia, France, Iran, Iraq, Lebanon, Liberia, Mexico, Paraguay, Peru, Philippines, Saudi Arabia, Syria, Turkey, Uruguay, and Venezuela. See also Department of State *Bulletin*, August 12, 1945, page 238.]

⁷³ Apparently no further action was taken regarding adherence of "free groups". The date of the French notification of adherence was December 26, 1944, after liberation.

DISINCLINATION OF THE UNITED STATES TO PARTICI-
PATE IN A JOINT STUDY BY THE BRITISH AND ALLIED
GOVERNMENTS OF THE FUTURE OF THE PERMANENT
COURT OF INTERNATIONAL JUSTICE

500.C114/1926 : Telegram

*The Ambassador in the United Kingdom (Winant) to the Secretary
of State*

LONDON, October 13, 1941—10 p. m.
[Received October 13—4:30 p. m.]

4884. Sir Alexander Cadogan¹ informed an officer of the Embassy today that the Foreign Office has been making studies regarding the future status of the Permanent Court of International Justice or some alternative organization to take its place at the conclusion of the present war. He said that it is felt here that there must necessarily be some international court and that they are approaching the problem now with a view to examining whether the present court with its existing statute would be adequate for the purpose or whether the present statute needs modification or whether possibly some entirely new organization should be set up. The British propose to take the initiative with the other Allied Governments here in further joint study of this problem. Cadogan inquires whether the subject would be of interest to the United States Government and if so, whether we would care to participate in any way in the joint Allied examination of the problem or whether we would care to be kept currently informed of their work.

WINANT

500.C114/1926 : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, November 4, 1941—7 p. m.

4952. Your number 4884, October 13, 10 p. m. Before making final decision as to whether this Government will desire to participate in the proposed joint study by the British and Allied Governments of the question raised by Sir Alexander Cadogan concerning future international juridical organization, and what the form of the participa-

¹ British Permanent Under Secretary of State for Foreign Affairs.

tion should be, the Department would like to have some indication as to the extent to which the studies by the Foreign Office have advanced and as to the considerations which the British Government proposes to use in determining whether the existing statute of the Permanent Court of International Justice would be adequate "for the purpose". Since this question necessarily opens for examination the entire problem of post-war international political organization, we should also like to know what reasons the British Government may have in mind for approaching this problem through studying first the question of the Court's future. Finally, are we right in assuming that the proposed inquiry will be wholly advisory in character?

In your discretion please endeavor to elicit from the British Government any information that may throw light on these points.

HULL

500.C114/1933 : Telegram

*The Chargé in the United Kingdom (Matthews) to the
Secretary of State*

LONDON, March 5, 1942—7 p. m.

[Received March 6—12:40 a. m.]

1051. Embassy's telegram 4884, October 13, 10 p. m., and Department's telegram 4952, November 4, 7 p. m. At the request of Sir Alexander Cadogan I discussed with him and Sir William Malkin, Legal Adviser to the Foreign Office, the question of British plans relative to the reorganization of the Permanent Court of International Justice. As to the points the Department raised, they said that the Foreign Office studies of the question were merely in a very preliminary stage; that the feeling is that whatever problems the postwar political situation may present, some tribunal of international justice will be necessary and that the question appears to be one which offers some useful ground for study at the present time. The Department is correct they said in assuming that the proposed study will be merely advisory in character.

Malkin went on to say that the ideas of the Foreign Office have in no sense become crystallized and what is sought is merely an exchange of views.

He had prepared what he called a "catechism" of some 20 questions to give us some idea of the problems which the Foreign Office feels could usefully be studied now. He said that in communicating this to the Department he hoped the Embassy would make it clear that the Foreign Office itself had no set views as to the answers to the questions included therein. He hoped that we would find it possible to participate in such informal discussions on the subject as may take place and name some qualified representative for the purpose. While other

Allied Governments may likewise be requested to participate, some of them might find it embarrassing to do so. The question of whether Russia would be represented he said had not been carefully considered though it was doubtful whether it would accept an invitation to join in the talks in view of "its attitude towards international tribunals".

Malkin's "catechism" follows:

"Permanent Court of International Justice.

1. Is it desirable that the court should be connected with some international organization, such as the League or any other organization (possibly on a more restricted geographical basis) which may be established? Or should it be completely independent?

Composition.

2. What is the most suitable number of judges?

3. Should the present system, under which membership of the court is a whole time job, be continued?

4. Are any special measures desirable to ensure the permanent representation of (a) particular powers, (b) the main systems of law?

Nomination of candidates.

5. Is the present system of nomination by 'national groups' satisfactory? If not, what should replace it? (They did express the hope that some improvement in the calibre of the judges might be brought about.)

6. Should the right to nominate be confined to countries which are parties to the instrument establishing the court?

7. Should that instrument be open to all civilized countries?

8. Should it be permissible to nominate candidates who are not nationals of a country party to the instrument establishing the court?

Qualifications of judges.

9. Generally, what should we aim at as the qualifications for membership?

10. Is it desirable or possible either to encourage or discourage (and if so, how) the election of any of the following:—

- (a) Career judges,
- (b) Professors,
- (c) Officials,
- (d) Politicians and diplomats?

Election.

11. If the League machinery or something like it is still available, should it be employed for the purposes of the election? In particular, is the present system of a double election by the Council and the Assembly satisfactory?

12. If not, what system should be adopted?

13. It is notorious that recent elections have been largely the result of canvassing, on the basis of the representation of particular countries or groups of countries. Is this (a) desirable? (b) inevitable? If the answer is no, what can be done to avoid it?

Independence of judges.

14. Are the present arrangements for securing this satisfactory? If not, how can they be improved?

Procedure.

15. Are any substantial changes in the present procedure desirable?

16. In particular, what should be the system as regards the language or languages of the court?

Judgments.

17. Is the present system by which the judgment of the court is produced satisfactory? In particular, should the system of permitting dissenting judgments be continued?

Law.

18. One result of the war may be to produce considerable changes in international life as it has been known for the last century or so. If so, a good deal of international law as found in the books may become obsolete. What steps, if any, are possible and desirable to ensure that the court recognizes this fact?

19. Is it or is it not desirable that the court should become to a much greater extent than at present a law making body?

20. If it is possible to answer these questions, are there any steps which it is practicable to take to ensure the desired result."

MATTHEWS

500.C114/1936 : Telegram

The Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, August 18, 1942—8 p. m.

3917. Your 4205, July 28, 6 p. m., and 4253, July 30.² The Department is of the opinion that machinery for the orderly and judicial determination of justiciable questions should constitute a part of post-war international organization. Until the nature of the broader organization may be examined it would seem to be premature to undertake to express views as to the nature of the dependent question of a judicial organization, the scope of its jurisdiction, or the law to be administered. For these reasons the Department prefers not to comment at this time upon the several questions presented in your no. 1051 of March 5.

HULL

500.C114/1939

The British Embassy to the Department of State

Some twelve months ago the Foreign Office informed the United States Embassy in London that they felt that the time had come to give some thought to the question of the future of the Permanent Court of International Justice at The Hague. The Foreign Office explained that they were therefore thinking of suggesting that an inter-allied committee be appointed to examine the question. Before going further with the matter, the Foreign Office were anxious to

² Neither printed.

know the views of the United States Government. The United States Embassy in London however informed the Foreign Office towards the end of August that the State Department felt that while some machinery for the orderly determination of justiciable questions should constitute a part of the general post-war international organisation, it seemed premature, until more was known of the nature of this future international organisation, to examine the particular question of the judicial organisation to be set up as a part thereof.

While the Foreign Office appreciate the reasons which have led the State Department to make this reply, and do not in view of the United States attitude intend to proceed to discuss the matter with the other Allied Governments, they are nevertheless reluctant to give up their proposal that some steps should be taken now to examine the problems connected with the Permanent Court of International Justice. The Foreign Office feel that this is a question which will require to be dealt with at, or at any rate very soon after, the peace settlement, and that there would be considerable advantage in the Allied Governments considering the matter now in the hopes of reaching agreement in advance as to the objects eventually to be aimed at. While it may seem premature to examine the question in existing circumstances, it seems not unlikely that as time goes on more urgent questions will arise for discussion and decision, and that there is therefore much to be said for making progress with any questions which can be discussed in advance. The Foreign Office feel that the Permanent Court is one of such questions. In the case of many post-war problems, the unknown factors are too many to enable the assumptions to be made which are necessary if useful results are to be obtained. The case of the Permanent Court seems different, since the only assumption that it is necessary to make is that the state of the world after the war will be such that *some form* of international tribunal will be desirable—an assumption with which the United States Government have indicated their agreement. The Foreign Office had contemplated the appointment of a small informal inter-allied committee to examine the matter. This committee would be regarded as an expert committee, the members of which would not be entitled to bind their Governments, which would be left free to approve, modify or reject any recommendations that the committee might make.

The Foreign Office still feel that there is much to be said in favour of their proposal and they very much hope—more especially in view of the references in Mr. Cordell Hull's speech of July 22nd³ to the

³ The speech was broadcast on July 23, 1942. For text, see Department of State *Bulletin*, July 25, 1942, p. 639; for reference to an international court of justice, see *ibid.*, p. 645.

necessity of establishing some court of international justice after the war—that the State Department may be prepared to give further consideration to the matter.

WASHINGTON, October 21, 1942.

500.C114/1939

The Department of State to the British Embassy

The Department of State refers to the memorandum of the British Embassy dated October 21, 1942 regarding the suggestion of the Foreign Office that there be created an informal inter-allied committee to make recommendations relating to the future of the Permanent Court of International Justice.

The Department of State agrees with the views of the Foreign Office that steps should be taken to examine problems connected with the Court; that the question is one which it will be necessary to consider in connection with any peace settlement; and that there would be advantage in reaching in advance an understanding among the associated governments on desired objectives.

The Department is now making a study of the situation but it feels, as previously stated, that since the Court should be so patterned as to conform to the international post-war organization, any consideration of the subject in advance of a formulation of views as to the nature of that organization must necessarily be highly speculative.

While the Department offers no objection to the desire of the Foreign Office to create an informal committee to examine the matter, it feels that it would not be prepared at this stage of its study of the question to participate to advantage in its deliberations. When the Department shall have further explored the subject, it will be glad to inform the British Government and to exchange views with that and other interested governments.

WASHINGTON, November 16, 1942.

[An informal Inter-Allied Committee, in which the United States did not participate, was created early in 1943 and held the first of its 19 meetings on May 20, 1943. The report of this Committee is printed as British Cmd. 6531, Misc. No. 2 (1944): *Report of the Informal Inter-Allied Committee on the Future of the Permanent Court of International Justice*, 10th February, 1944.

For an account of the drafting by the Department of State of proposals for an international court, see Department of State, *Postwar Foreign Policy Preparation, 1939-1945* (Washington, Government Printing Office, 1949), pages 423 ff. and appendices Nos. 15 and 58.]

ALLIED DECLARATIONS CONDEMNING GERMAN ATROCITIES IN OCCUPIED TERRITORIES;¹ PROPOSAL FOR THE CREATION OF A UNITED NATIONS COMMISSION FOR THE INVESTIGATION OF WAR CRIMES

851.00/2618 : Telegram

The Ambassador to the Polish Government in Exile (Biddle) to the Secretary of State

LONDON, January 14, 1942.

[Received January 14—9:30 a. m.]

Polish Series 4. Your 31, December 22, 7 p. m.² Yesterday I attended meeting held in St. James' Palace when declaration of determination to bring to justice those guilty of perpetrating acts of violence against civilian populations in enemy occupied countries was signed by representatives of Belgium, Free France, Greece, Luxembourg, Poland, Norway, Netherlands, Czechoslovakia and Yugoslavia.³ The terms of the declaration corresponded to those summarized in my 44 of November 26, 2 p. m.,⁴ paragraphs 3 and 4. Meeting which was also attended by observers representing governments of United Kingdom, the Dominions, India, China and the U. S. S. R., was opened by British Foreign Secretary Eden and presided over by Polish Foreign Minister General Sikorski. Although China [was] not a signatory its representative sent a letter to the conference⁵ stating that his Government subscribes to principles of the declaration and intends when the time comes to apply the same principles to the Japanese-occupying authorities in China.

[BIDDLE]

¹ For previous correspondence, see *Foreign Relations*, 1941, vol. I, pp. 445 ff. See also *ibid.*, 1942, vol. III, section under The Vatican entitled "Efforts by the United States and Other Governments To Have the Pope Protest Publicly Against Nazi Atrocities in Occupied Areas."

² *Foreign Relations*, 1941, vol. I, p. 450.

³ See *Punishment for War Crimes: The Inter-Allied Declaration Signed at St. James's Palace, London, on 13th January, 1942, and Relative Documents* (His Majesty's Stationery Office).

⁴ *Foreign Relations*, 1941, vol. I, p. 447.

⁵ *Punishment for War Crimes*, p. 15.

740.00116 European War 1939/521

*The Netherlands Ambassador (Loudon), the Luxembourg Minister (Le Gallais), and the Yugoslav Minister (Fotitch) to the Secretary of State*⁶

WASHINGTON, July 30, 1942.

DEAR MR. SECRETARY: On behalf of the Government of Belgium, Greece, Luxembourg, Norway, the Netherlands, Poland, Czechoslovakia, Yugoslavia and the French National Committee, we have the honor to submit the following communication for transmission to the President of the United States:

The Government of the United States is aware that the Belgian Government, the French National Committee, the Greek Government, the Luxembourg Government, the Norwegian Government, the Netherlands Government, the Polish Government, the Czechoslovak Government and the Yugoslavian Government have, on January 13, 1942, signed a declaration at St. James Palace, London, concerning the repression of war crimes. These Governments have now examined jointly the situation at present created by the recrudescence of violations of international law and especially of acts of oppression and terror in those territories in Europe now under enemy occupation.

Recently these acts have taken proportions and forms giving rise to the fear that, as the defeat of the enemy countries approaches, the barbaric and unrelenting character of the occupational regime will become more marked, and may even lead to the extermination of certain populations. It follows from Dr. Goebbels' speech made in Berlin on June 15, 1942, that Germany has cut all ties with the outside world. If this is true, it would be vain to count on the influence of public opinion only. No sense of responsibility will refrain the invaders' action any longer. Consequently, the above mentioned governments consider that only some very clearcut measure on the part of the most powerful of the Allies could still have a preventive influence. Under these conditions, and anxious to avoid as far as possible that the population of the invaded territories should undergo still worse trials than hitherto, and confiding in the spirit of solidarity of all the United Nations in the face of a menace which is nothing else than an inhuman way of compelling these peoples, against their will, to contribute to the war effort of the enemy or to extort acts of adhesion to the so-called New Order, the above mentioned governments have decided to make an urgent appeal to the President of the United States that he should address a last warning to the culprits.

⁶ Similar appeals were addressed to the British Government on July 21, 1942, and to the Soviet Government on July 23, 1942; see *Punishment for War Crimes (2): Collective Notes Presented to the Governments of Great Britain, the U. S. S. R. and the U. S. A. and Relative Correspondence* (His Majesty's Stationery Office), pp. 3, 4.

⁷ Josef Goebbels, German Minister of Propaganda.

The governments hope that the declaration which President Roosevelt made on October 25, 1941⁸ before the United States entered the war, may be amplified so as to make the enemy understand that the determination and power of the United States of America are to be considered as a guarantee that the warning previously given will be carried into effect. The signatories of the interallied declaration of January 13, 1942, hope that the American Nation will be pleased to see a step taken which would be conducive towards saving innumerable innocent lives.

An account of conditions now prevailing in the respective occupied countries is attached to this communication.⁹

Please accept [etc.]

HUGUES LE GALLAIS

A. LOUDON

CONSTANTIN FOTITCH

740.00116 European War 1939/521

Memorandum of Conversation, by the Secretary of State

[WASHINGTON,] July 31, 1942.

Participants: Secretary of State Hull; the Ambassador of the Netherlands, Dr. A. Loudon; the Minister of Yugoslavia, Mr. Constantin Fotitch; and the Minister of Luxembourg, Mr. Hugues Le Gallais.

The Dutch Ambassador, the Yugoslav Minister and the Luxembourg Minister called jointly at their request. They handed me a self-explanatory letter, a copy of which is hereto attached,¹⁰ together with an annex in French.⁹ They desired me to transmit the foregoing to the President for his consideration and action in regard to the Declaration made at St. James' Palace on January 13, 1942 by the nine countries, to wit: Belgium, Greece, Luxembourg, Norway, the Netherlands, Poland, Czechoslovakia, Yugoslavia and the French National Committee.

I thanked the gentlemen for the documents and said that the largest problem faced by my Government in the matter was how most effectively to expose these atrocities and how most effectively to deal with them; that the State Department has been working for sometime on atrocities and is giving every attention to all phases thereof. I added that I hoped within a few days it would be possible to reach some conclusion with respect to plans. I said that, of course, the President

⁸ See telegram No. 4691, October 24, 1941, 8 p. m., to the Ambassador in the United Kingdom, *Foreign Relations*, 1941, vol. I, p. 446.

⁹ Not printed.

¹⁰ *Supra*.

would be glad to give sympathetic consideration to the communication just as the State Department was doing.

C[ORDELL] H[ULL]

740.00116 European War 1939/693

*The Ambassador in the United Kingdom (Winant) to
President Roosevelt*¹²

LONDON, August 5, 1942.

DEAR MR. PRESIDENT: Just before Harry¹³ left, the Lord Chancellor¹⁴ told me of a memorandum which you had given to the Prime Minister on his last visit to Washington, relating to atrocities.¹⁵ He told me that he understood that Harry had prepared this memorandum for you, and that as a result of it, and on the recommendation of the Prime Minister, the War Cabinet had formed a "War Cabinet Committee on the Treatment of War Criminals" to study the problem presented in the memorandum. He asked me if I would sit in with the Committee. On Harry's suggestion, I did so. The recommendations made are not in line with the memorandum but Harry thought that it might be well to consider the problem without necessarily being bound by the memorandum.

The committee is composed of the following, and I found that they had given considerable study to the subject:

Lord Simon (In the Chair),

Sir Stafford Cripps,¹⁶
Sir Donald Somervell,¹⁷
Sir Alexander Cadogan,¹⁸
Mr. Eden,

Major Sir David P.
Maxwell Fyfe,¹⁹
Sir William Malkin,²⁰
Sir Claud Schuster²¹

After talking over their conclusions they unanimously decided to ask that I forward them to you for such suggestions as you might want to make. There was a kind of preamble attached relating the present program back to the Bryce Committee of the last war,²² with the

¹² Copy received in the Department of State about September 20, 1942.

¹³ Harry L. Hopkins, Special Assistant to President Roosevelt.

¹⁴ Lord Simon.

¹⁵ *Post*, p. 56. The records of the Washington Conference between President Roosevelt and Prime Minister Churchill in June 1942 are scheduled for publication in a subsequent volume of *Foreign Relations*.

¹⁶ Lord Privy Seal.

¹⁷ Attorney General.

¹⁸ Permanent Under Secretary of State for Foreign Affairs.

¹⁹ Solicitor General.

²⁰ Legal Adviser, Foreign Office.

²¹ Permanent Secretary to the Lord Chancellor.

²² James Bryce presided over a committee set up in 1914 to consider breaches of law and established usages of war alleged to have been committed in Belgium; see British Cd. 7894, *Report of the Committee on Alleged German Outrages* (London, His Majesty's Stationery Office, 1915), and also the appendix to the report, British Cd. 7895.

thought that it might give standing to action taken at the present time. I felt that the Bryce Committee had been somewhat discredited as a propaganda agency and therefore suggested eliminating reference to it, which was agreed. There is great pressure on the part of Allied Governments here to force some action that might act as a deterrent against further atrocities by the enemy. The suggested plan might be a deterrent and would at least prevent less wise measures being taken.

I am forwarding a copy of the proposal for a "United Nations Commission on Atrocities", and likewise a copy of the "Suggested Functions for a United Nations Commission for the Investigation of War Crimes".

Sincerely,

JOHN GILBERT WINANT

[Enclosure 1]

Proposal for a United Nations Commission on Atrocities

1. The Committee on the Treatment of War Criminals (the Lord Chancellor, the Lord Privy Seal, the Foreign Secretary, the Minister of Information,^{22a} the Attorney General, and the Solicitor General) has considered, on reference by the War Cabinet, a proposal for a United Nations Commission on Atrocities. After preliminary consideration by the Committee, the Chairman invited the American Ambassador to attend the Second Meeting on 27th July, and Mr. Winant was good enough to do so. The following is a summary of the suggestions discussed.

2. Nature of Commission

The Commission should investigate atrocities committed against nationals of the United Nations and should report from time to time to the Governments of those Nations any case where they are satisfied that an atrocity has been committed and should name, where possible, the persons responsible; they should direct their attention in particular to organised atrocities. For this purpose, atrocities perpetrated by Germany in occupied France should be included.

If it is thought desirable to set out the functions of the Commission in some detail, the attached paper (Annex I)²³ gives a summary of suggested functions.

The suggestion of some sort of international court for the trial of war criminals should be deprecated. Nor is it necessary or desirable to create a new body of law, for war crimes are already sufficiently well-defined.

^{22a} Brendan Bracken.

²³ i.e., enclosure 2, *infra*.

The Commission should be a fact-finding body, making reports to the Governments of the United Nations and to the Fighting French which would be available for publication; these reports might also contain material upon which decisions would ultimately be taken on the treatment of war criminals. Some of the European Allies have suggested that war criminals who come into their hands might be dealt with by their own tribunals. It is not suggested that we can intervene to prevent this. But if the United Nations Commission acquires authority and reputation by its composition and work, it may be that the reports of the Commission would influence or control the selection of persons to be prosecuted in Allied countries.

3. *Representation*

Membership should be confined to nationals of the United Nations; the following might be invited to send representatives—

United Kingdom	Belgium
	Czecho-Slovakia
United States	Greece
	Holland
U. S. S. R.	Luxembourg
	Norway
China	Poland
	Yugo-Slavia

Special provision for the representation of the Fighting French would be desirable. The Dominions Secretary ^{23a} should be asked to consult the Dominions as to whether they wish separate representation.

4. *Method*

It would seem decidedly preferable to constitute a single Commission, which might sit from time to time in two or more panels in different countries. The whole Commission should examine the conclusions of the panels before reporting to the United Nations.

5. *Scope of Enquiry*

The atrocities of all offenders, irrespective of rank, should be investigated. The aim should be to collect material about the main atrocities, especially those which are being systematically committed.

Every effort should be made to fix the names of those who have been responsible for the perpetration of the atrocity, in addition to verifying the occurrence.

29 JULY, 1942.

^{23a} Clement R. Attlee.

[Enclosure 2]

Suggested Functions for a United Nations Commission for the Investigation of War Crimes

1. With a view to establishing responsibility for atrocities in the nature of war crimes perpetrated by the enemy in the present war, to investigate all cases referred to the Commission by any of the Governments of the United Nations of atrocities committed by, or by order of, the nationals of any of the countries at war with any of the United Nations against nationals of the United Nations.

2. To collect, record and assess all available evidence, oral and written, upon such atrocities.

3. To direct their attention in particular, in the first instance, to those cases which appear to be atrocities organised and committed in pursuance of a deliberate policy.

4. To report from time to time, as early as possible, to the Governments of the United Nations, cases in which the Commission is satisfied that an atrocity has been committed, naming, where possible, the person or persons whom they consider responsible.

5. To investigate, consider and report upon any other instances or classes of war crimes referred to them by the general consent of the Governments of the United Nations.

6. To constitute such panels for the taking and recording of evidence, and to sit whether in panels or as a whole, in such places as the Commission may from time to time decide.

7. To co-opt such expert technical advisers for the purpose of particular investigations as the Commission may consider necessary.

8. Perhaps, to make recommendations upon the procedure by which war criminals should be dealt with after the war.

29 JULY, 1942.

[For text of President Roosevelt's statement regarding crimes against civilian populations, released to the press on August 21, 1942, see Department of State *Bulletin*, August 22, 1942, page 709. For statement made by British Prime Minister Churchill on this subject in the House of Commons on September 8, 1942, see *Parliamentary Debates*, House of Commons, 5th series, volume 383, column 97.]

740.00116 European War 1939/543

Memorandum of Conversation, by the Secretary of State

[WASHINGTON,] September 7, 1942.

The British Ambassador ²⁴ called at his request and handed me an *aide-mémoire* (copy attached) ²⁵ giving the views of the British Gov-

²⁴ Viscount Halifax.

²⁵ *Infra*.

ernment on the policy to be adopted with regard to war criminals, etc. I thanked him and then proceeded to detail the facts pertaining to a statement on this subject by the eight refugee governments in London prepared several months ago, and presented directly to this Government some weeks ago by a subcommittee representing these governments.²⁶ I also recited the substance of the President's reply²⁷ to this communication, which was made public and with which the British Ambassador said he was familiar. I emphasized the fact that the President was not undertaking to speak for all of the governments interested nor was he undertaking to implement this proposal except to a limited extent. I added that the idea of this Government was that further steps should be taken by all interested governments acting in concert, after discussing the best methods of carrying out the policy; that the lessons of the Lord Bryce Commission, organized for a similar purpose during the first World War, should be thoroughly understood in connection with any plan of implementation. The Ambassador said he agreed and then added that it was very important to prepare the most effective ways to secure and preserve evidence in regard to the guilt and the identity of those participating in the atrocities.

I said to the Ambassador that this Government would be glad to make a study of the *aide-mémoire* and communicate further with the British Government.

C[ORDELL] H[ULL]

740.00116 European War 1939/557

The British Embassy to the Department of State

AIDE-MÉMOIRE

The Secretary of State will no doubt have received from the United States Ambassador in London a copy of the document setting out the present views of His Majesty's Government in the United Kingdom on the policy to be adopted with regard to war criminals, which was considered at a meeting at the Foreign Office with representatives of the Allied Governments in London and the French National Committee on the 6th August (a copy is attached for convenience of reference).

2. The Allied Governments in London have now proposed to His Majesty's Government that all the Allied Governments, including the Government of the United States, the Soviet Government and the Chinese Government, should adopt the policy laid down in paragraph 5 of that document and that this should form a basis for a statement to that effect. They maintain that this is the one immediate step now

²⁶ Letter dated July 30, p. 46.

²⁷ Released to the press on August 21, Department of State *Bulletin*, August 22, 1942, p. 709.

practicable which might have some effect in diminishing the atrocities in Occupied Europe.

3. His Majesty's Government see no objection to the adoption of this proposal, which they consider is likely to increase the effectiveness and the propaganda value of the statement which they hope it may be possible to make before long about a United Nations fact-finding commission in regard to war criminals. (Particulars of this proposal were communicated to Mr. Winant for the consideration of President Roosevelt on the 27th July).²⁸ His Majesty's Government consider that the statement now proposed by the Allied Governments in London should be coupled with and not made before any statement regarding the proposed United Nations Commission. The exiled governments are, however, pressing for early action and the time factor is important.

4. His Majesty's Government would be glad to receive an early expression of the views of the United States Government on this proposal. It would then be necessary for them to consult the Soviet, Chinese and Dominion Governments.

WASHINGTON, 7 September, 1942.

[Enclosure]

*Memorandum of British Views on Policy To Be Adopted With
Respect to War Criminals*

His Majesty's Government in the United Kingdom have not reached any final conclusions on the policy to be adopted with regard to war criminals, but the following general principles represent their present views.

1. Policy and procedure regarding war criminals, including the question of the judicial tribunals to be employed, should be agreed between all the Allied Governments concerned.
2. In dealing with war criminals, whatever the Court, it should apply the existing laws of war and no special *ad hoc* law should be enacted.
3. The punishment of war criminals should be disposed of as soon as possible after the end of the war, in order—
 - (a) to ensure rapid justice,
 - (b) to prevent so far as possible wronged individuals taking the law into their own hands, and
 - (c) to prevent trials dragging on for years and so delaying the return to a peaceful atmosphere in Europe.

It may be desirable ultimately to fix a limited period after the termination of hostilities during which all trials should be instituted.

4. Each Allied Government concerned should, so far as is possible at this stage, draw up lists of criminals against whom it wishes to proceed and prepare evidence against them.

²⁸ See Proposal for a United Nations Commission on Atrocities, p. 49.

5. Provision should be included in the armistice, terms for the immediate capture or surrender of wanted criminals, and this should not be left over until after the conclusion of a peace treaty. Otherwise, it might prove impossible, as after the last war, to obtain custody of the persons required. Lists, if any, included in the armistice terms should not, however, be regarded as exclusive, and authority would be reserved to demand the delivering up of additional persons later. Each peace treaty, would subsequently contain any provisions which may be required to enable the action contemplated to be taken.

6. All possible steps should be taken to prevent war criminals from obtaining asylum in neutral countries.

7. A distinction should be drawn between enemy war criminals and nationals (e. g. Quislings²⁹) of the Allied countries concerned. The latter should be dealt with by each Allied Government concerned under its own law, and no inter-Allied agreement is necessary for this purpose, although some special inter-Allied arrangements for surrender to the appropriate Allied authority might be required.

740.00116 European War 1939/557

The Department of State to the British Embassy

WASHINGTON, September 18, 1942.

MEMORANDUM

The United States Government is agreeable to the proposal, mentioned in the British Embassy's *aide-mémoire* of September 7, 1942, that the Governments of the United Nations should adopt the policy laid down in paragraph 5 of the document, of which a copy was attached to that *aide-mémoire*, setting forth the views of the British Government on the policy to be adopted with regard to war criminals.

It further agrees that a statement of the policy indicated in that paragraph should be made coincidentally with the contemplated statement concerning the proposed United Nations Commission.

740.00116 European War 1939/555 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, September 20, 1942—2 p. m.

[Received September 20—10 a. m.]

5253. For Harry Hopkins. When Averell³⁰ returned here he told me you had made some statement to him on the atrocity commission

²⁹ Maj. Vidkun Quisling was Norwegian Nazi Party leader and subsequently head of the German puppet government in Norway.

³⁰ W. Averell Harriman, lend-lease "expediter" in London, with rank of Minister.

plan which I forwarded to the President by letter but Averell's statement was not sufficiently definite to permit me to reply to the Government here. I have had no other word although the Foreign Office has told me that Halifax has also broached the subject.

Since wiring you more than 200 petitions have come to me personally from British organizations asking for some action on atrocities. The Allied Governments here have been pressing the British Government for some definite action on this subject. This morning Eden called me explaining that the Government would have to answer a question on this matter before the Parliament and he asked me if I could not get an immediate reply.

The questions that the British want answered and which are in part covered by my letter to the President with its accompanying documentation can be briefly divided into three parts:

- (1) The setting up of a commission to investigate evidence on atrocities. Is the arrangement proposed by the British satisfactory?
- (2) The British want to know the President's views as to what we should say jointly to the other Allied Governments on this issue.
- (3) Would we agree to the inclusion in the armistice terms of an agreement requiring the enemy to surrender war criminals to the Allies?

I would very much appreciate an early reply.

WINANT

740.00116 European War 1939/555 : Telegram

The Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, September 21, 1942—10 p. m.

4588. From Hopkins. With reference to your telegram no. 5253,³¹ your August 5th letter has just reappeared after having been mislaid. I am in agreement with you that no direct or indirect reference ought to be made to the Bryce Committee. I hope you will receive word very soon on this matter which has been turned over to the State Department. [Hopkins.]

HULL

740.00116 European War 1939/594

Memorandum by Mr. Theodore C. Achilles of the Division of European Affairs

[WASHINGTON,] September 24, 1942.

There is attached a copy of the memorandum prepared by Mr. Hopkins for the President concerning a United Nations Commission on Atrocities. Mr. Acheson³² states:

³¹ *Supra.*

³² Dean Acheson, Assistant Secretary of State.

"Mr. Hopkins has today sent me the attached paper with the following warning. He tells me that this is a copy of the memorandum as originally written for submission to the President; that the President changed this memorandum in long hand, chiefly in the direction of changes of emphasis and matters of that sort. Mr. Hopkins did not recall that there were any extensive changes in substance. Another copy was similarly changed in long hand to conform to the President's copy. The Prime Minister has one of these copies; the other is locked up in the President's files, which are at present not available. Mr. Hopkins suggests that, if it is regarded as important to have the changes made on this by the President, the quickest way to get them will be to telegraph to Mr. Winant asking him to obtain a corrected copy through Mr. Eden and telegraph its contents."

In view of Mr. Hopkins' belief that there were no extensive changes in substance, it does not seem necessary to telegraph London for the text actually given Mr. Churchill.

[Annex]

*Memorandum Prepared by Mr. Harry L. Hopkins for
President Roosevelt*

A UNITED NATIONS COMMISSION ON ATROCITIES

1. An authoritative presentation of the atrocities committed by the Germans and Japanese in Lidice, Poland, Nanking, Hong Kong, and other places should: a) Help to keep the people of the United States informed of the nature of our enemies, spurring us to renewed efforts to defeat them; and b) Serve to deter those committing the atrocities by naming their names and letting them know that they are being watched by the civilized world, which will mete out swift and just punishment on the reckoning day.

2. Such an authoritative presentation could be made by a United Nations Commission on Atrocities, headed by someone like former Chief Justice Hughes, and including outstanding representatives of the other United Nations, such as Tolstoy of Russia, Del Vayo of Spain, Sforza of Italy, Holdsworth of England, and Dr. Wu of China. To avoid any implications of propaganda, the personnel of the Commission should not officially represent their Governments, though they should be satisfactory to them. They should be persons of a world-wide reputation for integrity and an ability to appraise the evidence.

3. The Commission should: a) Investigate the atrocities by taking depositions, interrogating eye-witnesses and assessing all other available or obtainable evidence; and b) Report to the United Nations from time to time on the shooting and maiming of hostages and prisoners, the beating and torturing of women and children, and the other

violations of the fundamental rights of human beings. The report to the United Nations should, wherever possible, name the persons who are responsible for the atrocities.

740.00116 European War 1939/566: Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, September 26, 1942—8 p. m.
[Received September 26—5:10 p. m.]

5374. Personal to the Secretary. Since sending a personal message to you, my 5301, September 22, midnight,³³ the British Foreign Office has informed me that we have agreed to include in the armistice terms a clause requiring the enemy to surrender war criminals to the Allies. I have received no word from the Department. The Lord Chancellor tells me, however, that this is not to be made public until there is agreement on the text relating to the establishment of the commission to investigate evidence on atrocities. Both the Foreign Secretary and the Lord Chancellor called me again yesterday to ask if I had received a reply to my message to you.

The Lord Chancellor would like to know if the text submitted to the President is acceptable to us and whether it could be announced as having joint support of the United States and Great Britain or whether it is to be announced as a British project supported by the United States. Since the subject was initiated by the War Cabinet here as a result of a memorandum from the President, the Lord Chancellor explained that they felt it would be reasonable to ask that it be announced as a joint project of both Governments and that it would have greater standing with joint support.

They are most anxious to get a reply as this question is now before both the House of Commons and the House of Lords, the Government having already asked for two postponements.

WINANT

740.00116 European War 1939/576½

Memorandum by Mr. Theodore C. Achilles of the Division of European Affairs to the Under Secretary of State (Welles)

[WASHINGTON,] October 3, 1942.

MR. WELLES: The British Embassy has this morning received a telegram from the Foreign Office concerning the proposed War Crimes Commission. The substance is as follows:

³³ Not printed.

The Cabinet Committee on War Crimes decided on September 30 that, in view of very strong pressure, the Government's reply to a question in the House of Lords on this subject, now scheduled for October 7 after having twice been postponed, could not again be postponed. The Dominions, Soviet and Chinese and Exiled Governments and the Fighting French National Committee must be advised in advance that the British Government proposed to make a statement that it favored the establishment of a Fact Finding Commission and the inclusion in the Armistice terms of provisions for the surrender of war criminals. These Governments would be invited to associate themselves with such a statement, the statement itself would be in general terms and, failing a prior expression of our views, would give no details. The statement would, however, be much more effective if it could say that the United States was willing to participate on such a Commission. The Foreign Office accordingly hoped that our views could be indicated before October 7.

T[HEODORE] C. A[CHILLES]

740.00116 European War 1939/571 : Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, October 5, 1942—10 p. m.

4850. Your 5532, October 4, 3 p. m.³⁴ and previous. With the President's return I hasten to send you the following:

Text submitted to the President is acceptable to us and may be announced as having joint support of United States and Great Britain. We had previously advised Lord Halifax that we were agreeable to an announcement, concurrent with that concerning the Fact Finding Commission, of our intention to have armistice terms contain provision for the capture or surrender of wanted criminals. We prefer that Commission be called "United Nations Commission for the Investigation of War Crimes" rather than "United Nations Commission on Atrocities."

The President desires that a statement to the following effect be made simultaneously with the proposed announcement:

That the U. S. Government and the British Government have no intention of executing Germans wholesale, that they believe the German people will understand that the two Governments are only desirous of punishing the ringleaders in Germany for the commission of

³⁴ Not printed; it quoted a letter from the British Secretary of State for Foreign Affairs similar in content to the telegram from the British Foreign Office to the British Embassy, the substance of which is given in the memorandum printed *supra*.

atrocities which have violated every Christian tenet and those individuals among the German people who have in fact been responsible for the murder of hundreds of thousands of innocent persons, that punishment would be meted out only to the individuals responsible for these murders and atrocities and that obviously the number of individuals eventually found guilty would be small in relation to the total population of Germany.

The President believes it essential that a clear-cut statement of this character be made to prevent the implication that the Allied Governments intend to undertake mass executions. Such a statement will be issued here on October 7th concurrently with that contemplated in the House of Lords. Please advise exact hour. Text will be sent as soon as possible.

WELLES

740.90116 European War 1939/571 (Suppl.) : Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, October 6, 1942—5 p. m.

4867. Department's 4850, October 5, 10 p. m. Following is text of President's statement to be issued tomorrow:

"On August 21 I said that this Government was constantly receiving information concerning the barbaric crimes being committed by the enemy against civilian populations in occupied countries, particularly on the continent of Europe. I said it was the purpose of this Government, as I knew it to be the purpose of the other United Nations, to see that when victory is won the perpetrators of these crimes shall answer for them before courts of law.

"The commission of these crimes continues.

"I now declare it to be the intention of this Government that the successful close of the war shall include provision for the surrender to the United Nations of war criminals.

"With a view to establishing responsibility of the guilty individuals through the collection and assessment of all available evidence, this Government is prepared to cooperate with the British and other Governments in establishing a United Nations Commission for the Investigation of War Crimes.

"The number of persons eventually found guilty will undoubtedly be extremely small compared to the total enemy populations. It is not the intention of this Government or of the Governments associated with us to resort to mass reprisals. It is our intention that just and sure punishment shall be meted out to the ringleaders responsible for the organized murder of thousands of innocent persons and the commission of atrocities which have violated every tenet of the Christian faith."

WELLES

740.00116 European War 1939/574 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, October 6, 1942—midnight.

[Received October 6—10:28 p. m.]

5572. Thank you for your message 4850, October 5, 10 p. m., which was very much appreciated here. Both Mr. Eden and Lord Simon were much attracted by the alternative title for the commission suggested by the United States Government and will adopt it. The following is an extract from a memorandum which was handed me to-night by Mr. Eden:

"As regards the additional statement suggested by the President, the Lord Chancellor suggests that you should tell Mr. Winant that he welcomes it and will speak on those lines, although not necessarily in identical terms. For example, he will refer throughout not to Germans but to enemy nationals, since our proposals are not restricted only to Germany and we should be confronted with some awkward questions afterwards if we spoke only of Germans in this statement. The Lord Chancellor also proposes to speak of the violation of every tenet of humanity and not of every Christian tenet, since we have to consider Jews, Moslems, etc. You may in this connection wish to refer to the trouble which has been caused in Turkey and other countries by the recent references to Christian ideals made by Sir S. Hoare³⁵ and Lord Halifax.

Finally, as regards the time of the announcement, it is not possible to be absolutely precise as the Lord Chancellor will be speaking in the course of a debate.³⁶

He suggests, however, that the time given to Mr. Winant should be 3:30 p.m.

You may also like to inform Mr. Winant that all the exiled governments in London and the French National Committee have warmly welcomed the proposal and have authorized us to associate them with it. There has not been time to obtain the views of the Soviet and Chinese Governments."

WINANT

740.00116 European War 1939/606 : Telegram

The Chargé in the Soviet Union (Henderson) to the Secretary of State

KUIBYSHEV (Moscow), October 16, 1942—1 p. m.

[Received October 17—5:45 p. m.]

896. *Volzhskaya Kommuna* of October 16 publishes a note addressed by Molotov^{36a} under date of October 14³⁷ to the Governments of

³⁵ British Ambassador on Special Mission to Spain.³⁶ For the statement made by the Lord Chancellor on October 7, 1942, see *Parliamentary Debates*, House of Lords, 5th series, vol. 124, col. 577.^{36a} V. M. Molotov, Soviet People's Commissar for Foreign Affairs.³⁷ *Punishment for War Crimes* (2), p. 5.

Czechoslovakia, Poland, Yugoslavia, Norway, Greece, Belgium, Holland, Luxemburg and the French National Committee in response to a joint note sent by them to the Soviet Government³⁸ on the subject of punishment for German misdeeds committed in occupied areas. The Soviet note expresses recognition of these atrocities, remarks on those committed on Soviet territory which have been the subject of circular notes issued in the past by the Soviet Government³⁹ and conveys the readiness of the Soviet Government to bring to trial and punish the perpetrators thereof through legal means. It also states that the Soviet Government is in agreement with the declaration of President Roosevelt contained in his speech of October 12⁴⁰ that the Nazi leaders must be dealt with in accordance with criminal law. It specifies for such punishment Hitler, Goering, Hess, Goebbels, Himmler, Ribbentrop, Rosenberg "and others". It adds the statement that Fascist German leaders who have already fallen into the hands of states fighting against Germany should be tried before a "special international tribunal" and punished with all due severity under criminal law without delay.

HENDERSON

740.00116 European War 1939/616: Telegram

The Chargé in the Soviet Union (Henderson) to the Secretary of State

KUIBYSHEV (Moscow), October 20, 1942—1 p. m.
[Received October 22—12:48 a. m.]

909. Embassy's 905, October 19, 10 a. m.⁴¹ *Pravda* of October 19 devotes its leading editorial to the note in question. The first half of this editorial consists largely of a summary of the note. In its latter portion it restates the view of the Soviet Government that any Hitlerite leaders who have fallen into the hands of the Allies should be tried and punished immediately. Laying special emphasis on this point, the editorial then makes special reference to Hess, urging that he be brought to trial at once and criticizing British personages and newspapers which have expressed disagreement with this point of view. It alleges that Hess is not an ordinary prisoner of war and should not be treated as such, stating that he is a well-known Nazi

³⁸ Note presented at Kuibyshev on July 23, 1942, by the Czechoslovak Minister and a representative of the French National Committee, *Punishment for War Crimes* (2), p. 4.

³⁹ See *The Molotov Notes on German Atrocities: Notes Sent by V. M. Molotov, People's Commissar for Foreign Affairs, to All Governments With Which the U. S. S. R. Had Diplomatic Relations* (His Majesty's Stationery Office, 1942).

⁴⁰ For an excerpt from President Roosevelt's radio address on Columbus Day, see World Peace Foundation, *Documents on American Foreign Relations*, July 1942-June 1943 (Boston, 1944), vol. v, p. 22.

⁴¹ Not printed; it transmitted a translation of the Soviet note of October 14, 1942, to the Czechoslovak Minister at Kuibyshev.

leader, he fled from Germany to escape ultimate punishment by an international tribunal, planning to "convert England into a place of refuge for gangsters".

The editorial reaffirms agreement with the President's declaration in his speech of October 12, [apparent omission] quoted in itself, and comments said that he said nothing to indicate that the punishment of Nazi leaders should be deferred. It then states that it is necessary to establish who Hess is at present, since if he is not tried now the question arises whether he is to be regarded as a criminal subject to prosecution or as a plenipotentiary representative of the Hitlerite Government in England enjoying inviolability.

HENDERSON

740.00116 European War 1939/621

Memorandum by Mr. Theodore C. Achilles of the Division of European Affairs to the Under Secretary of State (Welles)

[WASHINGTON,] October 21, 1942.

MR. WELLES: A telegram dated October 17 from the British Foreign Office to the British Ambassador at Moscow concerning the proposal for a United Nations Commission to Investigate War Crimes has been repeated to the Embassy here.

It stated that a proposal for the establishment of such a Commission had been communicated, with the approval of this Government, to the Soviet Ambassador in London on October 3 but that no reply had been received from the Soviet Government unless the statement issued by the Tass Agency on October 15 was considered a reply. The Ambassador was advised that an official reply in due course was expected.

The telegram continued that the British press had shown special interest in the portion of the Tass statement dealing with Rudolf Hess. Guidance had accordingly been given the press to the effect that the production of evidence before the proposed United Nations Commission would be an essential preliminary to any further measures such as those suggested. Attention was also drawn to a statement in the House of Commons by the Parliamentary Under Secretary for Foreign Affairs^{41a} on October 14 that any Allied Government was at liberty to submit evidence as to persons responsible for war crimes, either as ringleaders or as perpetrators.⁴² The Ambassador in Moscow was advised for his own information that there were strong objections of a technical character against the establishment of a special international tribunal to deal with war crimes and that Hess was not a good

^{41a} Richard K. Law.

⁴² *Parliamentary Debates*, House of Commons, 5th series, vol. 383, col. 1603.

case as he had been in England since May 10, 1941 while the worst atrocities, including all those in Russia, had been committed later.

In the House of Commons today Eden announced Hess will not go on trial until after the war.⁴³

T[THEODORE] C. A[CHILLES]

740.00116 European War 1939/657

*The First Secretary of the British Foreign Office (Roberts) to the First Secretary of the American Embassy in the United Kingdom (Gallman)*⁴⁴

No. C10710/61/18

[LONDON,] 18 November, 1942.

DEAR MR. GALLMAN: I enclose a copy of a further note which we addressed on the 29th October to the Soviet Ambassador, the Chinese Chargé d'Affaires and the representatives of the Allied Governments established in London on the subject of war criminals. A semi-official communication on similar lines was addressed to the French National Committee and we are of course also in touch with the Dominions Governments and the Government of India.

I regret the delay in communicating a copy of this note to you. You will see that it follows closely the lines of the two documents which Mr. Winant communicated in July last at the request of the War Cabinet Committee on War Criminals to the United States Government, who signified their general approval before the statements made by President Roosevelt and Lord Simon, on the 7th October. Owing to an oversight arising out of the fact that your Government had already agreed to these proposals, we failed to send a copy of this note of the 29th October to the Allied Representatives in London to Mr. Winant at the time.

Yours sincerely,

F. K. ROBERTS

[Enclosure]

*The British Secretary of State for Foreign Affairs (Eden) to the Soviet Ambassador in the United Kingdom (Maisky)*⁴⁵

No. C10375/61/18

[LONDON,] 29 October, 1942.

YOUR EXCELLENCY: I transmitted to Your Excellency under cover of my note of the 9th October the text of the statement by the Lord Chancellor in the House of Lords on the 7th October in which *inter alia* he outlined the proposals of His Majesty's Government in the United Kingdom with regard to the establishment of a United

⁴³ *Parliamentary Debates*, House of Commons, 5th series, vol. 383, col. 1943.

⁴⁴ Copy transmitted to the Department of State by the Ambassador in the United Kingdom in his despatch No. 6393, November 21; received December 1.

⁴⁵ Marginal note states: "Similar note sent to Chinese Chargé d'Affaires."

Nations Commission for the investigation of war crimes. I now have the honour to transmit herewith a memorandum ⁴⁶ setting forth, in amplification of the Lord Chancellor's statement, the views of His Majesty's Government on the constitution and functions of the proposed Commission.

2. His Majesty's Government propose that the United Nations Commission should be a fact-finding body. As stated by the Parliamentary Under-Secretary for Foreign Affairs in the House of Commons on the 14th October, its functions will be to record the evidence submitted to it by the Governments concerned against all individuals responsible, whether as ring-leaders or as actual perpetrators, for the commission of atrocities. It will be open to the Governments concerned to submit to the Commission any such evidence against the persons so responsible, whoever they may be. The aim should be to collect material about the principal war crimes, especially those which have been or are being systematically committed. Every effort should be made to obtain the names of those responsible for the perpetration of particular crimes in addition to verifying the occurrence. It is proposed that the reports of the Commission should be available for publication. These reports might also contain material upon which decisions might be taken regarding the treatment of war criminals.

3. His Majesty's Government consider that membership of the Commission should be confined to nationals of the United Nations, and that in the first place the Governments of the following countries might be invited to appoint representatives:—The United Kingdom, The United States of America, The Union of Soviet Socialist Republics, China, Belgium, Czechoslovakia, Greece, Luxemburg, The Netherlands, Norway, Poland and Yugoslavia. His Majesty's Government also consider that war crimes committed by Germany in occupied France should be regarded as coming within the scope of the Commission's investigations, and that for this reason special provision should be made for French representation on the Commission.

4. In the opinion of His Majesty's Government it would be preferable to constitute a single Commission which might if this were thought desirable sit from time to time in two or more panels in different countries. The whole Commission would examine the conclusions of the panels before reporting to the Governments of the United Nations.

5. His Majesty's Government would welcome any observations which Your Excellency's Government may have to offer on the foregoing proposals which are also being communicated to the other Governments concerned.

I have the honour [etc.]

(For the Secretary of State)

F. K. ROBERTS

⁴⁶ Not attached to file copy.

740.00116 European War 1939/655 : Telegram

*The Chargé in the Soviet Union (Henderson) to the Secretary
of State*

Moscow, November 26, 1942—3 p. m.
[Received November 27—2:45 p. m.]

497. (1) The British Ambassador ⁴⁷ tells me that:

(a) On November 5 he had a long talk with Stalin regarding Soviet proposals for the immediate trial of Axis leaders who have fallen into Allied hands and in particular regarding the *Pravda* editorial referred to in Kuibyshev's 909, October 20, 1 p. m. He charged that the tone of the editorial was unjustifiably unfriendly towards the British Government. Stalin denied the charge and only after the paper had been sent for and the editorial had been examined jointly by him and the Ambassador did he finally admit that it was not conducive to an improvement of relations. Stalin apparently felt extremely bitter towards Hess and during the conversation gave the impression that he was still suspicious that the British might use Hess to make some kind of a deal with Germany at Russia's expense. The Ambassador told Stalin in detail what the British had learned from and regarding Hess and explained the British position with respect to this question. He felt that he finally convinced Stalin that the Soviet Government had no reason for concern with regard to Hess. Although Stalin appeared mollified he nevertheless did not altogether abandon his idea that war guilty Axis leaders should be tried at once before International Tribunal.

(b) On November 24 the Ambassador discussed with Molotov problem of the proposed International Tribunal. He insisted that Great Britain could not arrange for Axis prisoners in its keeping to be tried before such a tribunal without the consent of its Allies, particularly the United States. Molotov agreed that the cooperation of the United States would be necessary before such a tribunal could be set up, but said that in the meantime the British and Soviet Governments could discuss the matter between themselves and perhaps reach some kind of a tentative understanding. Molotov did not take kindly to the Ambassador's suggestion that following the conclusion of the war the guilty be punished not through the medium of an International Tribunal but as a result of international decisions of political rather than of a juridical character. Molotov made it clear that the Soviet Government desired full-dress political trials apparently similar to the Soviet purge trials of 1936-37 on an international scale. The

⁴⁷ Sir Archibald Clark Kerr.

conversation was of an exploratory nature on both sides and no understandings were reached or attempted.

(c) Molotov then referred to the North African situation and expressed some concern with regard to Darlan (see Moscow's 482, November 20, 11 p. m.⁴⁹) . . .

(d) Molotov was much more friendly than usual during the course of the conversations.

(2) The British Ambassador is planning to leave for England within the next few days and will be away about 6 weeks.

HENDERSON

740.00116 European War 1939/660 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, December 7, 1942—midnight.

[Received December 8—9: 30 a. m.]

6935. Two or three times I have been approached by committees of British Jews asking for intercession in their behalf because of information which they have received from their representative in Geneva in regard to a plan by Hitler to totally exterminate all Jews under his military control. Each time I have brought the matter to the attention of Mr. Eden, as I was requested to do. The Foreign Office told me that they had no definite information on such a program. Last week I was asked to petition my own Government to intervene. Hitler's last speech has intensified this feeling of an impending mass attack and there have been requests to Eden, Maisky,^{49a} and myself that we ask our three Governments to take a joint stand in protesting against German terrorism and to make clear that punishment will be meted out to those responsible for Jewish atrocities. Eden looked favorably on this plan as did Maisky and I would like to give it my support. Please advise me as to the wishes of our Government in this matter. In my 6915, December 7⁵⁰ I am forwarding a news dispatch from the *Times* of December 7 written by its diplomatic correspondent headlined "Terror Against Jews".

WINANT

⁴⁹ Printed in vol. II, section under France entitled "Interest of the United States in political and economic conditions in French North Africa."

^{49a} Ivan Mikhailovich Maisky, Soviet Ambassador in the United Kingdom.

⁵⁰ Not printed.

740.00116 European War 1939/663 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, December 8, 1942—midnight.

[Received December 8—11 : 40 p. m.]

6963. With reference to my conversation with Mr. Eden mentioned in my 6935, December 7, midnight, concerning the treatment of the Jews in Eastern Europe by the German occupying authorities, I received from Mr. Eden this morning a note and draft declaration regarding which he requests the United States Government's view this week. He said that he has written the Russian Ambassador here in a similar sense. I quote in part below his note to me and I am sending the draft declaration in my No. 6964, December 8, midnight.

"We discussed whether any steps could usefully be taken by the United Nations to make clear their condemnation of these horrors and possibly to exercise a deterrent effect on their perpetrators. We agreed that, although little practical effect could be expected, it might be useful for the United States and Soviet Governments to join with His Majesty's Government in condemning these atrocities and in reminding their perpetrators that certain retribution awaits them. I have accordingly prepared the enclosed draft of a declaration which might be issued in London, Moscow and Washington as soon as possible. I should be grateful if you would kindly consult your Government and let me know whether they agree with this proposal and whether they have any comments on the suggested text of the declaration.

It would seem necessary to associate the Allied Governments in London with this declaration since it is their nationals who are mainly concerned and the worst atrocities against the Jews are being committed in Poland. I think it might be left to those Governments to decide whether they wish to issue a separate declaration on similar lines or to endorse the suggested declaration by the major powers.

As you know, there is growing public interest in this question and it is therefore desirable to make our attitude known at the earliest possible moment. I hope, therefore, that your Government will be able to let us know their views this week."

WINANT

740.00116 European War 1939/664 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, December 8, 1942—midnight

[Received December 8—11 : 46 p. m.]

6964. Following is draft declaration enclosed with Mr. Eden's note mentioned in my telegram 6963, December 8, midnight.

"The attention of His Majesty's Government in the United Kingdom, of the Soviet Government and of the United States Government has been drawn to reports from Europe which leave no room for doubt that the German authorities, not content with denying to persons of Jewish race in all the territories over which their barbarous rule has been extended, the most elementary human rights, are now carrying into effect Hitler's oft repeated intention to exterminate the Jewish people in Europe. From all the countries Jews are being transported, irrespective of age and sex and in conditions of appalling horror and brutality, to Eastern Europe. In Poland, which has been made the principal Nazi slaughter house, the ghettos are being systematically emptied of all Jews except a few highly skilled workers required for war industries. None of those taken away are ever heard of again. The able-bodied are slowly worked to death in labor camps. The infirm are left to die of exposure and starvation or are deliberately massacred in mass executions.

His Majesty's Government in the United Kingdom, the Soviet Government and the United States Government condemn in the strongest possible terms this bestial policy of cold-blooded extermination. They declare that such events can only strengthen the resolve of all freedom loving peoples to overthrow the barbarous Hitlerite tyranny. They reaffirm their solemn resolution to ensure, in common with the governments of the United Nations, that those responsible for these crimes shall not escape retribution, and to press on with the necessary practical measures to this end."

WINANT

740.00116 European War 1939/664 : Telegram

The Secretary of State to the Ambassador in the United Kingdom
(Winant)

WASHINGTON, December 11, 1942—midnight.

6291. Your 6963 and 6964, December 8, midnight. The Department accepts the proposal of the British Government for the issuance of a joint declaration in regard to the reported determination of the German Government to exterminate the Jewish people of Europe. The following amendments are suggested for consideration: On line 4 of the draft declaration the words "which leave no room for doubt" should be deleted and the word "numerous" should be inserted on line 3 before the word "reports". Lines 11 and 12 should be amended to exclude the words "irrespective of age and sex". This has not been true up to the present time in France and may not be true in other occupied territories.

If the British Government accepts these amendments, the contemplated date of issuance should be telegraphed to the Department.

HULL

740.00116 European War 1939/674a : Telegram

*The Secretary of State to the Ambassador in the United Kingdom.
(Winant)*

WASHINGTON, December 12, 1942—8 p. m.

6308. Department's 6291, December 11, midnight. The Soviet Ambassador⁵² has proposed the following amendment to the joint declaration:

"After the sentence concerning the deliberate extermination of Jews by way of mass executions add: 'The number of victims of these sanguinary punishments is taken to amount to many hundreds of thousands of quite innocent men, women and children'."

This amendment is entirely satisfactory to the Department.

HULL

740.00116 European War 1939/675 : Telegram

*The Ambassador in the United Kingdom (Winant) to the
Secretary of State*

LONDON, December 14, 1942—6 p. m.

[Received 8:50 p. m.]

7067. Foreign Office states it is agreeable to the amendments suggested in the Department's 6291, December 11, midnight, and 6308, December 12, 8 p. m. It adds that the Russian Ambassador here has also accepted all of these changes on behalf of his Government. The Foreign Office states the only other changes are to list all the other Governments participating in the declaration and the addition after the word "ghettos" in paragraph 1 of the words "established by the German invader". It will cable to the Embassy at Washington for the information of the Department the revised text of the declaration. In order to allow time to consult the Allied Governments and the French National Committee in London, the Foreign Office contemplates issuing the declaration at noon, Thursday, December 17, British war time, for simultaneous release in London, Washington and Moscow, unless it learns that the Department has objections. It is mentioned that the Russian Ambassador here has agreed to this time of release.

WINANT

740.00116 European War 1939/675 : Telegram

*The Secretary of State to the Ambassador in the United Kingdom.
(Winant)*

WASHINGTON, December 16, 1942—8 p. m.

6372. Your 7067, December 14, 6 p. m. Opening sentence given Department by British Embassy read: "The attention of the Belgian,

⁵² Maxim Maximovich Litvinov.

Czechoslovak, Greek, Luxemburg, Netherlands, Norwegian, Polish, Soviet, United Kingdom, United States and Yugoslav Governments and of the French National Committee has been drawn et cetera". The Department desires the insertion of the word "also" before the words "of the French National Committee". The statement, with this addition, will be issued tomorrow at the agreed time.⁵³

HULL

740.00116 European War 1939/677: Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, December 17, 1942—11 p. m.
[Received December 17—8:09 a. m.]

7149. Department's telegram 6372, December 16, 8 p. m. Eden tells me that it is unfortunately too late to make the insertion desired by the Department. He says that the text has been agreed upon by Moscow and by the Allied Governments and that it would be impossible to clear the change before the agreed time of release. He also says the wording follows the usual form.⁵⁴

WINANT

740.00116 European War 1939/689: Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, December 26, 1942—4 p. m.
[Received 5:15 p. m.]

6144. From Tittmann:⁵⁵

212. My 169, October 10.⁵⁶ In a recent conversation with the Cardinal Secretary of State⁵⁷ I referred to the Joint Declaration of the United Nations on the mass extermination of the Jews in German occupied countries and asked him whether there was not something Holy See could do along similar lines. He replied as before to the effect that Holy See was unable to denounce publicly particular atrocities but that it had frequently condemned atrocities in general. He

⁵³ For text issued December 17, 1942, see Department of State *Bulletin*, December 19, 1942, p. 1009.

⁵⁴ For text, see *Parliamentary Debates*, House of Commons, 5th series, vol. 385, col. 2083.

⁵⁵ Harold H. Tittmann, Assistant to President Roosevelt's Personal Representative to Pope Pius XII.

⁵⁶ See telegram No. 4675, October 16, 1942, 10 a. m., from the Minister in Switzerland, vol. III, section under Vatican entitled "Efforts by the United States and other governments to have the Pope protest publicly against Nazi atrocities in German-occupied areas."

⁵⁷ Cardinal Luigi Maglione.

added that everything possible was being done privately to relieve the distress of the Jews. Although deploring cruelties that have come to his attention he said that Holy See was unable to verify Allied reports as to the number of Jews exterminated et cetera.

There are rumors to the effect that the Pope in his Christmas message⁵⁸ will take a strong stand on this subject but I am afraid that any deviation from generalities of his previous messages is unlikely. [Tittmann.]

HARRISON

⁵⁸ For extracts from the Pope's Christmas message, see World Peace Foundation, *War and Peace Aims of the United Nations, September 1, 1939-December 31, 1942* (Boston, 1943), p. 626.

NEGOTIATIONS FOR A DECLARATION BY ALLIED GOVERNMENTS REGARDING FORCED TRANSFERS OF PROPERTY IN ENEMY-CONTROLLED TERRITORY

740.00113 European War 1939/436a : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, July 22, 1942—midnight.

3400. British Embassy has informed the Department that a meeting will be held in London on July 24 of Financial Ministers of the Allied Governments for the purpose of discussing the text of proposed declaration reserving the right to such Governments to declare invalid all transfers of property rights and interests in territory occupied or controlled by the Axis. The text follows:

"The Governments think it obligatory upon them to issue a formal warning to all concerned and in particular to neutral Governments that they reserve the right to declare invalid all transfers of property rights and interests of any description whatsoever situated in territory occupied or controlled by Axis powers whether such transfers have taken the form of open loot and plunder or of purchases legal or apparently legal in form and purporting to be voluntarily effected. Neutral Governments are invited to take all possible steps to warn their nationals against any purchases from Axis powers or their nationals or agents whether directly or indirectly, of property, rights and interests of any kind whatsoever which at date of invasion or occupation of any territory of any one of above-mentioned Governments belonged to nationals or to persons resident in such territory. The Governments concerned will accept no responsibility for loss arising as result of such purchases."

It is suggested that a representative in the Embassy attend this conference as an observer, and that he should inform the conference of the sympathetic interest with which this declaration is being examined by the appropriate authorities in Washington. It is anticipated that a definitive position will be taken within the next 10 days, and it is therefore suggested that final action with respect to the proposal of the other Governments be delayed. At the meeting it is also suggested that the following points be clarified:

(1) Will the declaration be a joint declaration issued by all the United Nations, or will each Government issue a separate declaration simultaneously with the issuance of an identic declaration by the others?

(2) Should the declaration, because of the political nature of its contents, be issued by the Foreign Ministers rather than by the Finance Ministers?

(3) Should not the language referring to property belonging to nationals and persons resident in such territory be modified to include property within such territory belonging to persons who are not resident therein?

It is requested that a report on results of the conference and on foregoing points be transmitted by cable to the Department.

HULL

740.00113 European War 1939/438 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, July 25, 1942—5 p. m.
[Received 6 : 08 p. m.]

4155. Referring to your 3400, July 22, midnight. An informal meeting was held at the Treasury on Friday afternoon at which the proposed declaration reserving the right to declare invalid all transfers of property rights and interests in territory occupied or controlled by the Axis was discussed briefly. The meeting was presided over by the Financial Secretary to the Treasury and was attended by the Finance Ministers of Belgium, Czechoslovakia, the Fighting French, Greece, the Netherlands, Norway, Poland and Yugoslavia, and by representatives of Australia, Canada, New Zealand and South Africa and of the appropriate authorities within the British Government. An observer from the Embassy attended and informed the meeting of the sympathetic interest with which the proposed declaration was being examined in Washington. The proposed text was presented for the first time at the meeting to the countries represented and detailed textual discussion was postponed to give the representatives an opportunity to examine the text and discuss it with their Governments. The proposal that a declaration be made was, however, received with great satisfaction and met with general approval in principle. The question of Russian participation was raised and the Chairman said that the meetings had hitherto been meetings of Finance Ministers, that he was ready to consider widening them if the representatives so desired but that in any case the Foreign Secretary¹ had already undertaken to keep the Russian Ambassador² fully informed.

¹ Anthony Eden.

² Ivan Mikhailovich Maisky.

Since it was not desired to take up detailed textual discussion at this meeting the three points raised in your 3400, July 22, midnight, were discussed privately with Ronald,³ Keynes,⁴ Waley,⁵ and Fraser.⁶

As regards point 1 the British feel that the declaration should be a joint declaration made by those of the United Nations to whom it is a matter of practical concern and importance. They do not feel that it would be strengthened by the inclusion of countries not involved in such transfers of property rights and interests and which therefore would have no occasion to implement the declaration.

As regards point 2 the British have in mind a Government declaration and not a declaration by Finance Ministers. The matter was introduced at a meeting of Finance Ministers because this body was accustomed to meet and formed a convenient group for discussion of the matter.

As regards point 3 the British would be glad of any suggestions on wording and of any illustrations of the type of transaction which ought to be covered but would not be covered by the present wording. They are considering the substitution of the word "owned" for the word "situated" in the first sentence of the declaration.

Both the British and the Allied Governments, especially Belgium and Czechoslovakia, believe it to be of great political importance that such a declaration be made at this time. They feel that recent Axis military successes will give, if they have not already given, a strong impetus to additional transfers of property rights and interests in territories occupied or controlled by the Axis. For this reason they wish to avoid unduly detailed legalistic statements. They emphasize that existing laws differ considerably in different countries and that the implementation of the declaration may ultimately require new legislation in some countries. They wish to avoid postponement of a declaration pending a clarification and supplementation of the powers of each country to implement a general declaration along the lines proposed. Their immediate purpose is to issue a general declaration which will cast doubt upon all transfers of property rights and interests in Axis dominated territories and which can be used in broadcasts to such territories at a time when there is a tendency for such transfers to increase.

WINANT

³ Nigel Bruce Ronald, British Acting Assistant Under Secretary for Foreign Affairs.

⁴ John Maynard Keynes, Economic Adviser to the British Government.

⁵ Sigismund Waley, Under Secretary, British Treasury.

⁶ Presumably Arthur Ronald Fraser, Assistant Secretary, British Board of Trade.

740.00113 European War 1939/439 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, July 27, 1942—9 p. m.

[Received July 27—7:05 p. m.]

4181. Referring to your 3400, July 22, midnight and Embassy's 4155, July 25, 5 p. m. A [*In?*] further informal conversation with Ronald, the Embassy observer at last Friday's meeting concerning transfers of property rights and interests in Axis dominated areas was shown a first tentative draft of a brief memorandum to be given to the Russian Embassy, outlining the proposed declaration. It takes note of the Soviet Government's position with respect to private property and emphasizes that the declaration applies fully to public as well as to private property.

It is intended that when Under Secretary Law⁷ presents this memorandum he shall inquire whether the Soviet Government wishes to be associated with the proposed declaration, and whether it has any suggestions to make regarding the question which of the United Nations should be associated with the declaration or whether all of them should join in it, and whether an approach should be made to China.

The Foreign Office agrees with the Treasury in favoring a joint declaration by those of the United Nations to whom the matter is of importance and who would have occasion to implement it. But they are not in fact rigidly committed on this point and find it extremely difficult to draw a clear distinction on this basis among the United Nations. They would welcome American views on this question.

WINANT

740.00113 European War 1939/438 : Telegram

The Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, July 31, 1942—8 p. m.

3592. Your 4155, July 25, 5 p. m., and 4181, July 27, 9 p. m. Unless you perceive substantial objection to so doing, inform the appropriate British officials that the Department is of the opinion that:

(1) The Chinese should be given as much information as the Russians in regard to the development of a joint declaration to be signed by those United Nations to which the matter is important.

⁷ Richard K. Law, British Parliamentary Under Secretary of State for Foreign Affairs.

(2) The Chinese should be equally consulted with the representatives of the other United Nations in the formulation of the terms of the declaration.

(3) An approach should be made to the Chinese and the Russians in substantially the same terms and at the same time.

The Department will reply later to the final sentence of your 4181, July 27.

HULL

740.00113 European War 1939/444 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, August 1, 1942—9 p. m.
[Received 10:29 p. m.]

4293. Referring to your 3592, July 31, 8 p. m., and Embassy's 4155, July 25, 5 p. m., and 4181, July 27, 9 p. m. The Department's opinion regarding the position of China in the formulation of the joint declaration on transfers of property rights and interests in Axis dominated territories was explained informally to Ronald at the Foreign Office.

No difficulty will arise in regard to British acceptance of the Department's views on Chinese participation. The approach to the Soviet Ambassador, forecast in Embassy's 4155, July 25, 5 p. m., has, however, already been made, but the Foreign Office will now take the matter up again with Maisky.

WINANT

740.00113 European War 1939/439 : Telegram

The Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, August 25, 1942—7 p. m.

4036. Your 4155, July 25, 5 p. m., 4181, July 27, 9 p. m., and 4293, August 1, 9 p. m. It seems to the Department that all of the governments of the United Nations should be urged to join in the declaration in the belief that action by all the United Nations would give importance to the declaration, assure better publicity and in general have a beneficial effect on morale. Moreover, if some nations are omitted, future events may necessitate their subscribing separately to the declaration later. However, it is recognized that the task of getting all the United Nations to join in the declaration might result in unnecessary delays. As a consequence, the Department, while favoring a joint declaration of all the United Nations, is willing to accept the

position of the Foreign Office that the declaration be limited to those of the United Nations to whom the matter is of importance and who would have occasion to implement it.

The Department concurs in the suggestion that it should be a government declaration and not a declaration by Finance Ministers.

As for suggested verbal changes, it is felt that last part of the first paragraph would be improved if it read: ". . . of any description whatsoever which are or have been situated in territory occupied or controlled by Axis powers at any time since such occupation or control whether such transfers have taken the form of open loot and plunder or of purchases legal or apparently legal in form and purporting to be voluntarily effected."

It is also suggested that the second paragraph would be improved if it read: "Neutral Governments are invited to take all possible steps to warn their nationals accordingly."

This Government agrees that it is highly desirable to have such a joint declaration issued and you are authorized to approve such action on behalf of this Government, provided that the two points mentioned above are adequately provided for in the manner suggested or otherwise.

Please cable exact text of the declaration finally agreed upon before its publication in order that arrangements may be made for giving it adequate publicity in this country.

HULL

740.00113 European War 1939/494 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, September 29, 1942—10 p. m.

[Received September 30—3:43 a. m.]

5422. Referring to your 3400, July 22, midnight, 3592, July 31, 8 p. m., and 4036, August 25, 7 p. m. and to Embassy's 4155, July 25, 5 p. m., 4181, July 27, 9 p. m., and 4293, August 1, 9 p. m. A revised draft text of the proposed declaration on the transfer of property rights and interests in territories occupied or controlled by the Axis has now been completed, and will probably be agreed to within a few days by the countries represented at the meetings of Finance Ministers of Allied Governments established in London and the representatives of Great Britain and the British Dominions.

(1) Revised draft text for declaration:

The revised draft text of the proposed declaration is as follows:

"The blank governments and the French National Committee:

"Hereby issue a formal warning to all concerned, and in particular to persons in neutral countries, that they intend to do their utmost

to defeat the methods of dispossession practiced by the Axis powers and their associates against the countries and peoples whom they have so wantonly assaulted and despoiled.

"Accordingly, the governments making this declaration and the French National Committee reserve all their rights to declare invalid any transfers of, or dealings with, property rights and interests of any description whatsoever which are, or have been, situated in the territories which have come under the occupation or control of the Axis powers and their associates, or which belong or have belonged to persons resident in such territories. This warning applies whether such trade or dealings have taken the form of open looting or plunder or of transactions apparently legal in form and purporting to be voluntarily effected.

"The governments making this declaration and the French National Committee solemnly record their solidarity in this matter."

This draft is the result of long informal discussions, followed by a further meeting of Allied Finance Ministers, the appropriate British authorities, and representatives of the British Dominions. In the course of these discussions a number of difficulties arose on matters of detail. For a time a few of the Allied Governments established in London particularly Belgium, requested an extension of the declaration to include a statement of obligation on the part of all signatories to assist each other's nationals to recover their property, rights and interests under reciprocity. There was a danger that such extensions of the declaration would tend to convert it into a treaty and thus cause much delay, and defeat the main purpose of the declaration as defined in the last sentence of Embassy's 4155, July 25, 5 p. m. The Belgian Government was persuaded to withdraw its requests after a general reference to the solidarity of the governments in the matter had been introduced into the last sentence of the revised draft.

The form of the draft declaration has been slightly revised with a view to giving it more forcefulness for propaganda purposes. As regards the points raised in Department's 4036 of August 27 [25], 7 p. m., the first of the two suggestions of the Department, relating to the last part of the first paragraph in the original draft text, has been incorporated in the first sentence of the second paragraph of the present draft text with slight verbal differences. The Department's second suggestion relating to the second paragraph of the original text, has resulted in the elimination from the present draft text of the superfluous phraseology in the original draft text. But the sentence which the Department suggested should constitute the second paragraph, and all but the last word of which had appeared also in the original draft, has now been dropped, together with the warning to neutral governments in the first sentence of the original draft.

The explanation of this change is that the conception in the original draft of addressing the warning to neutral governments came from

British Treasury. But the Foreign Office has since come to the conclusion that not only would no useful purpose be served by warning neutral governments or asking neutral governments to warn their nationals, but that the effect on some of the neutral governments would be distinctly harmful. The Allied Governments in London concur in this view.

Consequently the warning is directed in the revised text "to all concerned and in particular to persons in neutral countries", and not to governments. The declaration will be made known through publication and continual broadcasting. It is thought that in some of the neutral countries the attention of the governments might be drawn informally to the declaration but that in certain cases it may be better even to omit this, depending on the judgment of the British and American diplomatic authorities on the spot.

(2) China. The Foreign Office fully accepted the Department's views on Chinese participation but, as explained in Embassy's 4293 of August 1, 9 p. m., Under Secretary Law had already approached the Soviet Union before Department's 3592 of July 31, 8 p. m. was received here, and had invited Soviet views on an approach to China.

The Foreign Office therefore felt that in these circumstances it was unavoidable that the approach to China should follow the receipt of the Russian reply. After further approaches by the Foreign Office this reply has now been received and the Chinese are being consulted here on the declaration.

(3) Nations joining the declaration. The Department's views expressed in its 4036, August 25, 7 p. m. were explained to the Foreign Office and the other appropriate British authorities. They fully agree that the wider the declaration the better, provided undue delay could be avoided. It was felt, however, that a United Nations declaration would probably not be practicable because not all the United Nations are in identical positions in relation to Japan and it would be undesirable to direct the declaration exclusively against the European members of the Axis.

The Soviet reply, which has now been received, expresses strong approval of the declaration. However, because of its position with reference to Japan, Russia does not wish to join the other powers but will make a separate declaration of its own applying only to the European members of the Axis. This will be issued simultaneously with or shortly after the declaration of the other powers.

The committee at the meeting on September 23rd expressed the wish that the declaration should be made in the first place by the countries ordinarily represented on the Committee of Allied Finance Ministers and British Government authorities together with the United States and China and that provision should be made for other countries that

wished to do so to associate themselves with the declaration later. This would include the following: Belgium, Czechoslovakia, the Fighting French, Greece, the Netherlands, Norway, Poland, Yugoslavia, Great Britain, the British Dominions, the United States and China. The Embassy observer was asked to convey this view to his Government and to express the hope of the committee that it would be acceptable. Foreign Office and Treasury representatives emphasized privately that experience with the declaration has already shown the dangers of prolonged delays resulting from detailed textual discussions among a large number of countries.

Would you please let us know as soon as possible whether the revised draft text is acceptable? Methods of announcing and giving publicity to the text will be taken up by the Foreign Office with us as soon as agreement has been reached on the text.

WINANT

740.00113 European War 1939/494 : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, October 22, 1942—2 p. m.

5213. Your 5422, September 29, 10 p. m. The proposed text has the approval of the Department and other interested agencies in Washington. It is felt, however, that it would be highly desirable to have Russia join in making this declaration rather than to make a separate declaration of its own. It is suggested that by a slight change of the text the Russian objections to joining with the other powers in issuing a joint statement might be avoided. The Soviet position with reference to Japan might be taken care of, if the phrase "the Axis powers and their associates" as used in the second and third paragraphs of the quoted portions of your telegram under reference were deleted and the phrase "the governments with which the signatories are at war" were inserted in each instance in lieu thereof. If the suggested changes do not satisfy the position of the Russians and that Government insists on a separate declaration, then the Department sees no reason for making any changes in the text. The Department suggests that this matter be taken up with the appropriate authorities as soon as possible and that it be advised of any developments.

Please inform the Department in advance of the date when the declaration will be issued and of any changes of the text as quoted in the telegram under reference, so that adequate provision may be made for its receiving due publicity in this country.

HULL

740.00113 European War 1939/545 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, November 7, 1942—11 p. m.

[Received November 8—1:13 a. m.]

6268. Referring to Department's 5213, October 22, 2 p. m., and Embassy's 5422, September 29, 10 p. m. The Foreign Office have accepted the Department's suggestion, Department's 5213, October 22, 2 p. m., with reference to Soviet participation in the declaration on property transfers in Axis dominated territories. Eden, through Maisky, has invited Soviet participation in a declaration modified on the lines suggested by the Department.

WINANT

740.00113 European War 1939/555 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, November 21, 1942—9 p. m.

[Received 10:16 p. m.]

6575. Referring to Embassy's 6268, November 7, 11 p. m., and Department's 5213, October 22, 2 p. m. In regard to the proposed declaration on transfers of property in enemy occupied territory, Maisky has informed Eden that if the declaration is amended by the substitution of the words "the governments with which they are at war" for the words "the Axis powers and their associates" the Soviet Government will join in the declaration.

Eden has expressed his appreciation of the suggestion which has removed the difficulties in the way of Soviet participation.

The Chinese Government has not yet replied but the British are hopeful that they will reply favorably.

The Foreign Office will call a meeting shortly to adopt a final text for the declaration and to decide on certain questions of procedure and publicity.

WINANT

740.00113 European War 1939/568 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, December 1, 1942—midnight.

[Received December 2—5 a. m.]

6797. Referring to Embassy's 5422, September 29, 10 p. m., 6268, November 7, 11 p. m., and Department's 5213, October 22, 2 p. m.

A meeting of representatives of the countries concerned was held in the Foreign Office on November 27 to discuss the final form of the declaration regarding transfers of property in enemy dominated territories and the procedure for issuing and giving publicity to the declaration.

1. *Text of the Declaration.*

The text as approved by the meeting is as follows:

"The Governments of South Africa, the United States of America, Australia, Belgium, Canada, China, Czechoslovakia, the United Kingdom, Greece, India, Luxemburg, the Netherlands, New Zealand, Norway, Poland, the USSR, and Yugoslavia:

Hereby issue a formal warning to all concerned, and in particular to persons in neutral countries, that they intend to do their utmost to defeat the methods of dispossession practiced by the governments with which they are at war, *de jure* or *de facto*, against the countries and peoples who have been so wantonly assaulted and despoiled.

Accordingly the governments making this declaration and the French National Committee reserve all their rights to declare invalid any transfers of, or dealings with, property, rights and interests of any description whatsoever which are, or have been, situated in the territories which have come under the occupation or control, direct or indirect, of the governments with which they are at war, *de jure* or *de facto*, or which belong or have belonged, to persons resident in such territories. This warning applies whether such transfers or dealings have taken the form of open looting or plunder, or of transactions apparently legal in form, even when they purport to be voluntarily effected.

The governments making this declaration and the French National Committee solemnly record their solidarity in this matter."

The insertion of the phrase "*de jure* or *de facto*" in the first paragraph and in the second sentence of the second paragraph, was pressed strongly by the Belgian and Dutch representatives. It was only accepted by the meeting on the understanding that if it met with any opposition from the Soviet Union it would be dropped without further discussion. It was learned informally after the meeting that if this phrase is retained the Foreign Office may suggest that it be taken out of the first two paragraphs and that an additional sentence be added on the following lines: "It is immaterial whether the state of war is *de jure* or *de facto*".

The Chinese, through their Chargé d'Affaires, informed Eden before the meeting was held that they would agree to join the declaration but wished to suggest that the following clause be inserted after the words "persons resident in such territories":

"... without prejudice, however, to the liability of the Axis powers and their associates to make compensation for the dispossession of the above mentioned property, rights and interests."

The willingness of China to join the declaration was warmly welcomed at the meeting, but this suggested clause met with no support and was strongly opposed by a number of countries. It was felt that this declaration should not be drawn into the controversial associations connected with the concept of reparations, which should be treated as a separate matter. The suggestion was not pressed by the Chinese representative.

The Soviet and the Chinese representatives both stated that in any case they were required to refer the final draft text to their governments.

The exact designation of each government in the declaration will be communicated later.

2. *Establishment of a Subcommittee of Experts.*

In harmony with the purpose of the declaration as outlined in the last paragraph of Embassy's 4155, July 25, 5 p. m., attempts to introduce detailed legalistic statements into the declaration have been successfully resisted. It was felt, however, that following the declaration some study of the means of subsequently giving effect to it should be undertaken and it was agreed at the meeting on November 27 that a committee of experts should be set up with the following terms of reference:

"To consider the scope of existing legislation of Allied countries under which transfers and dealings of the kinds referred to in the declaration would or could be invalidated; and in this connection to receive and collate information as to the methods adopted by the Axis powers and their associates to secure control of property, rights and interests in Allied territory or belonging to residents in such territory; and to report to the committee as quickly as possible."

The Belgians and Dutch with some support from the Norwegians wished to enlarge the terms of reference and require the subcommittee to make recommendations as to the means of implementing the declaration in the various countries. It was, however, decided to restrict the subcommittee's work for the present at least to fact finding, and to consider at a subsequent general meeting what further steps should be taken.

As regards the composition of the subcommittee, H. S. Gregory, Director of the Trading Department, was nominated as chairman and the other members are to be chosen in consultation with the governments concerned. In informal conversation a Foreign Office official said it was expected that the subcommittee would have to be made up on a regional basis, and suggested tentatively that the United States, the Soviet Union, China, and the French National Committee should each nominate one expert and that the following groups should each agree on one expert: Greece and Yugoslavia; Poland and Czechoslo-

vakia; the small western European countries, and the British Dominions.

3. *Procedure for Announcing the Declaration.*

Approval of the final text by the Soviet and Chinese Governments is now awaited. It was agreed that Britain, as the coordinating power, should inform the governments making the declaration 72 hours before it is made. It is likely that Eden will make the announcement in the House of Commons as nearly as possible to midday. It was agreed also that one day before the declaration is made Great Britain as the coordinating power and in the name of the participating governments should notify the United Nations other than those making the declaration and should invite them to consider marking their adherence to the principles of the declaration. In a subsequent informal conversation a Foreign Office official said he thought this would be done through British Ambassadors and Ministers in the countries concerned.

4. *Guidance to Press and Radio on Interpretation of the Declaration.*

At an earlier stage there was a tendency among some of the Allied Governments to prepare their own interpretations of the proposed declaration for public use after the declaration was made. In some cases these interpretations were not wholly consistent and it was felt strongly by the British that confusion and misunderstanding would result if each country made its own public interpretation without consultation with the others.

At the meeting, therefore, it was agreed that a common interpretative note should be adopted for guidance to the press and radio. The text of the note follows:

"The governments who have today issued this declaration include all the governments of the United Nations who have suffered the invasion of their national territory by brutal and rapacious enemies.

(2) The declaration is being communicated on behalf of the participating governments to the governments of the other United Nations, with an invitation to consider marking their adherence to the principles embodied in the declaration by some pronouncement of their own. The declaration is also being brought to the notice of neutral governments. The governments making the declaration are collaborating to arrange the maximum publicity for it, through the press and by broadcasting.

(3) The declaration is in the form of a general statement of the attitude of the governments concerned towards the acts of dispossession, of whatever nature, which have been, and are being increasingly, practised by the enemy powers in the territories which they have occupied or brought under their control by their successive aggressions against the free peoples of the world. The declaration makes it clear that it applies just as much to transfers and dealings effected in territory under the indirect control of the enemy (such as the

former 'unoccupied zone' in France) as to territory which is under his direct physical control.

(4) In the declaration the participating governments 'reserve all their rights' to declare invalid transfers of or dealings with property, rights, et cetera, which have taken place during the period of enemy occupation or control of the territories in question. It is obviously impossible for a general declaration of this nature to define exactly the action which will require to be taken when victory has been won and the occupation or control of foreign territory by the enemy has been brought to an end. Dispossession has taken many forms and all will require consideration in the light of circumstances which may well vary from country to country. The wording of the declaration, however, clearly covers all forms of looting to which the enemy has resorted. It applies e. g. to the stealing or forced purchase of works of art just as much as to the theft or forced transfer of bearer bonds.

(5) Insofar as transfers or dealings are confined in their scope to the territory of a particular country, the procedure of examination and the decision reached regarding their invalidation will fall to be undertaken by the legitimate government of the country concerned on its return. The declaration marks, however, the solidarity in this important matter of all participating governments, and this means that the governments concerned are mutually pledged to assist one another as may be required, and, in conformity with the dictates of equity, to examine and if necessary invalidate transfers or dealings with property, rights, et cetera, which may extend across national frontiers and require action by two or more governments.

(6) The expression of solidarity between the participating governments also means that they are agreed so far as possible to follow in this matter similar lines of policy, without derogation to their national sovereignty and having regard to the differences prevailing in the various countries. The governments making the declaration have accordingly decided as a first step in this direction to establish a committee of jurists, who will consider the scope and sufficiency of the existing legislation of the Allied countries concerned for the purpose of invalidating transfers or dealings of the nature indicated in the declaration in all proper cases. The committee have also been asked to receive and collect available information upon the methods adopted by the enemy governments and their adherents to lay their hands upon property, rights, et cetera, in the territories which they have occupied or brought under their control. When a report is available from this committee of jurists the whole question will be reviewed by the governments making the declaration. The other governments of the United Nations will be informed of the results of this enquiry."

In the last sentence of paragraph (5) of this note the Norwegians wish to eliminate the word "invalidate" and to substitute the phrase "to implement the invalidation". Further consideration is being given to this proposed change.

5. Recording Particular Points of View of Individual Governments.

In the discussions certain governments have declared their intention to record particular points of view regarding the declaration which

were not accepted at the meetings. Australia desired the adoption of a procedure for multilateral discussions to determine the precise way in which each government would implement the declaration. This was strongly opposed and received no support, but the Australian Government desires to place its view on record. It is understood that Czechoslovakia also wishes to record a statement.

It was felt that the effect of the declaration would be weakened if these special viewpoints were published and it was agreed that they should be recorded in a confidential *procès-verbal*. The statements will be incorporated in the minutes of the meeting of November 27 which will then be taken as constituting the confidential *procès-verbal*. We will send a copy of this to the Department as soon as it is available.⁸

WINANT

740.00113 European War 1939/568 : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, December 11, 1942.

6286. Your 6797, December 1. Your comments are requested regarding the representation of this Government on the subcommittee of experts mentioned in Section 2 of your reference telegram.

If this work is to continue for some time, as seems likely, it might be desirable to send an additional officer to the Legation who would have training in our freezing controls and who could do other work in the Economic Warfare Division. Another possibility, which we should like to discuss with Sommerville,⁹ when he comes, would be to bring Robbins¹⁰ here for a period of training in our controls.

Can you use somebody from your present staff on the subcommittee for the time being (perhaps Spiegel¹¹) with the assistance of information from here regarding the action we have taken to prevent Axis countries from benefiting from forced transfers of property?

HULL

⁸ Minutes of the meeting of November 27 not printed; they were transmitted to the Department with the Ambassador's despatch No. 8390, March 30, 1943, not printed.

⁹ James Somerville, First Secretary of Embassy at London.

¹⁰ Albert H. Robbins, Senior Economic Analyst of Embassy at London.

¹¹ Harold R. Spiegel, Senior Economic Analyst of Embassy at London.

740.00113 European War 1939/583 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, December 15, 1942.

[Received December 15—7:20 p. m.]

7108. Department's 6286, 11th. This matter is being discussed with Riefler¹² and pending a decision we agree that if a meeting of the sub-committee of experts is held before other arrangements for representation are made, Spiegel will act as American representative.

WINANT

740.00113 European War 1939/584 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, December 15, 1942—10 p. m.

[Received December 15—9:27 p. m.]

7121. Embassy's 6797, December 1, 8 p. m. [*midnight*]. The Soviet Ambassador has informed the Foreign Office that his Government prefers that words indicating that "war" means a state of war *de jure* or *de facto* should be omitted from the draft declaration. In accordance with the decision reached at the meeting on November 27 the words "*de jure* or *de facto*", contained in the second and third paragraphs of the draft declaration cabled in Embassy's 6797 of December 1, should therefore be omitted.

The Soviet Government also proposes the insertion of the words "including juridical persons" after the word "persons" in the first sentence of the penultimate paragraph of the draft declaration. The purpose of this proposal is to make it clear that artificial as well as natural persons are covered. The Foreign Office assumes that this was undoubtedly the intention of all the countries concerned and requests therefore that the draft text should be amended accordingly.

WINANT

740.00113 European War 1939/592 : Telegram

The Chargé in the United Kingdom (Matthews) to the Secretary of State

LONDON, December 24, 1942—midnight.

[Received December 25—10:35 a. m.]

7346. Referring to Embassy's 6797, December 1, 8 p. m. [*midnight*] and 7121, December 15, 10 p. m. It is hoped that the declaration on

¹² Winfield Riefler, special representative at London of the Board of Economic Warfare.

transfers of property in enemy occupied territory can be made very early in January. As Parliament will be in a recess at that time it will not be possible for Eden to make the announcement in the House of Commons as originally planned.

In accordance with the agreement reached at the meeting on November 27 (see section 3 of Embassy's 6797, December 15 [1]) the Foreign Office has prepared a draft instruction to British representatives in countries of the United Nations and neutral countries. A brief summary of this instruction follows:

(1) British diplomatic representatives in Brazil, Costa Rica, Cuba, the Dominican Republic, Ethiopia, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, and San Salvador will communicate the declaration at least 24 hours before its publication. They will explain that they have been instructed to do so on behalf of and at the request of all the parties to the declaration and they will express the hope of all the parties that the governments to whom they are making the communication will make some public statement associating themselves with, and expressing willingness to cooperate in giving effect to, the principles of the declaration.

(2) British diplomatic representatives in Afghanistan, the Argentine, Bolivia, Chile, Colombia, Ecuador, Egypt, Iraq, Liberia, Paraguay, Persia, Peru, Portugal, Saudi Arabia, Spain, Sweden, Switzerland, Turkey, Uruguay, and Venezuela will be instructed to communicate the declaration on behalf of, and at the request of, the parties concerned, to the governments in each case as a matter of courtesy and "a titre d'information" as some of their nationals might be affected, but not so long before publication as to incur any risk of premature disclosure and anticipatory reaction by the enemy.

The British diplomatic representatives will also be instructed that the parties to the declaration would prefer that the communication be made as formal as possible, but they will be given discretion as to the form and manner in which they make the communication provided they keep in mind that the main object is to induce the governments concerned to take note of the declaration.

The British diplomatic representatives in the countries covered in both (1) and (2) will all be instructed to inform in advance their colleagues concerned of the action which they propose to take in carrying out their instructions. They will also be given the text of the "note of guidance for the press" (section 4 of Embassy's 6797, December 1) to be used at their discretion.

If the Department has any comments or suggestions on the above it will be appreciated if they can be sent to us as soon as possible.

MATTHEWS

NEGOTIATIONS FOR THE ESTABLISHMENT OF A UNITED NATIONS RELIEF AND REHABILITATION ADMINISTRATION ¹

840.50/412% : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, January 22, 1942—midnight.

[Received January 23—2 p. m.]

327. (a) At the second meeting of the Inter-Allied Council held in London on September 24, last, the Soviet Government made a reservation on the question of the organization of the Inter-Allied Committee on Post-War Relief and also reserved its right to put forth its own proposals at a later date (see penultimate paragraph Embassy's No. 4522, September 25, 1941.²)

(b) On January 13, Mr. Maisky, the Soviet Ambassador, sent Mr. Eden ³ a memorandum covering these proposals. According to Sir Frederick Leith-Ross ⁴ copies were transmitted at that time to the representatives of the Dominions and Allied Governments now domiciled in London, but I received copy from Maisky only last night.

Unfortunately Maisky had not been informed by Leith-Ross of full American participation in work of Committee (Department's telegram 6053, December 29)⁵ by January 13, the date Maisky sent his memorandum to Eden and above-mentioned representatives, despite the fact that Leith-Ross was advised by me on December 30 last.

(c) The text of the Russian memorandum is as follows:

"In view of the fact a number of important problems concerning the economic life saving of post-war Europe will have an international character, it is considered desirable at the present time to create an international organization, and deal with these problems including that of the supply of foodstuffs and raw materials. With this aim in

¹ For previous correspondence regarding plans for post-war relief, see *Foreign Relations*, 1941, vol. III, pp. 85 ff.

² Not printed; for text of the Soviet reservations, see British Cmd. 6315, Misc. No. 3 (1941): *Inter-Allied Meeting Held in London at St. James's Palace on September 24, 1941, Report of Proceedings*, p. 29.

³ Anthony Eden, British Secretary of State for Foreign Affairs.

⁴ Director General, British Ministry of Economic Warfare; Chairman of the Inter-Allied Committee on Post-War Requirements; Chief Economic Adviser to the British Government since 1932.

⁵ *Foreign Relations*, 1941, vol. III, p. 112.

view it is necessary to build up an international organization in the form of an Inter-Allied Committee on Post-War Requirements.

1. The organization of the Inter-Allied Committee. The Inter-Allied Committee for Post-War Requirements shall consist of representatives of all the Allied countries on the basis of equality (Great Britain, Canada, Union of South Africa, Australia, New Zealand, India, the U. S. S. R., Poland, Czechoslovakia, Yugoslavia, Greece, Belgium, Holland, Norway, Luxembourg, Free France). The delegates should be members of the respective governments or authorities to represent them on this Committee. The Inter-Allied Committee on Post-War Requirements shall have a bureau or secretariat for dealing with the day to day business and technicalities work, consisting of four-five persons appointed by the Committee, including one representative of Great Britain, one representative of the U. S. S. R. and two-three representatives of the other countries participating in the Committee.

To facilitate the work of the Inter-Allied Committee on Post-War Requirements two permanent commissions of experts shall be formed: (a) a commission of foodstuffs and raw materials, and (b) a commission on transport. The members of these commissions shall be experts of all the states concerned.

2. The tasks of the Inter-Allied Committee on Post-War Requirements.

(1) The preparation of estimates concerning the requirements in food and raw materials of all the countries occupied and robbed by Hitlerite Germany and her European accomplices.

(2) The preparation of estimates of resources in food and raw materials of those countries united by the Inter-Allied Committee on Post War Requirements, the United States of America and other countries, which can be used to meet the requirements in food and raw materials of countries occupied and robbed by Hitlerite Germany and her European satellites.

(3) The allocation of foodstuffs and raw materials among the various countries by the establishment of corresponding quotas.

(4) The finding of ways and means to facilitate the purchase of foodstuffs and raw materials by the countries which experienced especially severe suffering from Hitler's aggression and robbery, with the recommendation of credits, loans, et cetera.

(5) The study of prices of foodstuffs and raw materials and the elaboration of various measures to bring into accord the policy of prices in the various countries in order to combat speculation on the post-war needs of those countries which have suffered from Hitler's aggression. The purchase and sale of foodstuffs and raw materials, however, should not come within the province of the Inter-Allied Committee on Post-War Requirements.

3. The legal status of the Inter-Allied Committee on Post-War Requirements and the procedure for taking decisions:

(1) All decisions of the Inter-Allied Committee on Post-War Requirements shall be taken by the unanimous vote of all the representatives taking part in the proceedings.

(2) All decisions taken by the Inter-Allied Committee shall come into force only after endorsement by the respective governments."

1. A careful study of this document forces one to the conclusion that the language delegating authority is not limited to exploration only, but might be interpreted as a grant of authority to act.

2. Representation under it was evidently based on the assumption that the United States was not officially a participant. The arrangement would give undue influence to Russia through military-geographical factors which might result in pressure on refugee governments. The only reference to the United States in the memorandum is as a source of food and raw materials.

3. Sections 1 and 2 cover larger problem of post-war reconstruction as well as provision for immediate post-war relief.

If this were undertaken it might lead to conflict with other long-term post-war planning and supply organizations and divert the committee from its present task of estimating post-war relief needs.

A danger, as Leith-Ross suggested, was that to establish permanent inter-allied commissions on foodstuffs, raw materials and transport as outlined in paragraph 1 (a) and 1 (b) might lead to such bodies trying "to obtain a vested interest as a result of their activities and to claim to constitute final form for inter-allied control in these fields." He added that until some approximation has been made as to the magnitude of European requirements and there have been Anglo-American discussions about most appropriate lines of organization, it would be undesirable to set up permanent commissions.

Also it is quite possible that some Latin-American states will be able to make a substantial supply contribution. If so, they should be represented, and likewise China.

4. Section 2 (2) of the memorandum are restricted to countries occupied by Axis forces. This excludes entirely possible Far Eastern requirements, ignores any post-war needs of U. K. and neutral European states and enemy countries.

Not only do these omissions render problematical any comprehensive shipping plans and allocations but the omissions conflict with Prime Minister's declaration of August 1940 (Embassy's despatch 5828, August 21, 1940)⁶ and fourth article Atlantic Charter⁷ stipulating no difference with respect to relief between victor and vanquished.

A much more complete and critical analysis can be made of this document. I know that Maisky was not aware that we were represented on the Committee until after he had distributed the document. It falls in line with Eden's suggestion made to the Russians sometime ago that they join in collaborating in the study of post-war planning.

⁶ Despatch not printed; for text of Prime Minister Churchill's declaration of August 20, 1940, see *Parliamentary Debates*, House of Commons, 5th series, vol. 364, col. 1159.

⁷ Department of State Executive Agreement Series No. 236; 55 Stat. (pt. 2) 1603; also printed in *Foreign Relations*, 1941, vol. I, p. 367.

I feel it is rather characteristic of Russian policy to get a wider and more immediate approach to post-war problems and to maneuver to dominate a situation. It is my own opinion that the memorandum was prepared before the Eden-Stalin conversations.⁸ I have asked the Foreign Office to delay taking any action on this matter until the Department has had time to consider it. I would however appreciate an early reply indicating the Department's position.

WINANT

840.48/5325: Telegram

The Secretary of State to the Ambassador in the United Kingdom
(Winant)

WASHINGTON, January 26, 1942—8 p. m.

301. Your 327, January 22, midnight, is under urgent consideration. We hope the Foreign Office will follow your request that no action be taken on this matter until our views have been communicated to it.⁹ We would also welcome any comment the Foreign Office may wish to make.

HULL

840.50/386

The Chargé in the United Kingdom (Matthews) to the Secretary of State

No. 2954

LONDON, February 26, 1942.

[Received March 12.]

SIR: Referring to certain material with respect to the British proposals for a post-war relief organization prepared by the Allied Post-War Requirements Bureau under the direction of Sir Frederick Leith-Ross—the original copies of which were personally delivered by the Ambassador to the Department—I have the honor to transmit six additional copies each of (a) an outline of the proposed post-war relief organization, (b) notes on the collection and distribution of relief supplies in the immediate post-war period,¹⁰ and (c) notes on the preparatory statistical work and estimates of post-war requirements submitted to the Bureau by the Allied Governments.¹⁰

Respectfully yours,

For the Chargé d'Affaires ad interim:

HAROLD SHANTZ

First Secretary of Embassy

⁸ See *Foreign Relations*, 1941, vol. I, pp. 192–205, *passim*.

⁹ The Ambassador reported in telegram No. 410, January 28, midnight: "I have again been assured by Eden that Foreign Office will take no action until we have received your reply." (840.48/5334)

¹⁰ Not printed.

[Enclosure]

*Suggested Outline of Post-War Relief Organization Prepared by
the Allied Post-War Requirements Bureau*

1. Post-war relief will afford the first opportunity for renewed international collaboration and will be a first vital step towards post-war reconstruction; therefore, the principles underlying it should derive from the Atlantic Charter of which it will be the first concrete exposition.

2. The problem to be faced will be one of vast dimensions. The greater part of Europe will emerge from the war denuded of stocks of foodstuffs and raw materials and with few financial resources. Unless steps can be taken rapidly to ensure at least minimum supplies to the the necessitous areas, a process of social disintegration may set in which will create further dangerous political strains. Nor will the problem be confined to Europe; it may equally be necessary to provide relief for countries in the Far East and this will have to be co-ordinated with relief for Europe. Supplies and shipping will require to be allocated on the basis of needs (involving, if necessary, some restriction of goods in short supply); arrangements made to procure the necessary resources and effect their transfer; and effective machinery for control over distribution organised. It appears essential that arrangements should not be left for settlement until an Armistice has been concluded and that plans should be worked out as soon as practicable, revised continually, and be ready for application as soon as hostilities cease.

3. In post-war relief, as in the war, a leading part will naturally and inevitably be taken by the U. S. A., the U. S. S. R. and the British Empire. The United States and the British Empire have a special responsibility in deciding how and in what degree the supplies which Europe is to get should be shared between the nations fairly and on deliberately formulated principles. This is true not solely because the nations of the world will look to them for leadership, nor because of their control of many of the primary resources, but also because with their control of the seas they have the final sanction which can secure an equitable distribution of supplies of foodstuffs and raw materials. But it is very desirable to avoid recourse to sanctions and to secure agreed arrangements on the basis of free co-operation. Moreover, it will be necessary to take full account of political susceptibilities of all the Governments concerned, and particularly of the Soviet Government, which will undoubtedly claim a position of equality with the United States and the British Empire. The different points of view of supplying countries and of countries requiring supplies will also have to be reconciled and a practical plan of action evolved. This is the problem which faces the Governments of the United States and the British Commonwealth.

4. It is clearly desirable that before H. M. Government in the United Kingdom submit to the Allies any statement of policy on this matter, the views of the United States and British Commonwealth Governments on the general principles should be agreed, having regard to the views expressed in the Russian memorandum, and it is hoped that the proposals made here will provide a basis for discussion between the United States and British Governments.

5. Any programme appears naturally to fall into three divisions (though the second and third may, in practice, have to be planned together), viz:—

- (a) Estimation of requirements;
- (b) Ascertainment of sources of supplies and of the conditions on which supplies can be made available;
- (c) Arrangements for acquisition, transport and distribution to consuming countries.

6. *Estimates of Requirements:* The first step is clearly to obtain estimates of requirements. As the result of the Allied meeting on 24th September last, the preparation of these estimates, so far as the Allied Governments are concerned, is in hand. This work has to be done by the Allied authorities concerned and does not require any full-time inter-allied staff. The present small British Bureau will collect and tabulate the estimates of the different Allied Governments. These estimates will have to be completed by some tentative estimates of probable requirements of European neutrals and enemy countries, which are being prepared. The results will then require to be co-ordinated, where necessary, by the Inter-Allied Committee, which will be in the best position to examine the estimates from the inter-allied standpoint, so as to ensure that they are compiled on similar principles. Any estimates drawn up will, no doubt, require constant revision, but it may be hoped that the Allied Governments and Committee will soon be able to present a first estimate of requirements.

7. *Sources of Supply:* When this estimate is available, the next step will be to ascertain the potential sources of supplies and the conditions under which supplies can be made available. For this purpose, contact must be established with the supplying countries and insofar as these are not included among the Allied Powers, a broader organisation will be needed.

8. *International Relief Council:* It is suggested that the political control should be placed in the hands of an international Relief Council whose members would be of ministerial rank. This Council should be set up prior to the coming into force of a general armistice and should have sufficient authority effectively to control imports to and the relief of Europe, China and any other region in which it is decided that relief should be given. The Council would have general responsibility for organising both the procurement of necessary

supplies, by gift or otherwise, and their distribution. At the outset, the Council would consist of representatives of the Allied nations and of such neutral nations as are prepared to contribute to relief and are invited to appoint representatives. It would be appropriate that the President should be an American representative, if the United States agree, and that there should be two vice-Presidents, one from the British Empire and one from the U. S. S. R.

9. *Executive*: This Council will obviously be an unduly large body for practical business and would have to deal only with broad questions of policy. The Council might appoint smaller Advisory Committees for particular purposes, but the detailed work would require to be done by a full-time executive. It is suggested that the Executive should consist of an American Director-General of Relief as Chairman and, say, six members to be in charge of the main branches of relief work. The Executive would be empowered by the Council to settle (subject to such limits as they may lay down) the detailed organisation for each branch. The expenses of administration would be borne jointly by the participating nations, in such proportions as may be agreed.

10. *Bureau or Planning Section*: The Bureau will continue; under the direction of the Inter-Allied Committee, to perform the functions given it by the Allied Resolution of September 24th, 1941, until the Council and Executive have been established. When such an executive has been appointed, it would appoint the Director of the Bureau. The Bureau should then be expanded by the addition of suitably qualified experts of the countries represented on the Council, who would be selected by the Executive and would become the Planning or Intelligence Section. The Bureau, with the present Allied Committee (if it is retained) would be responsible for investigating relief needs and supply possibilities and reporting to the Executive. Recommendations on measures immediately affecting relief should also be made by the Bureau.

11. *Relief Fund*: Since relief needs will outrun the resources of most European nations, the first task of the Executive will be to mobilise as large a flow of resources—in cash and in kind—as possible. It is suggested that it should establish a Relief Fund for this purpose under a Chairman (who might also be Chairman of the Finance Committee—see paragraph 12). The various Governments would have to be approached and asked what they would be prepared to contribute and on what conditions. It is very desirable that all such offers should be centralised through one authority.

12. *Financial Committee*: When information has been obtained as to the supplies likely to be available and the conditions on which they can be obtained, the Executive should set up a Financial Committee, consisting of representatives of the nations primarily concerned with

the financing of relief. This Committee would investigate the claims of each country requiring relief and advise on the allocation of contributions received and estimate the extent of further requirements. It would also advise on the most suitable form of further aid if credits and similar support are to be made available.

13. *Co-ordination of Purchases*: The nations needing supplies will presumably be expected to finance their own requirements so far as possible. In that event, they will probably wish to undertake their own purchasing, and this is reasonable, provided always that their operations do not involve competitive bidding for short supplies. In the case of most, if not all, commodities, the co-ordination of purchasing or, if possible, joint purchasing, will be desirable. If appropriate machinery in the form of an Allied Purchasing Commission or Commissions exists for joint purchasing during the war, it would be preferable to adapt this machinery for co-ordinating relief purchasing under the control of the Relief Council. If adequate machinery is not available or if conditions of extreme scarcity prevail generally or in respect of particular groups of commodities, it will be necessary for the Executive to establish an Allied Food and Supplies Agency or Agencies through which purchasing and control of supplies would be directed. Such an Agency would co-ordinate purchases made by individual countries, which have the necessary resources or can obtain credits, with purchases made by the Relief Organisation on behalf of any countries for which it is acting as the supply authority. Some delicate questions will arise in border-line cases.

14. *Relief Services (Field Organisation)*: The Executive should earmark during the war the nucleus of an administrative section which would be responsible for the organisation of the work in the field when the time comes. Allied relief missions will presumably have to be set up, in conjunction with the national committees of the local Governments, to supervise the distribution of supplies, the organisation of medical relief, the repatriation of displaced peoples, the restoration of communications, the assistance and co-ordination of the work of voluntary organisations and the promotion, as rapidly as possible, of increased production in Europe and the interchange of necessities which in the immediate relief period can only be achieved by an impartial body. It is suggested that there might be a Director of Relief Services, who would draw on the Relief Fund, in accordance with a programme agreed by the Finance Committee. He would also co-ordinate this programme with that of the Red Cross Societies and other voluntary organisations.

15. *Shipping*: Any programme of requirements for post-war Europe will presumably exceed the capacity of available shipping. Maintenance of some form of control over shipping will therefore be indispensable in order to carry the maximum amount of priority sup-

plies and avoid waste of tonnage on inessentials. The problem of shipping control is, however, at a different stage from that of European supply. There has hitherto been no Allied organisation for programming (and at the right stage purchasing) essential supplies for European territories now under Axis control. There is, however, already in existence an Allied pool of tonnage which in principle is world-wide, and is allocated in consultation between representatives of all the main Allied maritime nations. This machinery, already highly developed, is constantly being improved, and could readily be adapted under Allied control from the service of war to post-war programmes, subject to political decisions in that sense. It will be necessary, in any armistice, to provide for the use under Allied control of enemy shipping.

Unless satisfactory arrangements can be made to control the distribution of supplies by freight allocations alone, it may be necessary to maintain in force, for a time at any rate, after the armistice, the machinery now being utilised to enforce the blockade. The machinery would, however, be operated under the control of the Relief Council in the common interest of all, and not as at present unilaterally.

16. *Inland Transport and Communications*: Apart from overseas shipping difficulties, the organisation of internal transport in Europe and in the Far East is likely to present many problems and special arrangements will have to be made (in conjunction with the Relief Services Section) to provide adequate communication with the Missions and to secure repaid [*rapid?*] transit of supplies to necessitous areas.

17. *Publicity*: The mobilisation of resources for relief and the successful progress of the relief action, on which the re-establishment of European co-operation will depend in large measure, will be greatly aided by the provision of full and accurate news of the needs of the situation in Europe, and by publicity for the plans and actions of the relief organisation. Within Europe the widest publication of this information will strengthen the hope that future international collaboration is realisable; beyond Europe, it will stimulate sympathetic interest and assistance and so will hasten the work of restoration. Therefore, the proposed organisation should provide for a Director of Publicity, who would be expected to make full use of the press, radio and film in order to present information on relief work.

18. The above is an outline of the completed Relief Organisation. Naturally, it would not be either necessary or practicable to create it at once; it should be built up by stages as circumstances require. In the first place, there is the present Inter-Allied Committee and Bureau; if and when a broader organisation is agreed, some inter-allied Council and Executive should be created, the Bureau being then expanded into a Planning and Intelligence Section and a nucleus Relief

Services and Financial Section being added; finally, the Purchasing, Shipping and Transport Sections would be built in, utilising existing inter-allied agencies, if possible. A skeleton plan of the organisation proposed is attached.¹¹

3 FEBRUARY, 1942.

840.50/399½ : Telegram

The Chargé in the United Kingdom (Matthews) to the Secretary of State

LONDON, March 14, 1942—10 p. m.

[Received March 14—8:40 p. m.]

1223. Embassy's No. 327, January 22.

1. Leith-Ross has today supplied Embassy with copy of Norwegian Government's reply to Soviet memorandum of January 13.

Essence of reply is that Norwegian Government (*a*) are in full agreement with principles laid down by USSR as to tasks to be undertaken by Inter-Allied Committee, (*b*) agree with proposal to appoint special technical sub-committees, and (*c*) adhere to proposal for the establishment of an Inter-Allied secretariat; in the latter instance Norwegians reserve right to be represented on secretariat.

2. Leith-Ross states both Foreign Office and his Committee are anxious to reply to Soviet memorandum of January 13 just as soon as possible. Such a reply is being held up until viewpoint of pertinent American authorities has been received here. They would therefore greatly appreciate if Embassy could receive prompt word when this may be expected.¹²

MATTHEWS

840.50/392

Memorandum of Conversation, by the Assistant Secretary of State (Acheson)

[WASHINGTON,] April 15, 1942.

Mr. Noel Hall¹³ called at his request. He said that he had two urgent telegrams from Sir Frederick Leith-Ross, to which he wished to reply at the earliest moment.

¹¹ Not printed.

¹² The Department replied in telegram No. 1130, March 18, 11 p. m., that consideration had been delayed pending receipt of memoranda brought by the Ambassador and that it was now hoped to send expression of views in a week or 10 days.

¹³ British Minister.

Sir Frederick Leith-Ross reported that the Dutch Government, through a Mr. Van Stork, was purchasing in the United States and South America supplies of linseed, wheat, lard, and leather which they proposed to hold in stock for post war relief. The Norwegians had sent to South America a Mr. Heede to explore the possibilities of purchasing stocks for post war use. Both Governments had said to Sir Frederick that they had been in touch with the American authorities, who had no objection to these activities. The Belgian authorities had stated to Sir Frederick that they were prepared to stand out against any immediate purchasing, but they could not wait very long if other governments were going to engage in these efforts.

Sir Frederick asks whether it is correct so far as we know that the Dutch or Norwegian Government has been in touch with any American authorities who have acquiesced in their program. I replied that to the best of my knowledge they had not, but that I would inquire further and will let Mr. Hall know.

Sir Frederick Leith-Ross also reported in the telegram that he thought these activities were a plain indication of restlessness because of the lack of progress of the general relief proposals and hoped that progress could be made soon. In informal conversations he gathered from the Dutch and Norwegians that, as a temporary arrangement and pending some definitive settlement of the relief program, the Dutch and Norwegians would be willing either to consult with the British and American Governments before making purchases or to have purchases made for them by some joint buying agency of the British and American Governments, and would also agree that any commodities purchased might be used by the Combined Raw Materials Board, subject to being replaced after the war. He gathered from the Belgians that they would be willing to put the entire matter in the hands of the British and American Governments on the basis of some understanding that supplies purchased would be sent to Europe on a "needs" basis. Sir Frederick believes that the entire matter might be temporarily held if he were able to say to these Governments that the British and American Governments were in consultation on the matter and would shortly make some proposals. He added, however, that he did not wish to make these recommendations unless some elucidation of them could be forthcoming within a reasonably short time.

I told Mr. Noel Hall that I would confer with the Acting Secretary and would get in touch with Mr. Hall as soon thereafter as possible.

DEAN ACHESON

840.48/5563

*Memorandum of Conversation, by the Assistant Secretary of State
(Acheson)*

[WASHINGTON,] April 20, 1942.

Mr. Hall called at his request. He inquired whether we had any message for him to give Sir Frederick Leith-Ross on the subject of the Dutch and Norwegian purchases of commodities for use after the war about which he spoke to me last week. I told Mr. Hall that I had conferred with the Under Secretary upon this matter, who, after discussion with other officers of the Department, had authorized me to reply to Mr. Hall as follows:

First. So far as this Department knew neither the Dutch nor the Norwegians had informed this Government of their intention to purchase or their actual purchases insofar as they had taken place.

Second. The Department regarded such purchasing at the present time as most unfortunate, both because of the confusion which it would introduce into the post-war reconstruction effort and the effect which it would have upon the prices and supplies of materials, many of which were already scarce.

Third. If Sir Frederick thought it advisable, as seemed to be the case, he could say to the Dutch and Norwegians, and any other exiled governments which were considering similar action, that the British and American Governments had under active discussion a proposed organization for post-war relief, which it was hoped would shortly be laid before the other governments.

Fourth. We hoped very shortly to be able to reply to the British inquiry regarding our views on the post-war relief organization.

Mr. Hall stated that this reply would be most helpful and again expressed his hope that we could shortly give the British Government our view.

DEAN ACHESON

840.50/396 : Telegram

*The Ambassador in the United Kingdom (Winant) to the Secretary
of State*

LONDON, May 5, 1942—midnight.

[Received May 5—11:10 p. m.]

2397. For the Secretary, Under Secretary, and Assistant Secretaries concerned. Informal meeting held yesterday about post-war Allied relief plans with Leith-Ross organization. Present were representative of Foreign Office, Riefler,¹⁴ and Steyne¹⁵ from Embassy, and Chief Executive of Leith-Ross staff.

¹⁴ Winfield Riefler, special representative at London of the Board of Economic Warfare.

¹⁵ Alan N. Steyne, Second Secretary of Embassy at London.

Principal subjects under discussion were:

(1) Allied supply pool and desire of Norwegians and Dutch, et cetera, to make immediate purchases of certain basic foodstuffs and clothing supplies on their own apart from pool purchases.

(2) The urgent need for a reply to the Russian note of January 13 last (Embassy's telegram No. 327, January 22).

(3) Selection of chairmen for the proposed technical sub-committees on nutrition, medical services and transport.

(4) Repatriation of individuals who have been transferred by Germans or fled from homes as result of war.

(5) Organization of skeleton field relief service for emergency use in certain coastal areas of Europe which may be reoccupied by Allied forces this year.

The following paragraphs outline the pertinent details of the above:

1. Noel Hall has telegraphed Leith-Ross about his interview with Acheson concerning American attitude towards independent purchase of relief supplies by individual Allied Governments in London, apart from proposed Allied pool purchasing scheme.

Dutch and Norwegians specifically, at the moment, desire to make immediate purchases "on their own" of foodstuffs and clothing, with Yugoslavs and Greeks also prepared to do likewise, latter on rather small scale should Allied purchasing pool not be established shortly.

Views of both British and American Governments coincide with respect to unwisdom of these separate purchases, it is proposed that Leith-Ross together with Riefler and Steyne informally meet Lie, Acting Prime Minister of Norway, and Lamping, Economic Advisor of Netherlands Government, respectively, and jointly state to them the Anglo-American viewpoint possibly also giving each a brief memorandum, the proposed text of which is given in Embassy's telegram No. 2398 dated May 5¹⁶ being sent simultaneously with this message.

Would appreciate confirmation that this proposal is satisfactory just as soon as possible as British desire to present the above memorandum to Norwegians and Dutch this week.

2. Leith-Ross is concerned about delay in replying to Maisky's note of January 13, last, which is being held up awaiting American viewpoint. I have told him that American proposals may be expected shortly. Should it be impossible to have Department's proposals in my hands by beginning of next week, might I suggest cabling me at least Washington's suggestions as to the sort of reply which should be made to Russians. The delay is definitely beginning to be embarrassing to British and other governments in London which are holding up their replies awaiting American views.

¹⁶ *Infra.*

3. The selection of chairmen of proposed technical sub-committees on nutrition, medical services and transport is a matter of some urgency.

[Here follow two paragraphs on suggested selections for chairmanships.]

4. Leith-Ross is making preliminary plans with regard to repatriation of displaced nationals of occupied states and is anxious to receive just as soon as possible American suggestions. I have told him that Department's proposals may be expected shortly.

5. British feel that it is urgent to organize a skeleton field service relief force in case any successful invasion this summer of European territory and penetration inland a considerable distance presents problem of feeding civil population. It may be expected that army would assume this responsibility immediately upon successful occupation but that longer term proposition would be responsibility of Allied Relief Bureau. Norwegian and Dutch Governments here could probably handle organization problems in their own countries, but in France it seems likely task would fall upon Allied Committee.

British therefore feel that at least small scale organization must be established immediately to be prepared for any eventuality and to concert plans in liaison with military.

They therefore would appreciate knowing just as soon as possible American ideas on this subject and to what extent they may expect co-operation and active assistance of United States of America.

6. If Department feels it would be helpful, Leith-Ross would be prepared to go to Washington for short period to discuss these matters. It was expected that I would bring back the American reply to the Russian note and the British relief proposals. We have postponed our answer now more than 2 months and it is difficult for me to give reasonable answers for our failure to reply. I hope you will be able to assist me in this situation.

WINANT

840.50/390½ : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, May 5, 1942.

[Received May 6—8:05 p. m.]

2398. Reference Embassy's telegram No. 2397, May 5. Following is the draft text of the memorandum which it is proposed that we and the British should present to the Dutch and Norwegian representatives at the informal meeting discussed in section 1 of my telegram No. 2397.

"The question of coordinating current purchases by the Allied Governments of supplies for post-war relief purposes in pursuance of the common aim expressed at the meeting at St. James's Palace on

September 24th, that supplies of food, raw materials and articles of prime necessity should be made available for post-war needs to the countries liberated from Nazi oppression, has been a matter of great concern to His Majesty's Government in the United Kingdom.

Since the date of that meeting two events of major importance have occurred: The United States has entered the war and has associated itself fully with the Allied Governments in their work of co-ordinating post-war relief, and the rapid extension of the war in the Far East has materially changed the supply position for a number of important commodities.

The increasing supply difficulties make it essential that the collaboration to which the Allied Governments pledged themselves in the Allied resolution of September 24th should be fully observed in any current activities for the purchase of goods for post-war relief. Hitherto, such collaboration was desirable as a precaution against competitive bidding; it is now essential in order that the danger of hampering the war effort be avoided.

His Majesty's Government have recently consulted the Government of the United States, who state that they were unaware that purchasing for post-war needs was being undertaken by some of the Allied Governments at the present time and express the view that the continuance of such activities is contrary to the best interests of the United States [*sic*] Nations.

The United States Government accordingly trust that the Allied Governments will agree in principle to consult the Anglo-American supply authorities and will coordinate their purchases with these authorities insofar as they may feel it necessary to pursue individually a policy of purchasing. They express the hope, however, that the Allied Governments will suspend their activities for the time being until His Majesty's Government and the United States Government have consulted together, with a view to formulating a programme for the consideration of the Allied Governments. It is the intention of the United States Government, in asking for a suspension of independent Allied action pending such consultation, to proceed as rapidly as possible to discuss the means whereby a common policy and action can be developed in the near future in agreement with the Allied Governments."

WINANT

840.48/5413 : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, May 7, 1942—6 p. m.

1995. Your telegram no. 1223, March 14, and previous. Our consideration of problem of organization for dealing with relief has developed along lines similar to Allied Post-War Requirements Bureau memoranda enclosed with your despatch no. 2954 of February 26 and Soviet memorandum of January 13 summarized in your telegram no. 327 of January 22. We believe we are already in agreement with the essence of the British and Soviet views and have reached following tentative conclusions which you are requested to discuss with Leith-Ross.

1. Proposed organization should be established since it is essential that provision be made for meeting promptly and effectively needs of areas, whether in Europe or elsewhere, liberated from Axis domination before the end of the war, as well as for meeting postwar needs.

2. In order to contribute to unity in war effort and deal effectively with the relief problem, both during and after the war, proposed organization should be based on broad international membership.

3. We propose therefore that a United Nations Relief Council, comparable to the Council proposed by Leith-Ross Bureau, should be established. Members of this Council would be high ranking representatives of all governments which signed United Nations Declaration of January 1,¹⁷ thereby signifying their adherence to Atlantic Charter, including, among others, China, India and in addition all governments which approved resolution adopted at Inter-Allied meeting on September 24, 1941, whereby Inter-Allied Post-War Requirements Committee was established. Although Free French authorities have not yet signed United Nations Declaration, they would be invited to participate as full members of proposed Relief Council. Other friendly governments which have not yet adhered to United Nations Declaration would be invited to participate in Council's work, but after it is established and probably in technical status of observers.

4. In view of its large membership, the proposed Relief Council would be unwieldy either as a policy-making or as an executive agency; it would be essentially a channel of communication with the member governments and a means whereby their views could be made known and discussed.

5. In order to provide the necessary centralization of responsibility and authority as regards both the formulation and the execution of policy, we propose that an Executive Committee or Authority should be established at the same time as the Relief Council. The extent of the powers to be conferred upon this body, the principles under which it should function, the area reserved for reference to the governments represented upon it, its relation to other governments, and its relation to any United Nations or other military authority which may be established in any area, obviously require the most careful thought and discussion among the governments concerned. In order to be effective, this Committee would have to be a small group of officials representing their governments on the Relief Council. It is believed that the representatives of the United States, United Kingdom, Soviet Union, and China should constitute the Executive Committee; whether other countries should also be represented and if so which ones, would have to be very carefully considered in order to avoid offending susceptibilities of the various other governments. The officers of the Relief Council as suggested by the Leith-Ross Bureau, that is, a President.

¹⁷ *Ante*, p. 25.

who would be the United States representative and United Kingdom, Soviet and Chinese representatives might constitute the proposed Executive Committee.

6. Advisory committees, members of which are responsible to their governments, apparently as envisaged by the Leith-Ross Bureau, could be established as needed to assist the Executive Committee in formulating the details of policy regarding such matters as shipping, for example, or finance, or policy problems affecting particular geographic areas; we have in mind that the present Inter-Allied Post-War Requirements Committee in London might be reconstituted as a permanent Advisory Committee on European Relief.

7. It would not be expected that the proposed Executive Committee would deal with the operational details of policy execution. It would be essential therefore to appoint a Director General of Relief Operations as soon as possible after the Relief Council and Executive Committee are established. As the head of a United Nations Relief Bureau, which would be the actual working organization comparable to the so-called Executive envisaged by the Leith-Ross Bureau, the Director-General would be charged under the Executive Committee with responsibility for carrying out all aspects of relief operations. In the interest of economy and efficiency the Bureau would presumably seek the full cooperation of the Red Cross and other private relief agencies. One of the first problems to be dealt with by the Executive Committee and the Council would be the method of providing the funds for establishing this organization.

8. Pending appointment of the Director-General and establishment of the Relief Bureau, we would hope that the Leith-Ross organization in London and the other governments concerned would continue the work which they have so effectively initiated. We would of course be glad to cooperate fully but in this connection it is most essential that the studies which have already been made by the Leith-Ross organization be made available to us promptly.

9. Steps should immediately be taken to obtain the views of the British, Soviet and Chinese Governments. It would be highly desirable if Leith-Ross could come to Washington immediately to participate with us in discussions with representatives of those governments. After agreement with them had been reached the next step would be to call a conference of representatives of all the countries referred to in paragraph 3 above. We should like to have this conference meet in Washington and have the impression that this would be in line with the ideas of Leith-Ross and the British Government.

10. The organization outlined above would of course be integrated with other United Nations organizations to such extent as might be found desirable.

840.50/412½ : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, May 9, 1942—midnight.

[Received May 9—10:55 p. m.]

2532. Embassy's telegrams 2397 and 2398 May 5.

1. Brief informal meeting held last night with Lie, Foreign Minister of Norway, and subsequently with Lamping and Philipse representing Dutch, by Leith-Ross and Steyne, during which their respective postwar relief purchasing plans were reviewed. Representatives of both Governments were orally requested: (a) to make no relief purchases without beforehand consulting with pertinent American or British supply departments, and (b) to suspend temporarily all relief supply purchasing on their own account until Anglo-American relief purchasing proposals were formulated and presented to Allied Nations. An answer has been promised by representatives of both Governments early next week. While request was not welcomed by representatives of either Government, assent, it is felt, may be expected from both.

2. Norwegian Minister particularly pressed the urgent need of his Government to purchase "on its own" small stocks of such foodstuffs and apparel as might be obtainable. He emphasized the increasing criticism to which he and his colleagues are being subjected by their compatriots here—particularly Norwegian seamen who are helping to transport supplies to this country—for their alleged failure to purchase some reserve relief stocks to be held under the control of the Norwegian Government for immediate transport to such regions of Norway as may be liberated. He added that they have recently been placed in a definitely difficult position vis-à-vis their countrymen on this question in the absence of any general Allied relief supply program which they could cite.

Norwegian Minister also expressed dissatisfaction with part which representatives of smaller Allies in London had been permitted to play so far in postwar relief purchasing plans. He said that his Government had the funds to buy and the ships to transport these relief goods. He therefore wanted Norway to be "an active not a sleeping partner" in any relief purchasing program, and added "We are not fighting against the new Germany order merely to go into a new Anglo-American order". It was necessary, he intimated, if his Government was to retain the support of the majority of either free Norwegians or those in occupied Norway, for these people to be convinced that he and his colleagues were actively engaged in arranging for relief supplies. A small reserve stock—he mentioned 2 months' basic relief needs—under direct control of Norwegian Government would be of outstanding as-

sistance in obtaining this support and would convince the Norwegian sailors, armed forces and civilians in the homeland that their Government here was functioning as an active ally with full equality of status.

It was reiterated to Mr. Lie that no pressure was being placed upon his Government which would in any way lessen the full participation of his or any other Allied government in the relief work or the establishment of relief supplies, and that the difficulties facing his Government had the sympathetic understanding of both the British and American authorities. He was again told that all he was being asked to do was to consult with and coordinate any purchases his Government might contemplate being able to make with the pertinent Anglo-American supply authorities, and to suspend temporarily any purchases now being planned until the Anglo-American proposals now being formulated were presented to the other Allies.

3. The Dutch viewpoint was somewhat along the same lines as the Norwegian but it was expressed much less vehemently.

The keen desire of both Governments to possess at least token quantities of relief supplies under their direct control was very apparent. They are undoubtedly up against a real problem which deserves sympathetic consideration.

WINANT

840.50/4124: Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, May 12, 1942—8 p. m.

2091. The Norwegian Prime Minister and the Norwegian Minister to the United States ^{17a} called upon Assistant Secretary Acheson on May 11. In the course of the conversation the Norwegian Minister read a telegram from London, which in effect stated that the British Government objected to the Norwegian Government's placing any further military or civil orders in this country except through the British. It was also stated that this position had the concurrence of Mr. Steyne of the American Embassy. The Norwegian Minister was disturbed by this telegram and believed that it was intended to alter existing lend-lease procedures now used by the Norwegian authorities.

Acheson stated that he believed the Norwegian authorities had misunderstood what was said and that the communication related to the placing of orders in this country and South America by the Norwegians for use after the war. He stated that what he thought was intended was to request the Norwegian authorities not to place such orders until a broad program for the United Nations for postwar

^{17a} Wilhelm Munthe de Morgenstierne.

relief could be worked out and submitted to all the governments concerned, but that, if the Norwegian authorities felt it necessary to take some action prior to that time, they would consult with the British and American purchasing authorities.

Your 2532 of May 9¹⁸ received after the above mentioned interview confirms that the above interpretation of the communication was correct and the Norwegian Legation will be so informed.

HULL

840.50/4124: Telegram

The Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, May 12, 1942.

2097. Your 2397 and 2398, May 5, and 2532, May 9, midnight. Action taken is approved. If memorandum was not left with Norwegians and Dutch but is to be given to them subsequently we suggest that second sentence of last paragraph be changed to read "they express the hope however that the Allied Governments will suspend their activities for the time being until a program has been formulated for the consideration of the United Nations."¹⁹

We recognize urgency of immediate action regarding problems mentioned in your 2397 and will send reply as soon as possible.

HULL

840.50/3911: Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, May 15, 1942—10 p. m.

[Received May 15—9 p. m.]

2693. Department's telegram 1995, May 7, 6 p. m.

1. Last Monday I handed Eden a memorandum embodying the Department's proposals. I personally thought it was a fine statement based on broad and constructive lines. It was both a pleasure and a privilege to forward it. The British are very pleased with it and in general agreement, though they may have some further suggestions to offer. I expect a reply from Eden shortly.

2. Leith-Ross is glad to have the opportunity of going to Washington for the proposed discussions.

¹⁸ Telegram No. 2532 was received on May 9, a Saturday, and was not distributed in the Department until May 11.

¹⁹ The Ambassador reported in telegram No. 2670, May 15, that the joint memorandum had been handed that day to the Norwegians and Dutch, with the text changed as suggested by the Department (840.50/451).

3. Is it the Department's intention when Eden's reply has been received to approach the Chinese and Soviet Governments or is it proposed to do this jointly with the British?

4. It is Leith-Ross's opinion that such preliminary discussions presumably cannot be kept secret and that therefore other Allies, members of the Post-War Requirements Committee, should be notified some time before the Washington meeting. If the Department agrees with this viewpoint the British would welcome as soon as possible its ideas on when and how the other Allies should be informed of the proposed discussions.

5. Leith-Ross is inclined to think that it would smooth the course of future developments if some of the other Allies on Post-War Requirements Committee were to be asked to sit in on the preliminary Washington discussions. He suggested Norway and Holland and possibly Belgium and Poland. They might sit in as observers. I personally particularly like the makeup of the Executive Committee suggested by the Department with membership limited to the United States of America, Great Britain, Russia and China. I also feel that if the Russians could be informed of this at this particular juncture it would have a favorable influence on their relations with us.

WINANT

840.50/399% : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, June 4, 1942—11 p. m.

[Received 11:15 p. m.]

3127. Embassy's 2398, May 5; 2532, May 9; 2670, May 15;²⁰ 2748, May 18;²¹ and Department's 2097, May 12.

1. Dutch and Norwegian Government representatives here are becoming increasingly restive at restraint being temporarily placed upon their desire to make immediate and independent supply purchases for post-war relief use in their respective countries. This situation prevails despite the joint Anglo-American memorandum of May 14.

2. British therefore feel that some statement about coordination of purchasing for post-war needs should be made at a meeting of the Inter-Allied Committee on Post-War Requirements to be held before Leith-Ross departs for Washington.

Leith-Ross therefore proposes to circulate to all the members of Inter-Allied Committee before holding such a meeting a brief "note

²⁰ Telegram No. 2670 not printed, but see footnote 19, p. 108.

²¹ Not printed.

from the Chairman" which would be merely a slightly abbreviated text of the memorandum already handed to Dutch and Norwegians on May 14.

Embassy perceives no objection to this procedure and will assume Department likewise has none unless contrary notification is received. Aforementioned one will probably be circulated early next week.

3. In view of the difficulty being experienced in holding Dutch and Norwegians in line with respect to relief purchases and delay in formulating any concrete program for presentation to Allies, British suggest that purchases might be permitted to Allied Government[s] in London, before decision is reached at proposed Washington meeting, subject to three general conditions. These would be:

(a) That any purchases for post-war relief made before war ends should be effected through official purchasing organizations of either UCS [USA?] or UK and should be subject to such conditions as needs of war effort necessitate. At same time, technical services of these purchasing organizations would be available to purchasing country;

(b) That if any stocks acquired in this manner or already held by Allied Governments for post-war purposes are found to be needed for war purposes, purchasing organizations should have power to take them over under a guarantee of replacement at earliest convenient date;

(c) That when the United Nations relief organization is established it also should have power to call for such stocks should they be needed for relief needs of greater urgency than those of the owning country or if their use would effect an economy in the use of shipping. The same guarantee of replacement as early as possible would apply in this case.

4. If scheme embodying above conditions could be agreed upon by the United Kingdom and the United States Governments in near future it would undoubtedly help to keep Dutch and Norwegians contented. It would not seem to prejudice the position of other countries or the results of the Washington conference. Such a scheme might be held in reserve for use only in case all other Allied Governments showed unanimous or sharp dissatisfaction with request embodied in proposed "note from the Chairman".

If the Department has any objections to above proposal I would appreciate receiving its viewpoint as soon as possible.

WINANT

840.50/388%: Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, June 9, 1942—noon.

2610. Your 3127, June 4. Norwegian Ambassador called at Department a few days ago and expressed concern of his government

regarding suspension of independent relief purchasing pending working out of proposals regarding United Nations organization. He was informed we recognize urgency of matter, are giving it earnest consideration, and hope to be ready to make proposals within a matter of weeks rather than months.

British Embassy has informed Acheson that Leith-Ross is coming here about June 22d. We assume this means that British Government agrees in principle at least to United Nations relief organization outlined in Department's 1995, May 7. Please ascertain if this is correct and report. In order to avoid confusion we have delayed replying to your 2397, May 5; 2480, May 8;²² 2693, May 15 pending receipt of Eden's reply to your memorandum based on Department's 1995. Pending Leith-Ross' arrival here and discussion of details with him we consider it would be confusing and therefore inadvisable to proceed further at this time regarding subcommittees on nutrition, medical services, and transport, and similar organization matters discussed in your 2397 and 2480.

Meanwhile, we agree with action proposed in numbered paragraph 2 of your 3127. Assume you will see and approve statement before it is made. We feel strongly that proposals embodied in numbered paragraph 3 of same telegram should be adopted only as a last resort and that this necessity can best be avoided by making available promptly to the other governments concerned, as envisaged below, our proposals regarding the United Nations organization.

Since action in this field is now a matter of urgency we hope that before Leith-Ross leaves the British government can inform you that it agrees in principle with the approach outlined in our 1995. If so we should like to inform the Russian and Chinese Ambassadors²³ that we have given earnest consideration to the Russian proposals, that we agree on a broadening of the treatment of relief problems and suggest doing so along United Nations lines, and have asked Leith-Ross as Chairman of the Inter-Allied Council to come here to talk over with them and us some suggestions which we are preparing. We should then wish to go over the situation with Leith-Ross and very shortly ask the Russian and Chinese Ambassadors to meet with us. Any conclusions reached would, of course, be on an *ad referendum* basis, but we should hope that the talks could proceed with dispatch and that an agenda for a United Nations meeting could be quickly prepared. It would seem desirable as soon as possible after the four countries have exchanged views and agreement is indicated to inform the Norwegian, Dutch, Belgian and perhaps some other governments of the proposed meeting and begin preparatory work with them.

Please inform the Foreign Office along the above lines.

HULL

²² Telegram No. 2480 not printed.

²³ Maxim Maximovich Litvinov and Hu Shih, respectively.

840.48/5549 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, June 10, 1942—9 p. m.

[Received June 10—6:40 p. m.]

3242. Last night the Parliamentary Under Secretary of State in the Foreign Office ^{23a} handed me an answer to my letter of May 11 enclosing "a memorandum summarizing the viewpoint of the United States Government with respect to the organization of post-war relief." (Your No. 1995, May 7, 6 p. m.)

Your message No. 2610, June 9, noon, reached me this morning. I shall answer it after taking up the subject matter with the Foreign Office.

The text of the British reply follows:

"I thank you for your letter of the 11th May enclosing a memorandum summarizing the viewpoint of the United States Government with respect to the organization of post-war relief.

2. His Majesty's Government in the United Kingdom wholeheartedly welcomes in principle the proposals outlined in the memorandum. The Dominion Governments have been consulted and they too have expressed agreement.

The Government of India, while sharing the view of His Majesty's Government, have added that they have a special interest in the welfare of Indians resident in the territories now occupied by the Japanese.

3. His Majesty's Government in the United Kingdom assume that the proposals of the United States Government are not to be regarded as a rigid plan, and that there is scope for adjustment and modifications in the organization as may be judged expedient.

4. For example, the United States Government have suggested that the Inter-Allied Bureau in London should be maintained as an advisory body. It is felt here that it will be very desirable to give this body as much scope as possible. The United States Government have recognized that the susceptibilities of the Allied Governments need to be taken into account and the establishment of a branch of the relief organization in London would probably be welcome to these Governments. The Government of the Union of South Africa have also informed us that they are in favour of the establishment of such an organization. Moreover, it will probably be found essential, for practical reasons, to handle a considerable part of the executive work relating to European relief from London. For these reasons, it is suggested that a branch of the United Nations Bureau should be set up in London which would deal with the administration of European relief in conjunction with the Allied Committee, and subject to the general control of the Executive Committee in Washington.

5. Meanwhile His Majesty's Government in Canada have noted that in the preliminary draft of the proposed organization submitted by the United States Government no provision is made for Canadian

^{23a} Richard K. Law.

representation on the Executive Committee which it is suggested should be set up. The Canadian Government have accordingly intimated to the United Kingdom Government that, in view of Canada's position as a major supplier of the foodstuffs which will be required, they will probably find it necessary to raise the question of the form of Canadian participation before the proposed organization takes definite shape.

6. We welcome the suggestion that Sir Frederick Leith-Ross might participate in the preliminary discussions to be held at Washington and His Majesty's Government will be prepared to release him for the purpose as soon as may be convenient." Signed Eden.

WINANT

840.50/438 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, June 12, 1942—5 p. m.

[Received June 12—12: 45 p. m.]

3272. In answer to your message 2610, June 9, noon, I took up the subject matter of your memorandum with Eden and also with Leith-Ross. Leith-Ross is planning to leave on the 21st as you suggested by plane. The British are entirely agreeable to postponing discussion of allowing independent purchases by the Dutch and Norwegians until after consulting with you in Washington. Before leaving, Leith-Ross is meeting with the Inter-Allied Committee. He will simply inform them of our interest in the question of postwar relief and say that he has been invited to Washington for consultation. It would be unwise to do less as his journey is bound to be known to the Allied Governments. He will not make any statement in regard to the suggested organization or proposed governmental meetings outlined in your message.

WINANT

840.48/5621

Memorandum of Conversation, by the Secretary of State

[WASHINGTON,] June 30, 1942.

Sir Frederick Leith-Ross, who is in this country to discuss with the officials of this Government the problem of relief of the Allied Nations, came in at his request.

We talked generally about the war and then reached the matter that brought him to Washington. I remarked that I had just stated to the press, in reply to a question, that the discussions would relate to the matter of emergency relief during the war and afterwards during the transition period. I added that Russia, China and others of the

United Nations would probably participate in the conversations with respect to any phase of the matter in which they might feel an interest, but that no specific plans or program have thus far been developed. I said that whenever anything of news value appeared in these discussions, it would promptly be given to the press. I went on to say that Mr. Dean Acheson, Assistant Secretary of State, would preside over the discussions and that certain other Government agencies, such as the Treasury Department, the Board of Economic Warfare, the Agriculture Department, et cetera, would be represented at the meetings.

I then suggested to Sir Frederick that he join Mr. Dean Acheson in a preliminary discussion of the details of the matter in question, which he said he was ready and glad to do.²⁴

C[ORDELL] H[ULL]

811.731/935

*The Secretary of State to the Norwegian Ambassador
(Morgenstierne)*²⁵

The Secretary of State presents his compliments to His Excellency the Ambassador of Norway and has the honor to refer to a conversation on July 1, 1942²⁶ between Mr. Morgenstierne and Mr. Dean Acheson, Assistant Secretary of State, regarding the suspension by the Chief Cable Censor of a number of telegrams establishing credits in Argentina, Brazil, Chile, Mexico and Uruguay on behalf of the Norwegian Shipping and Trade Mission for the purchase of supplies by Norwegian Government agencies.

In accordance with the assurances given by Mr. Acheson, the Chief Cable Censor has now been notified that the Department of State has no objection to the clearance of the cable traffic which was the subject of the conversation referred to above. Mr. Hull understands the traffic in question was cleared by the Censor on the evening of July 1.

Mr. Hull also informs Mr. Morgenstierne that in so far as the Government of the United States is concerned, the Royal Norwegian Government will, of course, have a full and equal voice in any discussions among the United Nations having as their aim the working out of plans for the organization of post-war relief.

In connection with the question of Norwegian participation in discussions of post-war relief problems and the question of the clearance

²⁴ Exploratory conversations were initiated with the British on the basis of a draft agreement of June 19, 1942; for text, see Department of State, *Postwar Foreign Policy Preparation, 1939-1945* (Washington, Government Printing Office, 1949), p. 515.

²⁵ The Norwegian Legation had been raised to the status of Embassy, May 13, 1942.

²⁶ Memorandum of conversation not printed.

of the above-mentioned cable traffic, Mr. Hull understands that Mr. Morgenstierne, on behalf of his Government, has undertaken

First, that until some joint solution for post-war relief problems can be worked out by the United Nations, but in any case for at least a month or so, the Norwegian Government and its agencies will postpone further purchases of supplies for post-war use;

Second, that information regarding the details of the purchase orders which were the subject of the above-mentioned cable traffic and which is now on its way from London will be given to the Department of State when received by the Norwegian Embassy;

Third, that in order that appropriate arrangements may be made with the censorship authorities, no further credits involving Norwegian purchases in any of the American Republics will be opened by the Norwegian Shipping and Trade Mission without prior consultation with the Department of State; and

Fourth, that supplies which have been purchased by the Norwegian Government for post-war use and which are not immediately required for the Norwegian merchant marine or the Norwegian armed forces, will be made available whenever required for the common war effort of the United Nations. In this connection, Mr. Hull has noted that at a meeting of the Inter-Allied Committee on Post-War Requirements held in London on June 17, 1942, Mr. Raeder on behalf of the Norwegian Government expressed his Government's generous willingness to make available at cost price, in the currency paid, any goods acquired, if these are needed for war purposes.

Mr. Hull takes this opportunity to assure Mr. Morgenstierne that the Department of State continues to be ready, whenever requested by the Norwegian Government, to render all possible assistance in the procurement of supplies immediately needed by the Norwegian merchant marine or armed forces.

WASHINGTON, July 3, 1942.

840.50/457 : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, July 9, 1942—4 p. m.

3151. My 3115, 7th.²⁷ On July 1 I asked the Russian and Chinese Ambassadors to come in and told them that we had kept their Governments in mind from the beginning of our consideration of the relief

²⁷ Not printed; it instructed the Ambassador to request Mr. Eden to defer his reply to the Soviet Ambassador for a day or two until the Secretary could talk to the President, which he hoped to do within 36 hours (840.50/391½).

problem; that no definite plans had yet been reached for a program or even a final agenda, everything being purely tentative up to now; that we would let them see every tentative suggestion we reduced to writing and keep them advised of any phase of the conversations. I told them that the first problem would be to assemble the pertinent facts, to discuss and appraise them, and then to consider what concrete program might gradually be developed.

Immediately thereafter Acheson saw the two Ambassadors and told them that the Soviet memorandum, of which Maisky had given you a copy, had much impressed us and that for some time we had been attempting to formulate proposals along similar lines. He said that we had asked Leith-Ross to come here in order to test various ideas we had been developing in the light of his experience with the Inter-Allied Post War Requirements Bureau with a view to formulating proposals for early presentation to the British, Soviet and Chinese Governments. He said that the President would have to pass on the time such proposals could be made but that he hoped, subject to the President's approval, that we would be able to make them shortly. Both Ambassadors said they would be available for conversations at any time.

We have had some preliminary conversations with Leith-Ross and find that his ideas are in general along the same lines as our own. As, however, I have not yet had an opportunity either to consider carefully or to obtain the President's approval of certain of our own suggestions, the discussions with Leith-Ross are purely informal and tentative. He has agreed not to cable the substance of these suggestions to his Government for the time being.

He has shown us the draft *aide-mémoire* which Eden proposes to give in reply to the Soviet memorandum. In view of the circumstances I have described we should be grateful if Eden would replace the third paragraph by something following closely the following lines:

"3. It is understood however that the United States Government has given sympathetic consideration to the Soviet Government's proposals and is now engaged in formulating suggestions, based upon them, for dealing with this whole problem on a wider basis. It has invited Sir Frederick Leith-Ross to go to Washington to give it the benefit of factual information and experience he has obtained through the work of the Inter-Allied Post War Requirements Bureau. It is further understood that the United States Government hope shortly to convey their suggestions to the British, Soviet and Chinese Governments. In expectation of this it would seem that the points of particular application raised in the Soviet Government's memorandum might be left for consideration when the views of the United States Government are made known."

840.50/457: Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, July 10, 1942—midnight.

[Received July 10—7 p. m.]

3829. Your 3151, July 9, 4 p. m. Mr. Eden asked me to tell you that he was very glad to substitute your suggested third paragraph for his third paragraph in the *aide-memoire* which he is giving Maisky on the relief problem. This has been done.

WINANT

840.50/572

Memorandum of Conversation, by the Assistant Secretary of State (Acheson)

[WASHINGTON,] July 14, 1942.

The Russian Ambassador called at my request, made pursuant to the Secretary's direction. I reminded him of the conversation which he had had on July 1 with the Secretary and which was later continued with me, in which the Secretary explained the purpose of Sir Frederick Leith-Ross's visit and assured the Ambassador that he would be kept in touch with the course of those discussions and would be given copies of whatever ideas on the subject we reduced to writing.

The Ambassador remarked that he was most anxious to be kept in touch inasmuch as his Government had not had any reply to the proposal which it had made to the British Government, a copy of which it had given to Mr. Winant.

I replied that, as he would see from what I was about to say, the matter was still in a formulative stage in our minds, and this Government was not yet prepared to make any definitive answer.

I then said that the group within the Department and a few persons from other agencies had for some time been studying the Russian proposals and the whole matter of the desirable international organization for relief purposes. This group had felt the need of hearing directly the experience of the London Committee, particularly as the recent purchases by some of the exiled governments indicated a tendency toward disintegration. We had had several meetings with Sir Frederick Leith-Ross and felt that we understood the situation much better as a result.

I said that on Saturday we had prepared for the Secretary's consideration a memorandum outlining some of the basic principles which we recommended for such an organization and a draft of a paper to show one method of giving these principles concrete form. The Secretary, in accordance with his conversation with the Ambassa-

dor, wished me to go over these papers with the Ambassador and to ask that either he or someone designated by him, after having had a chance to go over the papers, would discuss them with me.

I said that this group, as he would see from the documents, was much impressed with the Soviet position that the organization should be international in character and that it should have a council or group of representatives made up of all of the United Nations and that it should have a small executive or steering committee. We also thought, and believed that this was in accord with the Russian suggestions, that the organization should be prepared to act as well as to plan; that this required some administrative staff. I said that we also realized that there were many difficult problems which would arise out of the relations between the organization and the agencies of the member governments, both in respect to obtaining supplies and their distribution; that these were of such a variety of types that probably only the general principles applicable could be stated in any document, and that the application in particular cases would have to be worked out as activities developed.

I then gave the attached papers to the Ambassador, telling him that I proposed to give similar copies to the Chinese Ambassador and to Sir Frederick Leith-Ross,²⁸ but that at this stage we did not think it desirable to give them to other Governments.

The Ambassador asked whether these papers were a reply to the Soviet memorandum in the nature of a proposal from this Government. I replied that they were not, but that I was giving them to the Ambassador in accordance with the Secretary's assurance that he would be kept fully informed of the progress of our thought and also because we hoped to obtain the benefit of his, as well as the Chinese and British, suggestions and criticisms as we went along.

The Ambassador said that he would read the papers promptly and would let me know whether and when he or someone from the Embassy would discuss the matter with me further.

DEAN ACHESON

[Annex 1]

Memorandum by the Assistant Secretary of State (Acheson) to the Secretary of State

[WASHINGTON,] July 11, 1942.

MR. SECRETARY: I submit for your consideration a draft outline of an international relief organization based upon the Soviet Government's memorandum of January 13, 1942, expanded to take in all the United Nations.

²⁸ Given to the Chinese Ambassador and Sir Frederick Leith-Ross on July 14.

A number of persons have participated in preparing this draft, which I wish to emphasize is tentative and still in the process of consideration by this group. In formulating this draft we have taken into account Sir Frederick Leith-Ross' experience with the Inter-Allied Committee in London. You will observe certain basic points which have emerged from our discussions. These are:

One. Effective measures should be ready and supplies available for the relief of any area as soon as it is freed from Axis oppression.

This should clearly be the first task of any international relief organization.

Two. The relief effort must be a cooperative undertaking.

Every country, including those receiving relief, must do its full share.

Three. Relief should aim at rehabilitation.

It is self-evident that relief should so far as possible avoid the creation of any sense of dependency and should be limited to the transition period until the recipients become self-supporting. It is not contemplated that the proposed organization should attempt to deal with reconstruction and the word "rehabilitation" is used to indicate roughly the extent to which it should go.

Four. It should have a broad international basis.

The United Nations, as such, were not in existence when the Soviet proposal was formulated. Any international organization created now in this field must clearly be based on the United Nations.

Five. The members should have equality of voice.

No other basis would prove acceptable. Provision is accordingly made for a Council, which would be the policy-making body of the organization and which would be composed of one representative from each member government. It would meet perhaps twice a year.

Six. There should be provision for the effective making of decisions.

It is believed that there should be a Policy Committee, composed of representatives of China, the Union of Soviet Socialist Republics, the United Kingdom, and the United States, which should act as the steering committee of the Council, when the latter is in session, and exercise all the Council's powers and functions between sessions. Whether other governments should be represented on the Policy Committee, and if so which, requires careful consideration. It is believed that the problem can best be solved by inviting the participation of other governments on an *ad hoc* basis when action of particular interest to them is discussed.

Seven. The organization should not be too highly centralized.

The overall problem will be vast and there should be provision for co-ordinated but decentralized planning on a regional basis. The facilities and work of the existing Committee in London should be fully utilized.

Eight. Many problems will require technical as well as political consideration.

As suggested in the Soviet proposal, provision should be made for the consideration by experts, who would represent the views of their governments, of problems such as those of supply, finance, agriculture, nutrition, transport, etc.

Nine. There must be effective execution of plans.

The administration of relief should be in the hands of an executive of the highest caliber who should have full power and responsibility, within the limits of available resources and the broad policies laid down by the Council for the carrying out of relief operations. Complete flexibility as to the manner of doing this should be retained so as to permit procurement and distribution either through agencies of the respective governments, or through voluntary agencies, or where necessary through the United Nations organization. In any event the executive should have full knowledge and co-ordinating authority. His staff would be international but he should have complete freedom in selecting it. In view of the major role which the United States will perforce play as a source of supply he should be an American.

Ten. There must be co-ordination of purchasing.

In order to prevent the dislocation of prices and markets through competitive buying and to provide equitable distribution of scarce commodities, all purchases by member governments made outside their own territories during the war for post-war relief should so far as possible be co-ordinated through the proposed organization.

As I indicated above, the attached draft embodying the foregoing ideas is tentative and is still being given study by those who are working on it. At the same time I think it would be useful to have the ideas of the Soviet, British and Chinese Governments while the matter is in this formative stage in our minds. If you have no objection, I propose to make copies available to them and to request their comments. I shall, of course, make clear the tentative nature of the draft, the circumstances of its preparation, and its present status. It is intended as a progress report on our thinking and a basis for comments and not as a definitive statement.

DEAN ACHESON

[Annex 2]

*Relief and Rehabilitation Administration, Draft No. 1,
July 10, 1942*

[This draft not printed. For a revised draft, see *infra*.]

840.50/995

*Relief and Rehabilitation Administration, Draft No. 2,
August 13, 1942*

The Governments whose duly-authorized representatives have subscribed hereto,

Having subscribed to a common program of purposes and principles embodied in the Declaration of January 1, 1942, known as the United Nations Declaration and the Joint Declaration of the President of the United States of America and the Prime Minister of the United Kingdom of Great Britain and Northern Ireland dated August 14, 1941, known as the Atlantic Charter,

Being determined that immediately upon the liberation of any area by their armed forces the population thereof shall receive aid and relief from their sufferings, food, clothing and shelter, aid in the prevention of pestilence and in the recovery of the health of the people, and that preparation and arrangements shall be made for the return of prisoners and exiles to their homes, for the resumption of agricultural and industrial production and the restoration of essential services, to the end that peoples once freed may be preserved and restored to health and strength for the tasks and opportunities of building anew,

Have agreed as follows:

ARTICLE I

There is hereby established the United Nations Relief and Rehabilitation Administration.

1. The Administration shall have power to acquire, hold and convey property, to enter into contracts and undertake obligations, to designate or create agencies and to review the activities of agencies so created, to manage undertakings and in general to perform any legal act appropriate to its objects and purposes.

2. The purposes and functions of the Administration shall be as follows:

(a) To plan, coordinate, administer or arrange for the administration of measures for the relief of victims of war in any area under the control of any of the United Nations through the provision of food, fuel, clothing and other basic necessities, housing facilities, medical and other essential services; and to facilitate in areas receiving relief the production and transportation of these articles and the furnishing of these services so far as necessary to the adequate provision of relief.

(b) To formulate and recommend measures for individual or joint action by any or all of the member governments for the coordination of purchasing, the chartering of ships and other procurement activities in the period following the cessation of hostilities, with a view to integrating the plans and activities of the Administration with the total movement of supplies, and for the purpose of achiev-

ing an equitable distribution of available supplies. The Administration may administer such coordination measures as the member governments authorize.

(c) To formulate and recommend for individual or joint action by the United Nations measures with respect to such related matters, arising out of its experience in planning and performing the work of relief and rehabilitation, as may be proposed by any of the member governments and approved by unanimous vote of the Policy Committee.

ARTICLE II

MEMBERSHIP

The members of the United Nations Relief and Rehabilitation Administration shall be the governments or authorities signatory hereto and such other governments or authorities as may upon application for membership be admitted thereto by action of the Council or the Policy Committee thereof.

ARTICLE III

THE COUNCIL

1. Each member government shall name one representative, and such alternates as may be necessary, upon the Council of the United Nations Relief and Rehabilitation Administration, which shall be the policy-making body of the Administration. The Council shall, for each of its sessions, select one of its members to preside at the session.

2. The Council shall be convened in normal session not less than twice a year by the Policy Committee. It may be convened in special session whenever the Policy Committee shall deem necessary, and shall be convened within thirty days after request therefor by a majority of the members of the Council.

3. The Policy Committee of the Council shall consist of the representatives of China, the Union of Soviet Socialist Republics, the United Kingdom, and the United States of America, with the Director General presiding. Between sessions of the Council it shall exercise all the powers and functions thereof. It shall invite the participation of the representative of any member government at those of its meetings at which action of special interest to such government is discussed.

4. The Council may establish such standing committees as it considers desirable to advise it, and, in intervals between sessions of the Council, to advise the Policy Committee. The members of such committees shall be appointed by the Policy Committee, with the approval of the Council if it be in session, and otherwise subject to its ratification, from members of the Council or alternates nominated for the purpose. Among these committees, the Council may establish regional committees to advise it on the making of plans and formulation

of policy for the relief and rehabilitation of Europe, the Far East and of any other areas where such committees may be found desirable. The regional committees shall normally meet within the area and shall include members of the Council, or their alternates, representing the member governments directly concerned with the problems of relief and rehabilitation in that area. The Regional Committee on European Relief when so constituted shall take over and carry on the work of the Inter-Allied Committee on European Post War Relief established in London on September 24, 1941. For such technical standing committees as may be established, in respect of particular problems such as nutrition, health, agriculture, transport, materials and supplies, repatriation and finance, the members may be members of the Council or alternates nominated because of special competence in their respective fields of work. Should a regional committee so desire, sub-committees of these technical standing committees shall be established to advise the regional committees.

5. The travel and other expenses of members of the Council and its committees shall be borne by the governments which they represent.

ARTICLE IV

THE DIRECTOR GENERAL

1. The executive authority of the United Nations Relief and Rehabilitation Administration shall be in the Director General, who shall be appointed by the Council on the nomination of the Policy Committee.

2. The Director General shall have full power and authority for carrying out relief operations contemplated by Article I, section 2 (a), within the limits of available resources and the broad policies determined by the Council or its Policy Committee. Immediately upon taking office he shall in conjunction with the military and other appropriate authorities of the United Nations prepare plans for the emergency relief of the civilian population in any area occupied by the armed forces of any of the United Nations, arrange for the procurement and assembly of the necessary supplies and create or select the emergency organization required for this purpose. In arranging for the procurement, transportation, and distribution of supplies and services, he and his representatives shall consult and collaborate with the appropriate authorities of the United Nations and shall, wherever practicable, use the facilities made available by such authorities. Foreign voluntary relief agencies may not engage in activity in any area receiving relief from the Administration without the consent and unless subject to the regulation of the Director General.

3. The Director General shall also be responsible for the organization and direction of the functions contemplated by Article I, sections 2 (b) and 2 (c).

4. The Director General shall appoint such Deputy Directors, other officers, expert personnel, and staff, at his headquarters or elsewhere, including the staff of field missions and secretarial and other necessary staff for the Council and its committees, and may delegate to them such of his powers as he may deem appropriate.

5. The Director General shall make periodic reports to the Council covering the progress of the Administration's activities. These reports shall be made public except for such portions as the Director General may consider it necessary, in the interest of the United Nations, to keep confidential until the end of the war.

ARTICLE V

SUPPLIES AND RESOURCES

1. Each member government pledges its full support to the Administration, within the limits of its available resources and subject to the requirements of its constitutional procedure, through contributions of funds, materials, equipment, supplies and services, for use in its own, adjacent or other areas in need, in order to accomplish the purposes of *Article I, section 2 (a)*. All such contributions received by the Administration shall be accounted for.

2. The supplies and resources made available by the member governments shall be kept in review in relation to prospective requirements by the Director General, who shall initiate action with the member governments with a view to assuring additional supplies and resources as may be required.

3. All purchases by any of the member governments, made outside their own territories during the war for relief or rehabilitation purposes, shall be made only after consultation with the Director General, and shall, so far as practicable, be carried out through the appropriate United Nations agency.

ARTICLE VI

ADMINISTRATIVE EXPENSES

The general administrative expenses shall be borne by the member governments in proportion to be determined by the Council. The governmental authority of any territory receiving aid from the Relief and Rehabilitation Administration shall in addition place at the disposal of the Administration any sums required in the currency of that territory for local expenditure in the administration or distribution of such aid.

ARTICLE VII

AMENDMENT

The provisions of this agreement may be amended by unanimous vote of the Policy Committee and two-thirds vote of the Council.

840.50/995

*Memorandum of Conversation, by the Assistant Secretary of State
(Acheson)*

[WASHINGTON,] August 14, 1942.

Mr. Gromyko ²⁹ called at my request, the Ambassador being out of town. I referred to the prior conversations with the Ambassador on the subject of an international relief organization. Mr. Gromyko said that he was familiar with them.

I then told Mr. Gromyko that we had done further work upon the tentative draft which I had given the Ambassador some weeks ago and had made certain changes. These were embodied in Draft No. 2, which I then gave him, explaining that the draft was still tentative and still lacked the approval of the Secretary and the President. It was being given to the Russian, Chinese, and British missions here in accordance with the Secretary's desire that they should be kept in close touch with our thinking upon this subject.

I asked Mr. Gromyko whether the Ambassador had heard anything from Moscow on this subject, to which he replied that he thought not.

DEAN ACHESON

857.24/55a

*The Secretary of State to the Norwegian Ambassador
(Morgenstierne)*³⁰

The Secretary of State presents his compliments to his Excellency the Ambassador of Norway and has the honor to refer to the department's note of July 3, 1942 reciting certain undertakings given by M. Morgenstierne on behalf of his Government in connection with the Norwegian supply program. The first of these related to the temporary postponement of further purchases of supplies by the Royal Norwegian Government for post-war use pending formulation of a broad international relief program. It seems desirable, however, to establish an interim procedure which will enable the Royal Norwegian Government to proceed with its purchasing plans in harmony with the United Nations' procurement of materials necessary to their war effort.

For the attainment of this end, Mr. Hull suggests that in the future all intended purchases of the Royal Norwegian Government should be notified to the appropriate Combined Board before they are under-

²⁹ Andrey Andreyevich Gromyko, Counselor of the Soviet Embassy.

³⁰ Similar notes were sent to the Netherlands Ambassador on August 20, and to the Belgian Ambassador on September 25.

taken. For this purpose it is suggested that the Royal Norwegian Government should notify the State Department (or the appropriate Ministry in London) of all such intended purchases, giving in each case the quantities, grades, desired delivery dates, price limits, and the name of the countries in which such purchases are projected. Following receipt of such notification of intention, the Royal Norwegian Government would be promptly advised of the status of each such commodity in the United Nations' war procurement plans, with a recommendation as to the procedure to be followed.

Mr. Hull assumes that the intended commodity purchases will readily fall into one of three classifications. The first category will include all commodities so vital to the United Nations' war effort and in such short supply that an accumulation for the purpose of creating a post-war stockpile would seriously impair the war effort of the United Nations. In this same classification would fall commodities currently subject to purchase agreements by this Government or the British Government, and likewise commodities concerning which negotiations looking toward purchase agreements are underway or contemplated. It is proposed that the Royal Norwegian Government when informed that a particular commodity desired fell into this classification should agree to a complete abstention from any buying activity. In such cases the United States Government, however, would agree to exert its best efforts, within the limitation of supply conditions then existing, to meet the desired requirements of the Royal Norwegian Government upon the direct application of the Royal Norwegian Government.

The second broad category into which it is presumed commodities would fall would be composed of materials not seriously in short supply but in which the situation is such that this Government or the British Government is actively buying from time to time or contemplates doing so at some future time. It is suggested, therefore, that the Royal Norwegian Government would agree not to enter such markets without the approval of this Government, which on its part would undertake promptly to inform the Royal Norwegian Government of the purchasing method which under the circumstances gave the greatest assurance of the maintenance of an orderly market. This might entail either the consolidation of the intended purchases of the Royal Norwegian Government with purchases of this Government, or it might involve specific acquiescence on the part of this Government in independent action by the Royal Norwegian Government.

Finally, there would remain a limited group of commodities the situation of which would be such that there would appear to be no possible conflict with the war effort if the Royal Norwegian Government were to operate freely. In such cases the Royal Norwegian Government would be promptly so informed.

In order to deal with the matter of existing purchase contracts entered into by the Royal Norwegian Government, it is requested that, in addition to the information which the Norwegian Embassy agreed to supply the Department of State, there should be included a schedule of contracts entered into by the Royal Norwegian Government, which would clearly distinguish between those items and quantities currently held or scheduled for immediate delivery and those items and quantities the contract for which calls for future delivery with, in such cases, the designation of the dates of delivery. In addition, Mr. Hull would appreciate being furnished a schedule of all other commodities and/or quantities which the Royal Norwegian Government desires to purchase in order to complete its presently projected stockpiling program. Where possible, details should be given as to the countries in which such purchases are contemplated and the grades, quantities, etc. of each commodity in which purchases are intended.

The Department of State has reason to believe that the British Government would be glad to cooperate in the arrangement suggested above and is accordingly furnishing it a copy of this note.

In connection with the fourth of the undertakings referred to in Mr. Hull's note of July third, appreciation is again expressed of the generous offer to make available at cost price, in the currency paid, any needed for war purposes. [Here follows information as to some specific commodities the United States Government wished to procure from the Norwegian Government.]

Mr. Hull takes this opportunity to renew his assurances to Mr. Morgenstierne that the Department of State continues to be ready whenever requested by the Royal Norwegian Government to render all possible assistance in the procurement of supplies immediately needed by the Norwegian Merchant Marine or armed forces, and that none of the foregoing suggestions for the establishment of an interim procedure for dealing with the desired purchases of commodities by the Norwegian Government for post-war relief purposes are intended to apply to the procurement of supplies for the immediate needs of the Norwegian Government.

If the suggestions contained in this note meet with the approval of the Royal Norwegian Government, the Department of State will assume the responsibility for securing in future a prompt reply as to status and procedure in the case of any commodity which the Royal Norwegian Government through the Ambassador of Norway informs the Department of its desire to purchase. It is needless to add that in all matters affecting applications by the Royal Norwegian Government concerning purchases for post-war relief identical treatment will be accorded to such applications as to those of any other of the United Nations.

WASHINGTON, August 14, 1942.

840.50/617

*Memorandum of Conversation, by the Assistant Secretary of State
(Berle)*

[WASHINGTON,] August 20, 1942.

The Soviet Ambassador came in to see me at his request. He said that he thought the matters that he wished to take up were in Mr. Acheson's hands, but that he had heard Mr. Acheson had left or was shortly to leave on vacation. If this were not true, of course he would talk to him.

Mr. Acheson's office indicated that he hoped to get away tomorrow for a holiday.

I then said to the Ambassador that if these matters were urgent or could not wait until Mr. Acheson's return, I would be glad to try to see that they were put into proper channels. If, on the other hand, they were not urgent, I thought it would be better to wait and talk to Mr. Acheson upon his return.

The Ambassador thought these things ought to move forward and thereupon stated the situation.

He asked if I was familiar with the draft of the proposed relief organization.

I told him that I had been familiar with the draft up to the time when it was taken over by Mr. Acheson for discussion, as the Ambassador knew, with the British, Soviet and Chinese Governments.

The Ambassador said that his Government had given him a string of questions, which he thereupon gave me. They were:

1. Where was the seat of the organization to be?

I said that I understood this was open. In the earlier discussions we thought that it was not possible to determine this question except in the light of all the circumstances.

2. Where was the Director General to function?

I told him that so far as I knew this also was still open.

3. Was the Director to be chosen from among the members of the four great powers or should he be an outsider?

I said I could not answer this. In the discussions in the earlier phases of it, a full-time Director had been suggested who would be subject to the policy-making functions of the Council. There was nothing to prevent him from being a member of the Council but the American way of thinking contemplated an executive operating under ward.

4. Would the Director sit on the Committee and vote?

I said that unless he were a member of the Committee he probably would not vote.

5. What powers would the Regional Committees have—advisory or active?

I said that I did not know. In earlier discussions we had thought that the disparity of situations would be so great that it would be better to leave that kind of question to the Council at the time. Regional Committees working in highly organized countries might work in one way; a regional organization working in an area which was chaotic might work in still another.

6. Would the Committee heads be elected or appointed?

I said I thought this question was still open.

7. As to the standing committees, what members should be on them?

I said this had been left entirely flexible and discretionary in the draft. But since they were in the nature of technical committees the Council might wish to appoint heads.

8. Should the sub-committees be subordinate to the Central Committees or Regional Committees?

I said I thought they would be subordinate to the Central Committees.

9. How many alternates might the Director General have?

I said this was open.

10. Might the alternates be members of the Council?

I said that we could not determine that. It would depend in part on the kind of people the governments chose to represent them on the Council.

11. Who would determine the sums which might be required of the local governments,—the Regional Committee or the local governments themselves?

I said that this was a new clause to me and I did not undertake to say. Off hand, it was difficult for me to see how any government would give any committee a blank check on its treasury so, presumptively, negotiations with the local governments were indicated.

I then said that before he accepted these answers as final, I wished to check them with Mr. Acheson who was carrying on these discussions; and that I would endeavor to have him advised in this regard as soon as check had been made. I hoped to do this before Mr. Acheson left on his holiday. In view of the fact that Mr. Acheson was actually carrying on the discussions I felt this was essential.

The Ambassador readily agreed.

I said that, in general, one could draft either for a very rigid organization or could draft rather loosely on the theory that no one could quite foresee conditions. I personally thought the latter was true in this case.

The Ambassador said he was somewhat of this mind and that his own view was that all of these questions were, on the face of the draft, open.

He asked whether we had any ideas as to whether the Director General should be from any particular nation.

I said that, in frankness, I should tell him that the British had suggested he be an American. There were some advantages in this from our point of view—among other things increased political support we should derive from the project which was dependent in considerable measure on appropriations from this Government.

Finally, he asked whether the revised draft which had been sent him embodied the British suggestions.

I said he might consider it an American draft. While I understood the British had made some suggestions, it was hoped that everyone would feel free to make them. The draft as it now stood was strictly an exploratory draft of the American Government. I would likewise have this confirmed by Mr. Acheson's office.

I told the Ambassador that in no sense did I wish to interrupt the normal course of discussions with Mr. Acheson's office, but since the Ambassador felt the matter pressed for time and in view of the imminent departure of Mr. Acheson, I was prepared to take it this far and arrange for confirmation.

A. A. B[ERLE], JR.

840.50/617

Memorandum by Assistant Secretary of State Acheson to Assistant Secretary of State Berle

[WASHINGTON,] August 21, 1942.

MR. BERLE: I have been over the questions of the Soviet Ambassador and your answers. I have a few explanatory observations for your consideration in talking with the Ambassador.

1. Where is the seat of the organization to be?

You are right that this is still open. However, in the interdepartmental discussions it has been assumed generally that the first meeting would be held in Washington and that that meeting would establish the seat in Washington.

2. Where is the Director General to function?

This also is open but it has also been assumed in our discussions that he will function from Washington.

3. Is the Director General to be chosen from among the members of the four great powers or should he be an outsider?

While this is not expressly provided for, it has been assumed that the Council would select a full-time official who would not be one of the representatives of the four great powers upon the Council. The British and, I believe, the Russians have suggested that he be an American. We have assumed in our discussions that the Council will select the person whom the President of the United States indicated would be the one most acceptable to him.

4. Would the Director General sit on the (Policy) Committee and vote?

The draft provides that he shall preside over the Policy Committee. This means that he would not vote.

5. What powers would the Regional Committees have, advisory or active?

Article III, paragraph 4 provides that the Regional Committees shall advise the Council and in the intervals between the sessions of the Council shall advise the Policy Committee. It is not contemplated that the Regional Committees shall have administrative functions.

6. Would the Committee heads be elected or appointed?

You are correct that this is still open. I assume however that as a practical matter the Policy Committee would in nominating the Committees designate the chairman.

7. As to the standing committees, what members should be on them?

So far as the Regional Committees are concerned, the draft provides that the Policy Committee shall appoint members of the Council or their alternates representing the member governments directly concerned with problems of relief and rehabilitation in the area. We have construed this to mean that representatives upon the Council of all countries located geographically within the area shall be appointed on the Regional Committee for that area. The Policy Committee has discretion as to including representatives from outside the area whose countries by reason of being suppliers, etc., may be directly concerned.

8. Should the subcommittees be subordinate to the Central Committees or the Regional Committees?

The draft provides in Article III, paragraph 4 "should a Regional Committee so desire, subcommittees of these technical standing committees should be established to advise the Regional Committees." This means, as you told the Ambassador, that the subcommittees report to the Central Standing Committee but they advise the Regional Committees.

9. How many alternates might the Director General have?

I presume that the Ambassador means how many Deputy Directors General may he appoint. There is no limitation.

10. Might the alternates be members of the Council?

I assume that here alternates refers to Deputy Directors General. It was not contemplated in our discussions that a member of the Council would be appointed as a Deputy Director General, but there is nothing to prevent this should it be desired.

11. Who would determine the sums which might be required of the local governments,—the Regional Committee or the local governments themselves?

This, as you told the Ambassador, would have to be worked out between the Director General and the local government, but I think that you are entirely right in saying that the ultimate authority resides and must reside in the local government.

You were also quite correct in informing the Ambassador that both draft #1 and draft #2 are American drafts. While the Interdepartmental Committee has had the benefit of discussions with Sir Frederick Leith-Ross, he has not as yet consulted his government, which is in the same position as the Chinese and Russian Governments in respect to the draft; that is, it has not considered the draft or expressed any governmental opinion upon the provisions.

DEAN ACHESON

840.48/5762

Memorandum of Conversation, by the Secretary of State

[WASHINGTON,] August 22, 1942.

Sir Frederick Leith-Ross called at my suggestion not to discuss any particular business, but merely for an informal exchange of information and ideas generally in relation to the international situation, with special reference to the relief question which brought him to the United States at this time.

In connection with the relief matter, Sir Frederick proceeded to say that the people in the European countries now in German subjugation would be disheartened in carrying on the struggle unless they could get assurances that Great Britain, the United States and other countries would be prepared to furnish relief to them at the end of the war in order to avoid outbreaks of anarchy, et cetera. I remarked that this Government, recalling that four European nations drifted into anarchy following the last World War, naturally assumed that a number of the European countries would follow similar steps at the end of this war unless some substantial measure of relief is furnished to them at the proper time. I added that this Government is closely interested in the avoidance of anarchy in Europe after the war because the effects would be disastrous and far-reaching to this country. I said that this Government, therefore, is definitely interested in dealing with the relief problem in a timely and adequate manner so far as is feasible. Therefore, as he already knew from his meeting with Mr. Acheson, we had been carrying on informal and unofficial conversations with a view to assembling all of the relevant facts in the matter, appraising them, and exchanging views and suggestions relative to the implementation of this relief policy, that no formal conferences have been held and only tentative agreements have constituted the developments to date. I further said that these discussions and exchanges of information would be carried on but there would be no

formal conferences for the purpose of reaching a definite agreement until an appropriate stage of the war has been reached in the judgment of this country, Great Britain and the other United Nations. I added that there should be no publicity given to these discussions at this time.

I made clear to Sir Frederick that at this critical stage of the war and until the crisis had been passed, it would not be feasible or appropriate for this country to enter into formal conferences and definite agreements without serious risk of unfair criticism in the press which would be followed by political opposition and objections, which, although groundless, would nevertheless tend to obstruct the post-war program in its entirety. He seemed to appreciate this phase of the situation.

C[ORDELL] H[ULL]

840.50/605 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, August 23, 1942—midnight.

[Received August 24—5:02 a. m.]

4712. Your airgram message of July 29, 5:45 p. m.³¹ and the memoranda of conversations between Mr. Acheson and the Soviet and Chinese Ambassadors³² together with Relief and Rehabilitation Administration, Draft No. 1, July 10, 1942³³ (Department's instruction no. 1614 of July 22, 1942³¹). These contain all the information which I have received on the progress of the conversations on this matter since Leith-Ross left for the United States.

I have assumed that the relief organization was to be concerned only with relief. This understanding is based on the following statement in the President's last report to Congress on Lend-Lease which designated article 7 as the basis for reconstruction:³⁴

"The Lend-Lease agreements emerging as a factor in the combined effort of the United Nations weave a pattern for peace. These agreements are taking shape as key instruments of national policy, the first of our steps in the direction of an affirmative postwar reconstruction. It is hoped that plans will soon develop for a series of agreements and recommendations for legislation in the fields of commercial policy, money, finance, international investment, and reconstruction."

³¹ Not printed.

³² Memorandum of conversation with the Soviet Ambassador on July 14 printed on p. 117; that with the Chinese Ambassador not printed.

³³ See p. 120.

³⁴ H. Doc. 799, 77th Cong., 2d sess., *Fifth Report to Congress on Lend-Lease Operations for the Period Ended June 11, 1942*, p. 21.

It has been more recently reaffirmed in the Department's message to me 3934, August 19³⁵ in which the following sentence appears: "As the Embassy is aware, article 7 includes substantially the entire subject of postwar economic arrangements". I note, however, that the word "rehabilitation" is added to relief in the new draft of the relief agreement. I would be interested to know the definition given the word in this context.

Although I realize a great deal of thought has been given to this subject I would like to suggest that as a practical matter relief in all probability will be extended to gradually enlarging areas and that there must be coordination between the military authorities, the relief organization and the local authority. This in turn will present two problems which reach beyond the administrative functioning within the area. The first problem is the wider political implications involved in dealing with the local or national authority through which or in collaboration with which you supply the necessities of life to the population. This would apply whether the relief is extended in territory occupied by the armed forces of the United Nations or whether in territory which is not so occupied. You are aware of the misuse of the supplies sent through the Freedman's Aid Society following the Civil War and the accusations made respecting the exertion of political influence in feeding peoples in Europe following the last war. The best safeguard in protecting the political integrity of communities lies in the character of the man you appoint as Director General of Relief. Given the powers and influence, he will inevitably have, the care with which he is selected seems to me of the highest importance.

The second problem is the impact of the authority of the relief organization on other existing Allied control boards. It is fair to assume that the freeing of areas will be gradual and therefore that the Combined Chiefs of Staff, the Combined Raw Materials Board, the Combined Food Board, the Combined Shipping Adjustment Board and other wartime agencies will still be operating and responsible for war measures, allocation of materials and transport to meet military and civilian needs as well as relief needs. Therefore, there must be a recognized procedure through which the Director General of Relief can effectively obtain his needs through these existing agencies.

In considering this procedure, the Russian situation presents a difficulty since under the plan proposed they are to be given a place on the Council and yet have no representation on the United States-British Control Boards. It well may be that they would prefer this situation than to accept for example membership on the Combined Raw Materials Board and thereby be required to pool their raw materials with the British and ourselves.

³⁵ Not printed.

As I explained in the opening paragraph of my message, I am not fully informed on the developments of your planning in the relief field and you may have considered all these questions which occur to me as being an essential part of an effective relief program. I would appreciate your showing this message to the President unless these matters have already been considered, and I would like very much to be kept informed on your thinking on these problems.

WINANT

840.50/724

The Chairman of the Inter-Allied Committee on Post-War Requirements (Leith-Ross) to the Assistant Secretary of State (Acheson)

WASHINGTON, September 3, 1942.

MY DEAR ACHESON:

1. I saw Atherton^{35a} this morning and he told me that the Secretary of State and the Vice-President³⁶ discussed the Draft Agreement with the President yesterday and that the President was interested in the Draft and had wished the discussions to be pursued. I take it that you will now communicate the revised Draft formally to the British, Soviet and Chinese Ambassadors and invite their views upon it.

2. Atherton also handed me a draft statement³⁷ approved by the Secretary of what I could report to the Allied Committee about my conversations here. After reading this statement I told him that it seemed in some respects to be going back on the proposals in Mr. Winant's memorandum of the 11th May.³⁸ However, the last thing that His Majesty's Government wished to do was to cause any embarrassment to the Administration; and if this statement represented the furthest that the Administration felt able to go vis-à-vis the Allied Governments, I should have to make the best of it. But it seemed to me that some of the phrases used would be a cold douche to the Allied Governments and I hoped that I could be free to tone them down so as to take account of the atmosphere in London, provided, of course, that I did not go beyond what was authorised in the draft. I should welcome it if you can send me a message giving me discretion in regard to this.

3. There is one further point which I should like to clear up. When I saw you on the 20th August I mentioned to you that I was being strongly pressed to set up technical Sub-Committees of the Allied Post War Requirements Committee to deal with Nutrition, Medical

^{35a} Ray Atherton, Acting Chief of the Division of European Affairs.

³⁶ Henry A. Wallace.

³⁷ Draft statement not found in Department files. For text of statement delivered at the Third Meeting of the Inter-Allied Committee, October 1, see p. 139.

³⁸ See telegram No. 1995, May 7, 6 p. m., to the Ambassador in the United Kingdom, p. 103, and telegram No. 2693, May 15, 10 p. m., from the Ambassador, p. 108.

Services and Inland Transport in Europe, and that in view of the probable delay in setting up any United Nations Organisation, I felt that I could no longer hold up the appointment of these Sub-Committees, which were needed to carry forward the work on estimates of requirements. I understood that you agreed to this and I have so informed London.

4. I mentioned that we had thought of inviting an American representative to act as Chairman of the Sub-Committee on Nutrition and I mentioned various names. I understood you to say that you would not object to an American Chairman, if that was desired, and that you would ask the Surgeon-General for his views as to possible names. From what I have heard, Dr. Penrose,³⁹ who is in London, would make a very suitable Chairman and would be willing to serve. I should be glad to know whether his nomination would be agreeable to you or whether you have any other suggestion. I understand that the Joint Food Board are interested in this question and I am informing the British member of the Board of the position.

I take the opportunity to bid you farewell and to thank you for all the time and trouble which you have given to these discussions.

Yours sincerely,

F. W. LEITH-ROSS

840.50/709

The Chairman of the Inter-Allied Committee on Post-War Requirements (Leith-Ross) to the Assistant Secretary of State (Acheson)

WASHINGTON, September 4, 1942.

MY DEAR ACHESON: I understand that a note has been prepared in London⁴⁰ on similar lines to that which the Secretary of State recently handed to the Norwegian, Dutch and Belgian Ambassadors⁴¹ regarding the co-ordination of purchases undertaken by these Governments for post war relief.

One qualification which it is suggested to me might be made is that an upper limit should be fixed to any such purchases by administrative action through the Joint Boards. Such a limit, it is thought, might be set at about the level of the Allied Governments own estimate of its requirements for six months. There are, I think, good reasons both in respect of shipping and of supply for some such upper limit since the consequences of disproportionately large stock accumulations might be unfortunate. Could you let me know whether you agree to such an arrangement? If it were to be done administratively no explicit reference in the British note would be made to this limit.

³⁹ Ernest F. Penrose, Special Assistant, American Embassy, London.

⁴⁰ The British note, dated October 20, 1942, was sent to the representatives in London of Belgium, Czechoslovakia, Greece, the Netherlands, Norway, Poland, Luxemburg and Yugoslavia.

⁴¹ See note to the Norwegian Ambassador, August 14, and footnote 30, p. 125.

My Government fully agree with your suggestion that, in order to avoid any possibility of error, the London Supply Departments should notify the U. S. Embassy in London of all applications from the Allied Governments received by them, as well as transmitting them to the British members of the Joint Boards. My Government assume that the State Department will similarly arrange to keep the British Embassy at Washington informed of any applications addressed to the State Department and that no application will be considered by the Joint Boards prior to such notification. It is my understanding that this will be arranged but I should be very grateful to have your confirmation of this.

Yours sincerely,

F. W. LEITH-ROSS

857.24/66

The Norwegian Ambassador (Morgenstierne) to the Secretary of State

The Ambassador of Norway presents his compliments to His Excellency the Secretary of State and has the honor to acknowledge the receipt of the Secretary's note of August 14, 1942, regarding Norwegian supply purchases.

The contents of the Secretary's note have been submitted to the Norwegian Government and the Ambassador has been authorized to reply as follows:

1. The Royal Norwegian Government is willing to accept, as a provisional undertaking, the principles laid down in the Secretary's note of August 14th. The Norwegian Government assumes that it has not been the intention of the appropriate United States Authorities to demand that every specific contract should be submitted beforehand. This would be unfeasible, and could therefore not be accepted. But the Norwegian Government would be willing to inform the Department of State of the approximate quantity of every merchandise the Government desires to buy, and, when possible, from which country the merchandise would be purchased. The Norwegian Government assumes that in cases where consent to a desired purchase has been refused by the United States Government, the reasons will be given and that, when a purchase has been consented to, the collaboration of American authorities with a view to a speedy consummation of the transaction may be counted on. Furthermore, the Royal Government reserves the right, when consent to buy a specific commodity has not been given, to take the matter up again after a reasonable time.

2. A schedule of merchandise already delivered and now in the Government's possession is being prepared by the Ministry of Supplies and will be presented to the Department of State as soon as possible.

[Here follow paragraphs 3 and 4 containing information on specific

commodities the United States Government wished to obtain from the Norwegian Government and which the Norwegian Government wished to obtain from the United States Government.]

In carrying out his Government's instructions to bring the above observations to the knowledge of the United States Government, the Ambassador of Norway has been instructed to point out that the Norwegian Government regards the arrangement as a tentative one. The Royal Government trusts that, as a provisional arrangement, it will prove to be successful, since both Parties will be interested in a mutually satisfactory result. If, however, the Norwegian Government should come to the conclusion that the matter of securing absolutely essential supplies for the hard-trying people of Norway requires other means of solution, the arrangement now contemplated can not be regarded as definitely binding, and the Ambassador will then return to this matter.

WASHINGTON, September 9, 1942.

840.50/605 : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, September 21, 1942—8 p. m.

4584. (1) With reference to instruction No. 1770 of September 8, 1942 ⁴² you may inform Sir Frederick Leith-Ross, in response to his letters of September 3 and 4, 1942 to Mr. Acheson,⁴³ that we approve the following substitution for paragraphs 7 and 8 of the draft statement ⁴⁴ to the Inter-Allied Committee in London proposed by the State Department:

"That he has been informed that while the United States Government appreciates fully the desirability of the early preparations of plans, administration, and the substance for relief,⁴⁵ it does not believe that in the present posture of the war the time has yet come for formal discussion of an agreement looking to these ends."

(2) Answer to your telegram No. 4712 of August 23 will be forwarded soon.

(3) Leith-Ross has suggested Dr. Penrose as chairman of a subcommittee on nutrition of the Inter-Allied Post-war Requirements Committee. Your views would be appreciated on his availability, in view of his other duties.

HULL

⁴² Not printed.

⁴³ The letter of September 4 here referred to was a postscript to the one of September 3, and is not printed.

⁴⁴ See footnote 37, p. 135.

⁴⁵ In telegram No. 4754, September 30, 9 p. m., the foregoing was corrected to read: "plans for the administration and substance of relief." (840.50/687.)

840.50/683 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, September 22, 1942—midnight.

[Received September 22—10 : 30 p. m.]

5300. I have today given Sir Frederick Leith-Ross the information you requested be communicated to him in your 4584, September 21, 8 p. m.

In answering paragraph 3 of this same message, I would very much approve of Penrose serving as chairman of a subcommittee on nutrition of the Inter-Allied Post-War Requirements Committee. He is well qualified in this field.

WINANT

840.50/683 : Telegram

The Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, September 24, 1942—midnight.

4655. Your 5300, September 22, midnight. You may advise Leith-Ross that we have no objection to Penrose serving as Chairman of Nutrition Subcommittee. For your information, we made it clear to Leith-Ross that we were not asking that an American be made chairman of the subcommittee but that we had no objection to an American serving in that capacity if the committee wished it and a qualified man were available.

HULL

840.50/760

*Statement Authorized by the Department of State and Delivered by Sir Frederick Leith-Ross at the Third Meeting of the Inter-Allied Committee on Post-War Requirements, October 1, 1942*⁴⁶

Sir Frederick Leith-Ross is authorised to inform the Allied Committee in London :

1. that he has had a series of informal discussions in Washington with a number of American officials interested in post-war relief for victims of the war; that the purpose of these discussions was to enable the American officials to obtain first-hand information and impressions in regard to the work and experiences of the Allied Committee in London and to be in a position to have definite studies for submission to the President;

⁴⁶ Text from the minutes of the meeting of the Committee transmitted to the Department by the Ambassador in the United Kingdom in his despatch No. 5888, October 6; received October 27.

2. that Sir Frederick Leith-Ross has found that the United States Government is vitally interested in a solution of the relief problem; that the appropriate agencies of the American Government are assembling all possible information in regard to all the factors involved and are studying various suggestions as to how a relief programme could best be implemented;

3. that he has been informed that it is the view of the American Government that all of the United Nations should have a share in the carrying out of the relief programme and should be prepared to contribute on a fair and equitable basis to a relief programme which can be commenced as soon as the aggressors begin to be driven from the occupied countries;

4. that his conversations in the United States have convinced him that the Government of the United States will be prepared to do its fair part in such a programme;

5. that he has been informed that the appropriate officials of the United States Government propose to continue their work and studies in this field with a view to examining plans to meet as many contingencies as possible and to having ready at the proper time proposals to put forward to meet the situation;

6. that the American Government would be glad to consider any studies prepared by other interested Governments;

7. that he has been informed that while the United States Government appreciates fully the desirability of the early preparation of plans for the administration and substance of relief, it does not believe that in the present posture of the war the time has yet come for formal discussion of an agreement looking to these ends;

8. that the timing of definite action will have to depend on the progress of the war and that while the most intensive study of ways and means of meeting various contingencies is desirable, the American Government feels that it is essential that publicity in regard to these studies should be avoided, although no secret need be made of the determination of the United Nations to be fully ready to meet the problem.

840.50/709 : Telegram

*The Acting Secretary of State to the Ambassador in the
United Kingdom (Winant)*

WASHINGTON, October 2, 1942.

4799. Please inform Sir Frederick Leith-Ross that his letter of September 4 relative post-war purchases by Norwegian, Dutch and Belgian Governments has been considered and that the Department agrees consideration must be given to placing overall limit on total stockpile purchases because accumulation of disproportionately large

stocks may cause serious post-war shipping and supply problems. It is believed, however, that the extent of stockpile purchases can best be regulated administratively.

Please advise Sir Frederick Leith-Ross that the British Embassy in Washington will be informed of applications for post-war stockpile purchases and that no application will be referred to the Combined Boards for consideration prior to such notification.

WELLES

840.50/700 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, October 2, 1942—9 p. m.
[Received 9:16 p.m.]

5507. (1) At a meeting of Inter-Allied Committee on Post-War Relief held yesterday afternoon, Leith-Ross presented in general terms some of the impressions he had brought back from his informal consultations with various American officials in Washington. He ably "window-dressed" his statement so that, while it was meagre in specific information, it nevertheless did give the Allied representatives an outline picture of definite interest to them without including any undesirable details.

He closed by frankly admitting that the consultations in United States of America had not led to any proposals which he could put before Committee, and then read statement⁴⁷ prepared by Department and amended in accordance with instructions contained in telegram No. 5484 [4584], dated September 21.

As was to be expected delegates expressed disappointment that Leith-Ross had failed to return with any concrete blueprint of relief plans and particularly stressed need of being in position to broadcast to their compatriots in occupied territories more than a mere statement that relief measures were being planned. His talk, however, was, on the whole, well received by Committee. It had, I think, a useful effect in convincing Allied representatives of vital interest of United States of America in relief planning, its awareness of the urgency of the planning problem and its willingness to assume a fair share of relief burden.

(2) During later round table discussion Leith-Ross availed himself of an appropriate opportunity to explain briefly and off the record that American authorities felt entire attention of American people at present time should be concentrated upon prosecution of war and tasks necessary to achieve victory. Therefore anything that might seem to detract from a full war effort would not be helpful at this

⁴⁷ Of October 1, p. 139.

stage. Informed American opinion, he told Committee, held it would be definitely premature and could result in adverse political repercussions should any grandiose relief plans be even adumbrated now. He felt certain that delegates understood the importance of timing with respect to public opinion and added that there was no lack of a sense of urgency in United States of America official circles in connection with relief planning. When the corner had been turned and final success seemed in the offing, that would be the time, Leith-Ross said, for a concrete and broad relief program to be formulated and given some public announcement. In the meantime Americans were actively engaged in carrying on the necessary preliminary studies and were greatly interested in progress being made here in preparation of relief requirement estimates.

The above report was made by Steyne⁴⁸ who attended the meeting as member of Committee.

Further details concerning discussions at meeting being sent airmail early next week.⁴⁹

WINANT

840.50/758

The Netherlands Ambassador (London) to the Secretary of State

The Ambassador of the Netherlands presents his compliments to the Honorable the Secretary of State and has the honor to refer to the Secretary's note of August 20, 1942, regarding post-war relief.⁵⁰

1. On behalf of the Government of the Netherlands, the Ambassador agrees in principle to the interim procedure as outlined in the above-mentioned note, the purpose of which is at the same time to enable the Netherlands Government to proceed with its purchasing plans and to prevent a conflict with the United Nations procurement of materials necessary to the common war effort.

2. The acceptance in principle of this procedure must be regarded, however, as contingent upon satisfactory consultation between appropriate representatives of the Netherlands and United States Governments with regard to the status of the commodity and the method of acquisition. The Economic, Financial and Shipping Mission of the Kingdom of the Netherlands will act as agent of the Netherlands Government.

3. In acceding to the request of the United States Government, it is furthermore understood that the United States Government will abstain from any action implying or causing the destruction of the identity of stockpiles which have been acquired by the Netherlands Government in pursuance of its four months' relief program.

WASHINGTON, October 23, 1942.

⁴⁸ Alan N. Steyne, Second Secretary of Embassy at London.

⁴⁹ Despatch No. 5888, October 6, not printed.

⁵⁰ See footnote 30, p. 125.

840.50/759 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, October 28, 1942.

[Received October 28—9:14 a. m.]

6009. Embassy's telegram 5757, 15th.⁵¹ At formal meeting yesterday of Inter-Allied Committee Post-War Relief following decisions were taken:

(1) Establishment of advisory sub-committees on (a) nutrition, (b) medical supplies and (c) inland transport approved. It was agreed that respective chairmen of these sub-committees will be (a) Penrose, (b) Melville Mackenzie, and (c) Dr. Hondelink (see section 4 of Embassy's 5751, October 2 [14]).⁵²

(2) Proposal for establishment of advisory sub-committees on (a) raw materials and (b) foodstuffs reconsidered. It was agreed that these two committees should be combined into one committee whose function will be limited to examining estimates presented by Allied countries to assure that they conform to some common base and agreed general principles and to study what part of relief requirements can be met from Europe and estimated tonnage which must be obtained from overseas, communicating latter figure to appropriate Allied shipping authorities. Terms of reference for this proposed combined committee now being drafted for presentation at next meeting Inter-Allied Committee.

(3) Establishment of advisory sub-committees on shipping and population movements deferred indefinitely. Allied Governments requested to prepare for Inter-Allied Bureau memoranda giving such statistical data as they possess concerning population displacements in their respective occupied areas. A small informal committee representing occupied countries will meet shortly to agree upon classification of refugees in connection with preparation of these memoranda.

(4) Steere⁵³ to be appointed chairman of sub-committee on agricultural supplies under technical advisory committee on agriculture as soon as terms of reference for this sub-committee drafted and approved.

(5) Date of next meeting of Inter-Allied Committee not as yet decided.

WINANT

⁵¹ Not printed.

⁵² Not printed; it identified Mackenzie as a high official of the British Ministry of Health, and Hondelink as a Netherlander associated with the railway research service of the British Railways (840.50/730).

⁵³ Loyd V. Steere, Agricultural Attaché of the Embassy at London.

840.50/830a : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, November 13, 1942—midnight.

5695. Personal for the Ambassador. While we were informally given to understand before the end of Leith-Ross' visit that the British Government approved in principle our draft suggestions for a United Nations Relief and Rehabilitation Administration, the development of events may soon make action on this project urgently necessary, and we wish now to ascertain the more definite views of Chinese, British and Soviet governments on the issues of principle both for organization and for action which are presented by our draft. Our plans are still in a tentative and preliminary phase, and further developments wait on the advice of the Soviet, British and Chinese Governments.

You are directed to request as prompt an expression of opinion on our draft as may be convenient. We are considering problems preliminary to its formal consideration, and meanwhile we are actively accumulating reserve lend-lease stocks of needed materials, and in collaboration with the Inter-Allied Committee in London, we are studying what materials will be needed, and what supplies may be available.

Similar telegrams are being sent to Kuibyshev and Chungking.⁵⁴

HULL

840.50/791 : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, November 18, 1942—11 p. m.

5795. Your 6124, November 2.⁵⁵ Department approves Steyne as representative on committee coordinating estimates on requirements.

Work is being pressed forward actively here on a plan for the accumulation of reserves of food, clothing, medical supplies, and other essential materials and equipment that will be needed for relief and rehabilitation purposes as rapidly as territory is liberated from enemy control. There is a prospect that within a few weeks we may start to accumulate reserve stocks for future relief and unforeseen contingencies.

It is recognized that the transatlantic shipping situation will be even tighter when extensive military operations are underway on the continent. Consideration is being given, therefore, to the desirability of

⁵⁴ Similar telegrams sent on the same date to Kuibyshev as No. 575 and to Chungking as No. 1080.

⁵⁵ Not printed.

early shipment of a part of the proposed reserve to points near the areas of prospective need if proper storage and turnover arrangements can be made there and if tonnage can be secured for such early shipment. It will be useful to have the authoritative judgment of the appropriate British Government services regarding the availability of additional storage in the United Kingdom and the feasibility of holding stocks there. If possible the Department and other agencies would like to have for a meeting on November 24 a preliminary report on the possibility of storing early in 1943 fairly large quantities of food-stuffs and perhaps other materials. The details of our proposed program will be furnished as soon as possible as a basis for a definitive report on storage capacity and possible turn-over arrangements in the United Kingdom.

The above information may be given to the appropriate British authorities but should not go further at this time.

In view of the present concentration of work here on the prospective early needs of populations liberated from Axis control during the war, and ways of meeting those needs, it is suggested that you explore with Leith-Ross and other authorities the desirability of a similar emphasis in the works of the Inter-Allied Committee and Bureau during the immediate future, so that the findings in both places can be coordinated and appropriate action taken without delay. Our working committees feel the need of the best possible advice from London regarding prospective local supplies in areas that may be reoccupied, and strictly minimum estimates of what will be needed from abroad to supplement these supplies, bearing in mind the probability that transportation will be very tight and that only the most essential supplies can be delivered for civilian needs while the war continues. It would be helpful if such minimum estimates could be arranged in priority order indicating what should be included in the first shipload, the second shipload, and so forth.

As a guide to action on supplies interdepartmental working committees here have been attempting analyses of the prospective early needs. Their preliminary estimates and their proposals for the accumulation of supplies will be forwarded to you as rapidly as possible so that they may be studied by the Bureau and the various committees working under Leith-Ross.

The emphasis of the work in London to date seems to have been entirely on strictly post-war requirements. While that work must obviously be continued, we believe that Leith-Ross and the Allied governments will also wish to undertake now intensive work along the lines indicated above. Everyone here seems to be agreed that the responsibility and opportunity for relief and rehabilitation will begin as soon as the enemy is driven from populated territory and that there may be a very great need for such work over an increasingly extensive

area before the war is brought to a formal close. You will recall that the draft of the Relief and Rehabilitation Administration (number 2, revised, August 13, 1942) worked out with Leith-Ross last summer would promise aid to the population of any area "immediately upon the liberation" of that area by the armed forces of the United Nations. Furthermore the statement which Leith-Ross was authorized to make to the Inter-Allied Committee in London regarding his discussions here referred to a relief program "which can be commenced as soon as the aggressors begin to be driven from the occupied countries".

HULL

840.50/844 : Telegram

The Chargé in the Soviet Union (Henderson) to the Secretary of State

Moscow, November 20, 1942—9 p. m.
[Received November 20—6:36 p. m.]

480. Department's 575, November 13, 10 p. m., to Kuibyshev.⁵⁶ I mentioned this matter in a conversation with Molotov⁵⁷ this evening, outlined the situation as set forth in the telegram under reference, and stated that my Government would like to have an expression of the opinion of the Soviet Government on the draft as soon as may be convenient.

Molotov said that the Soviet Government was deeply interested in the project, had been giving it careful study, and within the last few days had instructed Litvinov to make certain inquiries with regard to it. He hoped that shortly after the replies to Litvinov's questions had been received, the Soviet Government would be prepared to discuss it.

HENDERSON

840.50/848 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, November 24, 1942—11 a. m.
[Received November 24—8:20 a. m.]

6594. Reference Department's 5795, November 18, 11 p. m.

1. The text of the letter just received from Leith-Ross is being transmitted in a subsequent telegram following immediately.⁵⁸ Leith-

⁵⁶ See footnote 54, p. 144.

⁵⁷ Vyacheslav Mikhailovich Molotov, Soviet People's Commissar for Foreign Affairs.

⁵⁸ Telegram No. 6607, November 24, not printed.

Ross has been in consultation with Food Ministry on storage space and likewise with War Office regarding estimates now being prepared by Allied Bureau covering minimum supplies required immediately after Axis are driven out from occupied territories.

The following explanations are merely comments on Leith-Ross communication.

2. According to Leith-Ross, Ministry of Food does not anticipate any difficulty in storing all non-perishable relief foodstuffs which can be sent to United Kingdom. Ministry, Leith-Ross tells me, anticipates drawing on its foodstuffs stocks to the extent of about 300,000 tons by March 1943. On the other hand, it is stated that the cold storage situation here is fairly tight.

It has been impossible to prepare immediately any worthwhile estimates of storage space available for non-foodstuffs but it is the tentative opinion of British authorities concerned that facilities can be found unless Department has very large quantities in mind, in which case the figures under consideration would be helpful to the storage control people here.

3. With respect to estimates of immediate requirements for occupied areas upon their release from Axis control, the Allied Post-War Requirements Bureau, at request of War Office, is preparing a program of emergency needs. This report should be finished in about a fortnight. It comprises an "iron ration" of 6 weeks; this ration to be the same weight as the army ration but somewhat modified for civilian requirements. A second emergency period is then envisaged of possibly 6 months during which time it is expected that it will be feasible to ship some bulk supplies.

4. According to Leith-Ross, the Food Ministry is of the opinion that food stocks here should be in one pool under one control and one administration for the following:

- (a) Civilian use in United Kingdom
- (b) Military relief in liberated areas
- (c) Civil relief in liberated areas.

With basic arrangements to be jointly worked out by Food Ministry and Combined Boards.

5. Leith-Ross plans to call a meeting of the Committee on Coordination of Estimates of Requirements (see Embassy's 6124, November 2⁵⁹) on November 27 next to suggest to Allied delegates that requirement programs should be prepared in two stages, i. e., a period of about 60 days immediately after liberation of an area from Axis control during which time they must expect that only minimum supplies of a

⁵⁹ Not printed.

limited variety will be available for shipment, and a second period as already described in section 13 [3].

No mention will be made to Allies here of Department's request given in its 5795; Allied delegates on both coordination and nutrition committees will merely be asked to assist in immediate preparation of estimates for their own respective countries for two periods envisaged; the first estimate to be arranged in priority order of shiploads as suggested by Department.

Likewise, estimates of prospective local supplies which seem likely to be found in reoccupied areas will be requested.

6. Leith-Ross has stated in confidence that he is impressing upon British military here the need for giving consideration to the smooth merging of relief control from the hands of the military to civilian authorities by allowing the civilian relief officials to work with military relief officers under latter's instructions in order to provide requisite experience and background, thereby preventing avoidable hitches at transfer period.

7. Leith-Ross has asked me to express his delight at the appointment of Governor Lehman as Director General of Relief⁶⁰ and hopes that he will shortly have time to come to London for a brief visit.

WINANT

840.50/854 : Telegram

The Ambassador in China (Gauss) to the Secretary of State

CHUNGKING, via KARACHI, November 24, 1942—2 p. m.
[Received November 25—1:15 p. m.]

1386. Your 1080, November 13, 10 p. m.,⁶¹ regarding Relief and Rehabilitation Administration. Minister of Foreign Affairs⁶² informed me orally this morning that China is willing to accept the 10 articles of the proposed agreement as they now stand, but makes following suggestions for consideration:

Article 4, paragraph 2. Plan of field operation by the Director General should be subject to agreement of the country concerned. Any differences between the two shall be referred to the Policy Committee for Settlement.

Article 7. The provisions of this agreement may be amended by the majority vote of the Policy Committee and of the Council.

⁶⁰ His appointment was announced on November 21; see telegram No. 5952, November 26, to the Ambassador in the United Kingdom, p. 149.

⁶¹ See footnote 54, p. 144.

⁶² T. V. Soong.

Foreign Minister indicated these are simply suggestions and there is no disposition to insist upon them. In commenting on proposal regarding amendment to article 4 he said that he felt that the country concerned should have the opportunity to approve any plan for that country and also to feel that there could be an appeal from the Director General to the Policy Committee.

As to proposed amendment to article 7 he commented that provision for unanimous consent sometimes leads to difficulty through political trading and provision for unanimity is, therefore, undesirable.

Foreign Minister requests that Chinese Embassy be informed of Chinese attitude and suggestions as first above set out.

GAUSS

840.50/869b : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, November 26, 1942—4 p. m.

5952. Text of White House announcement dated November 21 follows:

"It was announced at the White House today that Governor Herbert H. Lehman of New York will resign as Governor on or about December 3, next in order to become associated with the Department of State as Director of Foreign Relief and Rehabilitation Operations. Governor Lehman will undertake the work of organizing American participation in the activities of the United Nations in furnishing relief and other assistance to the victims of war in areas reoccupied by the forces of the United Nations.

"This is a step in the President's program of mobilizing the available resources of this country in food, clothing, medical supplies and other necessities so that it may make an immediate and effective contribution to joint efforts of the United Nations in the field of relief and rehabilitation. Governor Lehman's appointment assures that this country will play its part in such efforts."

This appointment as the announcement emphasizes does not in any sense represent a change in our approach to the problem of relief and rehabilitation, nor in the program indicated in our 5695.⁶³ Governor Lehman's work will be to plan and prepare this government's share in the United Nations program, and to advise action by this government pending the establishment of the United Nations Administration.

HULL

⁶³ Telegram of November 13, p. 144.

*The British Embassy to the Department of State*⁶⁴

RELIEF AND REHABILITATION ADMINISTRATION

The following are the preliminary views of His Majesty's Government in the United Kingdom on draft No. 2 revised of August 13th, 1942.

1. His Majesty's Government agree with the broad lines of the scheme for the creation of a Relief and Rehabilitation Administration as set out in draft No. 2 revised of August 13th, and they are prepared to cooperate in carrying it into effect, subject to the following points and to any observations that the Soviet Government may wish to make;

2. The preliminary view of the United Kingdom Government was that for reasons of effective administration the balance of advantage lay in confining membership of the Policy Committee to the four great powers. On reflection, however, it is felt that limitation of membership of the Policy Committee in this way would not in practice be conducive to smooth working, since the scheme as a whole would thereby be rendered less acceptable to other important countries whose wholehearted cooperation it will be essential to secure. In particular, the United Kingdom Government consider that Canada, as one of the major potential suppliers of relief goods, has a very strong claim to membership of the Committee, a claim that, on merits, is regarded as carrying greater weight than that of any other country apart from the four great powers. The United Kingdom Government recognise that any enlargement of the Policy Committee should not be such as would be likely to impair the efficient working of the directing machinery, but it is thought that a Committee not exceeding seven members would fulfil this requirement, and this number would enable membership to be accorded to two other countries in addition to Canada. The United Kingdom Government accordingly wish to recommend that the Policy Committee be expanded to include representatives of three countries in addition to the four great powers, and that Canada, as one of these three countries, should be accorded full membership of the Committee.

3. This is the only definite modification which we would suggest in the draft. We note that provision is made for the Constitution of a Regional Committee to deal with European relief and we would again emphasise the importance we attach to giving as much scope as

⁶⁴ Marginal note on the original: "Communicated informally to Mr. Dean Acheson on instructions from the Foreign Office. H. M. Ambassador will communicate formally to Mr. Hull after Russia's views have been received. N. Hall—27th Nov."

possible to this Committee. We hope that a Regional Organisation for the Far East will also be constituted.

4. We take note that the Relief Administration shall, wherever practicable, use the facilities made available by such agencies of the United Nations as shall at the time be in existence, and we understand that it is not intended that the Administration shall set up its own agencies, either for planning or for execution of plans regarding provision of supplies and shipping, except where no suitable agencies of the United Nations are available.

5. We would also reserve the right to move amendments of detail when the stage is reached of submitting this draft agreement to a meeting of the United Nations for acceptance.

6. We feel it important, however, to obtain the views of the other United Nations and particularly of the European Allied Governments on these proposals at the earliest possible date and we would suggest that if the draft is acceptable to the Soviet and Chinese Governments, it should be communicated to the other Governments with a view to their giving it consideration and submitting their observations on it. So far as the European Allied Governments are concerned, the draft could, if the U. S. Government agreed, be communicated by Sir F. Leith Ross to the Allied Committee in London.

7. In this way, the ground could be prepared so that when the United States Government feels it opportune to proceed further, a meeting could be held of the representatives of the four Great Powers, to review the draft in the light of the observations received and subsequently a meeting could be arranged of the United Nations to obtain its general acceptance and to carry it into effect.

855.24/53

*The Belgian Ambassador (Van der Straten-Ponthoz) to the
Secretary of State*

No. 7437

The Belgian Ambassador presents his compliments to the Honorable the Secretary of State. Acting upon instructions from his Government and with reference to this Embassy's note No. 6061, dated October 13th, 1942 ⁶⁵ has the honor to confirm to the Department of State that the Belgian Government has been pleased to note that the interim procedure suggested in the communication of September 25th, 1942 ⁶⁶ enabling the Belgian Government to proceed with its purchasing plans in harmony with the United Nations' procurement of materials necessary to their war effort, is in full conformity with

⁶⁵ Not printed.

⁶⁶ See footnote 30, p. 125.

the principles it has previously followed. Never has the Belgian Government effected any direct purchase in order to accumulate supplies for post-war relief in Belgium. Its negotiations towards this end have been carried on with the full knowledge and approval of the interested Allied Governments. As it is the intention of the Belgian Government to pursue the same policy in the future, the latter is in complete agreement with the procedure outlined in the Department of State's note of September 25th, 1942 and will be glad to co-operate with the American and British Governments along these lines in order to fulfill its program of procurement of commodities for immediate post-war relief.

The Belgian Government avails itself of this opportunity to call the attention of the United States Government to the fact that, in view of immediate post-war relief in Belgium following the liberation of Belgian territory, it is imperative that the necessary stocks of commodities be laid aside—within the limit of possibilities and subject to coordinated action. The Belgian Government intends to follow its program provided that its execution will not hamper the common war effort and in conformity with the procedure outlined by the United States Government. It would be particularly gratified to see the United Nations adopt a solution embodying a common policy in the realm of post-war relief, according to the principles of the Resolution adopted at the Conference held at St. James Palace on September 24th, 1941. In the opinion of the Belgian Government, such policy should be followed if the numerous problems which are bound to arise in the future are to be solved.

WASHINGTON, December 2, 1942.

840.50/863 : Telegram

*The Secretary of State to the Ambassador in the
United Kingdom (Winant)*

WASHINGTON, December 3, 1942—midnight.

6111. Your 6594, November 24, 11 p. m. [a. m.], 6607, November 24,⁶⁷ and 6734, November 28, midnight.⁶⁸ As regards storage, the British response is encouraging and appreciated. The preliminary program of reserve stock purchases here is being sent by pouch for comment by the appropriate British authorities, and the final program, which should be determined within a few days or weeks, will be transmitted to you promptly as a basis for definite response on possible storage and turnover arrangements in the United Kingdom.

⁶⁷ Latter not printed.

⁶⁸ Not printed; it reported that a delegation representing the Belgian, Norwegian and Fighting French members of the Inter-Allied Committee on Post-War Relief had informally called on Leith-Ross and presented proposals relating to plans for immediate relief during period of military operations in Allied territories.

The accumulation and transportation of the proposed stocks will be cleared with the appropriate combined boards in Washington.

As regards the concentration of relief and rehabilitation studies and planning on the requirements of occupied European countries after liberation from Axis control but prior to final termination of the war, the Department would offer the following comments in view of the reply of Sir Frederick Leith-Ross and the information contained in your 6734, November 28, midnight:

1. It is hoped that the authorities of the British Government will be in full agreement with the urgent importance that this Government attaches to having the program now being elaborated by the United Nations concern itself with the relief and rehabilitation of the civilian populations of areas to be liberated from enemy control or domination arising before the end of the war, as well as the problems of the post-war period.

2. The seeming restlessness of the Allied Governments in London represented by the delegation which called on Leith-Ross seems to underscore the importance of launching the proposed United Nations Relief and Rehabilitation Administration as promptly as possible. The Department is making every effort here and in Moscow to secure prompt and favorable response from the Soviet Government to the draft proposal for such Administration.

3. In the meantime, the Department hopes that the Allied Governments in London may be persuaded to turn their attention actively to studies and analyses of the problems and needs in the period of reoccupation by the United Nations, prior to an Armistice, to the preparation of estimates and recommendations with respect to priorities of requirements, and to ways in which their countries can themselves make contributions to the program. If such studies are made by the Allied Governments themselves, as well as by the technical committees, it may be that they will have a sense of participation in a joint effort and that they will not press for individual liaison or other arrangements with the military authorities with respect to relief and rehabilitation of their populations.

4. While sympathizing with the concern of the Governments regarding plans for dealing with the needs of the civilian population of their countries as soon as possible, this Government would consider it unfortunate if a series of separate arrangements were made by those Governments and the military authorities. Pending the establishment of the United Nations Relief and Rehabilitation Administration the Department would strongly prefer that the Allied Governments should discuss their problems and their ideas with the appropriate civilian authorities of the British and American Governments and that discussions with the military regarding the relation of relief and rehabilitation to military control in reoccupied areas should remain in the hands of the civilian authorities of the British and American Governments.

If you see no objection to the line of policy outlined in the numbered paragraphs above, you are requested to discuss these points with Leith-Ross and also, if it seems wise to you, with Mr. Eden and such other officials as may be concerned.

HULL

840.50/854 : Telegram

The Secretary of State to the Ambassador in China (Gauss)

WASHINGTON, December 5, 1942—5 p. m.

1189. Your 1386, November 24, 2 p. m. Chinese Embassy has been advised of the Foreign Minister's views. With respect to his suggestion concerning paragraph 2 of Article IV, we pointed out that the sentence "in arranging for the procurement, transportation and distribution of supplies and services he and his representatives shall consult and collaborate with the appropriate authorities of the United Nations and shall wherever practicable use the facilities made available by such authorities" had been drafted with a view to the wide variety of circumstances which might be encountered in different areas. In the case of China we assumed that the Director General would operate only with the full approval of the Chinese Government. In other areas there might be considerable question as to what government, if any, was in control of the area and in such cases the "appropriate authorities" might be the commanders of the reoccupying forces. For this reason we consider it inadvisable for the draft to be more specific on this point.

We have been given informally to understand that the British Government accepts the proposal in principle. We have had further discussions with the Soviet Government and anticipate an early expression of its views.

HULL

840.50/844 : Telegram

The Secretary of State to the Chargé in the Soviet Union (Henderson)

WASHINGTON, December 5, 1942—6 p. m.

394. Your 480, November 20, 9 p. m.

1. Litvinoff has raised two questions (a) as to whether the Director General would have to obtain approval of the Government concerned before undertaking relief operations in any country and (b) as to whether the Director General would also be a member of the Council. With respect to (a) he was advised that the sentence in Article IV reading "in arranging for the procurement, transportation and distribution of supplies and services he and his representatives shall consult and collaborate with the appropriate authorities of the United Nations and shall wherever practicable use the facilities made available by such authorities" had been phrased with a view to the many different circumstances which would be confronted in many parts of the world. In the case of the Soviet Union we anticipated that all relief would be distributed by agencies of the Soviet Government. In other areas there might be questions as to what Government if any

was in control of the area in question and in such cases the "appropriate authorities" might be the commanders of the reoccupying forces. With respect to (b) he was advised that theoretically there was no reason why the Director General should not be a member of the Policy Committee but that in practice he would need administrative independence, his duties would absorb his full time and he would require different qualifications from the members of the Policy Committee who would be representatives of their Government.

2. The Chinese Government has advised us of its willingness to accept the proposed agreement as it stands. It nevertheless made two suggestions one of which was the same as Litvinoff's point (a) and the other was that the agreement should be amendable by a simple majority vote of the Policy Committee and of the Council.

3. For your strictly confidential information. The preliminary views of the British Government have been received indicating that the broad lines of the proposal are acceptable. The British Government makes one suggestion, that the Policy Committee be expanded to seven members with a view to making the proposal more acceptable to the smaller states. It suggests that Canada as a major potential supplier of relief goods have one of the three additional representatives. The British Government wishes to permit the Soviet Government to express its views before formally communicating to us its own and accordingly nothing should be said to the Soviet authorities concerning the British Government's views other than that it has given us informally to understand that it agrees in principle.

4. If the proposal is acceptable in principle to the Soviet Government we wish to submit a draft to other governments with a view to convening a United Nations conference to discuss the matter at an early date. Please accordingly again ask Molotov for an indication of the Soviet Government's views as soon as possible. I am discussing it again with Litvinoff.

HULL

840.50/890 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, December 9, 1942—8 p. m.

[Received 8:35 p. m.]

6973. I have discussed both with Mr. Eden and Sir Frederick Leith-Ross the substance of the Department's 6111, December 3, midnight, and they are in full agreement. Mr. Eden is again approaching the Russian Government for its reply.

WINANT

840.50/920 : Telegram

The Chargé in the Soviet Union (Henderson) to the Secretary of State

Moscow, December 15, 1942—midnight.

[Received December 16—11:14 a. m.]

538. My 1078, December 10, 11 p. m.,⁶⁹ from Kuibyshev.

1. During my conversation with Molotov this evening I referred to my conversation of December 10 with Vyshinski ⁷⁰ with regard to the draft suggestion for the Relief and Rehabilitation Administration. I said that my Government was hoping to receive an expression of the Soviet attitude with regard to these suggestions as soon as conveniently possible since it felt that the matter of post-war relief and rehabilitation should now be considered as urgent.

2. Molotov said that Vyshinski had acquainted him with our conversation; that the matter was receiving the prompt attention of the Soviet authorities; that he thought that a favorable answer would be sent to Litvinov in the near future; and that the Soviet Government also was of the opinion that no further time should be lost in setting up an apparatus for administering post-war relief and rehabilitation. Although Molotov did not make any statement which could be considered as a definite reply, his remarks were such as to convey the impression that the answers which had been given to Litvinov's questions had dispelled such doubts as the Soviet Government had entertained and that within a short time it would instruct Litvinov to state that in principle, at least, it is agreeable to the draft suggestions.

HENDERSON

840.50/946

The British Ambassador (Halifax) to the Secretary of State

The British Ambassador presents his compliments to the Secretary of State of the United States of America and has the honour to inform him that His Majesty's Government in the United Kingdom has had under consideration the draft scheme for the establishment of a "United Nations Relief and Rehabilitation Administration" dated August 13th, 1942.

Lord Halifax is instructed to inform the Secretary of State that the United Kingdom Government agree with the broad lines of the scheme and are disposed to cooperate in carrying it into effect subject to the points which are set out in the attached memorandum.

⁶⁹ Not printed.⁷⁰ Andrey Yanuaryevich Vyshinsky, Soviet Assistant People's Commissar for Foreign Affairs.

Lord Halifax hopes that he may receive shortly the observation of the Secretary of State upon the two concluding paragraphs of the memorandum which relate to the importance which His Majesty's Government in the United Kingdom attach to receiving at the earliest possible date the views of other United Nations' Governments upon the draft agreement.

WASHINGTON, 21 December, 1942.

[Enclosure—Memorandum]

The preliminary view of the United Kingdom Government was that, for reasons of effective administration, the balance of advantage lay in confining membership of the Policy Committee to the four Great Powers. On reflection it feels that limitation of membership of the Policy Committee in this way would not, in practice, be conducive to smooth working, since the scheme as a whole would thereby be rendered less acceptable to other important countries whose whole-hearted cooperation it will be essential to secure. In particular, the United Kingdom Government consider that Canada, as one of the major potential suppliers of relief goods, has a very strong claim to membership of the Committee, a claim that, on merits, is regarded as carrying greater weight than that of any other country apart from the four Great Powers. The United Kingdom Government recognise that any enlargement of the Policy Committee should not be such as would be likely to impair the efficient working of the directing machinery, but it is thought that a Committee not exceeding seven members would fulfil this requirement, and this number would enable membership to be accorded to two other countries in addition to Canada. The United Kingdom Government accordingly are disposed to recommend that the Policy Committee be expanded to include representatives of these countries in addition to the four Great Powers and that Canada as one of these three countries should be afforded full membership of the Committee.

This is the only definite modification which the United Kingdom Government would suggest in the draft.

They note, however, that provision is made for the constitution of a Regional Committee to deal with European relief, and they propose again to emphasise the importance they attach to giving as much scope as possible to this Committee. They hope that a Regional Organisation for the Far East will also be constituted.

The United Kingdom Government also take note that the Relief Administration shall, wherever practicable, use the facilities made available by such agencies of the United Nations as shall at the time be in existence, and they understand that it is not intended that the Administration shall set up its own agencies, either for planning or for

execution of plans regarding provision of supplies and shipping, except where no suitable agencies of the United Nations are available.

Finally the United Kingdom Government state that they feel it important to obtain the views of the other United Nations, and particularly of the European Allied Governments, on these proposals at the earliest possible date. They suggest that a meeting be convened at an early date of the Russian, Chinese, United States and United Kingdom Governments to consider the draft and that if these four Governments are in agreement it should be communicated to the Governments of the other United Nations. So far as the European Allied Governments are concerned, the draft could, if the United States Government agreed, be communicated by Sir Frederick Leith-Ross to the Inter-Allied Committee in London.

In this way, the ground could be prepared so that, when the United States Government feels it opportune to proceed further, a further meeting could if necessary be held of the representatives of the four Great Powers, to review the draft in the light of the observations received. Subsequently a meeting could be arranged of the United Nations to obtain its general acceptance and to carry it into effect. The United Kingdom Government would reserve the right to move amendments of detail when this stage is reached.

WASHINGTON, 21 December, 1942.

840.50/1006

Memorandum of Conversation, by the Secretary of State

[WASHINGTON,] December 24, 1942.

The British Ambassador called at his request and handed me some papers relating to the international food organization plans which contain certain observations and views of the British Government. A copy is hereto attached.⁷¹ I thanked him and said that it would be given prompt and careful attention.

The Ambassador inquired whether Governor Lehman would be disposed to visit London soon and added that they would be glad to see him over there. I replied that I would take the matter up with Governor Lehman. Speaking off the record, we are hoping that it may prove agreeable for Governor Lehman to become Director General of the United Nations' relief organization, but as the matter has not yet reached that stage when it is possible to approach the British Government, the Governor might well visit London in his present temporary capacity as head of the United States relief organization should he be so disposed.

⁷¹ *Supra.*

The Ambassador said that his Government was desirous of an early meeting of the four great powers for the purpose of reaching an agreement on the pending international relief and rehabilitation plans, that the British Government would like to have the meeting held in London but it would be entirely agreeable to meet in Washington. He added that the British Government would be glad to have the views of the United States Government at an early date. After agreement had been reached on the proposed plans, Sir Leith-Ross desired then to confer with the associated nations in Europe. I replied that there would be no particular objection to a conference in order to work out a clear understanding as to the meaning and significance of the plans of organization and some steps perhaps looking toward carrying them out. I said that this Government would give attention to all of these matters as soon as practicable.

C[ORDELL] H[ULL]

840.50/1120

The Soviet Embassy to the Department of State

MEMORANDUM

Having carefully considered the draft scheme of "United Nations Relief and Rehabilitation Administration", proposed by the United States Government, the Soviet Government attaching great importance to the economic rehabilitation of the countries, victims of the aggression of Hitlerite Germany and her accomplices in Europe, is prepared to accept the draft as a basis for joint discussion by the representatives of the United States, Great Britain, China and the U. S. S. R. In order to facilitate this discussion, the Soviet Government deems it necessary to bring to the knowledge of the United States Government the following remarks and amendments to the draft submitted by the United States Government:

1. The activities of the Relief Administration under Article I should be based on the consent of the government of the state receiving relief as regards the forms these activities may take in a given state.

The fulfillment of relief measures by the Administration should admit of ways by which the Government of the country receiving relief will take upon itself the whole responsibility for fulfilling these measures on its territory.

These ideas should find expression in Article I.

2. The Director General will regularly report on his activities to the Policy Committee which will periodically either confirm the powers of the Director General or recommend to the Council a new candidate for this post.

3. All decisions of the Policy Committee should be unanimous.

4. Since under the draft, regional committees will consist of representatives of the countries directly concerned in the activities of the administration in a given region, it would seem expedient to consider the question of giving regional committees not only consultative functions but also extended powers.

5. In accordance with Article I of the declaration of the United Nations of January 1, 1942, the Soviet Government thinks it necessary, as far as its participation in the administration is concerned, to make a reservation to the effect that with regard to that part of the Administration's activities which will have to do with relief during the war, it reserves to itself the right to abstain from participation in the solution of problems which may arise in connection with relief to the population of countries in a state of war with countries with which the Soviet Union is not at war.

6. The Soviet Government reserves to itself the right to propose more detailed and precise amendments to the draft (in particular with regard to repatriation) during joint discussion of the draft by representatives of the United States, Great Britain, China and the Union of Soviet Socialist Republics.

WASHINGTON, December 29, 1942.

840.50/1121

*Memorandum of Conversation, by the Assistant Secretary of State
(Acheson)*

[WASHINGTON,] December 30, 1942.

Participants: Mr. Litvinov, the Soviet Ambassador
Mr. Reinhardt ⁷²
Mr. Acheson

The Russian Ambassador called at his request. He handed to me the attached memorandum,⁷³ which constitutes the observations of the Soviet Government on Draft No. 2, Revised, of the United Nations Relief and Rehabilitation Administration. The Ambassador stated that this memorandum had been delayed because of obscurities in the cable transmitting it.

After reading the memorandum, I said to the Ambassador that I felt sure that the proposed discussion by representatives of the United States, Great Britain, China, and the U. S. S. R. would be agreeable to the President and the Secretary; that the memorandum would be promptly laid before them and their views would be ascertained on the points raised. I said that the British and Chinese Governments had given us their comments and that I thought that

⁷² G. Frederick Reinhardt, of the Division of European Affairs.

⁷³ *Supra*.

before the discussions took place it might be desirable for each of the nations concerned to have before them the comments of the others.

Turning to the points raised by the Soviet Government, I said to the Ambassador that he had mentioned the first of the points to me before and that from a conversation which I had had yesterday with Ambassador Winant I knew that Ambassador Maisky had also mentioned this matter to Mr. Winant. I again pointed out to the Ambassador the difficulty of putting in the draft agreement the principle contained in the first point of the Russian memorandum; that is, that the activities of the Relief Administration under Article I should be based upon the consent of the government of the country receiving aid. I told the Ambassador that Mr. Maisky had, in discussing this point, referred to the methods used by the Hoover Mission in Russia after the last war, which were actually to administer the distribution of relief commodities within Russia. I assured the Ambassador that it had not been the idea of any of the draftsmen of the proposed plan that this should be done in the case of Russia and that the document itself indicated that the Relief Administration should always act in consultation with the appropriate authorities of the United Nations in any area and should wherever practicable use the facilities of the United Nations. It would seem clear that the appropriate authority in the Soviet Union was the Soviet Government. I pointed out that the broad statement contained in the Russian memorandum seemed to imply that the Relief Administration would, for instance, have to obtain the consent of enemy governments in enemy territory. I pointed out that in some territories there might be doubt as to the proper governmental authority and that the draft agreement had attempted to avoid all of these difficulties by referring to the "appropriate United Nations authority" in the area. I asked the Ambassador whether the Soviet position was that this matter had to be cleared up in the draft agreement itself or whether some other satisfactory method might be found to meet the point which seemed to me to lie at the heart of the matter raised in point 1. The Ambassador appeared to think that the latter would be possible.

In regard to point 2, regarding the periodic confirming of the powers of the Director General, I said that we had given a good deal of thought to the question whether the Director General should have a fixed term and that this had seemed to us unwise, since it would make continuity of planning and policy difficult. I assumed, of course, that the Director General would make periodic and full reports to the Policy Committee and the Council—and, indeed, the draft provided for this. It also seemed clear that the tenure of the Director General would depend upon the decision of the four governments represented on the Policy Committee.

As to point 3 that all decisions of the Policy Committee should be unanimous, I said that this matter had also been the subject of a good deal of discussion. As a practical matter this was probably essential. There might be considerable doubt as to the wisdom of requiring it in the draft of the agreement.

As to point 4—extending the powers of the regional committees—I said this was a matter which should be very carefully and fully explored. In drafting the document, great care had been taken to preserve the executive functions in the central administration in order to permit prompt and effective action.

As to point 5 I did not make any comment.

The Ambassador referred to the British desire to enlarge the Policy Committee from four to seven members. He felt that this was a mistake. He particularly referred to the difficulty which would arise if one or more of the European countries were placed on the Policy Committee. This he thought would create jealousies and difficulties. I got the distinct impression that the Soviet Government is strongly opposed to this change.

Finally, I told the Ambassador that I would report our conversation and submit his memorandum to the Secretary at once and receive the Secretary's instructions as to further procedure.

DEAN ACHESON

DISCUSSIONS REGARDING POSTWAR ECONOMIC AND FINANCIAL ARRANGEMENTS

840.50/388 : Telegram

The Chargé in the United Kingdom (Matthews) to the Secretary of State

LONDON, April 12, 1942—3 p. m.

[Received April 12—2:04 p. m.]

1789. From informal conversations of Penrose¹ with Ronald,² Keynes³ and Robinson,⁴ it seems that ministerial consideration has been given to the proposed conversations between British and American Government economists⁵ which they expect to be held here and that the Foreign Office will shortly send instructions to Lord Halifax⁶ to state that the British Government welcomes and approves the holding of the conversations.

The Foreign Office view appears from Ronald to be that the talks should be as informal as possible. They favor making the conversations exploratory in character and covering a fairly wide range, with a view to working towards the principles of arrangements that may subsequently be developed into agreed proposals which the two countries can recommend to other countries. They feel that on some economic questions the proposed arrangements that might ultimately be reached would be dependent on acceptance by another country or other countries besides Britain and the United States.

Both Ronald and Keynes stressed the balance of payments question and it seems likely that instead of directly attacking the problem of tariffs the British will stress the need for making financial arrangements that will ensure an adequate supply of foreign exchange for the purchase of essential imports, since their principal apprehension is that, particularly in the first 2 years after the war, they will not be able to obtain the imports necessary to get back reasonably near their pre-war standard of living and to undertake essential physical reconstruction. Keynes and other Treasury officials expressed an in-

¹ Ernest F. Penrose, economist, special assistant in the Embassy at London.

² Nigel Bruce Ronald, Counselor, British Foreign Office; appointed Acting Assistant Under Secretary of State for Foreign Affairs on July 6, 1942.

³ John Maynard Keynes, Economic Adviser to the British Government.

⁴ F. P. Robinson, Secretary to the British War Damage Commission.

⁵ i. e., conversations contemplated under article VII of the Lend-Lease Agreement with the United Kingdom, signed at Washington, February 23, 1942; for text of Agreement, see Department of State Executive Agreement Series No. 241, or 56 Stat. (pt. 2) 1433. See also pp. 525 ff.

⁶ British Ambassador in the United States.

terest in the suggestions in the article of Dr. Feis⁷ in the January issue of *Foreign Affairs*.

The estimates of the probable position of Britain at the end of the war with respect to foreign investments, which was carried out by Meade⁸ and Robinson, have now been completed but have not yet been made available outside British Government circles.

It appears however that British economists are less pessimistic than they were previously with respect to the probable balance of payments position after the first 2 years of the post-war period are over. Some illustrative figures of a very general character used by Robinson indicated that if output from domestic resources is represented by one hundred, net imports came to about two six in the pre-war period and of these perhaps eleven were the proceeds of investments abroad that will be no longer available when the war ends. He suggested that, of this loss of eleven, five could be made up from increased productivity.

Memoranda have been prepared by Government economists on a number of subjects which it is hoped to take up in the discussions. So far as our information goes the principal subjects with which these deal are the meaning of discriminatory treatment, financial arrangements respecting foreign exchange and trade, raw material controls and international foreign investment arrangements.

These memoranda are not being disclosed, but in the course of conversations Keynes has expressed himself in favor of some form of application of Vice President Wallace's ever normal granary concept to a number of raw materials. The approach is more likely to be conceived in terms of shortages than in terms of surpluses in relation to post-war world needs.

On British ideas of financial arrangements with respect to foreign exchange and trade, no precise information is available but there is reason to think that some far-reaching detailed suggestions have been devised by the Treasury economists as a basis for discussion.

In some British Government and outside circles here there is a feeling that the enhanced creditor position of the United States makes it essential that there be some general lowering of the American tariff, and not merely further agreements under the Trade Agreements Act,⁹ if a stable basis is to be found for post-war international economic relationships.

It is probably felt in some quarters that Britain will have to reserve the right to bilateral trading arrangements associated with exchange control unless we lower our general tariff and permit increased imports relatively to exports. It is not certain how far this matter will

⁷ Herbert Feis, Adviser on International Economic Affairs.

⁸ James E. Meade, economist, Offices of the British War Cabinet.

⁹ Trade Agreements Act of June 12, 1934, as extended April 12, 1940; 54 Stat. 107.

be pressed, in relation to immediate post-war arrangements, since it is realized that such a matter depends on the attitude of Congress. As explained above, the stress is likely to be on financial arrangements ensuring Britain adequate command over foreign currency to permit essential imports in the immediate post-war period.

Keynes mentioned that Harrod, the Economic Advisor to Lord Cherwell—the Prime Minister's personal assistant—had urged the inclusion of basic nutrition problems in the discussions. In reply to a request for his opinion, Penrose said he understood that both here and in Washington there had been some support for holding a separate nutrition conference, but that he was not certain of present opinion and prospects on this matter. However, he was confident that nutrition would take a leading place in post-war reconstruction plans. Keynes is arranging a meeting with Harrod and, as there is a great interest here in a nutrition program as a post-war measure, it is hoped to obtain more detailed information shortly on the present position here on the subject.

In general the British conceive of the discussions as designed to serve the fundamental purpose of enabling American and British Government economists to test out on each other a fairly wide range of constructive suggestions; and to take preliminary and informal steps toward an ultimate Anglo-American understanding on the economic basis of post-war reconstruction. They regard their proposed plans as tentative and they expect that they will themselves wish to modify their suggestions after they obtain the reactions of our economists. Whether they will bring forward all the suggestions in their documents is likely to depend on the course of the earlier part of the discussions. Hence it is not certain that they will make all their documents available to us, at least until a later stage.

My telegram No. 1594, April 2, 9 [10] p. m.¹⁰ Ministerial sanction has now been given to the Government economists and civil servants to use the suggestions and plans in the documentation "as a basis", from the British side, "for the exploratory discussions". This does not necessarily imply ministerial endorsement of all the detailed tentative proposals contained in the documents.

The general attitude among leading Government civil servants and economists continues to be very favorable to Anglo-American discussions and the public and press are showing increasing interest in reconstruction questions, especially from the point of view of presenting some constructive program to counter propaganda of the Axis.

MATTHEWS

¹⁰ Not printed; it reported that the British had drawn up a lengthy and carefully discussed document regarding talks envisaged in article VII of the Lend-Lease Agreement; that the document contained certain monetary views of Keynes; and that, pending the approval of the Cabinet, the document was being kept strictly secret (600.0031 World Program/392).

840.50/391 : Telegram

The Chargé in the United Kingdom (Matthews) to the Secretary of State

LONDON, April 25, 1942—3 p. m.

[Received 5 p. m.]

2162. Embassy's confidential telegram No. 1789, April 12, 3 p. m. Ronald, the Foreign Office economist, giving his personal views with the knowledge and approval of the Secretary of State,¹¹ Under Secretary Law¹² and the Prime Minister's private secretary, expressed concern at a telegram from Phillips¹³ to the Treasury. That telegram recounted a conversation in which Assistant Secretary Acheson was reported to have said that American Government economists had not yet made sufficient preparations for the conversations and that it might be 6 weeks to 2 months before we were ready.

The Foreign Office and the Secretary of State personally are most anxious, Ronald said, that detailed preparations here shall not be carried to an advanced stage before the conversations take place. They desire that American influence shall be brought to bear on Government economists and civil servants here as soon as possible with a view to preventing undue crystallization of ideas and suggested plans before they have been subjected to American criticisms and American ideas.

Ronald read from a long memorandum which the Foreign Office prepared for circulation to those who are concerned within Government departments with discussions following up article VII of the Lend-Lease Agreement. The memorandum emphasized the desirability of an informal approach and deprecate[d] any attempt at the formulation of rigid positions and undue emphasis on difficulties in matters of detail. It asked for an exploratory approach to the general questions of Anglo-American and world economic relations with a view to ultimately working out in line with American thought the principles of an agreement that will appeal to the imagination of the world, serve as a stimulus to all the forces fighting aggression and provide an answer to the question: "What are we fighting for?" It stressed the importance of avoiding anything that might give rise to the least suspicion that any attempt was being made to "put over" anything on the American economists and anything that might be interpreted as "intellectual arrogance". The last phrase was inserted

¹¹ Anthony Eden, British Secretary of State for Foreign Affairs.

¹² Richard K. Law, British Parliamentary Under Secretary of State for Foreign Affairs.

¹³ Sir Frederick Phillips, British Treasury representative in the United States.

because of the controversy to which Keynes' visit gave rise in Washington last summer.¹⁴

Yesterday the Foreign Office considered the drafting of a telegram to Lord Halifax explaining the Foreign Secretary's views on the dangers of over-preparation and crystallization of ideas in the Departments and the desirability of bringing American ideas to bear on British thinking as soon as possible. This morning, however, it was decided that this could hardly be done without offending those who have worked hard in some of the Departments here on the problems concerned, and the idea was dropped. A simple instruction will be sent to Lord Halifax shortly expressing the Government's cordial support of the idea of the conversations.

It is understood that Whitehead, son of the Harvard professor, who is working for the Foreign Office, will be attached to the British group because of his knowledge of the American political structure, to prevent them from suggesting to the American group commitments which the United States because of its political structure is unable to make.

Ronald emphasized that the Foreign Office conception of the form and method of the preliminary talks, described above and in Embassy's 1789 of April 12, merely represents British ideas on the matter and the Foreign Office is of course open to alternative suggestions from the American side. Their conception of these talks is summed up in a phrase in the Foreign Office memorandum as "informal, exploratory and noncommittal".

It is understood that the Foreign Office intends to make up the British group primarily from the temporary, advisory Government personnel and largely to exclude the permanent civil service personnel. It seems probable that it will be made up of persons in the category of Keynes, Lord Catto,¹⁵ Henry Clay¹⁶ and some War Cabinet economists.

From Ronald and from independent sources it is clear that the Foreign Office has been working strongly for some time to impress on Departments the importance of the following up of article VII of the Lend-Lease Agreement and the necessity of full Anglo-American economic agreement and cooperation.

From direct statements in a number of informal conversations with Keynes and from reliable evidence from talks with other economists who are in close touch with him, it can be said that Keynes has abandoned support of bilateral discriminatory arrangements to meet bal-

¹⁴ See *Foreign Relations*, 1941, vol. III, pp. 10-22 *passim*.

¹⁵ Financial Adviser to the British Treasury.

¹⁶ Economic Adviser to the Bank of England, since 1933.

ance of payments difficulties and has energetically worked on other solutions. James Meade, who has become increasingly influential and who powerfully influenced Keynes to abandon bilateralism, says confidentially that Keynes' attitude is now all that can be desired on the matter.

Ronald said the Foreign Office suggestion would be to inform Russia a few days before the conversations began that they were purely informal and exploratory and that when any developments occurred later the Russians would be kept informed. He also raised the question of what would be made public at the time of the meeting of the economists, and after some discussion he suggested that it might be given out that the economists were exchanging ideas on the economic and non-strategic aspects of the war organization. The Foreign Office will be glad of suggestions on this point.

Discussions with Sir John Orr¹⁷ seem to indicate that the nutrition group here has been concentrating on impressing on Ministers the importance of a nutrition program in connection with reconstruction. Public interest in the subject continues to grow but Ministers were very poorly informed. Eden, Law and Jowitt¹⁸ now strongly support an international nutrition program and the nutrition group is now extending its propaganda to draw in additional political support.

The Ministerial Committee on Reconstruction Problems now consists of Jowitt, Eden, Cranborne,¹⁹ Bevin,²⁰ R. A. Butler, President of the Board of Education, and Harcourt Johnstone, Minister of Overseas Trade. The last two have been added very recently to the Committee. The addition of Butler has to do with an interest which has developed in the formulation of ideas with regard to the possibilities of postwar reeducation of youth in Fascist countries.

MATTHEWS.

840.50/393 : Telegram

The Chargé in the United Kingdom (Matthews) to the Secretary of State

LONDON, April 29, 1942—7 p. m.
[Received April 29—3 : 40 p. m.]

2263. I asked Mr. Eden this morning, with reference to the Embassy's telegram No. 2162, April 25, 3 p. m., whether he was really

¹⁷ Member of the Advisory Committee on Nutrition, British Ministry of Health.

¹⁸ Sir William A. Jowitt, British Solicitor General.

¹⁹ Viscount Cranborne, British Secretary of State for the Colonies.

²⁰ Ernest Bevin, British Minister of Labour and National Service.

seriously concerned at the prospect of a slight delay in undertaking the conversations between British and American economists on the general question of post-war economic cooperation. He said that he did not believe that a little delay would do much harm but what he does hope is that our representatives will not come with any rigid instructions or preconceived detailed plans. He hopes that these first talks will be entirely informal and primarily exploratory and that for this reason he is not selecting on the British side any set of permanent officials with fixed prejudices or narrow specialized background.

MATTHEWS

840.50/436 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, May 11, 1942—midnight.

[Received May 11—8:13 p. m.]

2750. Personal to the Secretary. While I was home we discussed sending over three or four men who are studying post-war financial and economic problems on an unofficial visit to carry on informal discussions in order that we might be informed on British needs. We also agreed that when the time came for a more formal approach to this problem, the initial meeting should be held in Washington. I suggested Acheson²¹ and Hawkins²² for the preliminary visit. You mentioned Pasvolsky.²³ I am more convinced than ever that this would be a wise procedure. Eden is very keen to have us go through with it, as are other friends here. The picture would not be complete, however, without some contact with the British Treasury and I urged Secretary Morgenthau to send Harry White.²⁴ He was reluctant, however, to lose his services for even a short period of time and I have been troubled that he might not permit him to come though you approved of the State Department representatives coming. I wish very much that you would urge him to send White and that you would give your approval of this preliminary survey. The present is the best time for such an undertaking.

WINANT

²¹ Dean Acheson, Assistant Secretary of State.

²² Harry Hawkins, Chief of the Division of Commercial Policy and Agreements.

²³ Leo Pasvolsky, Special Assistant to the Secretary of State.

²⁴ Harry Dexter White, Special Assistant to the Secretary of the Treasury and Director of Monetary Research.

840.50/436 : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, May 14, 1942—7 p. m.

2152. Your 2501, May 8, midnight,²⁵ and 2750, May 11, midnight. We are gratified that Law and Ronald are coming and look forward to talking with them. Their visit will afford a convenient opportunity to discuss certain procedural questions in connection with discussions on commercial policy, as well as other phases of postwar problems.

We expect to discuss commercial policy also with the Russians and other governments and consider it important (1) that each be kept generally informed of any discussions on this subject with any of the others and (2) that our discussions with the British be handled in such a way as to avoid any ground for suspicion that the British and ourselves are formulating a specific program for subsequent presentation to the others. The prospective discussions with the British visitors of these and related procedural questions will help us to consider the matter of a time and place for active discussions.

HULL

840.50/399§ : Telegram

*The Ambassador in the United Kingdom (Winant) to the
Secretary of State*

LONDON, May 15, 1942—7 p. m.

[Received May 15—4:07 p. m.]

2686. In answer to Department's 2152, May 14, and in reference to my message 2570 [2750], May 11. This morning I informed Mr. Eden of your message of friendly welcome to Law and Ronald. Both he and Law were very appreciative, although Eden informed me that Law's trip had been delayed a week because of the postponement of adjournment date of Parliament. He, as you know, is the Parliamentary Secretary.

Paragraph 2 of this message troubles me. I am, of course, aware that the Russians and others should not be made to feel that they were excluded from discussions on future commercial policy. If the men I suggested in my message 2570 [2750], May 11, were permitted to come on here for informal talks, in order to better understand British needs, I am certain that their journey could be handled so as to avoid any "suspicion that the British and ourselves are formulating a specific program for subsequent presentation to the others."

²⁵ Not printed; it reported that Eden was sending Law on a visit to the United States and requested clipper passage for Law and Ronald, who would accompany him (811.79640 Reservations/1598).

Although British thinking on financial problems has gotten down on paper, it has not been formalized by Cabinet decision beyond permission to engage in these discussions, and even then with the understanding that they in no way involve commitments. The formulation of ideas to date has been on a lower Government level, but it has involved the thinking of the ablest economists in England, and many outstanding Government experts. It was this group that helped us most when we were trying to press for article VII, and if we now shut them out of informal discussions, it will not help our cause, and it will adversely affect the standing of the Embassy here.

I want most earnestly to urge again sending a small group to undertake this preliminary survey which I understood in Washington was to be worked out, and so informed the British.

WINANT

800.515/1418

The Secretary of the Treasury (Morgenthau) to the Secretary of State

WASHINGTON, May 20, 1942.

MY DEAR MR. SECRETARY: I am appending a memorandum which I submitted to the President with an enclosure which I think you will find self-explanatory. The President told me to continue the study of the proposal in conjunction with the State Department, Board of Economic Warfare and Export-Import Bank and to speak to him again about the project after we had progressed further in our study and after I had obtained the views of the State Department. I am also asking the Federal Reserve Board to join us in the study.

I would appreciate it very much if you would designate someone to represent your department to meet with me at 3:00 P. M. on Monday, May 25.

The proposal is, of course, in the study stage and if before the meeting you want more information on the matter, Harry White is available and will be glad to discuss it at your convenience.

Sincerely yours,

H. MORGENTHAU, JR.

[Enclosure]

Memorandum by the Secretary of the Treasury (Morgenthau) to President Roosevelt

[WASHINGTON,] May 15, 1942.

I have had prepared in the Treasury the attached study of a Stabilization Fund for the United and Associated Nations and an International Bank for Reconstruction and Development. The purpose of these two agencies is to meet the inevitable post-war international

monetary and credit problems—to prevent disruption of foreign exchange and the collapse of monetary and credit systems, to assure the restoration of foreign trade and to supply the huge volume of capital that will be needed abroad for relief, for reconstruction, and economic development essential for the attainment of world prosperity and higher standards of living.

I would like very much to have you read the appended extract from the study which briefly sets forth why preliminary work for the establishment of such institutions should be entered into now, and gives some indication of their nature and scope.

I am convinced that the launching of such a plan at this time has tremendous strategic as well as economic bearing. It seems to me that the time is ripe to dramatize our international economic objectives in terms of action which people everywhere will recognize as practical, powerful and inspiring.

In the flush of success our enemies always dealt [*dwelt*] upon their “New Orders” for Europe and for Asia. There could be no more solid demonstration of our confidence that the tide is turning than the announcement of the formulation in concrete terms, and the preparation of specific instrumentalities for what really would be a New Deal in international economics.

If you think this idea is worth canvassing, I would like to ask the Board of Economic Warfare, State Department and Federal Reserve Board and other appropriate agencies to work with the Treasury on these plans with a view to your calling a conference to be held in Washington of Finance Ministers of the United and Associated Nations. In this connection you will remember that Resolution XV of the Rio Conference²⁶ already commits the American Republics to participate in such a conference.

To give some idea of the ground that might be covered by a conference of that character, there is also appended a file of a few preliminary documents which includes a suggested agenda which might accompany the invitations, and a suggested program of the conference.

[Subenclosure 1]

Suggested Plan for a United and Associated Nations Stabilization Fund and a Bank for Reconstruction and Development of the United and Associated Nations

It is yet too soon to know the precise form or the approximate magnitude of post-war monetary problems. But one thing is certain.

²⁶ For text of this resolution, see Department of State *Bulletin*, February 7, 1942, p. 127; for correspondence concerning the Third Meeting of the Foreign Ministers of the American Republics held at Rio de Janeiro, January 15–28, 1942, see *Foreign Relations*, 1942, vol. v.

No matter how long the war lasts nor how it is won, we shall be faced with three inescapable problems: to prevent the disruption of foreign exchanges and the collapse of monetary and credit systems; to assure the restoration of foreign trade; and to supply the huge volume of capital that will be needed virtually throughout the world for reconstruction, for relief, and for economic recovery.

If we are to avoid drifting from the peace table into a period of chaotic competition, monetary disorders, depressions, political disruption, and finally into new wars within as well as among nations, we must be equipped to grapple with these three problems and to make substantial progress toward their solution.

Specific plans must be formulated now.

Clearly the task can be successfully handled only through international action. In most discussions of post-war problems this fact has been recognized, yet to date—though a number of persons have pointed to the solution in general terms—no detailed plans sufficiently realistic or practical to give promise of accomplishing the task have been formulated or discussed. It is high time that such plans were drafted. It is time that detailed and workable plans be prepared providing for the creation of agencies with resources, powers and structure adequate to meet the three major post-war needs.

Such agencies should, of course, be designed to deal chiefly with post-war problems. But their establishment must not be postponed until the end of hostilities. It takes many months to set up such agencies. First, a plan has to be perfected. Then it has to be carefully considered by a number of countries. In each country, again, acceptance can follow only upon legislation. That alone will consume many months and possibly longer. And even when the plan is finally accepted, much time will be further consumed in the collection of personnel, and the performance of the preliminary ground work which must be done before effective operations can begin. Altogether, a year may be required before a proposal can be transformed into an operating agency.

Obviously, therefore, even though no important immediate ends will be served by having such agencies functioning during war time, it will be an error to wait until the end of the war is in sight before beginning serious discussion of plans for establishing such agencies. No one knows how soon the war will end, and no one can know how long it will take to get plans approved and the agencies started. Yet, if we are to "win the peace", which will follow the war, we must have adequate economic instruments with which to carry on effective work as soon as the war is over. It would be ill-advised, if not positively

dangerous, to leave ourselves at the end of the war unprepared for the stupendous task of world-wide economic reconstruction.

Specific proposals will help win the war.

But there is an additional important reason for initiating at once serious discussion of specific proposals. Such discussion will be a factor toward winning the war. It has been frequently suggested, and with much cogency, that the task of securing the defeat of the Axis powers would be made easier if the victims of aggression, actual and potential, could have more assurance that a victory by the United Nations will not mean in the economic sphere, a mere return to the pre-war pattern of every-country-for-itself, of inevitable depression, of possible wide-spread economic chaos with the weaker nations succumbing first under the law-of-the-jungle that characterized international economic practices of the pre-war decade. That assurance must be given now. The people of the anti-Axis powers must be encouraged to feel themselves on solid international ground, they must be given to understand that a United Nations victory will not usher in another two decades of economic uneasiness, bickering, ferment, and disruption. They must be assured that something will be done in the sphere of international economic relations that is new, that is powerful enough and comprehensive enough to give expectation of successfully filling a world need. They must have assurance that methods and resources are being prepared to provide them with capital to help them rebuild their devastated areas, reconstruct their war-distorted economies, and help free them from the strangulating grasp of lost markets and depleted reserves. Finally, they must have assurance that the United States does not intend to desert the war-worn and impoverished nations after the war is won, but proposes to help them in the long and difficult task of economic reconstruction. To help them, not primarily for altruistic motives, but from recognition of the truth that prosperity, like peace, is indivisible. To give that assurance now is to unify and encourage the anti-Axis forces, to greatly strengthen their will and effort to win.

Nor will the effect be on the anti-Axis powers alone. Whether within the Axis countries the will to fight would be weakened by such arrangements is not certain, but assuredly it would not be strengthened. And certainly the people in the invaded countries, and the wavering elements in the Axis-dominated and Axis influenced countries would be given additional cause to throw in their lot more definitely and openly with the anti-Axis forces if there is real promise that an orderly prosperous world will emerge from a United Nations victory.

Two International Government Agencies must be established—a Stabilization Fund and a Bank for Reconstruction.

A vital part of that promise rests on international monetary and banking collaboration. The United Nations and the Nations associated with them must undertake cooperatively two tasks as soon as possible: first, to provide an instrument with the means and the procedure to stabilize foreign exchange rates and strengthen the monetary systems of the United Nations; and second, to establish an agency with resources and powers adequate to provide capital for economic reconstruction, to facilitate rapid and smooth transition from war-time economies to peace-time economies, to provide relief for stricken peoples during the immediate post-war period, to increase foreign trade, and permanently increase the productivity of the United Nations.

Those two tasks should be kept distinct. Though in some of their facets and in many of their consequences there is considerable interdependence and interaction, the two are different enough to call for separate instrumentalities. Each is sufficiently specialized to require different resources, different responsibilities, and different procedures and criteria for action. To supply the United Nations with necessary capital not otherwise available except possibly on too costly terms should be the function of a bank created for that specific purpose; whereas monetary stabilization—a highly specialized function calling for a special structure, special personnel, and special organization—would best be performed by a stabilization fund created to perform that special function.

It is therefore recommended that immediate consideration be given to formulating plans for the establishment of two separate institutions:

1. A United and Associated Nations Stabilization Fund, and
2. A Bank for Reconstruction and Development of the United and Associated Nations.

While either agency could function without the existence of the other, the creation of both would nevertheless aid greatly in the functioning of each. Doubtless one agency with the combined functions of both could be set up, but it could operate only with a loss of effectiveness, risk of over-centralization of power, and danger of making costly errors of judgment. The best promise of successful operation seems to lie in the creation of two separate institutions, linked together by one or two directors in common.

Proposals must be drafted by experts of many governments meeting for that purpose.

It is hoped that some time soon, representatives of various interested governments will meet in conference to explore the possibility of working out a plan for the establishment of an international stabilization fund and bank. To facilitate the preliminary work of such a committee, and to provide the officials of the interested governments with a proposal set in specific enough terms to encourage and justify fruitful discussion prior to a meeting, the following report has been prepared. It contains a suggested plan for a fund and for a bank, and also some discussion of the various points involved.

Anyone familiar with the task of setting up new and complex organizations such as the two envisaged will fully appreciate that no single person, no matter how well informed on the subject, can hope to draft a plan that would meet with general approval. This is especially true of a proposal calling for international collaboration and requiring acceptance by several governments. To draft a plan that is likely to meet with approval of various governments is a task beyond the competence even of a group of economists from any single country. The details of any plan submitted for consideration would have to be subjected to careful evaluation and examination by a number of men, some of whom should be expert in the handling of international economic problems and monetary theory, and others at home in related fields. In addition to monetary problems, questions of sovereignty, of national interest, and of broad economic policy are involved in some of the more important provisions, and these inevitably must be the subject of controversy and compromise. They are also matters that must be discussed in detail and at length by high officials whose responsibilities include the shaping and administration of monetary and financial policy.

The proposals and comments that follow are submitted with the intent of providing a starting point for intelligent discussion and of calling attention to some of the difficulties which would have to be satisfactorily met before a workable and acceptable plan may emerge. The proposals have been set forth only in outline and for the most part only those points are included which are essential to an understanding of the plan.

It is certain that some of the powers and requirements included in the outline of the Fund and the Bank will not survive discussion, prejudice and fear of departure from the usual. Some may not stand the test of political reality, and some may be unacceptable on technical

grounds, while others may be generally regarded as going too far toward "internationalism." Yet most of them appear as desirable objectives in most writings or conferences on post-war economies and are worth considering.

Willingness to depart from tradition and break new ground is essential if meaningful results are to be obtained.

It will perhaps help toward understanding and induce a more sympathetic approach to the proposals which follow to state at the outset that something much more than the usual banking and stabilization functions are envisaged in the plan. There is urgent need for instruments which will pave the way and make easy a high degree of cooperation and collaboration among the United Nations in economic fields hitherto held too sacrosanct for international action or multilateral sovereignty. A breach must be made and widened in the outmoded and disastrous economic policy of each-country-for-itself-and-the-devil-take-the-weakest. Just as the failure to develop an effective League of Nations has made possible two devastating wars within one generation, so the absence of a high degree of economic collaboration among the leading nations will, during the coming decade, inevitably result in economic warfare that will be but the prelude and instigator of military warfare on an even vaster scale.

The Fund and the Bank described in the following pages are envisaged as economic instruments that most easily and effectively can facilitate that high degree of economic collaboration. It will be at once apparent that the resources, powers and requirements for membership, accorded both agencies go far beyond the usual attributes of monetary stabilization and of banking. They must if they are to be the stepping stone from shortsighted disastrous economic nationalism to intelligent international collaboration. Timidity will not serve. It is my conviction that the long-time effectiveness of both agencies will be measured by the degree to which boldness and vision are displayed in their organization and objectives.

Part I, which follows, consists of an outline of (1) a United and Associated Nations Stabilization Fund, and (2) of a Bank for Reconstruction of the United and Associated Nations.

Part II consists of a brief explanation and discussion of the proposed Fund, and Part III of the proposed Bank.²⁷

²⁷ Neither printed.

[Subenclosure 2—Extract]²⁸

Preliminary Draft Proposal for United Nations Stabilization Fund and a Bank for Reconstruction and Development of the United and Associated Nations, Prepared by Mr. Harry Dexter White, Assistant to the Secretary of the Treasury, April 1942

PART I

A. SUGGESTED OUTLINE OF A UNITED AND ASSOCIATED NATIONS STABILIZATION FUND

I. *The Purposes of the Fund are:*

1. To stabilize foreign exchange rates of the United Nations.
2. To encourage the flow of productive capital among the United Nations.
3. To liberate blocked balances.
4. To help correct the maldistribution of gold among the United Nations.
5. To facilitate the settlement and servicing of international debts—both public and private.
6. To shorten the periods of disturbing disequilibrium in the international accounts of member countries and help stabilize price levels.
7. To reduce the necessity and use of foreign exchange controls.
8. To eliminate multiple currency practices and bilateral clearing arrangements.
9. To promote sound note issuing and credit policies and practices among the United Nations.
10. To reduce barriers to foreign trade.
11. To promote more efficient and less expensive clearings of international exchange transactions.

II. *Powers.*

To help attain the objectives listed above, the Fund shall have the following powers:

1. Buy, sell and hold gold, currencies, foreign exchange, bills of exchange, and government bonds of the "member" countries, and act as a clearing house for international movement of funds, balances, checks, drafts, acceptances, gold.
2. The Treasury of each member country (or its agent, a stabilization fund or central bank) shall have the privilege

²⁸ Filed separately under 800.515/494½.

- of purchasing from the Fund the currency of any member country which the Fund holds, provided:
- a. The currency demanded from the Fund is required to meet adverse balance of payments to the country whose currency is being demanded.
 - b. The sum in the Fund of the currency of the country making the purchase shall be, after adding the sum proposed to be purchased, not more than 100 percent of the total sum—gold, currency, and notes—originally contributed to the Fund.
 - c. The rate of exchange shall be the one determined by the Fund.
3. Should a country wish to sell its currency to the Fund in an amount in excess of the above quota, approval by four-fifths of the member votes would be required. The Fund could decide to purchase the excess of the currency in question if:
- a. It is believed the anticipated balance of payments of the country in question was such as to warrant the expectation that the "excess" could be disposed of within a reasonable time, or
 - b. The country in question had gold holdings which, together with gold it expected to accumulate within a reasonable time, were adequate to replace the excess, and
 - c. The country in question agreed to adopt and carry out measures designed to correct the disequilibrium in the country's balance of payments, which the Fund recommended—after careful examination of the situation.
4. The governments of member countries may sell to the Fund, blocked foreign balances acquired from their nationals, provided all the following conditions are met:
- a. The foreign balances were in member countries and were either partly or wholly blocked.
 - b. The foreign balances were included in the sum reported (for the purpose of this provision) by the member government as blocked on date of its becoming a member.
 - c. The country selling the blocked balances to the Fund agreed to begin repurchasing 40 percent of the amount sold to the Fund, at the price received, and at a rate not to be less than 2 percent a year. The repurchases to begin not later than three years after date of sale, and the currency to be used in repayment to be either the currency received or the local currency, as desired by the Fund.

- d. The country in which the blocked balances are held agrees to transfer those balances to the Fund, and purchase back 40 percent of them from the Fund, at the rate of 2 percent a year, beginning not later than three years after the date of transfer. The Fund may accept government bonds payable in gold in lieu of part of the blocked balances, and shall be free to sell such bonds under certain conditions.
 - e. If the country selling the blocked foreign balances to the Fund asks for foreign exchange rather than local currency, it must need the foreign exchange for the purpose of meeting adverse balance of payments arising from any cause except acquisitions of gold, or accumulation of foreign balances.
 - f. The country in which the blocked funds are kept agrees not to impose any restrictions on the installments of the 40 percent portion gradually to be repurchased by country owning the blocked balances.
 - g. A charge of 1 percent, payable in the currency of the country paying shall be levied against the country selling its blocked funds, and a charge of 1 percent payable by country in which blocked account exists.
 - h. The Fund shall determine from time to time what shall be the maximum proportion of the blocked balances it can afford to take over under this provision.
 - i. The Fund on its part agrees not to sell the blocked balances acquired under the above authority, except with the permission, or at the request of the country in which the blocked balances are being held but can invest those balances in regular or special government securities of that country.
5. The Fund would fix the rates at which it will exchange one member's currency for another, and the rates at which it will buy and sell gold with local currencies. The guiding principle in the fixing of such rates shall be stability in exchange relationships. Changes in the rates shall be made only when essential to correction of a fundamental disequilibrium, and only with the consent of four-fifths of member votes.
6. The Fund shall have authority to deal only with the Treasuries of the participating countries, or with official stabilization funds of those countries, and with the bank designated by participating government as its fiscal agent, and with international banks owned by governments.

7. The Fund shall not have the authority to engage in any transactions within a member country, or with any corporation or part of the government of that country without the consent of the Board representative of that country.
8. The Fund shall have the authority to buy and sell currencies of non-member countries, but shall not be authorized to hold such currencies beyond sixty days after date of purchase, except with the approval of four-fifths of the member votes.
9. The Fund shall have the authority to borrow, at such rates as the Fund may recommend, the currency of any country, provided four-fifths of the member votes approve the terms, amount and condition of such borrowing.
10. The Fund shall have the authority to invest any currency it holds in "short-term" securities—commercial or government—of the country of that currency provided a four-fifths vote of the member votes shall approve, and provided further that the approving votes shall include that of the Board representative of the country in which the investment is to be made.
11. The Fund shall have authority to sell the obligation it holds of the member countries provided four-fifths of the member votes approve, and provided the representative of the country in which the securities are to be sold approves.
12. No sale of any currency from the Fund shall be made to a member without approval of four-fifths of member votes when the currency so sold is to be used or is to make possible adjustment of a foreign debt, including, of course, debts already in default.
13. Any member country can borrow local currency from the Fund for one year or less up to 75 percent of the currency of that country held by the Fund, provided such loan is approved by three-fourths of the member votes. A country borrowing such funds shall pay to the Fund an interest rate of 1 percent a year.
14. A very moderate service charge shall be made by the Fund on all exchange and gold transactions.

III. *Eligibility for Membership.*

Any member of the United or Associated Nations is eligible for membership in the Fund provided it agrees:

1. To abandon, not later than one year after joining the Fund, or after the cessation of hostilities, whichever is later, all restrictions and controls over foreign exchange transactions with member countries, except with the approval of the Fund.

2. To alter exchange rates on the currencies of other countries only with the consent of the Fund and only to the extent and in the direction approved by the Fund, with the exception of a narrow range fixed by the Fund and permitted to all member currencies.
3. (a) Not to accept or permit deposits or investments from any member country except with the permission of the government of that country, and
(b) To make available to the government of any member country at its request all property in form of deposits, investments, securities of the nationals of that member country.
4. Not to enter upon any bilateral clearing arrangements.
5. Not to adopt any monetary or general price measure or policy, the effect of which, in the opinion of a majority of the member votes, would be to bring about sooner or later a serious disequilibrium in the balance of payments, if four-fifths of the member votes of the Fund submitted to the country in question their disapproval of the adoption of the measure.
6. To embark upon a program of gradual reduction of existing trade barriers—import duties, import quotas, administrative devices—and further agree not to adopt any increase in tariff schedules, or other devices having as their purpose higher trade obstacles, without giving reasonable opportunity for the Fund to study the effect of the contemplated change on exchange rates and register its opinion. In rendering its opinion, the Fund will make recommendation to which the member governments agree to give serious consideration.
7. Not to permit any defaults on foreign obligations of the government, Central Bank or government agency without approval of the Fund.
8. Not to subsidize—directly or indirectly—the exportation of any commodity or services to member countries without consent of the Fund.

IV. *Composition of the Fund.*

1. The Fund shall consist of gold, currencies of member countries, and member government securities in such amounts as shall be indicated by a formula set forth in the agreement.

The total subscription to the Fund shall be the equivalent of at least \$5 billion. The Bank of the United Nations should subscribe \$100 million to the Fund.

2. The contribution of each country shall consist of 25 percent cash and 25 percent in interest-bearing government securities (interest and principal payable in gold or its equivalent). The remaining 50 percent to be paid in such installments and in such form as shall be determined from time to time by the Fund.

The initial payment of 25 percent cash shall consist of at least one-half in gold, the remainder in local currency.

V. *Management.*

1. The management of the Fund shall be vested in a Board of Directors consisting of the representatives appointed by the member governments. Each government shall appoint one representative.
2. The Board shall elect a chairman and a small operating committee. The Chairman shall be chief of the operating committee. The members of the operating committee should devote full time to the management of the Fund, should be assisted by an appropriate technical staff, and should receive an adequate salary. The Chief of the operating committee with the approval of the Board shall appoint the heads of the departments.
3. In all voting by the Board each representative shall have one hundred votes, plus one vote for the equivalent of every million dollars subscribed to the Fund by his government.
4. A country can replace, wholly or in part, its bonds with currency or gold. The number of votes its representatives can cast will alter accordingly.
5. All decisions, except where specifically provided otherwise, shall be decided by the majority of the votes cast.
6. The President of the Bank for the United Nations shall be a member of the Board and shall have 100 votes. He shall have no additional votes notwithstanding the Bank's participation in the Fund.

VI. The rules and regulations regarding the type, amount and conditions of day-to-day transactions to be handled by the operating committee, shall be promulgated by four-fifths of the member votes.

VII. No change in the gold value of any currency of the participating countries shall be permitted to alter the gold value of the total currency holdings in the Fund. Thus, if the currency of any of the participating countries should depreciate, that country must deliver to the Fund an amount of its local currency equal to the decreased value of that currency held by the Fund. Likewise, if the currency of a particular

country should increase, the Fund must deliver to that country an amount (in the currency of that country) equal to the resultant increase in the gold value of the Fund's holdings. This provision does not apply to currencies acquired under paragraph 4 under section on "Powers."

- VIII. A country failing to contribute to the Fund sums due the Fund shall be dropped as a member, provided a majority of the member votes so decide. Any member dropped shall have returned to it an amount (in its own currency) equal to its contribution minus any sum due by that country to the Fund.
- IX. Net profits earned by the Fund shall be distributed in the following manner:
1. 50 percent to reserves until the reserves are equal to 10 percent of the assets of the Fund.
 2. 50 percent to be divided each year among the members in form of the local currency. That is, each country shall distribute its dividends in its own currency.
- X. The member governments agree to furnish the Fund with all information it needs for its operations, and to furnish such reports as it may require, in the form and at the times requested by the Fund.

B. SUGGESTED OUTLINE OF A BANK FOR RECONSTRUCTION AND DEVELOPMENT OF THE UNITED AND ASSOCIATED NATIONS

I. *The objectives of the Bank are:*

1. To provide capital for the economic reconstruction of the member countries.
2. To facilitate a rapid and smooth transition from a war-time economy to a peace-time economy in the member countries.
3. To supply short-term capital for the financing of foreign trade among the member countries—where such capital is not available from private sources at reasonable rates.
4. To help strengthen the monetary and credit structures of the member countries by redistributing the world gold supply.
5. To eliminate the danger of world-wide crises that are financial in origin, and reduce the likelihood, intensity and duration of world-wide economic depressions.
6. To help stabilize the prices of essential raw materials and other important commodities.
7. To raise the productivity and hence the standard of living of the peoples of the member countries.
8. To promote a greater degree of economic cooperation and collaboration among the member countries.

9. To make easier the solution of many of the economic and political problems that will confront the "peace conference".
 10. To enhance the opportunity throughout the world for a healthy development of democratic institutions.
 11. To provide for the financing and distribution of food-stuffs and other essential commodities needed for the relief of populations devastated by war conditions.
 12. To promote an equitable access to scarce essential raw materials.
- II. *To help carry out these objectives, the Bank shall have the following powers:*
1. Make short-term and long-term loans to any participating government and to any political subdivisions or business enterprise therein, provided:
 - a. The servicing of the loan is fully guaranteed by the national government.
 - b. The funds cannot be borrowed from private investors except at high rates of interest.
 - c. The loan is made only after a careful study and written report by a competent committee on the merits of the project and the loan.
 - d. Only when the committee's report definitely indicates that the loan would serve directly or indirectly to permanently raise the standard of living of the borrowing country, except where the purpose of the loan is to provide emergency relief for devastated areas of war-impooverished inhabitants.
 - e. Only at very low rates of interest—preferably not higher than 3 percent, with a schedule of repayment appropriate to the project.
 2. Whenever possible the Bank should guarantee loans made by private investors, instead of making the loans directly, provided:
 - a. The rate of interest is not in excess of (say) 4 percent and
 - b. Not more than 80 percent of the principal and 50 percent of the interest is guaranteed.
 - c. The loan is not for the purpose of repayment of an old loan.
 3. Issue its own demand currency notes against a 100 percent par value of the obligations of a participating government, or against obligations guaranteed by the participating government, provided there is maintained in the Bank a gold reserve of fifty percent of the notes issued.

The obligations of, or guaranteed by, any single participating government shall not constitute backing for more than 10 percent of the maximum amount of notes that can be issued. The notes should be redeemable in gold on demand only by member governments.

The gold equivalent of the international unit shall be fixed by the Fund.

4. No extension of credit shall be extended by the Bank to any country, the national government of which is in whole or partial default of a foreign loan, unless
 - a. The defaulted loan was made between Allies in a common war, or
 - b. The defaulted government has agreed to renew service of the defaulted debt on a basis worked out by a special committee appointed by the Bank for that purpose, or
 - c. Ninety percent of the member votes approve the loan.
5. Loans made for the purpose of providing metallic reserves or otherwise strengthening monetary systems of the borrowing country shall bear lower rates of interest and may have longer terms of repayment than loans made for other purposes.
6. The Bank shall impose no condition upon an extension of credit or loan as to the particular country in which the proceeds of the loan must be spent.
7. When a loan or credit is extended to a member country, the Bank shall divide the loan into two parts: local currency and international units, according to an estimate of the portion of the loan that is to be spent at home and abroad. Service of the loan shall be either in the identical currency borrowed, or in the New International Unit or gold.
8. The Bank can organize and finance an International Essential Raw Material Development Corporation for the purpose of increasing the world supply of essential raw materials and assuring member countries an adequate supply at fair prices, provided:
 - a. Three-fourths of the member votes approve each separate project and amount invested.
 - b. The product is sold to member countries on equal terms.
9. The Bank can organize and finance an International Commodity Stabilization Corporation for the purpose of stabilizing the price of important commodities, provided:
 - a. At least five governments participate directly in the management and operation of the corporation and subscribe to part of the capital of the corporation.

- b. The corporation will undertake to stabilize the price of any specific commodity only with the consent of the Bank.
- c. The policy governing the operations of the Corporation gives, in the opinion of the Board, proper weight to the interests of world consumers as well as producers.
10. Buy, sell, hold and deal in gold, and in the obligations and securities of any participating government. Act as a clearing house of funds, balances, checks, drafts and acceptances for the account of participating governments or their fiscal agencies, and accept demand, time and custody deposits and accounts from participating governments and their fiscal agencies and central banks.
11. Discount and rediscount bills, acceptances and other obligations and instruments of credit of participating governments and fiscal agencies and central banks.
12. Act as agent or correspondent for any participating government and for fiscal agencies, central banks and political subdivisions.
13. Rediscount with any government or fiscal agency or central bank bills, acceptances and other instruments of credit taken from the Bank's portfolio.
14. Issue or sell debentures and other securities and obligations of the Bank to obtain assets for the purposes of the Bank.
15. Deal only with (a) the governments of members of the Bank, and (b) with the central banks or fiscal agents of those countries only with the consent of the Minister of Finance of the country in question, and (c) with the United Nations Stabilization Fund, and (d) with any international bank owned jointly by some of the member governments.
16. Engage in financial and economic studies and publish reports thereof.

III. *Capital structure.*

1. The capital stock (expressed for convenience in terms of United States dollars) shall be authorized up to \$10 billion, consisting of 10,000 shares having a par value of \$1 million each. The shares purchased are to be paid for in gold and local currency. Fifty percent of the issue price of each share purchased shall be paid up at the time of subscription and the remainder as and when called for by the Bank. Of the initial 50 percent payment, half shall be in gold and half in the currency of any participating country.

2. The shares are non-transferable, but the Bank, with the approval of four-fifths of the Board of Directors, can, under certain conditions, buy back shares offered to it.
3. Each eligible government can subscribe to as many shares of stock as it wishes but the maximum vote permitted any government is 25 percent of the total, irrespective of the sum subscribed. Each government must subscribe to at least a number of shares determined by some formula, such as, for example, 2 percent of its estimated annual national income.
4. Each member of the Bank shall be able to cast 50 votes plus one vote for each share of stock held. Thus a government owning one share shall be able to cast 51 votes, while a government having 1,000 shares can cast 1,050 votes.
5. The United Nations Stabilization Fund should subscribe to 100 shares but should be able to cast only 50 votes.

IV. *Eligibility for Membership.*

1. To be eligible for membership a government must:
 - a. Be a member of the United Nations Stabilization Fund.
 - b. Be at peace with member countries.
2. Any government that withdraws or is expelled from the Fund gives up its membership in the Bank.
3. Any member that is held by two-thirds of the members of the Board—not member votes—to have undertaken an act of military aggression against any other member of the Bank shall forfeit its membership in the Bank. Its holdings of stock shall be repurchased by the Bank at a price fixed by the Board, and the proceeds blocked until the Bank decides to release the funds.

V. *Management.*

1. The administration of the Bank shall be vested in the Board of Directors composed of one director and one alternate appointed by each participating government. Each government shall appoint its director and alternate in a manner to be determined by it. Such director shall serve for a period of three years, subject to the pleasure of his government.
2. The Board of Directors shall select a president of the Bank who shall be the chief of the operating staff of the Bank and also shall be ex-officio chairman of the Board, and one or more vice presidents. The president and vice presidents of the Bank shall hold office for two years, shall be eligible for reelection and may be removed for cause at any time by the Board.

3. The departmental organization of the Bank shall be determined by the Board of Directors. The heads of departments and other similar officers shall be appointed by the Board on the recommendation of the president. The remainder of the staff shall be appointed by the president.
4. The Board of Directors may also appoint from among its members an executive committee. A member of the Board of Directors of the Fund, elected by that Board, shall be a member of the executive committee of the Bank. The Board may at any meeting, by a four-fifths majority vote, authorize the president or the executive committee or any other committee of the Bank to exercise any specified powers of the Board; provided, however, that such powers shall be exercised only until the next meeting of the Board and shall be exercised in a manner consistent with the general policies and practices of the Board. The Board may also, by a four-fifths majority vote, delegate to designated officers and committees of the Bank, for such periods as it may determine, power to make loans and extend credit in such amounts as may be fixed by the Board.
5. The Board of Directors may appoint advisory committees chosen wholly or partially from persons not regularly employed by the Bank.
6. Except where otherwise provided, decisions of the Board of Directors shall be by simple majority of the votes cast. When deemed by the president to be in the best interests of the Bank, decisions of the Board may be made, without a meeting, by polling the directors on specific questions submitted to them in such manner as the Board shall by regulations provide.
7. Authorization or approval by two-thirds majority vote of the Board of Directors shall be required for the making and granting of intermediate and long-term loans and credits, including the assumption of the obligation of a guarantor on intermediate and long-term loans and credits; the acquisition and sale of, and dealing in intermediate and long-term obligations and securities; the discounting and rediscounting of intermediate and long-term paper; the issuance of debentures and other securities and obligations of the Bank; the selection or removal of the president, the vice presidents.

VI. *Distribution of profits.*

1. The yearly net profits shall be applied as follows:
 - a. Twenty-five percent of the profits shall be applied to surplus until the surplus shall be equal to 20 percent of the paid-in capital, after which all profits shall be distributed in proportion to shares held.
 - b. Profits shall be payable in local currency or gold.
 - c. Profits and accounts shall be recorded in terms of the New International Units. The rates of exchange between member country currencies shall be those used by the United Nations Stabilization Fund.

VII. If a member country elects to withdraw or is expelled from the Bank its shares of stock shall, if the Bank has a surplus, be repurchased at the price paid. If the Bank's books show a loss the departing member country shall bear a proportionate share of such loss.

If a member withdraws or is dropped from the Fund, it also forfeits membership in the Bank unless four-fifths of the member votes favor its remaining as a member.

800.51/1418

The Secretary of State to the Secretary of the Treasury
(Morgenthau)

WASHINGTON, May 23, 1942.

MY DEAR MR. SECRETARY: With reference to your letter of May 20, 1942, I shall be happy to have the Department of State take an active part in a study of your interesting proposal for the creation of a Stabilization Fund for the United and Associated Nations and an International Bank for Reconstruction and Development. I shall also be glad to have a continuing contact established between this work and the work of the now functioning Advisory Committee on Post-War Foreign Policy.

I have designated Mr. Leo Pasvolsky and Mr. Herbert Feis to represent the Department of State at your meeting on Monday, May 25, at 3:00 p. m.

Sincerely yours,

CORDELL HULL

841.24/1489

*Memorandum of Conversation, by the Assistant Secretary of State
(Acheson)*

[WASHINGTON,] May 29, 1942.

Participants: Sir Frederick Phillips
Mr. Kenneth Bewley²⁹
Mr. Acheson

Sir Frederick asked what he might say in London, when he was questioned regarding the proposed visit of American economists to discuss informally the agenda for conversations under Article VII of the Lend-Lease Agreement. I told Sir Frederick that I had no further information than I had already given to Mr. Opie.³⁰ Mr. Opie had been told that in view of the proposed visit of Messrs. Law and Ronald it had been decided to defer consideration of such a visit and to take up instead procedural questions as to when, where, and with what participation such discussions could best go forward. I understood that the visit of Messrs. Law and Ronald had been deferred, but I did not know for how long or what bearing the deferment had on our prior decision. I said further that Sir Frederick, through his conversations with Dr. Pasvolsky, had a good idea of the course of our thinking and suggested that he might bring back with him some indication of the direction and progress which had been made on the British side.

DEAN ACHESON

841.24/1412 : Telegram

*The Ambassador in the United Kingdom (Winant) to the Secretary
of State*

[Extract]

LONDON, June 5, 1942—8 p. m.

[Received 9:17 p. m.]

3150. For the Secretary and Under Secretary. This is to let you know that Richard Law has delayed his journey to the United States until the return of our friends to Moscow.³¹ It did not seem wise to have the Foreign Office appear to follow up the negotiations here by sending someone who might be presumed to keep watch on conversa-

²⁹ Of the British Supply Council of North America.

³⁰ Redvers Opie, Counselor of the British Embassy.

³¹ For reports concerning the visit of the Soviet People's Commissar for Foreign Affairs, Vyacheslav Mikhailovich Molotov, to London and Washington during May and June 1942, see vol. III, section under Union of Soviet Socialist Republics entitled "Discussions relating to policies and problems . . .".

tions that were taking place in the United States. This seemed to me a wise decision and I approved it.

Now that the Lend-Lease Agreements with China and Russia are underway³² and conversations with the latter have established a relationship on a friendly basis, I believe there is again an opportunity to engage in informal discussions with the British on commercial and economic problems.

It has been my opinion from the beginning that these first talks should be largely in a sense academic and completely informal, the object being to find out from the British what they consider their post-war problems in order that we might be in a position to discuss them on a more formal basis at a meeting which I assume would be called at Washington. It would not seem to me practical to bring on from London to Washington at an early date for such a preliminary meeting the two dozen or more men who have worked on British memoranda and who are deeply interested in the problem and are completely in sympathy with the Department's views as expressed in article VII of the Lend-Lease Agreement. I believe, however, that informal talks which could be conveniently carried on now in London with these men would be most helpful. The apparent lack of interest and failure to follow up article VII have encouraged those who are completely opposed to it to advance contrary views.

WINANT

841.24/1497

*Memorandum of Conversation, by the Assistant Secretary of State
(Acheson)*

[WASHINGTON,] July 17, 1942.

Participants: Sir Frederick Phillips
Dr. Pasvolsky
Mr. Acheson

Sir Frederick Phillips called at his request. He referred to prior conversations which he had had with Dr. Pasvolsky and me on the subject of the time and place for beginning the discussions referred to in Article VII of the Lend-Lease Agreement with the United Kingdom. He said that the British Treasury had asked him to express to this Department and to Secretary Morgenthau its desire to begin at once an informal exploration of certain portions of this matter. He was also authorized to disclose to whatever officials might be designated

³² The Lend-Lease Agreement with China was signed June 2, 1942; for text, see Executive Agreement Series No. 251, or 56 Stat. (pt. 2) 1494. The agreement with the U. S. S. R. was signed June 11, 1942; for text, see Executive Agreement Series No. 253, or 56 Stat. (pt. 2) 1500.

the line along which the British Treasury is thinking. He was inclined to assume that these discussions should be with officials of the Treasury Department. We said to him that this Department was also interested in these questions and that the Secretary would undoubtedly wish to designate someone to discuss them with him also. I said that both Mr. Berle ³³ and Dr. Pasvolsky were interested in this field.

Dr. Pasvolsky suggested that it would be most helpful if Sir Frederick would prepare for the Department an outline of the principal points which he was prepared to discuss. He said that he would do this and have it available on Monday or Tuesday. He said that he had an appointment within a few minutes to mention this matter to Mr. Morgenthau.

In response to some questions from Dr. Pasvolsky, he stated that the British Treasury ideas were to form some sort of a clearing union and obtain the adherence of as many nations as possible. The union would establish some gold unit for clearing purposes. The system would involve some provisions for permitting or requiring measures to be taken by a nation whose debit balance increased beyond a certain designated allowance. He stated that these matters had not been fully worked out and that he would cover them in a memorandum which he proposed to leave. We stated that we would bring this communication to the immediate attention of the Secretary and the appropriate officers of the Department.

DEAN ACHESON

842.24/170

*Memorandum of Conversation, by the Assistant Secretary of State
(Berle)*

[WASHINGTON,] July 28, 1942.

The Canadian Counselor ³⁴ came in to see me today at his request, on another matter.

I took advantage of his presence to bring him up-to-date on a couple of matters.

I said that we knew the Canadian Government had felt left out because it had no Lease-Lend agreement and therefore had nothing corresponding to Article VII of our Lend-Lease agreements. We had, therefore, addressed a note to the Canadian Government, ³⁵ embodying the text of Article VII, so that the door should be wide open to the Canadian Government if it wished to join in these discussions.

³³ Adolf A. Berle, Jr., Assistant Secretary of State.

³⁴ Merchant Mahoney, Counselor of Legation.

³⁵ Not found in Department files. For exchange of notes between the United States and Canada regarding postwar economic settlements, signed November 30, 1942, see Executive Agreement Series No. 287, or 56 Stat. (pt. 2) 1815.

The Counselor said that this had been under discussion; that Mike Pearson ³⁶ had gone to Ottawa and would be back in a few days; that he was engaged in discussing exactly this.

I then said that we had likewise been considering possible methods of implementing Article VII and that the British had inquired when we would be prepared to hold consultations under it. I said that working up an agenda for an Article VII consultation was no small task; that we had thought of a number of things. Among the things being tentatively considered was the possibility of international exchange stabilization with an appropriate institution for that purpose. I was of the impression that this tentative possibility had been mentioned to the British and I wished to mention it to him. I wished to emphasize, among other things, that as it lay in our minds, discussions to that end would have to include not only the British but the Canadians as well, and probably a number of other countries.

A. A. B[ERLE], JR.

740.00113 European War 1939/443 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, July 30, 1942—9 p. m.

[Received 11:24 p. m.]

4258. The Foreign Office, through Ronald, has informed the Embassy of the appointment of a subcommittee as the result of the informal meeting held on July 24 (your 3400, July 22, midnight, and Embassy's 4155, July 25, 5 p. m.)³⁷ between Finance Ministers of Allied Governments and representatives of the Dominions and of the appropriate United Kingdom Government authorities, and has asked whether the United States would wish to be associated in any way with the informal meetings of the subcommittee.

The purpose of this informal subcommittee was explained as follows. From informal talks which have taken place with Finance Ministers of a number of Allied Governments now established in London, it appeared that great importance was attached by them to the postwar currency situations of their countries. They felt that if no consideration were given in advance to the currency problems that would arise immediately their territories were cleared of the enemy, confusion would result.

It was found that the Allied Governments established in London were looking to the British Government for technical advice on such questions, for example, as the amount of currency that might be ap-

³⁶ Canadian Minister Counselor at Washington.

³⁷ *Ante*, pp. 72 and 73, respectively.

appropriate to postwar needs in their countries. The complexity of the problems was fully recognized and its importance appreciated by the British Government. The Allied Finance Ministers were accordingly invited to submit memoranda giving any views they might have on these postwar currency problems from the points of view of their own countries. It was suggested that these memoranda might form the basis of informal discussions at a meeting.

The subject was discussed at the informal meeting on July 24, referred to above, and it was decided that the British Government should informally acquaint us and the Soviet Union through Maisky³⁸ with what was contemplated, and should inquire whether we and the Russians would wish to be associated in any way with the work of the informal subcommittee.

Accordingly, Under Secretary Law has fully acquainted Ambassador Maisky with the matter and asked whether the Soviet would like to send a representative to participate, or to send an observer. In case it did not wish to adopt either course, it would be supplied with all memoranda dealing with the work of the informal subcommittee.

In summing up the economic aspects of the discussion at the meeting on July 24, Keynes paid a tribute to the papers which had been submitted by the Allied Finance Ministers. He was struck by the fact that in none of the countries concerned had the note issue reached astronomical levels as in the last war. The papers showed that the inflation now occurring in Europe was much more due to shortage of goods than to superabundance of currency. The volume of goods and the volume of currency would therefore have to be considered together and some sort of uniform policy would be essential. He thought there was a striking uniformity between the problems and their solution in the different European countries. Some unification of the currency would be needed, requiring in some cases the adaptation of the existing unit of currency and in other cases new units. Referring to warnings of great potential inflation immediately after the war he thought that price controls would have to be maintained in the early period. There was also a series of other problems not identical in different countries but sufficiently similar to be usefully discussed in a subcommittee.

On the international aspects of currency problems Keynes said that the British had given great thought to them and had made progress, he thought, but they considered—and he thought the Allied Governments would agree with them in this—that the wise thing would be for the British first of all to discuss this with their American friends, who would be so greatly concerned with the matter.

³⁸ Ivan Mikhallovich Maisky, Soviet Ambassador in the United Kingdom.

Memoranda submitted to the British for the meeting on July 24, will be obtained and sent together with a brief summary and analysis.³⁹

Will you please inform us whether and if so in what way you wish the Embassy to be represented at the informal meetings of the sub-committee, or whether you only wish to receive detailed information on its proceedings and on any memoranda submitted to it through the British?

We assume the Department will inform the Treasury.

WINANT

740.00113 European War 1939/443 : Telegram

*The Secretary of State to the Ambassador in the United Kingdom.
(Winant)*

WASHINGTON, August 6, 1942—midnight.

3709. Your 4258, August 3 [*July 30*]. This has been discussed with the Secretary of the Treasury and is being given careful consideration. Pending final decision, the Secretary of the Treasury is of the opinion that it is desirable to have an observer at the Sub-Committee meeting and the Department agrees. The Embassy is instructed to keep us fully informed and to forward copies of all memoranda that may have been distributed or may be distributed.

HULL

840.50/577

Memorandum of Conversation, by the Secretary of State

[WASHINGTON,] August 14, 1942.

The British Minister, Sir Ronald Campbell, called at his request.

I remarked that it was my understanding that British officials were getting uneasy about the delay of this Government in discussing economic matters, if not others as well, relating to the post-war situation. He replied that this was true to the extent of economic matters coming under Article VII of the Lease-Lend Act [*Agreement*]. I then proceeded to say that this Government is only too glad to discuss and develop to the fullest extent feasible and practicable any and all post-war questions and programs. The Minister interrupted to say that it was his impression that this Government would be averse to discussing many questions of a post-war nature which might well be discussed. I said I must correct him there; that I had in mind the complete postponement of only those questions, policies and programs which it would not be feasible or practicable to discuss or to

³⁹ Copies transmitted to the Department by the Ambassador in his despatch No. 5228, August 27, 1942; none printed.

make decisions about until the end of the war; that I could offer no better illustration of this class of prohibited questions than to refer to the recent question relating to Baltic territorial matters and policies which came up between Great Britain and Russia when they entered into the twenty-year treaty.⁴⁰ I said that this country never would agree for that kind of question to be discussed and acted upon during the war, especially in the light of our very trying experience in opposing the recent Baltic State provisions that were in the very act of going into the British-Russian treaty by mutual agreement. The Minister said he could fully understand what I meant about postponing such questions for discussion and decision until after the war.

I then said that this was not the time for formal conferences between any of our governments relating to post-war programs and policies, that there is bitter feeling against what is called neglect in prosecuting the war, when we are losing the war every day for the sake of sitting down and engaging in long-winded conversations and formal conferences about post-war policies and programs, which it is possible could and would never eventuate. The Minister by this time cheerfully said that he quite agreed.

I said that we would be glad to have any appropriate official in an entirely informal and unofficial manner sit down and talk with any economist, who may come here from Great Britain or any of the twenty-eight United Nations, about matters touching any phase of economic affairs that might be feasible and practicable at this stage; that there would be nothing kept from an economist or official of any of the twenty-eight United Nations; that we will probably be engaging in such individual and informal talks from time to time in the foregoing respect with different countries; there would be no decisions and merely the groundwork laid for conference and decision at a suitable time; and that this Government is in the meantime desirous of any progress that can be made under the foregoing plan. The Minister led me to think that he concurred in this idea.

I said to the Minister that the greatest danger to the whole post-war planning, second only to the importance of winning the war and the danger of losing it if too much is taken for granted, is the question of securing the support of the electorates for our post-war program as it may be made up; that unless the most careful, sound and tactful course is pursued, especially by the important nations concerned, in working

⁴⁰ Treaty between Great Britain and Northern Ireland and the Union of Soviet Socialist Republics for an Alliance in the War Against Hitlerite Germany and Her Associates in Europe, and providing also for Collaboration and Mutual Assistance thereafter, signed at London, May 26, 1942; for text, see League of Nations Treaty Series, vol. ccrv, p. 353. See also telegrams No. 2397, May 24, 1942, and No. 2922, May 26, 1942, from the Ambassador in the United Kingdom, *Foreign Relations*, 1942, vol. III, section under Union of Soviet Socialist Republics entitled "Discussions relating to policies and problems . . .".

out a suitable program, which is definite and practical, the governments supporting any different plan and program will be completely swamped at the first election held after the last shot is fired, assuming of course that we win the war. I added that this all-important phase is being considered by but very few persons or officials and that this is another fact and factor which must be kept in mind in planning the time, nature and extent, first of informal conversations, and later of conferences and agreements which would go to make up the post-war program to the extent feasible and timely, and which it is hoped would be sufficient to indicate which way the world should go following the war.

C[ORDELL] H[ULL]

033.4111/419

Memorandum of Conversation, by the Secretary of State

[WASHINGTON,] August 14, 1942.

The British Minister, Sir Ronald Campbell, called at his request. He said that some weeks ago a proposed visit to this country by the British Parliamentary Under Secretary of State Law to inform himself at close range of the general international picture as viewed from the United States was acceptable to this Government, but had to be postponed. He said that now Under Secretary Law plans to come to this country about August twentieth as the guest of Ambassador Halifax and to remain some ten days; that he has no special purpose in coming except to familiarize himself at close range with questions and conditions relating to international affairs in which his Government is interested. I replied that, of course, he would be genuinely welcome.

The Minister then showed me a proposed announcement by the British Government of the visit of Under Secretary Law, which was along the foregoing lines. The Minister added that an economist of some note would accompany the Under Secretary, but that he was not mentioned in the announcement of the proposed visit. I suggested that the British Government insert in its announcement a statement to the effect that the Under Secretary was not coming for the purpose of any formal conferences or for the purpose of entering into any agreements. I then added that the economist might well be listed as an aide to the Under Secretary. The Minister agreed to send me later today a copy of the entire memorandum giving the details of the proposed visit of Under Secretary Law.⁴¹

C[ORDELL] H[ULL]

⁴¹ Not printed.

841.24/1528

*Memorandum of Conversation, by the Assistant Secretary of State
(Acheson)*

[WASHINGTON,] August 18, 1942.

Participants: Sir Frederick Phillips, British Treasury Representative
Mr. Redvers Opie, Counselor of the British Embassy
Mr. Dean Acheson
Mr. Achilles ^{41a}

Sir Frederick Phillips and Mr. Opie called at their request. Sir Frederick inquired about the status of the exchange of notes on reciprocal aid and was informed that the Australian text was now cleared with the Australian Government and ready for submission to the President with the British text. We expected to hear on Wednesday or Thursday from the New Zealand Minister. We had hopes that the notes might be approved and signed this week.⁴²

Sir Frederick then said that he wished to raise a question regarding conversations under Article VII of the Lend-Lease Agreement. As he had informed me some time ago (see my memorandum of conversation with Sir Frederick Phillips and Dr. Pasvolsky on July 17, 1942 with reference to informal discussions with Treasury and financial officials), he had been instructed by his Government to take up with the Treasury and this Department some ideas regarding a stabilization fund which were being developed in London. He had also mentioned this to Secretary Morgenthau and had been at work upon a memorandum which he proposed to leave with the Treasury and with this Department toward the end of this week. He wished to discuss procedure as to these conversations. I said to Sir Frederick that financial matters were not under my charge but were under Assistant Secretary Berle and that the memorandum should be left with Mr. Berle and that Sir Frederick should discuss with Mr. Berle the procedure for developing his ideas on this matter.

Sir Frederick asked whether it was our idea that the various subjects should be treated separately in the discussions under Article VII. He said that on the British side they proposed to deal with these discussions as a unit because of their inter-related character. I said that we also understood that many or all of these subjects were closely related and had made and were making arrangements for developing a treatment of them which would recognize this. However, in the interest of division of labor, Mr. Berle would handle cer-

^{41a} Theodore C. Achilles, of the Division of European Affairs.

⁴² For texts of notes exchanged September 3, 1942, see Executive Agreement Series Nos. 270, 271, and 272, or 56 Stat. (pt. 2) 1605, 1608, and 1611. For correspondence regarding the negotiations, see pp. 537 ff.

tain subjects, of which the stabilization fund would be one. I would deal with others, and possibly other officers with still others. The whole matter would be brought together by meetings between us under the direction of the Secretary and the Under Secretary and through Dr. Pasvolsky's staff.

Mr. Opie then asked whether there had been any change in our policy toward these discussions; that is, did we still intend to have bilateral discussions with the various countries which had signed lend-lease agreements. He said that there was considerable worry about this in London and that Sir Ronald Campbell had felt that the Secretary in their recent conversation on the matter had not appeared so desirous of going forward with these discussions as this Government had seemed some time ago. I said that I did not believe that this was the correct interpretation of the Secretary's remarks, which I thought were directed toward pointing out the need for care and discretion in these conversations in order not to arouse adverse criticism both in this country and among our allies, at a time when it might be thought that the progress of the war was not such as to warrant diverting attention to post-war matters. I did not believe that the Secretary had changed his view that many of these matters must be discussed during the war and not left to its conclusion.

Sir Frederick then mentioned the proposed visit of Under Secretary Law, which he said had been delayed a few days so that the Under Secretary would now arrive on Monday, August 24 or Tuesday, August 25. I said that I had understood that Sir Ronald Campbell had informed the Department that a well known economist would accompany the Under Secretary and asked if they could inform me who he was and tell me anything about his plans. Mr. Opie and Sir Frederick both stated that they thought this must have been a misunderstanding; that so far as they knew, Mr. Nigel Ronald was the only person accompanying Mr. Law.

DEAN ACHESON

840.50/644

Memorandum of Conversation, by the Secretary of State

[WASHINGTON,] August 24, 1942.

The British Parliamentary Under Secretary, Mr. Richard Law, accompanied by the Ambassador, called to pay his respects. No particular business was taken up. The conversation was informal and related to a number of topics such as the war and some brief references to disarmament questions ahead, together with the world problem of keeping the peace by force, and some references to commercial policy.

In answer to an inquiry about disarmament I said that the real problem of this country for some years has been that of rearmament rather than disarmament and that, therefore, we had no particular outstanding authority on that question except perhaps Mr. Norman Davis,⁴³ with whom Mr. Law might wish to talk. I referred to the Under Secretary, the Assistant Secretaries, the Political Advisers and the heads of the geographical divisions in the Department, any one of whom knew something of this and related subjects.

I then proceeded on my own initiative to refer to the reports that the British Government was apprehensive lest this Government was delaying entirely too much discussions with a view to satisfactory progress dealing with the whole problem of financial, commercial and economic policy, with special reference to Article 7 of the Atlantic Charter.⁴⁴ I said that British officials could not be more mistaken than to have the impression that this Government is even remotely disposed to delay suitable consideration and action on these subjects with all possible education of public opinion accompanying the formation of concrete programs. At this dark period of the war when well nigh every person of any intelligence is deeply concerned and engrossed with the outcome of this struggle now seemingly hanging in the balance, it is very difficult to proceed in preparing some of the more important phases of post-war planning since it would not be difficult to start a serious backfire of criticism that would be taken up by the country against too much attention at this pivotal time with mere post-war planning; that this Government is nevertheless just as much alive to its importance and its necessity as it would be if the present conditions permitted the fullest and most open conferences and agreements at this stage.

In the course of the conversation relative to post-war planning, with special reference to the creation of an international organization to keep the peace among nations by force if and when necessary, I said with emphasis that no matter how complete, satisfactory and workable any structure of world peace and political stability might be, it would be fatal to overlook the big fact that this entire peace and political structure must have a solid economic foundation on which to rest. If this problem, which will be the biggest to grapple with following the war, should not be kept especially in mind and carried through to a successful termination by establishing efficient international trade, a sound financial and general economic structure, the same conditions of unemployment, distress and privation would arise

⁴³ Chairman of the American Red Cross; previously Mr. Davis was chairman of the American delegation to the Disarmament Conference at Geneva and of the delegation to the London Naval Conference of 1935.

⁴⁴ Reference is to article VII of the Lend-Lease Agreement.

in many parts of the world just as it did following the last World War, with the result that agitators, revolutionists and dictators would promptly make their appearance, and before it could well be realized the spreading effects of isolationism in every economic sense would create conditions of such serious nature that it would be impossible in the end for any of the international forces to cope with the dangers of uprisings and prevent them from getting out of hand. I added that this was the greatest problem ahead following the termination of the war and that preparations for it could not be advanced too rapidly to the end that basic practical ideas might gradually be developed and public opinion educated and organized in support of them. In any event, the terrific problem of eliminating the many kinds of restrictions and obstructions to the normal processes of international trade, finance, commercial exchange, credit, et cetera, would have to be considered cautiously over a period of time just as this Government has gradually and scientifically proceeded with the reduction of tariff and trade barriers, especially during the years since 1934. In following this course we have substantially reduced some 1200 tariff rates and classifications out of our total structure of some 3,000 items. The Ambassador and Mr. Law both heartily agreed to these views.

I then referred to the question of probable anarchy throughout Europe after the war unless suitable relief plans be worked out to be promptly put into effect by this country, Great Britain and other important countries, that too much haste is not possible in this matter for the reasons I have already mentioned. The British Government will readily realize that anarchy in Europe would mean complete disaster in this country in due course, and that, therefore, this country is selfishly interested in the prevention of anarchy in Europe, if for no other reason. I then reiterated that we were extremely desirous of moving as rapidly as is at all feasible in informal discussions and in the exchange of information with a view to approaching the conference stage as early as is at all practicable. Mr. Law seemed to appreciate the views thus expressed.

The Ambassador then inquired as to whom Mr. Law might call on to engage in informal conversations of mutual interest, or of interest to him as a visitor, with no program and no agreements in mind at this time. I suggested that the Under Secretary, Assistant Secretaries Berle and Acheson, Dr. Feis, Adviser on International Economic Affairs, Dr. Pasvolsky, the Director of the Post-War Planning Committee, and Mr. Harry Hawkins, Chief of the Division of Commercial Treaties, would all be pleased to meet Mr. Law and that I would notify them of this desire on the part of Mr. Law to see them.

C[ORDELL] H[ULL]

840.50/763

*The Counselor of the British Embassy (Opie) to the Assistant
Secretary of State (Berle)*

WASHINGTON, August 28, 1942.

DEAR MR. BERLE: In the absence of Sir Frederick Phillips I am sending you a copy of a paper prepared by Lord Keynes which embodies one result of discussions in London on the post-war international financial problem. When Sir Frederick Phillips outlined the central ideas in this paper to Mr. Acheson and Mr. Pasvolsky some time ago they thought that it would be useful to have a written statement for the informal consideration of United States experts. The enclosed document is for that purpose and a copy is also being sent to Dr. White of the United States Treasury.

The Clearing Union plan as expounded by Lord Keynes, and the basic ideas behind it, are the result of discussions between British experts only and until we have reached some measure of agreement as between American and British views after more formal consideration than is now contemplated, I hope that you may agree that the document should not be shown to anyone outside the United States Government Departments.

I would emphasize that the document is put forward for discussion and amendment by experts, as one variant of a central idea which has been advanced independently from different directions. There is no pretence that this scheme as outlined is complete in every detail, and there are many points which could best be dealt with orally at this stage if you should wish to discuss them informally.

Yours sincerely,

REDVERS OPIE

[Enclosure]

Proposals for an International Clearing Union

I.—PREFACE

About the primary objects of an improved system of International Currency there is, to-day, a wide measure of agreement:—

(a) We need an instrument of international currency having general acceptability between nations, so that blocked balances and bilateral clearings are unnecessary; that is to say, an instrument of currency used by each nation in its transactions with other nations, operating through whatever national organ, such as a Treasury or a Central Bank, is most appropriate, private individuals, businesses and banks other than Central Banks, each continuing to use their own national currency as heretofore.

(b) We need an orderly and agreed method of determining the relative exchange values of national currency units, so that unilateral action and competitive exchange depreciations are prevented.

(c) We need a *quantum* of international currency, which is neither determined in an unpredictable and irrelevant manner as, for example, by the technical progress of the gold industry, nor subject to large variations depending on the gold reserve policies of individual countries; but is governed by the actual current requirements of world commerce, and is also capable of deliberate expansion and contraction to offset deflationary and inflationary tendencies in effective world demand.

(d) We need a system possessed of an internal stabilising mechanism, by which pressure is exercised on any country whose balance of payments with the rest of the world is departing from equilibrium in either direction, so as to prevent movements which must create for its neighbours an equal but opposite want of balance.

(e) We need an agreed plan for starting off every country after the war with a stock of reserves appropriate to its importance in world commerce, so that without due anxiety it can set its house in order during the transitional period to full peace-time conditions.

(f) We need a method by which the surplus credit balances arising from international trade, which the recipient does not wish to employ for the time being, can be set to work in the interests of international planning and relief and economic health, without detriment to the liquidity of these balances and to their holder's faculty to employ them himself when he desires to do so.

(g) We need a central institution, of a purely technical and non-political character, to aid and support other international institutions concerned with the planning and regulation of the world's economic life.

(h) More generally, we need a means of reassurance to a troubled world, by which any country whose own affairs are conducted with due prudence is relieved of anxiety, for causes which are not of its own making, concerning its ability to meet its international liabilities; and which will, therefore, make unnecessary those methods of restriction and discrimination which countries have adopted hitherto, not on their merits, but as measures of self-protection from disruptive outside forces.

2. There is also a growing measure of agreement about the general character of any solution of the problem likely to be successful. The particular proposals set forth below lay no claim to originality. They are an attempt to reduce to practical shape certain general ideas belonging to the contemporary climate of economic opinion, which have been given publicity in recent months by writers of several different nationalities. It is difficult to see how any plan can be successful which does not use these general ideas, which are born of the spirit of the age. The actual details put forward below are offered, in no dogmatic spirit, as the basis of discussion for criticism and improvement. For we cannot make progress without embodying the general underlying idea in a frame of actual working, which will bring out the

practical and political difficulties to be faced and met if the breath of life is to inform it.

3. In one respect this particular plan will be found to be more ambitious and yet, at the same time, perhaps more workable than some of the variant versions of the same basic idea, in that it is fully international, being based on one general agreement and not on a multiplicity of bilateral arrangements. Doubtless proposals might be made by which bilateral arrangements could be fitted together so as to obtain some of the advantages of a multilateral scheme. But there will be many difficulties attendant on such adjustments. It may be doubted whether a comprehensive scheme will ever in fact be worked out, unless it can come into existence through a single act of creation made possible by the unity of purpose and energy of hope for better things to come, springing from the victory of the United Nations, when they have attained it, over immediate evil. That these proposals are ambitious is claimed, therefore, to be not a drawback but an advantage.

4. The proposal is to establish a Currency Union, here designated an *International Clearing Union*, based on international bank-money, called (let us say) *bancor*, fixed (but not unalterably) in terms of gold and accepted as the equivalent of gold by the British Commonwealth and the United States and all the other members of the Union for the purpose of settling international balances. The Central Banks of all member States (and also of non-members) would keep accounts with the International Clearing Union through which they would be entitled to settle their exchange balances with one another at their par value as defined in terms of *bancor*. Countries having a favourable balance of payments with the rest of the world as a whole would find themselves in possession of a credit account with the Clearing Union, and those having an unfavourable balance would have a debit account. Measures would be necessary (see below) to prevent the piling up of credit and debit balances without limit, and the system would have failed in the long run if it did not possess sufficient capacity for self-equilibrium to prevent this.

5. The idea underlying such a Union is simple, namely, to generalise the essential principle of banking as it is exhibited within any closed system. This principle is the necessary equality of credits and debits. If no credits can be removed outside the clearing system, but only transferred within it, the Union can never be in any difficulty as regards the honouring of cheques drawn upon it. It can make what advances it wishes to any of its members with the assurance that the proceeds can only be transferred to the clearing account of another member. Its sole task is to see to it that its members keep the rules

and that the advances made to each of them are prudent and advisable for the Union as a whole.

6. It is proposed that the Clearing Union should be designed and initiated by the United States and the United Kingdom and that Russia and perhaps one or more other members of the United Nations should then be invited to join them as founder States. Other members would then be brought in—some from the outset, some as soon as they had established an internal organisation capable of sustaining the obligations of membership. This approach would have the great advantage that the charter and the main details of the new body could be drafted without being subjected to the delays and confused counsels of an international conference, though this need not stand in the way of informal consultation with those concerned. It would also mean that considerable progress could be made irrespective of the nature of the European political settlement and before the conditions of adherence of the European members could be finally determined. Moreover, membership would be thus established as a privilege only open to those who conformed to certain general principles and standards of international economic conduct.

II.—THE PROVISIONS OF THE PLAN

7. The provisions proposed (the particular proportions and other details suggested being tentative as a basis of discussion) are the following:—

(1) The Governing Board of the Clearing Union will be appointed by the Governments of the several member States; the daily business with the Union and the technical arrangements being carried out, as at present, through their Central Banks.

(2) The founder States will agree between themselves the initial values of their own currencies in terms of *bancor* and also the value of *bancor* in terms of gold, which will not be varied subsequently except with their approval; and the initial values of the currencies of other members will be agreed with them on their joining the system. A member State may not subsequently alter the value of its currency in terms of *bancor* without the permission of the Governing Board except under the conditions stated below; but during the first five years after the inception of the system the Governing Board shall give special consideration to appeals for an adjustment in the exchange value of a national currency unit on the ground of unforeseen circumstances.

(3) The amount of the maximum debit balance allowed to any member State shall be designated its *quota*. The initial quotas might be fixed by reference to the sum of each country's exports and imports on the average of (say) the three pre-war years, being either equal or in a determined *lesser* proportion to this amount, a special assessment being substituted in cases (of which there might be several) where this formula would be, for any reason, inappropriate. Subsequently, after the elapse of the transitional period, the quotas should be revised annually in accordance with the running average of each country's

actual volume of trade in the three preceding years. The determination of a country's quota primarily by reference to the value of its foreign trade seems to offer the criterion most relevant to a plan which is chiefly concerned with the regulation of the foreign exchanges and of a country's international trade balance. It is, however, a matter for discussion whether the formula for fixing quotas should also take account of other factors.

(4) A charge of 1 per cent. per annum shall be payable to the Reserve Fund of the Clearing Union on the amount of the excess of the average balance of a member State, whether it is a credit or a debit balance, above a quarter of its quota; and a further charge of 1 per cent. on the excess of the average balance, whether credit or debit, above a half of its quota. Thus, only a country which keeps as nearly as possible in a state of international balance on the average of the year will escape this contribution. These charges are not absolutely essential to the scheme. But if they are found acceptable, they would be valuable and important inducements towards keeping a level balance, and a significant indication that the system looks on excessive credit balances with as critical an eye as on excessive debit balances, each being, indeed, the inevitable concomitant of the other. Any member State in debit may, however, borrow from the balances of any member State in credit on such terms as may be mutually agreed, by which means each would avoid these contributions.

(5)—(a) A member State may not increase its debit balance by more than a *quarter* of its quota within a year without the permission of the Governing Board. If its debit balance has exceeded a quarter of its quota on the average of at least a year, it shall be entitled to reduce the value of its currency in terms of *bancor*, provided that the reduction shall not exceed 5 per cent. within a year without the permission of the Governing Board.

(b) As a condition of allowing a member State to increase its debit balance to a figure in excess of a *half* of its quota, the Governing Board may require (i) a stated reduction in the value of the member's currency, if it deems that to be the suitable remedy, (ii) the control of outward capital transactions if not already in force, and (iii) the surrender of a suitable proportion of any separate gold or other liquid reserve in reduction of its debit balance. Furthermore, the Governing Board may recommend to the Government of the member State any internal measures affecting its domestic economy which may appear to be appropriate to restore the equilibrium of its international balance.

(c) If a member State's debit balance has exceeded *three-quarters* of its quota on the average of at least a year [or is excessive, as measured by some formula laid down by the Governing Board, in relation to the total debit balances outstanding on the books of the Clearing Union],^{44a} it may be asked by the Governing Board to take measures to improve its position and, in the event of its failure to reduce its debit balance below the figure in question within two years, the Governing Board may declare that it is in default and no longer entitled to draw against its account except with the permission of the Governing Board. Each member State, on joining the system, shall agree to pay to the Clearing Union any payments due from it to a country in default towards the discharge of the latter's debit balance

^{44a} Brackets appear in the original.

and to accept this arrangement in the event of falling into default itself. A member State which resigns from the Clearing Union without making approved arrangements for the discharge of any debit balance shall also be treated as in default.

(6) A member State whose credit balance has exceeded a *half* of its quota on the average of at least a year shall discuss with the Governing Board (but shall retain the ultimate decision in its own hands) what measures would be appropriate to restore the equilibrium of its international balances, including—

- (a) Measures for the expansion of domestic credit and domestic demand;
- (b) The appreciation of its local currency in terms of *bancor*, or, alternatively, an increase in money wages;
- (c) The reduction of tariffs and other discouragements against imports;
- (d) International loans for the development of backward countries.

(7) A member State shall be entitled to obtain a credit in terms of *bancor* by paying in gold to the Clearing Union for the credit of its clearing account. But no-one is entitled to demand gold from the Union against a balance of *bancor*, since such balance is available only for transfer to another clearing account. The Governing Board of the Union should, however, have the discretion to distribute any gold in the possession of the Union between the members possessing credit balances, proportionately to such balances, in reduction of their amount.

(8) Members of the Governing Board would be appointed by the Governments of the founder States and of the other member States, the lesser States appointing in groups, so that the members would not exceed (say) 12 in number, each member having a vote in proportion to the quotas of the State (or States) appointing him. But there might be a provision, at any rate for the first five years, by which the representatives of the founder States could outvote the rest of the Board.

(9) The executive offices of the Union should be situated in London and New York with the Board of Managers meeting alternatively in London and Washington.

(10) Members would be entitled to withdraw from the Union on a year's notice, subject to their making satisfactory arrangements to discharge any debit balance. They would not, of course, be able to employ any credit balance except by making transfers from it, either before or after their withdrawal, to the Clearing Accounts of other Central Banks. Similarly, it should be within the power of the Governing Board to require the withdrawal of a member subject to the same notice.

(11) The Central Banks of non-member States would be allowed to keep credit clearing accounts with the Union; and, indeed, it would be advisable for them to do so for the conduct of their trade with member States. But they would have no right to overdrafts and no say in the management.

(12) The principles and governing rules of the Union should be the subject of reconsideration after five years' experience, if a majority of the Governing Board desire it.

III.—SOME ADVANTAGES OF THE PLAN

8. The plan aims at the substitution of an expansionist, in place of a contractionist, pressure on world trade.

9. It effects this by allowing to each member State overdraft facilities of a defined amount. Thus each country is allowed a certain margin of resources and a certain interval of time within which to effect a balance in its economic relations with the rest of the world. These facilities are made possible by the constitution of the system itself and do not involve particular indebtedness between one member State and another. A country is in credit or debit with the Clearing Union as a whole. This means that the overdraft facilities, whilst a relief to some, are not a real burden to others. For the accumulation of a credit balance with the Clearing Union would resemble the importation of gold in signifying that the country holding it is abstaining voluntarily from the immediate use of purchasing power. But it would not involve, as would the importation of gold, the withdrawal of this purchasing power from circulation or the exercise of a deflationary and contractionist pressure on the whole world, including in the end the creditor country itself. Under this proposed plan, therefore, no country suffers injury (but on the contrary) by the fact that the command over resources, which it does not itself choose to employ for the time being, is not withdrawn from use. The accumulation of bancor credit does not curtail in the least its capacity or inducement either to produce or to consume.

10. In short, the analogy with a national banking system is complete. No depositor in a local bank suffers because the balances, which he leaves idle, are employed to finance the business of someone else. Just as the development of national banking systems served to offset a deflationary pressure which would have prevented otherwise the development of modern industry, so by extending the same principle into the international field we may hope to offset the contractionist pressure which might otherwise overwhelm in social disorder and disappointment the good hopes of our modern world. The substitution of a credit mechanism in place of hoarding would have repeated in the international field the same miracle, already performed in the domestic field, of turning a stone into bread.

11. There might be other ways of effecting the same objects temporarily or in part. For example, the United States might redistribute her gold. Or there might be a number of bilateral arrangements having the effect of providing international overdrafts, as, for example, an agreement by the Federal Reserve Board to accumulate, if necessary, a large sterling balance at the Bank of England, accompanied by a great number of similar bilateral arrangements, amounting to some hundreds altogether, between these and all the other

banks in the world. The objection to particular arrangements of this kind, in addition to their greater complexity, is that they are likely to be influenced by extraneous, political reasons; that they put individual countries in a position of particular obligation towards others; and that the distribution of the assistance between different countries may not correspond to need and to the real requirements, which are extremely difficult to foresee.

12. It should be much easier, and surely more satisfactory for all of us, to enter into a general and collective responsibility, applying to all countries alike, that a country finding itself in a creditor position *against the rest of the world as a whole* should enter into an arrangement not to allow this credit balance to exercise a contractionist pressure against world economy and, by repercussion, against the economy of the creditor country itself. This would give everyone the great assistance of multilateral clearing, whereby (for example) Great Britain could offset favourable balances arising out of her exports to Europe against unfavourable balances due to the United States or South America or elsewhere. How, indeed, can any country hope to start up trade with Europe during the relief and reconstruction period on any other terms?

13. The facilities offered will be of particular importance in the transitional period after the war, as soon as the initial shortages of supply have been overcome. Many countries will find a difficulty in paying for their imports, and will need time and resources before they can establish a readjustment. The efforts of each of these debtor countries to preserve its own equilibrium, by forcing its exports and by cutting off all imports which are not strictly necessary, will aggravate the problem of all the others. On the other hand, if each feels free from undue pressure, the volume of international exchange will be increased and everyone will find it easier to re-establish equilibrium without injury to the standard of life anywhere. The creditor countries will benefit, hardly less than the debtors, by being given an interval of *time* in which to adjust their economies, during which they can safely move at their own pace without the result of exercising deflationary pressure on the rest of the world, and, by repercussion, on themselves.

14. It must, however, be emphasised that the provision by which the members of the Clearing Union start with substantial overdraft facilities in hand will be mainly useful, just as the possession of any kind of reserve is useful, to allow time and method for necessary adjustments and a comfortable safeguard behind which the unforeseen and the unexpected can be faced with equanimity. Obviously, it does not by itself provide any long-term solution against a continuing disequilibrium, for in due course the more improvident and the more impecunious, left to themselves, would have run through their re-

sources. But, if the purpose of the overdraft facilities is mainly to give time for adjustments, we have to make sure, so far as possible that they *will* be made. We must have, therefore, some rules and some machinery to secure that equilibrium is restored. A tentative attempt to provide for this has been made above. Perhaps it might be strengthened and improved.

15. The provisions suggested differ in one important respect from the prewar system because they aim at putting some part of the responsibility for adjustment on the creditor country as well as on the debtor. This is an attempt to recover one of the advantages which were enjoyed in the nineteenth century, when a flow of gold due to a favourable balance in favour of London and Paris, which were then the main creditor centres, immediately produced an expansionist pressure and increased foreign lending in those markets, but which has been lost since New York succeeded to the position of main creditor, as a result of gold movements failing in their effect, of the breakdown of international borrowing and of the frequent flight of loose funds from one depository to another. The object is that the creditor should not be allowed to remain entirely passive. For if he is, an intolerably heavy task may be laid on the debtor country, which is already for that very reason in the weaker position.

16. If, indeed, a country lacks the productive capacity to maintain its standard of life, then a reduction in this standard is not avoidable. If its wage and price levels in terms of money are out of line with those elsewhere, a change in the rate of its foreign exchange is inevitable. But if, possessing the productive capacity, it lacks markets because of restrictive policies throughout the world, then the remedy lies in expanding its opportunities for export by removal of the restrictive pressure. We are too ready to-day to assume the inevitability of unbalanced trade positions, thus making the opposite error to those who assumed the tendency of exports and imports to equality. It used to be supposed, without sufficient reason, that effective demand is always properly adjusted throughout the world; we tend to assume, equally without sufficient reason, that it never can be. On the contrary, there is great force in the contention that, if active employment and ample purchasing power can be sustained in the main centres of the world trade, the problem of surpluses and unwanted exports will largely disappear, even though, under the most prosperous conditions, there may remain some disturbances of trade and unforeseen situations requiring special remedies.

IV.—THE DAILY MANAGEMENT OF THE EXCHANGES UNDER THE PLAN

17. The Clearing Union restores unfettered multilateral clearing between its members. Compare this with the difficulties and complications of a large number of bilateral agreements. Compare,

above all, the provisions by which a country, taking improper advantage of a payments agreement (for the system is, in fact, a *generalised* payments agreement), as Germany did before the war, is dealt with not by a single country (which may not be strong enough to act effectively in isolation or cannot afford to incur the diplomatic odium of isolated action), but by the system as a whole. If the argument is used that the Clearing Union may have difficulty in disciplining a misbehaving country and in avoiding consequential loss, with what much greater force can we urge this objection against a multiplicity of separate bilateral payments agreements.

18. Thus we should not only obtain the advantages, without the disadvantages, of an international gold currency, but we might enjoy these advantages more widely than was ever possible in practice with the old system under which at any given time only a minority of countries were actually working with free exchanges. In conditions of multilateral clearing, exchange dealings would be carried on as freely as in the best days of the gold standard, without its being necessary to ask anyone to accept special or onerous conditions.

19. The principles governing transactions are: first, that the Clearing Union is set up, not for the transaction of daily business between individual traders or banks, but for the clearing and settlement of the ultimate outstanding balances between Central Banks (and certain other super-national Institutions), such as would have been settled under the old gold standard by the shipment or the earmarking of gold, and should not trespass unnecessarily beyond this field; and, second, that its purpose is to increase *freedom* in international commerce and not to multiply interferences or compulsions.

20. Thus the fabric of international banking organisation, built up by long experience to satisfy practical needs, should be left as undisturbed as possible. Except as regards a provision, explained below, concerning the balances of Central Banks themselves, there should be no obstacle in the way of the existing practices of international banking except those which necessarily arise through measures which individual Central Banks may choose to adopt for the control of movements of capital.

21. It is not necessary to interfere with the discretion of Central Banks which desire to maintain a special intimacy within a particular group of countries associated by geographical or political ties, such as the existing sterling area, or groups, like the Latin Union of former days, which may come into existence covering, for example, the countries of North America or those of South America, or the groups now under active discussion, including Poland and Czechoslovakia or certain of the Balkan States. There is no reason why such Central Banks should not be allowed a double position, both as members of the Clearing Union in their own right with their proper quota, and also as

making use of another financial centre along traditional lines, as, for example, Australia and India with London, or certain American countries with New York. In this case, their accounts with the Clearing Union would be in exactly the same position as the independent gold reserves which they now maintain, and they would have no occasion to modify in any way their present practices in the conduct of daily business.

22. There might be other cases, however, in which a dependency or a member of a federal union would merge its currency identity in that of a mother Central Bank, with a quota appropriately adjusted to the merged currency area as a whole, and *not* enjoy a separate individual membership of the Clearing Union, as, for example, the States of the Federal Union, the French colonies or the British Crown Colonies.

23. At the same time Central Banks, which do not belong to a special geographical or political group, would be expected to keep their reserve balances with the Clearing Union and not with one another. It should, therefore, be laid down that Central Bank balances may not be held in another country except with the approval of the Central Bank of that country; and, in order that sterling and dollars might not appear to compete with *bancor* for the purpose of Central Bank reserve balances, the Founder States might agree together that they would not accept the reserve balances of other Central Banks in excess of normal working balances except in the case of banks definitely belonging to a Sterling Area or Dollar Area group.

V.—THE POSITION OF GOLD UNDER THE PLAN

24. Gold still possesses great psychological value which is not being diminished by current events; and the desire to possess a gold reserve against unforeseen contingencies is likely to remain. Gold also has the merit of providing in point of form (whatever the underlying realities may be) an uncontroversial standard of value for international purposes, for which it would not yet be easy to find a serviceable substitute. Moreover, by supplying an automatic means for settling some part of the favourable balances of the creditor countries, the current gold production of the world and the remnant of gold reserves held outside the United States may still have a useful part to play. Nor is it reasonable to ask the United States to de-monetise the stock of gold which is the basis of its impregnable liquidity. What, in the long run, the world may decide to do with gold is another matter. The purpose of the Clearing Union is to supplant gold as a governing factor, but not to dispense with it.

25. The international bank-money which we have designated *bancor* is defined in terms of a weight of gold. Since the national currencies of the member States are given a defined exchange value in terms of

bancor, it follows that they would each have a defined gold content which would be their official buying price for gold, above which they must not pay. The fact that member State is entitled to obtain a credit in terms of bancor by paying actual gold to the credit of its clearing account, secures a steady and ascertained purchaser for the output of the gold-producing countries, and for countries holding a large reserve of gold. Thus the position of producers and holders of gold is substantially unaffected.

26. Central Banks would be entitled to retain their separate gold reserves and ship gold to one another, provided they did not pay a price above parity; they could coin gold and put it into circulation, and, generally speaking, do what they liked with it.

27. One restriction only would be, for obvious reasons, essential. No member State would be entitled to demand gold from the Clearing Union against its balance of bancor; for bancor is available only for transfer to another clearing account. Thus between gold and bancor itself there would be a one-way convertibility, such as ruled frequently before the war with national currencies which were on what was called a "gold exchange standard." This need not mean that the Clearing Union would only receive gold and never pay it out. It has been provided above that, if the Clearing Union finds itself in possession of a stock of gold, the Governing Board shall have discretion to distribute the surplus between those possessing a credit balance with it, proportionately to such balances, in reduction of their amount.

28. The question has been raised whether these arrangements are compatible with the retention by individual member States of a full gold standard with two-way convertibility, so that, for example, any foreign central bank acquiring dollars could use them to obtain gold for export. It is not evident that a good purpose would be served by this. But it need not be prohibited, and if any member State should prefer to maintain full convertibility for internal purposes it could protect itself from any abuse of the system or inconvenient consequences by providing that gold could only be exported under licence.

29. The value of bancor in terms of gold is fixed but not unalterably. It is proposed above that the founder States should have the power to change it. Clearly, they might exercise this power if the stocks of gold tendered to the Union were to be excessive. No object would be served by attempting further to peer into the future or to prophesy the ultimate policy.

VI.—THE CONTROL OF CAPITAL MOVEMENTS

30. There is no country which can, in future, safely allow the flight of funds for political reasons or to evade domestic taxation or in anticipation of the owner turning refugee. Equally, there is no

country that can safely receive fugitive funds, which constitute an unwanted import of capital, yet cannot safely be used for fixed investment.

31. For these reasons it is widely held that control of capital movements, both inward and outward, should be a permanent feature of the post-war system. It is an objection to this that control, if it is to be effective, probably requires the machinery of exchange control for *all* transactions, even though a general open licence is given to remittances in respect of current trade. Thus those countries which have for the time being no reason to fear, and may indeed welcome, outward capital movements, may be reluctant to impose this machinery, even though general licensing for capital, as well as trade, transactions reduces it to being no more than a machinery of record. On the other hand, such control will be more difficult to work by unilateral action on the part of those countries which cannot afford to dispense with it, especially in the absence of a postal censorship if movements of capital cannot be controlled *at both ends*. It would, therefore, be of great advantage if the United States, as well as other members of the Clearing Union, would adopt machinery similar to that which the British Exchange Control has now gone a long way towards perfecting. Nevertheless, the universal establishment of a control of capital movements cannot be regarded as essential to the operation of the Clearing Union; and the method and degree of such control should therefore be left to the decision of each member State. Some less drastic way might be found by which countries, not themselves controlling actual capital movements can deter inward movements not approved by the countries from which they originate.

32. The position of balances in overseas ownership held in various countries at the end of the war presents a problem of considerable importance and special difficulty. A country in which a large volume of such balances is held could not, unless it is in a creditor position, afford the risk of having to redeem them in *bancor* on a substantial scale, if this would have the effect of depleting its *bancor* resources at the outset. At the same time, it is very desirable that the countries owning these balances should be able to regard them as liquid, at any rate over and above the amounts which they can afford to lock up under an agreed programme of funding or long-term expenditure. Perhaps there should be some special over-riding provision for dealing with the transitional period only by which, through the aid of the Clearing Union, such balances would remain liquid and convertible into *bancor* by the creditor country whilst there would be no corresponding strain on the *bancor* resources of the debtor country, or, at any rate, the resulting strain would be spread over a period.

33. The advocacy of a control of capital movements must not be taken to mean that the era of international investment should be

brought to an end. On the contrary, the system contemplated should greatly facilitate the restoration of international credit for loan purposes in ways to be discussed below. The object, and it is a vital object, is to have a means of distinguishing—

- (a) Between movements of floating funds and genuine new investment for developing the world's resources; and
- (b) Between movements, which will help to maintain equilibrium, from surplus countries to deficiency countries and speculative movements or flights out of deficiency countries or from one surplus country to another.

VII.—THE PREVENTION OF DISCRIMINATORY PRACTICES

34. The special protective expedients which were developed between the two wars were sometimes due to political, social or industrial reasons. But frequently they were nothing more than forced and undesired dodges to protect an unbalanced position of a country's overseas payments. The new system, by providing an automatic register of the size and whereabouts of the aggregate debtor and creditor positions respectively, and thus giving a clear indication whether it is reasonable for a particular country to adopt special expedients as a temporary measure to assist in regaining equilibrium in its balance of payments, would make it possible to establish a general rule *not* to adopt them, subject to the indicated exceptions.

35. Whilst it may be possible to adopt a general pattern for Commercial Treaties, their detailed provisions would necessarily vary according to the ground to be covered in each case, so that such Agreements would have to remain bilateral in character. On this assumption it would not be appropriate to incorporate specific arrangements for such general rules in the constitution of the Clearing Union itself. But the existence of the Clearing Union would make it possible for member States contracting Commercial Treaties to use their respective debit and credit positions with the Clearing Union as a test. Thus, the contracting parties, whilst agreeing to clauses in a Commercial Treaty forbidding, in general, the use of certain measures or expedients in their mutual trade relations, might make this agreement subject to special relaxations if the state of their respective clearing accounts satisfied an agreed criterion. For example, a Treaty might provide that, in the event of one of the contracting States having a debit balance with the Clearing Union exceeding a specified proportion of its quota on the average of a period and the other having a credit balance of a specified amount, the former should be free to resort to import quotas or to barter trade agreements or to higher import duties of a type which was not permitted under the Treaty in normal circumstances. It might even provide that such exceptions should only be allowed subject to the approval of the governing Board of the Clearing Union, and in that case the possible grounds for excep-

tional action might cover a wider field and other contingencies. Protected by the possibility of such temporary indulgences, the members of the Clearing Union should feel much more confidence in moving towards the withdrawal of the more dislocating forms of protection and discrimination and in accepting the prohibition of the worst of them from the outset.

36. In any case, it should be laid down that members of the Union would not allow or suffer among themselves any restrictions on the disposal of receipts arising out of current trade or "invisible" income. It might also be possible to obtain recognition of the general principle that commercial treaties between members of the Union should, subject to any necessary safeguards and exceptions, exclude—

- (i) Import restrictions, whether quantitative or in the form of "duty-quotas" (excluding, however, prohibitions genuinely designed to safeguard, *e. g.*, public health or morale or revenue collection);
- (ii) Barter arrangements;
- (iii) Export quotas and discriminatory export taxes;
- (iv) Export subsidies either furnished directly by the State or indirectly under schemes supported or encouraged by the State; and
- (v) Tariffs in excess of a moderate level.

37. Subsidies in favour of domestic producers for domestic consumption, with a countervailing level when such subsidised goods are exported, would not be excluded. This is a necessary safety-valve which provides for protective expedients called for on political, social and industrial grounds. Such subsidies (and the same applies to moderate tariffs) would be a permitted way of giving purely domestic protection to an industry which for special reasons ought to be maintained for domestic purposes only. The question of preferences and of other relaxations from most-favoured-nation treatment, which would be of a normal and continuing character, does not fall within the scope of this paper.

VIII.—THE USE OF THE CLEARING UNION FOR OTHER INTERNATIONAL PURPOSES

38. The Clearing Union might become the instrument and the support of international policies in addition to those which it is its primary purpose to promote. This deserves the greatest possible emphasis. The Union might become the pivot of the future economic government of the world. Without it, other more desirable developments will find themselves impeded and unsupported. With it, they will fall into their place as parts of an ordered scheme. No one of the following suggestions is a necessary part of the plan. But they

are illustrations of the additional purposes of high importance and value which the Union, once established, might be able to serve:—

(1) The Union might set up a clearing account in favour of international bodies charged with post-war relief, rehabilitation and reconstruction. But it could go much further than this. For it might supplement contributions received from other sources by granting overdraft facilities in favour of these bodies, the overdraft being discharged over a period of years out of the Reserve Fund of the Union, or, if necessary, out of a levy on surplus credit balances. By this means it is possible to avoid asking any country to assume a burdensome commitment for relief and reconstruction, since the resources would be provided in the first instance by those countries having credit clearing accounts for which they have no immediate use and are voluntarily leaving idle, and in the long run by those countries which have a chronic international surplus for which they have no beneficial employment.

(2) The Union might set up an account in favour of the supernational policing body charged with the duty of preserving the peace and maintaining international order. If any country were to infringe its properly authorised orders, the policing body might be entitled to request the Governors of the Clearing Union to hold the clearing account of the delinquent country to its order and permit no further transactions on the account except by its authority. This would provide an excellent machinery for enforcing a financial blockade.

(3) The Union might set up an account in favour of international bodies charged with the management of a Commodity Control, and might finance stocks of commodities held by such bodies, allowing them overdraft facilities on their accounts up to an agreed maximum. By this means the financial problem of buffer stocks and "ever-normal granaries" could be effectively attacked.

(4) The Union might be linked up with a Board for International Investment. It might act on behalf of such a Board and collect for them the annual service of their loans by automatically debiting the clearing account of the country concerned. The statistics of the clearing accounts of the member-States would give a reliable indication as to which countries were in a position to finance the Investment Board, with the advantage of shifting the whole system of clearing credits and debits nearer to equilibrium.

(5) There are various methods by which the Clearing Union could use its influence and its powers to maintain stability of prices and to control the Trade Cycle. If an International Economic Board is established, this Board and the Clearing Union might be expected to work in close collaboration to their mutual advantage. If an International Investment or Development Corporation is also set up together with a scheme of Commodity Controls for the control of stocks of the staple primary products, we might come to possess in these three Institutions a powerful means of combating the evils of the Trade Cycle, by exercising contractionist or expansionist influence on the system as a whole or on particular sections. This is a large and important question which cannot be discussed adequately in this paper; and need not be examined at length in this place because it does not raise any important issues affecting the fundamental constitution of the proposed Union. It is mentioned here to complete the picture of

the wider purposes which the foundation of the Clearing Union might be made to serve.

39. The facility of applying the Clearing Union plan to these several purposes arises out of a fundamental characteristic which is worth pointing out, since it distinguishes the plan from those proposals which try to develop the same basic principle along bilateral lines and is one of the grounds on which the Plan can claim superior merit. This might be described as its "anonymous" or "impersonal" quality. No particular member States have to engage their own resources as such to the support of other particular States or of any of the international projects or policies adopted. They have only to agree in general that, if they find themselves with surplus resources which for the time being they do not themselves wish to employ, these resources may go into the general pool and be put to work on approved purposes. This costs the surplus country nothing because it is not asked to part permanently, or even for any specified period, with such resources, which it remains free to expend and employ for its own purposes whenever it chooses; in which case the burden of finance is passed on to the next recipient, again for only so long as the recipient has no use for the money. As pointed out above, this merely amounts to extending to the international sphere the methods of any domestic banking system, which are in the same sense "impersonal" inasmuch as there is no call on the particular depositor either to support as such the purposes for which his banker makes advances or to forgo permanently the use of his deposit. There is no countervailing objection except that which applies equally to the technique of domestic banking, namely that it is capable of the abuse of creating excessive purchasing power and hence an inflation of prices. In our efforts to avoid the opposite evil, we must not lose sight of this risk, to which there is an allusion in 38 (5) above. But it is no more reason for refusing the advantages of international banking than the similar risk in the domestic field is a reason for returning to the practices of the seventeenth century goldsmiths (which are what we are still following in the international field) and forgoing the vast expansion of production which banking principles have made possible.

40. Apply this impersonal quality to the finance of Relief and Reconstruction after the war. It is one thing to ask the Parliaments and the Congresses of the various countries of the world to make contributions which they may or may not be able to afford in the unpredictable circumstances of the post-war transition, and which will be in any case a charge on their tax-payers and a permanent reduction of their own resources, arousing therefore political difficulties and competing with the claims of domestic social reforms. It is quite another thing to ask them to join in a general system which, without cost to their tax-payers and without prejudice to their own expenditure, requires of them to

allow the temporary employment of surplus resources only so long as they themselves do not choose to use them. Or take again the finance of Buffer Stocks. It is a great facility not to have to ask for specific contributions from any named country, but to depend rather on the anonymous and impersonal aid of the system as a whole. We have here a genuine organ of truly international government.

IX.—THE TRANSITIONAL ARRANGEMENTS

41. It would be of great advantage to agree the general principles of the Clearing Union before the end of the war, with a view to bringing it into operation at an early date after the termination of hostilities. Major plans will be more easily brought to birth in the first energy of victory and whilst the active spirit of united action still persists, than in the days of exhaustion and reaction from so much effort which may well follow a little later. Such a proposal presents, however, something of a dilemma. On the one hand, many countries will be in particular need of reserves of overseas resources in the period immediately after the war. On the other hand, goods will be in short supply and the prevention of inflationary international conditions of much more importance for the time being than the opposite. The expansionist tendency of the plan, which is a leading recommendation of it as soon as peace-time output is restored and the productive capacity of the world is in running order, might be a danger in the early days of a sellers' market and a superabundance of demand over supply.

42. A reconciliation of these divergent purposes is not easily found until we know more than is known at present about the means to be adopted to finance post-war relief and reconstruction. If the intention is to provide resources on liberal and comprehensive lines outside the resources made available by the Clearing Union and additional to them, it might be better for such specific aid to take the place of the proposed overdrafts during the "relief" period of (say) two years. Nevertheless, the immediate establishment of the Clearing Union would not be incompatible with provisional arrangements, which could take alternative forms according to the character of the other "relief" arrangements, qualifying and limiting the overdraft quotas.

43. If, however, the finance of relief is actually furnished, in part at least, through the Clearing Union, as has been suggested above, and if that, combined, perhaps, with a temporary continuance of lend-leasing by the United States or other aid from outside the Clearing Union, appears likely to provide the world with as much purchasing power as is desirable in the early days, the coming into force of the overdraft quota might be postponed until the Founder Members were agreed that the need for them was impending. In this case credit clearing balances would be limited to the amount of gold delivered

to the Union, and the overdraft facilities created by the Union in favour of the Relief Council, the International Investment Board or the Commodity Controls. Alternatively, overdraft quotas might be allowed on a reduced scale during the transitional period. At any rate, it might be proper to provide that countries in receipt of relief or Lend-Lease assistance should not have access at the same time to overdraft facilities, and that the latter should only become available when the former had come to an end.

44. If, on the other hand, relief from outside sources looks like being inadequate from the outset, the overdraft quotas may be even more necessary at the outset than later on.

45. We must not be over-cautious. A rapid economic restoration may lighten the tasks of the diplomatists and the politicians in the resettlement of the world and the restoration of social order. For Great Britain and other countries outside the "relief" areas the possibility of exports sufficiently expanded to sustain their standard of life is bound up with good and expanding markets. We cannot afford to wait too long for this, and we must not allow excessive caution to condemn us to perdition. Unless the Union is a going concern, the problem of proper "timing" will be nearly insoluble. It is sufficient at this stage to point out that the problem of timing must not be overlooked, but that the Union is capable of being used so as to aid rather than impede its solution.

X.—CONCLUSION

46. It has been suggested that so ambitious a proposal is open to criticism on the ground that it requires from the members of the Union a greater surrender of their sovereign rights than they will readily concede. But no greater surrender is required than in a commercial treaty. The obligations will be entered into voluntarily and can be terminated on certain conditions by giving notice.

47. A greater readiness to accept super-national arrangements must be required in the post-war world. If the arrangements proposed could be described as a measure of financial disarmament, they are mild in comparison with the measures of military disarmament which the world may be asked to accept. There is nothing here which we need be reluctant to accept ourselves or to ask of others. It is an advantage, and not a disadvantage, of the scheme that it invites the member States to abandon that licence to promote indiscipline, disorder and bad-neighbourliness which, to the general disadvantage, they have been free to exercise hitherto.

48. The plan makes a beginning at the future economic ordering of the world between nations and "the winning of the peace." It might help to create the conditions and the atmosphere in which much else would be made easier.

840.50/763

*The Assistant Secretary of State (Berle) to the Counselor of the
British Embassy (Opie)*

WASHINGTON, August 31, 1942.

DEAR MR. OPIE: Let me acknowledge your letter of August 28, 1942, enclosing a paper prepared by Lord Keynes embodying a result of the discussions in London on post-war international financial problems. I note that this paper crystallizes the informal discussions previously had by Sir Frederick Phillips with Mr. Acheson and Dr. Pasvolsky.

I agree entirely that this document should not be shown at this time to anyone outside the United States Government Departments and that the points raised by it can best be dealt with orally at this stage.

The Treasury and ourselves will shortly be in a position to discuss these points informally and I shall hope to have the pleasure of meeting you then. The Treasury and the State Department are working in close cooperation in this matter.

Very truly yours,

ADOLF A. BERLE, JR.

840.50/830

*Memorandum of Conversation, by the Assistant Secretary of State
(Berle)*

[WASHINGTON,] September 10, 1942.

Participants: Mr. Redvers Opie, Counselor of British Embassy;
Sir Frederick Phillips;
Mr. Harry White of Treasury;
Dr. Leo Pasvolsky;
A. A. Berle, Jr.

The first discussion of the so-called Keynes memorandum, "Proposals for an International Clearing Union", was had in my office this morning at 11:00. The discussion limited itself entirely to procedure, since we are plainly not yet in shape to undertake to express any definitive views.

In accordance with an agreement previously reached with Mr. White, in which Dr. Pasvolsky concurred, I said that I welcomed the opportunity to discuss a matter which must be one of the focal considerations in any plans for the economic organization of the world. We entered on these discussions tentatively and informally but with every hope that they might eventually crystallize into a workable plan.

I then said that we understood that this was an unofficial document, though it had been thoroughly canvassed by the British Government.

Sir Frederick Phillips said that that was true. Although we were

referring to it in the correspondence as "Lord Keynes' memorandum", it had in fact been passed by the Economic Committee of the War Cabinet, and by the War Cabinet itself. It was informal in the sense that formal discussions under Article VII of the Lend-Lease Agreement had not been commenced. But if they were to commence, this would be one of the formal documents promptly laid upon the table.

I said I understood that; and I likewise considered that the subject we were discussing fell within the general class of subjects embraced in Article VII of the Lend-Lease Agreement. I imagined that a number of subjects equally embraced within that Agreement would be similarly explored.

Sir Frederick said this was a way of getting forward with certain subjects which had to be considered, in view of the delay in opening general conversations under Article VII of the Lend-Lease Agreement.

I then said that while I understood perfectly that these were strictly British-American discussions, we had, in similar matters, found it highly desirable to draw in, when appropriate, other pivotal members of the United Nations, notably Russia and China. We felt it unwise to give any impression that the British and American Governments were making up a plan and then requiring everyone else to take it or leave it. Consequently, I wished to make the point that when it seemed appropriate, we might very well wish to keep certain other governments informed.

Sir Frederick said that he understood that this would not be done without consultation with them; the document in other words was prepared solely for the information of the American Government. I said that that was exactly my understanding.

Mr. White said that he considered that although the existing document should remain as a British-American matter, there were a number of projects circulating, covering more or less the same ground, from a number of quarters, and he thought it would be proper for us as a matter of strictly intellectual exploration to examine these ideas. In this way we should in general be exploring the minds of our principal allies, and could thus harmonize any plan approved of by the British and Americans, with the other parties who would of necessity be interested. This procedure seemed to be agreeable to Sir Frederick. We thus left that matter with the understanding that while this plan, as a plan, was to be discussed between ourselves, general discussions, as they might seem appropriate, of the subject matter of international exchange stabilization, balance of payments, etc., might, where desirable, be carried on for exploratory purposes with other governments. It was implicit that we would generally keep each other informed about such explorations, if any.

We then turned to the substance of the document. I observed that I was happy to find that there was a considerable area in which Lord

Keynes' memorandum coincided with some of the thinking which had been unofficially done in the Treasury. It was notable that as a point of agreement the Treasury had unofficially indicated the necessity of some central organization or institution to deal in international matters with certain phases of the problems of international finance; this also seemed to be the central idea in Lord Keynes' plan.

Mr. White pointed out that he had unofficially given to Sir Frederick a copy of his recent memorandum proposing an international bank and stabilization fund; that this document did not have the same standing that was provided by Keynes' memorandum; but that in considerable measure they did agree in general range.

Dr. Pasvolsky observed that there were a number of studies which were going forward as Sir Frederick knew, relating to the British balance of payments situation, and that they were near completion. Mr. White indicated that he thought this was interesting but not determinative because the balance of payments position was a pure guess. I said I thought we could treat the matter as a useful picture of the probable magnitude of the problem; I myself, as a strictly personal matter, felt that we had to approach the problem with the general view that the situation had to be met. We had been very firm in advocating the principle of open trade, and this had been accepted. We recognized that that rendered desirable methods and processes of international finance so handled during the two or three years immediately following the war—if not longer—that they would permit certain other nations, including Britain, to secure raw materials, get their plants going, and commence re-exporting.

Dr. Pasvolsky observed that there were a number of specific questions which we would like to ask in respect of the Keynes' memorandum. We promised to prepare a list of the more important questions in writing, and send it to Sir Frederick for our next meeting. These would be designed to clarify certain questions raised by the memorandum and would facilitate discussions as to the substance.

A. A. B[ERLE], JR.

800.515/536

*Memorandum of Conversation, by the Assistant Secretary
of State (Berle)*

[WASHINGTON,] October 6, 1942.

Participants: Sir Frederick Phillips;
Mr. William Taylor of Treasury;
Mr. A. A. Berle, Jr.

Sir Frederick Phillips came in at my request. I handed him the list of questions on Lord Keynes' "Proposals for an International Clearing Union." (Copy of list attached.)

We had some general conversation about the Keynes' plan. I said that, as Sir Frederick realized, certain main points were obvious.

Britain and probably other countries would need goods and were faced with adverse balances. There were only two ways as yet worked out of settling these balances—gold, if gold is acceptable, and otherwise, goods. Lord Keynes' proposals really came to giving to the proposed Clearing Union a method of creating money which could be used in settling these balances. In practice this would probably mean that we would acquire considerable amounts of this new money which could be availed of only by taking goods.

Sir Frederick objected, saying that great use of it was for foreign lending.

I said we realized this; so that what it really came to was a method by which American, and possibly other goods, could be made available to certain countries, notably Britain, on what was in fact though not in form a credit arrangement, terms of the credit being, of course, the degree of usefulness of this international currency.

I said that this raised squarely a problem which the American Government would have to face, and in facing it would have to take account of Congressional opinion and public sentiment.

I said that I thought there was a growing realization here that arrangements would have to be made, certainly during the immediate post-war period, to enable other commercial countries to get back on their feet and start work. This period might well synchronize with a period when the United States was seeking activity for its plants and employment for its people. We were in process of considering, carefully, the kind of measures which could be wholeheartedly supported by this Government, especially in view of its well known position that commerce should be as widely open as practicable.

A. A. B[ERLE], JR.

[Annex]

Questions on Lord Keynes' Proposals for an International Clearing Union

1. Is it assumed that exchange rates between members of the Union would fluctuate within gold points or their equivalent and that foreign exchange obtained through bancor facilities would be sold only at such gold points?

2. If transfer is to be at a fixed rate may not two rates of exchange develop between member countries unless the governments are prepared to take active steps through a stabilization fund or other agency to control the rates?

3. Is it contemplated that transfers of bancor could take place other than by direct transfer between central banks or treasuries? (a)

Specifically, will the new "instrument of international currency" be utilized by means of negotiable drafts in bancor on the Clearing Union or by entries on the books of the Union? (b) If the first, by whom would it be sold and bought in individual countries? Specifically, would transactions in bancor be a monopoly of the central bank and/or the Treasury, or would it be generally negotiable like an ordinary bill of exchange? (c) Would the bancor be an instrument of payment between member and non-member countries? If so, how would this operate?

4. In what currency and under what exchange rate regulations would non-members keep "credit clearing accounts" with the Union and what would be the advantage to them to do so, since they cannot borrow from the Union?

5. How under the plan could the quantum of international currency be contracted to reduce "effective world demand", mentioned in paragraph 1 (c) of the Proposals?

6. What provision is there for preventing the use of bancor quotas to meet foreign obligations where there is no adverse balance of payments on current account? What could prevent countries with weak currencies from quickly exhausting their quotas should they wish to acquire strong currencies?

7. What is the contemplated order of magnitude of total bancor quotas? Are we correct in understanding that within such amounts a country could do nothing to limit the call of the Clearing Union for its currency? What is the maximum amount of U. S. dollars which the United States might be obligated to provide in return for bancors during the first five years of operation?

8. What disposable assets would the Union hold to assure liquidation of bancor credits in the event of dissolution of the Union or in the event of war? In the event that any country wishes to withdraw, what specific steps could it take to liquidate without loss the bancor that it might have accumulated?

9. Does the proposal envisage that the British Commonwealth as a whole is to have one representative on the Board and one quota, or would each of the dominions also have a separate representative and a separate quota? If the Commonwealth is to be treated as a unit, is it thought that intra-commonwealth trade is to be treated as foreign trade for the purpose of determining the quota?

10. Is it not likely that those countries likely to develop large creditor accounts with the Clearing Union will be in a minority so far as voting strength and control over policies are concerned?

11. Does the drawing of a distinction between a few founder states and other members run counter to the general objective of securing international collaboration?

840.50/783½

*The British Treasury Representative in the United States (Phillips)
to the Assistant Secretary of State (Berle)*

WASHINGTON, October 12, 1942.

DEAR MR. BERLE: You will remember mentioning to me the other day that you thought the time had come when it would be a useful step for you to inform the Russian and Chinese Governments that you were beginning to consider what could be done about general financial arrangements after the war, and to ask whether these Governments have any particular points to raise. We understand that it is not the intention of the United States Government to communicate to the Russian and Chinese Governments either the United States Government's own ideas, or those contained in our proposals.

The United Kingdom Government see no objection to the action which you propose, and assume there will be no objection to their making similar communications to the Russian and Chinese Governments.

Yours sincerely,

F. PHILLIPS

840.50/746a : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, October 19, 1942—1 p. m.

5143. We have learned from our Legations in Ottawa and Canberra that the British Government has proposed a series of talks in London "at the end of October on the Upper Civil Servant Level" on post-war economic and financial arrangements. Canada will be represented by Mr. Hume Wrong and Professor Mackintosh of the Department of External Affairs. Australia will be represented by Dr. Roland Wilson, Commonwealth Statistician and Permanent Head of the Australian Labor Department. Dr. Wilson passed through Washington en route to London last week.

Our Legation in Canberra has reported that South Africa declined to send representatives to take part in these conversations and that there has been some feeling among the more liberal permanent officials in Australia that the talks may not be entirely desirable. A Canadian official informed our Minister in Ottawa that "Canada was not happy about holding these talks before the U. S.-U. K. conversations; Canada was equally unhappy at direct U. S.-U. K. conversations from which she would be entirely excluded".

Apparently these conversations have been arranged very confidentially. We assume that we would have had some reports on them

from the Embassy if the Embassy had known of these forthcoming conversations. We of course desire to receive all of the information concerning the conversations which you may be able to obtain.

HULL

840.50/753 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, October 24, 1942—3 p. m.

[Received October 24—1 : 29 p. m.]

5953. In reply to your 5143, October 19, 1 p. m. I asked Sir Kingsley Wood ⁴⁵ the reason for the Dominion representatives in question coming on here. He told me that they were here for "a purely informal exchange of views between officials which will be entirely confidential." He said, "The discussions are on the lines which Sir Frederick Phillips had with our friends in America". He also told me that "if we wanted any further information he would be glad to supply it" and that the decision to call these Dominion representatives was only made after we had decided not to send a group here for informal discussions as I had suggested in messages to you and in conversations I had with you when I was in Washington. I think it simply means that instead of having such discussions with us first and afterwards with the Dominions the British have reversed the order and are now holding informal discussions with the Dominions represented. I was told through another source that the question of the form which the financial assistance to Britain from Canada will take in 1943 will probably be considered in talks with Mackintosh.

WINANT

840.50/804 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, November 6, 1942—6 p. m.

[Received 7 : 45 p. m.]

6239. A meeting has been arranged for November 12th ⁴⁶ between representatives of the Board of Trade, the Foreign Office and other appropriate British authorities and representatives of the Allied Governments established in London for the purpose of discussing commercial policy and economic questions as far as they relate to external trade. The talks will be informal and exploratory. Their object is to ascertain in a preliminary way the views of the Allied Governments

⁴⁵ British Chancellor of the Exchequer.

⁴⁶ Postponed to November 20.

as to the general shape and organization of economic and commercial matters in the post-war world. Representatives of Belgium, Czechoslovakia, the Fighting French, Greece, the Netherlands, Norway, Poland and Yugoslavia have been invited and the Dominions Governments are being given the opportunity to be represented. In view of the informal character of the meeting it has been requested that no publicity should be given to it.

In inviting representatives of the Allied Governments established in London to this meeting the British have made it clear that it would be premature for the United Kingdom Government to make any positive proposals or suggestions at this stage.

Harcourt Johnstone, Parliamentary Secretary to the Department of Overseas Trade, and Ronald of the Foreign Office have asked whether we would like to be represented by an observer, or otherwise, at this informal meeting. In informal conversations they stated that in calling the proposed meeting they had been influenced in part by the fear that if the representatives of Allied Governments in London were left to discuss commercial policy solely among themselves, there might be an increasing tendency among them to favor bilateral arrangements, and in part by the success of the informal meetings with Allied Finance Ministers on post-war currency and related economic problems in Occupied Europe (Embassy 3708 [4258], July 30, 9 p. m., Department's 3709, August 6, midnight, and Embassy's airmail despatches 5228 of August 27, 5894 of October 13, and 6064 of October 24⁴⁷).

Will you please let us know before November 12th whether you wish the Embassy to be represented by an observer or otherwise at this meeting.

WINANT

840.50/805 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, November 7, 1942—midnight.

[Received November 8—3 a. m.]

6271. Personal to the Secretary. My 5953, October 24, 3 p. m. Since receiving the Department's 5143, October 19, 1 p. m., I made a point of contacting the High Commissioners of the Dominions here and their economists who have come on for informal discussions of post-war problems. It is my understanding that these have been scheduled for a considerable time. The meeting is in no sense in the nature of a formal conference. I have been told by all concerned that there is no desire to conceal this exchange of views from us. The

⁴⁷ Despatches not printed.

talks are on a non-committal basis. The representatives of the Dominions were shown certain documents and they made comments on them only in their personal capacities. They do not know whether, and if so how far, such comments as they have made will be taken into account by the British in redrafting their documents. These comments do not commit any of the Dominion Governments, and the Dominions economists consider that they are free if they wish after further consideration to modify the views they have already expressed.

The talks have not led to agreed Canadian-British plans and were specifically not intended to do so. They were designed to transmit to the Dominions certain British documents and give opportunities for oral explanations by the British authors of the plans and for comments by the Dominions economists in their personal capacities.

Mackintosh told Penrose that the Canadian group was greatly impressed with the earnestness and sincerity shown in the British plans for reconstruction, and with the amount of work which had been accomplished by British Government economists.

I wish very much that you would let Hawkins come over here to discuss in similar fashion some of the problems that will have to be dealt with as we move toward post-war planning. I feel sure it would be helpful to you to get a more intimate understanding of British thinking on these subjects from a man who has worked closely with you for several years in this field. I hesitate to press this matter again but I feel so strongly on this subject that I believe it my duty to bring it once more to your attention.

WINANT

840.50/804 : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, November 10, 1942—4 p. m.

5628. Your 6239, November 6, 6 p. m. As I have advised Lord Halifax on several occasions, we look forward to informal and exploratory conversations, without commitments or publicity, with representatives of the British and other governments on postwar economic policy as provided in Article VII of the various Lend-Lease agreements, including, of course, questions of commercial policy. Please tell Mr. Eden that we still look forward to such talks whenever he wishes to designate someone in the British Embassy here or to send someone for the purpose. In the meantime I see no objection to your having one or two members of your staff, perhaps Steyne⁴⁸ and Lewis,⁴⁹ attend the meetings in London as observers. Please keep us currently informed.

HULL

⁴⁸ Alan N. Steyne, Second Secretary of Embassy at London.

⁴⁹ James H. Lewis, junior economic analyst at Embassy in London.

800.515/581

*The British Treasury Representative in the United States (Phillips)
to the Assistant Secretary of State (Berle)*

WASHINGTON, November 25, 1942.

DEAR MR. BERLE: A revised copy of the Proposals for an International Clearing Union is attached. The principal changes have been made in paragraph 6, paragraph 7 and the new Part III (paras. 8-10), while paragraph 36 has been cleared up. You will notice, of course, that many of the alterations relate to points raised in your list of questions.

A copy of answers to these questions is also enclosed which we shall be very glad to supplement by oral discussion.

Yours sincerely,

F. PHILLIPS

[Enclosure 1]

*Proposals for an International Clearing Union, Revised
November 9, 1942*

I. PREFACE

[Paragraphs 1 to 5 here omitted are substantially the same as paragraphs 1 to 5 of the proposals for an International Clearing Union transmitted to the Department by the Counselor of the British Embassy on August 28, 1942, printed on pages 203-206.]

6. It is proposed that a draft plan of the Clearing Union shall be prepared by the United States and the United Kingdom, after such discussions with other parties as may be thought expedient, and submitted for approval or amendment by the United Nations, who shall be invited to join them as founder States. Other members would then be brought in—some from the outset, some as soon as they had established an internal organisation capable of sustaining the obligations of membership. This approach would have the great advantage that the charter and the main details of the new body could be drafted without being subjected to the delays and confused counsels of an international conference, though this need not stand in the way of informal consultation with those concerned. Moreover, membership would thus be established as a privilege only open to those who conformed to such principles and standards of international economic conduct as are essential to the operation of this scheme.

II.—THE PROVISIONS OF THE PLAN

7. The provisions proposed (the particular proportions and other details suggested being tentative as a basis of discussion) are the following:—

(1) The Governing Board of the Clearing Union will be appointed by the Governments of the several member States; the daily business

with the Union and the technical arrangements being carried out through their Central Banks or other appropriate authorities.

(2) The founder States will agree between themselves the initial values of their own currencies in terms of *bancor* and also the value of *bancor* in terms of gold; and the initial values of the currencies of other members will be agreed with them on their joining the system. A member State may not subsequently alter the value of its currency in terms of *bancor* without the permission of the Governing Board except under the conditions stated below; but during the first five years after the inception of the system the Governing Board shall give special consideration to appeals for an adjustment in the exchange value of a national currency unit on the ground of unforeseen circumstances.

(3) The amount of the maximum debit balance allowed to any member State shall be designated its quota. The initial quotas might be fixed by reference to the sum of each country's exports and imports on the average of (say) the three pre-war years, and might be (say) 75 per cent. of this amount, a special assessment being substituted in cases (of which there might be several) where this formula would be, for any reason, inappropriate. Subsequently, after the elapse of the transitional period, the quotas should be revised annually in accordance with the running average of each country's actual volume of trade in the three preceding years, rising to a five-year average when figures for five post-war years are available. The determination of a country's quota primarily by reference to the value of its foreign trade seems to offer the criterion most relevant to a plan which is chiefly concerned with the regulation of the foreign exchanges and of a country's international trade balance. It is, however, a matter for discussion whether the formula for fixing quotas should also take account of other factors.

(4) The Clearing Union may, at its discretion, charge a small commission or transfer fee in respect of transactions in its books for the purpose of meeting its current expenses or any other outgoings approved by the Governing Board.

(5) A charge of 1 per cent. per annum shall be payable to the Reserve Fund of the Clearing Union on the amount of the excess of the average balance of a member State, whether it is a credit or a debit balance, above a quarter of its quota; and a further charge of 1 per cent. on the excess of the average balance, whether credit or debit, above a half of its quota. Thus, only a country which keeps as nearly as possible in a state of international balance on the average of the year will escape this contribution. These charges are not absolutely essential to the scheme. But if they are found acceptable, they would be valuable and important inducements towards keeping a level balance, and a significant indication that the system looks on excessive credit balances with as critical an eye as on excessive debit balances, each being, indeed, the inevitable concomitant of the other. Any member State in debit may, after consultation with the Governing Board, borrow from the balances of any member State in credit on such terms as may be mutually agreed, by which means each would avoid these contributions. The Governing Board may, at its discretion, remit the charges on credit balances, and increase correspondingly those on debit balances, if in its opinion unduly expansionist conditions are impending in the world economy.

(6)—(a) A member State may not increase its debit balance by more than a *quarter* of its quota within a year without the permission of the Governing Board. If its debit balance has exceeded a quarter of its quota on the average of at least two years, it shall be entitled to reduce the value of its currency in terms of bancor provided that the reduction shall not exceed 5 per cent. without the consent of the Governing Board; but it shall not be entitled to repeat this procedure unless the Board is satisfied that this procedure is appropriate.

(b) The Governing Board may require from a member State having a debit balance equal to a *half* of its quota the deposit of suitable collateral against its debit balance. Such collateral shall, at the discretion of the Governing Board, take the form of gold, foreign or domestic currency or Government bonds, within the capacity of the member State. As a condition of allowing a member State to increase its debit balance to a figure in excess of a half of its quota, the Governing Board may require all or any of the following measures:—

- (i) a stated reduction in the value of the member's currency, if it deems that to be the suitable remedy;
- (ii) the control of outward capital transactions if not already in force; and
- (iii) the outright surrender of a suitable proportion of any separate gold or other liquid reserve in reduction of its debit balance.

Furthermore, the Governing Board may recommend to the Government of the member State any internal measures affecting its domestic economy which may appear to be appropriate to restore the equilibrium of its international balance.

(c) If a member State's debit balance has exceeded *three-quarters* of its quota on the average of at least a year, or is excessive in the opinion of the Governing Board in relation to the total debit balances outstanding on the books of the Clearing Union, or is increasing at an excessive rate, it may, in addition, be asked by the Governing Board to take measures to improve its position, and, in the event of its failing to reduce its debit balance accordingly within two years, the Governing Board may declare that it is in default and no longer entitled to draw against its account except with the permission of the Governing Board. Each member State, on joining the system, shall agree to pay to the Clearing Union any payments due from it to a country in default towards the discharge of the latter's debit balance and to accept this arrangement in the event of falling into default itself. A member State which resigns from the Clearing Union without making approved arrangements for the discharge of any debit balance shall also be treated as in default.

(7) A member State whose credit balance has exceeded a *half* of its quota on the average of at least a year shall discuss with the Governing Board (but shall retain the ultimate decision in its own hands) what measures would be appropriate to restore the equilibrium of its international balances, including—

- (a) Measures for the expansion of domestic credit and domestic demand.

- (b) The appreciation of its local currency in terms of bancor, or, alternatively, the encouragement of an increase in money rates of earnings;
- (c) The reduction of tariffs and other discouragements against imports.
- (d) International development loans.

(8) A member State shall be entitled to obtain a credit in terms of bancor by paying in gold to the Clearing Union for the credit of its clearing account. But no one is entitled to demand gold from the Union against a balance of bancor, since such balance is available only for transfer to another clearing account. The Governing Board of the Union should, however, have the discretion to distribute any gold in the possession of the Union between the members possessing credit balances, proportionately to such balances, in reduction of their amount.

(9) The monetary reserves of a member State, viz., the Central Bank or other bank or Treasury deposits in excess of a working balance, shall not be held in another country except with the approval of the monetary authorities of that country.

(10) The Governing Board shall be appointed by the Governments of the member States, those with the larger quotas being entitled to appoint a member individually, and those with smaller quotas appointing in convenient political or geographical groups, so that the members would not exceed (say) 12 or 15 in number. Each representative on the Governing Board shall have a vote in proportion to the quotas of the State (or States) appointing him, except that on a proposal to increase a particular quota, a representative's voting power shall be measured by the quotas of the member States appointing him, increased by their credit balance or decreased by their debit balance, averaged in each case over the past two years.

(11) The Governing Board shall be entitled to reduce the quotas of members, all in the same specified proportion, if it seems necessary to correct in this manner an excess of world purchasing power. In that event, the provisions of paragraph 7 (6) shall be held to apply to the quotas as so reduced, provided that no member shall be required to reduce his actual overdraft at the date of the change, or be entitled by reason of this reduction to alter the value of his currency under 7 (6) (9), except after the expiry of two years. If the Governing Board subsequently desires to correct a potential deficiency of world purchasing power, it shall be entitled to restore the general level of quotas towards the original level.

(12) The Governing Board shall be entitled to ask and receive from each member State any relevant statistical or other information, including a full disclosure of gold, external credit and debit balances and other external assets and liabilities, both public and private. So far as circumstances permit, it will be desirable that the member States shall consult with the Governing Board on important matters of policy likely to affect substantially their bancor balances or their financial relations with other members.

(13) The executive offices of the Union should be situated in London and New York, with the Governing Board meeting alternately in London and Washington.

(14) Members would be entitled to withdraw from the Union on a year's notice, subject to their making satisfactory arrangements to discharge any debit balance. They would not, of course, be able to employ any credit balance except by making transfers from it, either before or after their withdrawal, to the Clearing Accounts of other Central Banks. Similarly, it should be within the power of the Governing Board to require the withdrawal of a member, subject to the same notice, if the latter is in breach of agreements relating to the Clearing Union.

(15) The Central Banks of non-member States would be allowed to keep credit clearing accounts with the Union; and, indeed, it would be advisable for them to do so for the conduct of their trade with member States. But they would have no right to overdrafts and no say in the management.

(16) The Governing Board shall make an annual Report and shall convene an annual Assembly at which every member State shall be entitled to be represented individually and to move proposals. The principles and governing rules of the Union shall be the subject of reconsideration after five years' experience, if a majority of the Assembly desire it.

III.—WHAT LIABILITIES OUGHT THE PLAN TO PLACE ON CREDITOR COUNTRIES?

8. It is not contemplated that either the debit or the credit balance of an individual country ought to exceed a certain maximum—let us say, its *quota*. In the case of debit balances this maximum has been made a rigid one, and, indeed, counter-measures are called for long before the maximum is reached. In the case of credit balances no rigid maximum has been proposed. For the appropriate provision might be to require the eventual cancellation or compulsory investment of persistent *bancor* credit balances accumulating in excess of a member's quota; and, however desirable this may be in principle, it might be felt to impose on creditor countries a heavier burden than they can be asked to accept before having had experience of the benefit to them of the working of the plan as a whole. If, on the other hand, the limitation were to take the form of the creditor country not being required to accept *bancor* in excess of a prescribed figure, this might impair the general acceptability of *bancor*, whilst at the same time conferring no real benefit on the creditor country itself. For, if it chose to avail itself of the limitation, it must either restrict its exports or be driven back on some form of bilateral payments agreements outside the Clearing Union, thus substituting a less acceptable asset for *bancor* balances which are based on the collective credit of all the member States and are available for payments to any of them, or attempt the probably temporary expedient of refusing to trade except on a gold basis.

9. The absence of a rigid maximum to credit balances does not impose on any member State, as might be supposed at first sight, an

unlimited liability outside its own control. The liability of an individual member is determined, not by the quotas of the other members, but by its own policy in controlling its favourable balance of payments. The existence of the Clearing Union does not deprive a member State of any of the facilities which it now possesses for receiving payment for its exports. In the absence of the Clearing Union a creditor country can employ the proceeds of its exports to buy goods or to buy investments, or to make temporary advances and to hold temporary overseas balances, or to buy gold in the market. All these facilities will remain at its disposal. The difference is that in the absence of the Clearing Union, more or less automatic factors come into play to restrict the volume of its exports after the above means of receiving payment for them have been exhausted. Certain countries become unable to buy and, in addition to this, there is an automatic tendency towards a general slump in international trade and, as a result, a reduction in the exports of the creditor country. Thus, the effect of the Clearing Union is to give the creditor country a choice between voluntarily curtailing its exports to the same extent that they would have been involuntarily curtailed in the absence of the Clearing Union, or, alternatively, of allowing its exports to continue and accumulating the excess receipts in the form of bancor balances for the time being. Unless the removal of a factor causing the involuntary reduction of exports is reckoned a disadvantage, a creditor country incurs no burden but is, on the contrary, relieved, by being offered the additional option of receiving payment for its exports through the accumulation of a bancor balance.

10. If, therefore, a member State asks what governs the maximum liability which it incurs by entering the system, the answer is that this lies entirely within its own control. No more is asked of it than that it should hold in bancor such surplus of its favourable balance of payments as it does not itself choose to employ in any other way, and only for so long as it does not so choose.

[Paragraphs 11 to 51 here omitted are substantially the same as paragraphs 8 to 48 of the proposals transmitted to the Department on August 28, printed on pages 209-222.]

[Enclosure 2]

Answers to the United States Questions on the Clearing Union

Questions 1 and 2. It is certainly intended that member Governments should be required to take active steps to keep quoted rates of exchange within gold points or their equivalent. It is, however, necessary to distinguish between the exchange rates charged by the Central Banks of members of the Union to their own nationals, and the exchange rates for transactions between members of the Union on the

Union's books. The plan leaves banks free to establish a difference between their buying and selling rates by mutual agreement as hitherto. It is proposed on the other hand that transfers on the books of the Union from the account of one member to that of another should be made at par. This would not preclude the Union from charging, if it seemed desirable, a small commission on turnover in order to meet its current expenses or other outgoings.

Question 3. It is not contemplated that transfers of bancor should take place except by direct transfer between central banks or treasuries, including among the latter such international bodies as the Relief Council. The answer to the question at 3 (a) is "by entries on the Books of the Union", and documents authorizing such entries would not be negotiable.

The question in paragraph 3 (b) does not therefore arise.

In regard to the question in paragraph 3 (c), non-member states holding a balance in bancor could use it only for payment to central banks or treasuries of member states.

Question 4. No question could arise of exchange rates between non-members and the Clearing Union itself. Non-members could only obtain bancor from a member, and the rate at which the member State accepted the currency of the non-member State would be for determination between the member and non-member direct. It would probably be convenient and might be made obligatory for members to agree amongst themselves to establish exchange rates with non-members which would be uniform in the sense that they left their own cross rates at their proper parities.

There will be nothing to prevent transactions at their proper parity between members and non-members in gold or any other currency which might be acceptable, but it would probably be in the interest of the non-members to accept payment in bancor since this would be available to it to make payments to any other member of the Union; the advantage to them being that bancor could be used indifferently for payment to any members, thus obviating the need for holding balances at a number of central banks.

Question 5. It is assumed that in framing this question the U. S. representatives are thinking of the more distant future and have not got in mind the prospect of an immediate post-war boom. In this connection it should be made clear that there is no suggestion that free bancor advances should be allowed to member states in the immediate post-war period without regard to the assistance which those states may simultaneously be drawing in the form of relief. There is also no suggestion that the Clearing Union Plan should be the sole instrument in dealing with the disturbances attendant upon the transition from war to a peace economy. The danger of inflation inherent in

these disturbances would have to be avoided by exercising care in reducing the wartime controls.

What the plan provides for is the probability or near certainty of a contractionist movement of world-wide, or nearly world-wide scope, following at some uncertain interval the termination of the war. In order to judge whether the measures taken by the Union should still have an expansionist trend such criteria as the state of employment in the main industrial countries and the conditions of prosperity or adversity in the main primary producing countries would be considered.

Nevertheless it may be the case that the scheme should be amended so as to provide the Governing Board with powers to check an undesired inflationary tendency in effective world demand.

Some amendments with this end in view have been adopted in the revised draft attached ⁵⁰ (see particularly paragraphs 7 (5) and 7 (11)). It would be helpful if we could have any proposals which the United States may wish to suggest in this connection.

It may be pointed out that if the fluctuating requirements of Commodity Controls were to be provided by the Clearing Union as tentatively suggested in 41 (3),⁵¹ this would have a powerful automatic tendency in the direction of damping down the trade cycle in both directions. For in periods of slump the Commodity Controls will be increasing their overdrafts with the Clearing Union, thus increasing the free purchasing power of the members, whilst in boom conditions when the buffer stocks were being drawn upon, the Commodity Controls would be automatically withdrawing a corresponding sum from general circulation by reducing their overdraft with the Union at the expense of the bancor position of the members of the Union. The need, therefore, for additional anti-inflation provisions partly depends on whether it proves practicable to make use of the Clearing Union in connection with the finance of buffer stocks of primary products.

Question 6. The proposals in paragraph 30 ⁵² (strengthened by the new paragraph 9) are intended to deal with this. If these proposals are adopted, a country with a weak currency could not acquire balances in a country with a strong currency, except with the latter's approval. Apart from this the power of a country with weak currency to exchange its quota for strong currencies would in fact be very limited. As indicated in paragraph 7 sub-paragraph 6 (a), a state cannot increase its debit balance by more than a quarter of its quota within a year without the permission of the Governing Board, and if it increases its debit balance to a figure in excess of one half its quota the

⁵⁰ Enclosure 1, p. 231.

⁵¹ The same as paragraph 38 (3) in the proposals transmitted to the Department by the Counselor of the British Embassy, August 28, p. 218.

⁵² The same as paragraph 27 of the proposals transmitted on August 28, p. 214.

Governing Board may require the control of outward capital transactions if not already in force and the surrender of a suitable proportion of any separate gold or other liquid reserve in reduction of the debit balance. These provisions could of course be tightened up if it is thought desirable as for example by the use of sub-paragraph 6 (c), which provides that if a member state's debit balance is excessive as measured by some formula laid down by the Governing Board in relation to the total debit balances outstanding on the books of the Clearing Union, it may be called on to take measures to improve its position, with the alternative of being declared in default.

Question 7. These questions are dealt with in the new paragraph 7 (3) and the new Section III (paragraphs 8 to 10).

Question 8. No country has a right to demand payment in gold in respect of a bancor balance, and this is fundamental to the whole plan. The disposable assets of the Union will consist in any gold or foreign exchange which it may have acquired and in the debts due to it from countries with debit balances. A country leaving the Union on a year's notice would be able to employ any credit balance by transferring it either before or after its withdrawal to the clearing accounts of other central banks (see paragraph 7 (14)). If the Union enables comparative stability to be maintained throughout the world, deflation to be avoided and international commerce to be expanded instead, as would otherwise be likely, of suffering violent contraction, every country would gain enormously by the increase of its national production and national income. The risk of ultimate loss is reduced by the provisions of paragraph 7 (6) (c).

If more precise provisions for collateral are thought advisable, debit countries might be required at the discretion of the Governing Board to furnish it in the form of gold, currency or Government Bonds. In any case, it might be well to insert some provision for such assets to be available to discharge the debit balance in the event of dissolution of the Union, or of the country's withdrawal. Such assets to be available for distribution between the creditor countries. (See paragraph 7 (6) (b).)

Question 9. The Dominions and India would be treated as distinct countries. In fact no other arrangement is really practicable since the Canadian dollar, the Australian pound, the New Zealand pound, the South African pound and the rupee are each distinct from the pound sterling and their values in terms of the pound sterling may and on previous occasions have varied. Trade between the United Kingdom, the Dominions and India would be counted for the purpose of determining the quotas.

It would probably be convenient to treat the United Kingdom and the Crown Colonies as a unit with a single quota, omitting trade between the group from the calculations.

Question 10. It is quite impossible to forecast which countries are likely to develop creditor accounts. In certain circumstances it may be that most of the members would develop creditor accounts (offsetting for example a debit balance represented by the holding of stocks of primary commodities under some international scheme).

It is not thought that special voting rights should be given to creditor states except when it is a question of increasing quotas for one or more member states. On such a proposal the voting rights of creditor states might be increased by the amount of their creditor balances and those of states in debit might be reduced by the amount of their debit balance. (See the new paragraph 7 (10)).

Question 11. See now the amended first sentence of paragraph 6. Since all the United Nations would be invited to join as founder states it is not thought that difficulty should arise.

Up to the stage however when the plan is submitted for approval or amendment to the United Nations as a body, it is thought that the decision as to what countries or what other authorities should be consulted should remain with the United States and the United Kingdom. This is to avoid the difficulties which experience has shown constantly arise in attempting to secure unanimity over too wide a circle during the stage of drafting.

840.50/1026

The Ambassador in the United Kingdom (Winant) to the Secretary of State

No. 6817

LONDON, December 19, 1942.

[Received January 7, 1943.]

SIR: I have the honor to refer to the Embassy's telegram No. 6239, dated November 6, 1942, and Department's telegram No. 5628, dated November 10, 1942, and to transmit herewith one copy of each of the following:⁵³

1. The amended minutes of the meeting on Post-War Commercial Policy held at the Board of Trade on November 20, 1942, and attended by representatives of the Allied Governments established in London and the appropriate British authorities, together with observers from the Soviet Union, China, and the British Dominions, and two observers from this Embassy.

2. An informal British paper entitled "Summary of the Views of the European Allies on Economic Cooperation after the War", which was given informally to a member of the Embassy and summarises such information as the British had before the meeting on the views of the Allied Governments on post-war commercial policy.

3. A confidential questionnaire which, following a decision taken at the meeting, was subsequently sent to the representatives of the

⁵³ None printed.

Allied Governments established in London who were present at the meeting, and the answers to which are likely to form the basis of discussion at a further meeting.

It was made clear, first to a member of the Embassy in informal conversation, second in the notices calling the meeting, and third by the Chairman, Mr. Harcourt Johnstone, Parliamentary Secretary to the Department of Overseas Trade at the meeting, that the British Government did not itself feel able to make any positive proposals or attempt to formulate a policy at this stage and before it had entered into conversations with the Government of the United States.

We would draw particular attention, however, to the statement in Mr. Harcourt Johnstone's opening speech that the United Kingdom Government "were signatories of the Atlantic Charter and of the Mutual Aid Agreement and proposed that their policies and actions should derive from the spirit which inspired those documents. This would involve what might look like sacrifices on the part of the United Kingdom on a short view and would indeed imperil the economic future of the country unless all other countries approached the matter in the same spirit."

It is clear, first from Mr. Harcourt Johnstone's remark, that "... ⁵⁴ this does not mean that His Majesty's Government had not some schemes in mind", second from his insistence on the point that notwithstanding the great importance of expansionist policies and of measures for improving the international monetary mechanism, "the problems of commercial policy proper, tariffs, quotas, etc. would still have to be faced", and third from individual statements made in informal conversations with government economists and civil servants, that the British wish to give a leading place to commercial policy in post-war international economic reconstruction.

The meeting failed to bring out decisive and detailed expressions of the views of the Allied Governments in London on commercial policy, and the general impression left by it was summed up during a personal conversation after the meeting by a leading Board of Trade official as follows: "What it really means is that they are waiting for you and for us (i. e. the United States and Britain) to go ahead and formulate our views." This viewpoint received some support from personal talks with Allied representatives concerned with economic matters. Representatives of small countries in particular feel that the commercial policies of their countries must be largely determined by the policies adopted by the large states and in particular by the United States and Great Britain.

It is believed that an additional reason for the reticence of some of the Allied representatives, especially those of central and eastern

⁵⁴ Omission indicated in the original.

European countries, is to be found in the presence of observers from the Soviet Union. The question of commercial arrangements between certain countries with contiguous territories, leading in some cases to partial or complete economic federation was on the whole carefully avoided by Allied representatives, who are somewhat apprehensive of Soviet reactions on political grounds to large unions or close federations in eastern and central Europe.

The suggestion of M. Alphand⁵⁵ that more precise questions on commercial policy should be formulated was favorably received by the meeting and has led to the formulation by the Board of Trade and Foreign Office of the questionnaire which is enclosed with this despatch. The British intend first to discuss this questionnaire informally with individual representatives of the countries concerned and later to call another meeting.

The Embassy will be kept fully informed of the progress of these talks. Harcourt Johnstone and Fraser of the Board of Trade and Ronald in the Foreign Office are anxious to keep in close informal touch with us and to do all they can to expedite the implementation of Article VII in its commercial aspects. They feel that the meeting served a valuable purpose in minimising the possibility that at the stage when British-American talks take place Allied representatives might complain that their views had not been sought and might express apprehensions regarding the possible effects on their countries of the results of discussions between Britain and America.

In a recent personal conversation M. Alphand expressed his views to one of the Embassy observers as follows. He believes that in the immediate post-occupation and post-war period it will be essential for France to maintain strict rationing, price control and exchange control to prevent serious inflationary possibilities from developing. He believes however that such exchange control should not be used as an instrument of bilateral commercial arrangements. He considers that exchange control and control of imports will be necessary as instruments for securing priority in imports for those materials that are essential for the restoration of productive capacity, but that every effort should be made to prevent such import controls from being exercised in a discriminatory manner. Finally he is strongly of opinion that when this reconstruction period is over import controls, rationing and price controls should be abolished, and exchange control should be abandoned, except in so far as it may be necessary for the prevention of flight movements of capital.

Respectfully yours,

For the Ambassador:

W. J. GALLMAN

First Secretary of Embassy

⁵⁵ Hervé Alphand, Director of Economic Affairs, French Committee of National Liberation.

EMERGENCY MEASURES FOR THE WELFARE AND REPATRIATION OF AMERICAN CITIZENS IN ENEMY AND ENEMY-OCCUPIED COUNTRIES¹

300.1115/240a : Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, December 26, 1941.

403. American Interests.

1. The Department desires that all persons inquiring concerning the welfare and whereabouts of, or the transmission of funds to, American nationals in enemy territory be referred either to the Legation at Bern or to the Department. Please so inform the Swiss Government, for its guidance and for guidance of its diplomatic and consular representatives in the United States and in other countries.

2. In general, inquiries concerning, or messages for, American nationals in enemy territory will not be transmitted by telegraph unless the person requesting the transmission of the inquiry or message agrees to pay telegraphic charges (concerning which detailed instructions will follow).

HULL.

740.00115 European War 1939/1677 : Telegram

The Chargé in Switzerland (Huddle) to the Secretary of State

BERN, January 6, 1942:

[Received January 6—3:31 p. m.]

57. American Interests—Germany. Department's 363, 22d.² Swiss Foreign Office in note dated January 5 transmits following telegram from Swiss Legation, Berlin (German translation):

"The regulations regarding American citizens in Germany or in territories occupied by German troops are to be considered entirely as reprisals. The German Government wishes to emphasize particularly that this be made clear to the American Government. Up to the

¹ For previous correspondence regarding repatriation of American citizens in Europe, see *Foreign Relations*, 1941, vol. I, pp. 398 ff.; for the repatriation of American citizens in the Far East, see *ibid.*, vol. V, pp. 397 ff.

For additional correspondence, see *post*, pp. 285 ff. and 377 ff.

² Not printed; it requested the Swiss Federal Political Department to endeavor to ascertain through appropriate Swiss representatives welfare in general of American nationals in Germany and German-occupied territory (124.62/286a).

present time a prohibition to cross any borders has been stipulated as well as a prohibition to leave the city and in some cases the house also, without permission of German authorities. Number of arrested Americans is considered to be far less than number of Germans arrested in America. Arrests made have been of men between 18 and 60 years of age. As reprisals a few women have also been arrested."

Swiss Foreign Office advises that Swiss Minister, Berlin, strongly recommends liberal treatment for Germans in United States so that he may be able obtain improvement in condition of Americans residing in Germany.

HUDDLE

340.1115A/2367 : Telegram

The Secretary of State to the Consul General at Marseille (Fullerton)

WASHINGTON, January 8, 1942—2 p. m.

16. Your 4, January 2, 1 p. m.³ Selective Service headquarters states informally that while arrangements may possibly be made later for eligible Americans abroad to register for military service at diplomatic and consular offices abroad, there is as yet no procedure therefor and they should accordingly, until further notice, be advised to register for military service upon arrival in United States. War Department does not contemplate making funds available for repatriation of such persons.

As you know, this Government at great expense provided special vessels for repatriation of Americans in Europe and repeatedly made funds available to aid needy citizens unable otherwise to finance cost their return transportation. It is now impracticable to provide further special facilities for those who failed previously to heed repeated suggestion that they return to United States. Americans desiring now to return must arrange on their own responsibility transportation from Lisbon via clipper or other commercial means such as neutral flag vessels.

As in the past, Department willing endeavor contact relatives, friends or employers for needed funds. Only when these prove unobtainable will Department consider making loan funds available and then only for deserving cases of escapees able to qualify for loans strictly within the provisions of circular instruction of March 21, 1939 as amended by circular of August 12, 1941, Diplomatic Serial 3382.⁴

If you should consider it necessary to recommend allotment of funds to meet urgent need in this respect, telegraph number of such special cases and amount of funds probably needed for (1) temporary subsistence while awaiting necessary transit visas (2) transportation

³ Not printed.

⁴ *Foreign Relations*, 1941, vol. I, p. 413.

to Lisbon (3) temporary subsistence while awaiting sailing at Lisbon, and (4) trans-ocean transportation.

HULL

390.1115A/628a : Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, January 9, 1942.

50. Department has learned through the American Red Cross that Americans in Shanghai are now or will shortly be financially in distress. Pending the perfection of a satisfactory procedure for transmitting to needy Americans funds from private sources in the United States as well as for paying relief to American citizens found to be entitled thereto, Department desires to make available immediately to Shanghai and to any other post in enemy territory where the need is determined to be urgent small allotments, not exceeding ten thousand dollars each (\$10,000) for disbursement in the discretion of the Swiss representative in small relief payments to those Americans having need for immediate financial assistance.

Such advances should of course be made only to those Americans actually in need and should not be in excess of amount necessary for minimum subsistence and for other essential extraordinary needs such as urgent medical attention. Payment should be made against individual receipts showing name and permanent address in the United States of recipient, together with an indication of evidence of citizenship presented. It is expected that repayment will eventually be made by those able to do so.

Please inform the Department urgently whether the Swiss Government is prepared temporarily to advance such sums from its own resources for later reimbursement by the Department or, if not, how such sums may be made immediately available to the Swiss representative at Shanghai and at any other place where needed. (Department's 358, December 20, 6 p. m.⁵).

Department would appreciate receiving as soon as possible a statement of the financial situation of Americans in the various areas where this Government's interests are under the protection of Switzerland and an estimate of the amount of funds immediately needed to relieve their situation, as well as the suggested maximum for individual relief payments based on the local cost of living in such countries. Americans having resources in the United States upon which they can draw should furnish the Department name and address of person or persons to be approached, amount needed, and purposes for which desired.

HULL

⁵ Not printed.

740.00115 European War 1939/1677: Telegram

*The Secretary of State to the Chargé in Switzerland (Huddle)**

WASHINGTON, January 12, 1942.

68. Your 57, 6th. Please request the Swiss Government to be good enough to make a communication in the following sense to the German Government in reference to the attitude of the German Government toward civilian American nationals as expressed in your telegram under reference:

"The Government of the United States by reason of the state of war now existing between it and certain other countries has not altered its attitude in respect of the treatment of civilian enemy aliens as set forth in identical telegrams addressed to the American Embassies at London, Paris and Berlin on September 29, 1939 for communication to the British, French and German Governments. This telegram was as follows:

[Here follows text of telegram printed in *Foreign Relations*, 1939, volume I, page 641.]

"In line with the above recommendation the Government of the United States is itself applying to civilian enemy aliens in this country as liberal a regime as is consistent with the safety of the United States. There has been no mass internment of such aliens. Of the approximately three hundred fifteen thousand (315,000) German aliens and nearly two hundred thousand (200,000) Austrian aliens in continental United States not more than a comparative few have been taken into custody since the entry of the United States into the war. Of the small number apprehended since the declaration of war none has as yet been sentenced to internment. Only a very few women have been detained and, as with males, only for reasons of national safety pertaining to the individual. Cases of detained enemy aliens are being individually examined on their merits by special civilian boards, including trained legal personnel, in all the judicial districts of the United States. The decisions of these boards, which may recommend release, parole, or internment, are reviewed by the Attorney General of the United States. Special provision is made to expedite consideration of necessitous or hardship cases. Individuals whose liberty is found not to be contrary to the safety of the United States will be unconditionally released, or paroled. Those whom it may be found necessary to intern will be treated at least as favorably as prisoners of war, and to this end the United States has already communicated through the Swiss Government to the other enemy governments its intention to apply to civilian enemy aliens the provisions of the Geneva Prisoner of War Convention of July 27, 1929,¹ in so far as they are adaptable, on a reciprocal basis.

Stations of temporary detention as well as places of internment are open to inspection by representatives of the protecting powers and by neutral international agents such as the Red Cross. Such inspections are invited. In letters from detained aliens which have been

* A similar message containing appropriate changes for delivery to the Japanese Government was sent to the Chargé in Switzerland as telegram No. 219, January 26 (390.1115A/676a).

¹ *Foreign Relations*, 1929, vol. I, p. 336.

reviewed by censors in the detention stations, the writers have generally expressed themselves as well satisfied with conditions.

The Government of the United States would be glad to learn whether the German Government is prepared reciprocally to apply a similar policy to civilian American nationals in Germany and German-occupied territories. In particular this Government desires assurances that there will be no further mass internment of civilian American nationals in Germany and that the men between 18 and 60 years of age already stated to have been arrested as well as any other American nationals detained for reasons over which they have no control have been released, except in so far as there is any reason to detain any particular individual for reasons for which he alone is responsible.

Enemy aliens not under detention, are free to move about their places of residence, to travel within the boundaries or limits of the municipality, town, village, locality or community in which they reside, from place to place therein and in such manner as will permit them to engage in the activities usual in their community; commuting from their homes to their places of business, or to travel between their homes and their places of religious worship, schools, colleges, or institutions of learning at which they are in regular attendance, or any Federal, state or local government agency with which they are required to transact business.

Unless this Government receives promptly assurances that the German Government is permitting equal freedom to American nationals in Germany and German-occupied territories this Government will reluctantly have to reexamine its position."

HULL

390.1115A/646: Telegram

The Secretary of State to the United States High Commissioner in the Philippines (Sayre)

WASHINGTON, January 17, 1942—2 p. m.

8. Please inform President Quezon ^s that the Department is arranging to grant relief where necessary to needy American citizens in and unable to leave enemy countries and enemy occupied territories and that it is prepared to extend relief similarly to any needy Philippine citizens in the same areas outside the Philippine Islands. Before doing so Department would be pleased to learn whether he has any objections and to receive his advice in this respect. In arranging for the relief of needy Americans the Department intends to advance funds only for minimum necessary subsistence and for other essential extraordinary needs such as urgent medical attention. It is expected that repayment will eventually be made by those able to do so.

With respect to exclusion of the Philippine Islands from the Department's relief plans as indicated above, it may be mentioned that this Government has already otherwise provided funds for relief in the Philippine Islands.

HULL

^s Manuel L. Quezon, President of the Commonwealth of the Philippines.

390.1115A/788

Press Release Issued by the Department of State, January 20, 1942

In line with the Department's efforts ever since international conditions became disturbed to assist, as far as possible, Americans stranded abroad in dangerous areas to return to the United States, the Department has recently arranged with the Department of Commerce and the United States Maritime Commission for an extension of the arrangements by which American-flag vessels wherever available in the Far and Middle East may carry from dangerous areas there as many passengers as possible within the limits of safety beyond the normal carrying capacity of such vessels. The Department has also made funds available to this Government's representatives at dangerous places in those areas from which advances may be made as loans to needy Americans unable to finance their return transportation to the United States, or where such return transportation is not immediately available, to places of greater safety than the dangerous areas in which they find themselves stranded.

The Department has also been giving careful consideration to the problem of providing some form of financial assistance to those Americans who, due to the war, have been unable to return to the United States from enemy and enemy-occupied countries and who find themselves stranded without financial resources.

Some time ago the Department requested the Swiss Government, which is representing American interests in enemy areas, to furnish the Department, as soon as possible, a statement of the financial situation of Americans in the various areas where this Government's interests are under the protection of Switzerland and an estimate of the amount of funds immediately needed to relieve their situation. The Swiss Government was likewise requested to furnish the Department, in behalf of Americans in enemy areas having resources in the United States upon which they can draw, the names and addresses of persons in this country to be approached, the amount needed and purposes for which desired. Upon receipt of this information the Department hopes to put into effect a satisfactory procedure for transmitting funds from private sources in the United States to needy Americans in enemy or enemy-occupied areas, as well as for providing temporary financial assistance to needy Americans in those areas who may be without private resources. In the meantime, the Swiss Government has been requested to authorize its representatives in enemy territory wherever the need is determined to be urgent to make small relief payments to those Americans having need of immediate financial assistance.

340.1115A/2402a : Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, January 21, 1942.

172. American Interests. Please repeat to missions at Cairo (for Alexandria, Port Said, Aden, Baghdad, Tehran, Jerusalem, Beirut, Ankara, Istanbul, and Ismir); Vichy (for consulates in France including Dakar, Algiers and Tunis and for Tangier and Casablanca); London (for consulates in Great Britain and for Ireland); Lisbon (for consulates under its jurisdiction); and Madrid (for consulates in Spain). You and other offices may repeat by mail if reasonably expeditious. Department will repeat to New Delhi, Pretoria, and Canberra (for repetition by them to nearby offices) and will also issue mimeographed circular instruction to all other offices.⁹ Please also inform Swiss Government.

1. All inquiries concerning welfare or whereabouts of, or transmission of funds or messages to, American nationals in enemy territory shall be referred to Department in order that citizenship of such nationals may be verified, their presence in enemy territory recorded, and in Department's discretion action by Swiss Government requested. In each case, state name and relationship (if any) of inquirer.

2. In general, inquiries concerning or messages for American nationals in enemy territory will not be transmitted by telegraph unless the person requesting the transmission of the inquiry or message pays all telegraphic charges (which, owing to indirect transmission through Department, Legation Bern, and Swiss channels, will often be considerable).

3. A deposit amply sufficient to cover all charges shall be required.

4. Office where inquiry originates (hereinafter called originating office) will be informed in following manner of charges to be debited against deposit:

(A) Cost of message from Department to Legation Bern and of latter's reply will be included in figure stated at end of Department's reply to originating office.

(B) Cost of message from Swiss Foreign Office to Swiss representative in enemy territory will be shown on separate voucher to be prepared by Swiss Government, copy of which Department will forward by mail to originating office upon receipt of relevant Swiss accounts.

(C) Cost of Swiss representative's reply to Swiss Foreign Office will be communicated to originating office in same manner as under 4 (B).

5. In cases where no reply is expected, following procedure shall be followed:

(A) Originating office will conclude its telegram with words "charge sender" instead of word "Stcor".

⁹ Circular instruction of January 22, 1942, not printed.

(B) Department will by mail inform originating office of cost of Department's message to Legation Bern.

(C) Cost of message from Swiss Foreign Office to Swiss representative in enemy territory will be communicated to originating office in same manner as under 4 (B).

6. Officers should bear in mind that the convention relative to the treatment of prisoners of war signed at Geneva July 27, 1929, provides in part that belligerents are bound mutually to notify each other of their capture of prisoners within the shortest possible period and that every prisoner shall be enabled to write his family a postal card informing it of his health. Only in exceptional circumstances, therefore, will the Department ask the Swiss Government to make special inquiries, whether by telegraph at inquirer's expense or by mail, relative to individual American prisoners of war in enemy hands.

HULL

340.1115A/2402 : Telegram

The Chargé in Switzerland (Huddle) to the Secretary of State

BERN, undated.

[Received January 22, 1942—2:31 p. m.]

221. American Interests—Relief.

1. Reference Department's 439, December 31, 6 p. m.¹⁰ and subsequent telegrams regarding financial relief in enemy territory. As desired by Department Swiss Foreign Office is making funds available and authorizing its representatives in Shanghai and elsewhere in Axis territory to make emergency relief payments to destitute Americans and is also requesting them submit estimates and other data for relief purposes.

2. Matter of continuing relief payments indefinitely as seems contemplated by Department has been discussed with Foreign Office officials and in agreement with them following observations and recommendations submitted for Department's consideration in establishing procedure for such relief payments.

3. It is advisable allow Swiss representative on spot to decide within set rules what applicants in his district should receive relief rather than require reference all applications to a central agency for decision which would entail delay and telegraphic expense in extending relief.

4. In its 439 Department indicated it would desire relief accorded only to Americans qualifying under provisions circular 3382, August 12, last,¹¹ however, it is not feasible for Swiss representatives to apply criteria set forth in that instruction as they primarily require decision as to applicants American character and connections in lieu thereof

¹⁰ *Foreign Relations*, 1941, vol. I, p. 433.

¹¹ *Ibid.*, p. 413.

but with a view to carrying out the purpose of the instruction while also simplifying procedure for the Swiss representatives, it is suggested that right to relief be determined by recent Departmental recognition of citizenship. Accordingly it is proposed that the Swiss representatives in charge of American interests be authorized to make continuing relief payments to any destitute American (*a*) who is bearer of unexpired American passport (*b*) who was issued an American passport since say January 1, 1939 and (*c*) who was registered as an American citizen at an American Consulate since say January 1, 1939. Payments to such persons being suitably increased for needs their American or alien wives and unmarried minor children residing with them.

5. In cases of other applicants claiming American citizenship Swiss representative will forward by mail or by telegram considering urgency and distance following data to Swiss Foreign Office for transmission by this Legation to Department for its decision in case after examination of citizenship records and possible investigation of applicants references and resources in United States: name of applicant, place and date of birth, and name and address of nearest relative or friend in United States. This of course may result in considerable telegraphic expense but seems necessary to avoid inflexible rule which might leave loyal citizens here and there in distress unless Department should allow complete discretion to Swiss representatives in paying relief to any person producing evidence American citizenship.

6. Relief payments will be made periodically at rates approved by the Department following receipt of information requested by its telegram 50 of January 9. Payments will be for ordinary subsistence (food, lodging and clothing) not in excess of minimum necessary therefor except that Swiss representatives in their discretion may make single payments for extraordinary bodily needs such as for urgent medical, hospital and dental care.

7. Receipts for relief payments will be forwarded to this Legation in triplicate, one copy remaining in the Legation which will forward remaining copies to Department with accounts. Individual receipts will be obtained unless it should be necessary submit collective receipts as in case of group of internees. Receipts will show name, local residence, place and date birth and evidence American citizenship in addition amount received and date. (Query—does Department desire receipts include promise repayment?)

8. Funds for relief payments will be allotted by Swiss Foreign Office upon receipt periodical estimates by Swiss representatives. Allotments will be made to principal representative in each country who will supervise distribution relief therein by subordinate representatives. His office will particularly maintain central index of Americans receiving relief in country to prevent duplicate payments.

9. Persons entitled to receive relief must be without funds of their own and unable to obtain funds from relatives, friends or employers except that those [with?] resources in the United States or elsewhere upon which they cannot draw momentarily may receive relief if qualified as above until they can obtain their own funds (matter of transmission private funds will be dealt with by Legation in subsequent telegram to Department).

10. Requests for relief payments received by Department or Legation from applicants themselves or persons interceding shall be referred by Legation through Swiss Foreign Office to Swiss representative concerned for handling according above procedure.

11. Upon institution above procedure emergency relief payments shall cease.

12. Foregoing relates only to American citizens and not to Filipinos in regard to whom instructions respectfully requested with particular reference method identification applicants, establishment claims to relief and amounts desired paid after consultation President Quezon as indicated in Department's 134, January 17.¹²

HUDDLE

390.1115A/651 : Telegram

The Consul at Bombay (Donovan) to the Secretary of State

BOMBAY, January 22, 1942—1 p. m.
[Received January 22—5 : 36 a. m.]

45. In arranging for passages to the United States for American citizens and families, steamship companies object to taking alien wives without reasonable assurance of their admissibility particularly when wives are enemy subjects. Would alien enemy wives be refused admission solely because of nationality status?

DONOVAN

340.1115A/2403 : Telegram

The Chargé in Switzerland (Huddle) to the Secretary of State

BERN, January 23, 1942.
[Received January 23—3 : 49 p. m.]

241. American Interests—Transmission private funds.

(1) Swiss Foreign Office now prepared accept requests for transmission private funds to Americans in areas where Swiss represent our interests. Legation suggests following procedure therefor.

(2) For reasons of speed, certainty and simplicity of transmission all remittances to be made by telegram for Department and from Bern sender to pay telegraph from Department and from Bern, sender to

¹² Not printed.

pay telegraph charges when billed by Department without Legation having to make any deduction therefor from amount indicated for payment and minimum amount acceptable for remittance being say 50 dollars. Remittances must be for single payments as Swiss representatives cannot undertake open drawing account for payees nor can they accept remittances with restriction as to use by payees.

(3) Department's telegrams to Legation Bern ordering payments to read as follows (number in regular series of telegrams to Bern) (day of month) (name and address including name of country of payee) (amount of dollars to be paid written in words and in figures) (name of sender).

(4) Upon receipt of Department's telegram requesting a payment Legation will pass request to Swiss Foreign Office to telegraph authorization for payment to appropriate Swiss representative. Authorization must necessarily state amount in Swiss francs and as remittances, as well as telegraph charges incurred by Swiss authorities in forwarding them, must be paid to Swiss Foreign Office by Legation from credit in Swiss francs with Swiss National Bank which Department has opened in favor of Legation for payment expenses incurred by Swiss in representation American interests, Department respectfully requested telegraph rate at which conversions should be made for remittances private funds and also advise in future should rate change when additional credits opened.

(5) Payments will be made against payees receipt in triplicate, Legation retaining one copy and forwarding remaining to Department with accounts when received from Swiss representatives through Foreign Office.

(6) Legation will notify Department as promptly as possible of telegraphic charges in dollars incurred by Swiss for forwarding each remittance. However such notification may be delayed and Department may therefore consider it advisable require all senders of remittances to deposit with it a fixed amount to guarantee Swiss telegraphic costs (please note for example ordinary 25 word message Bern-Copenhagen costs at present approximately dollar and half, Bern-Tokio, 24 dollars).

HUDDLE

340.1115A/2404: Telegram

The Chargé in Switzerland (Huddle) to the Secretary of State

BERN, January 23, 1942.

[Received January 23—5:02 p. m.]

248. American Interests—Welfare Messages. Department's 172, January 21, received but not yet transmitted pending Department's decision on following suggested amendments.

Numbered paragraph 2. Recommended that inquiries and messages be accepted only for communication by telegraph in view of present uncertainty and difficulty and delay mail communication in Europe and impossibility mail communication to Far East. This will also ease handling in Bern and avoid followup inquiries caused by mail delay. Recommended further that paragraph provide that when inquiry or message is telegraphed at Government expense it will include final words "Charge Government".

Numbered paragraph 3. Recommended sentence be added as follows: Ordinary 25 word message Bern-Copenhagen costs at present approximately dollar and half, Bern-Tokio, 24 dollars.

Numbered paragraph 4 (B). Foreign Office now states it cannot undertake prepare separate vouchers for individual telegrams but that it is willing inform Legation immediately of telegraph charges for each message sent and for reply when received from Swiss representative abroad. When transmitting replies to Department Legation will be able therefore include statement total charges. However, in cases when it is unable to do so it proposes to state cost Bern-Washington followed by word "partial" signifying Swiss charges remain for collection when Swiss Government accounts are received with indication those charges. Paragraphs 4 and 5 should be amended accordingly (to enable Legation add Swiss costs in dollars). Please telegraph conversion rate as requested in Legation's 241, January 23, paragraph. 4.

Numbered paragraph 6. Omit reference to mail inquiries in last sentence in line with recommended change in paragraph 2.

Finally recommended telegram should include statement persons desiring welfare inquiries made or messages sent may be referred to local Red Cross organization if transmission inquiry or message not undertaken.

HUDDLE

340.1115A/2413a : Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, January 23, 1942.

188. Department's 439, December 31, 6 p. m.,¹³ to which no reply has yet been received. Department is being pressed to make private money transfers to Americans in enemy and enemy-occupied territories. The Department is accepting such private deposits and in requesting you to arrange through Swiss Government for their pay-

¹³ *Foreign Relations*, 1941, vol. I, p. 433.

ment will employ following language and procedure unless immediately informed by the Legation that some other procedure is preferable:

"Pay John Doe one hundred dollars (\$100) for account of Sallie Doe."

This will mean that the Swiss Government from United States advances for representation of its interests will pay the equivalent of number of dollars stated to indicated payee against individual receipt in triplicate which should include name of depositor and reference to authorization by date and number. When such receipts reach Department the private deposit will be transferred to the credit of the United States Government.

Department is anxious to put this procedure into effect immediately in order to allay anxiety of relatives and friends in this country and to reduce need for official relief payments.

HULL

840.1115A/2409 : Telegram

The Chargé in Switzerland (Huddle) to the Secretary of State

BERN, January 24, 1942.

[Received January 24—4:51 p. m.]

257. American Interests—Welfare Messages. Department's 172, 21st and Legation's 248, 23d. Foreign Office officials advised this morning that Swiss representatives abroad are beginning report receipt greatly increasing number communications from Americans requesting news their relatives and friends. Foreign Office officials expressed serious concern that Swiss official facilities for making welfare inquiries and transmitting personal messages for Americans and equally for nationals of many other countries represented by Switzerland will be too greatly overburdened by volume to afford efficient service. They stated that at various places the Swiss representatives cannot obtain sufficient acceptable assistants.

They therefore propose that such inquiries and messages be sent to International Red Cross Committee Geneva for handling if the Committee will agree.

The Legation will be glad if such a proposal would meet with Department's approval to discuss matter with International Red Cross Committee officials at Geneva and if they are agreeable, to work out some arrangement whereby Legation can use Committee's facilities in place of Swiss official facilities for making welfare inquiries and transmitting brief personal messages for American citizens.

HUDDLE

390.1115A/671e: Telegram

The Secretary of State to the Consul General at Singapore (Patton)

WASHINGTON, January 25, 1942—10 p. m.

26. Your 46, January 24, 10 a. m.¹⁵ The Department has inquired of the Navy Department respecting the availability of United States naval vessels for the evacuation of American citizens from Singapore. The Navy Department has stated that it would be appropriate for the Department to authorize you to make a request for such aid of the Commander in Chief, United States Asiatic Fleet. Authority to do so is hereby given you whenever in your opinion it is desirable to do so. Whether or not to comply with your request is of course a matter entirely in the discretion of the Naval Commander in Chief. The Department is also making inquiry of the Maritime Commission concerning the availability of American merchant vessels in your area which might be used for the purpose of evacuating Americans from Singapore and you will shortly be informed what, if any, such vessels are available for this purpose.

In order to provide for any possible contingency and in line with the suggestions made in paragraph 3 of your message under reference the Department has instructed the Legation at Bern to request the Swiss Government to make immediately available to the Swiss Consul at Singapore from United States advances for representation of its interests twenty-five thousand dollars (\$25,000) or its equivalent for disbursement in his discretion in small relief payments to those American citizens and Filipinos in Malaya having need of immediate financial assistance in the event it should become necessary to ask him to take over American interests. As a further precaution that the Swiss Consul will not be without funds for this emergency purpose, you are hereby allotted twenty-five thousand dollars (\$25,000) for payment to the Swiss Consul for disbursement by him in the same manner and for the same purposes as indicated above in the contingency mentioned. Draw draft, render separate account, and charge authorization 150, 1942. These funds are to be used only for the purpose stated above and should, of course, not be turned over to the Swiss Consul until he actually takes over representation of American interests.

With reference to your request to use balance of funds allotted in Department's 186, December 15,¹⁵ for "any" emergencies, Department is unable to understand what further needs might properly be met from these public funds as you have already been authorized to use them for (1) repatriation, (2) evacuation, (3) temporary maintenance, and (4) other essential extraordinary needs such as urgent medical attention. If you will inform the Department of the nature

¹⁵ Not printed.

of any further emergency needs, it will gladly consider whether the use of these funds may be authorized therefor.

HULL

390.1115A/670b : Telegram

The Secretary of State to the Consul General at Singapore (Patton)

WASHINGTON, January 26, 1942—5 p. m.

27. Department's 197, December 26, 11 p. m.¹⁶ Similar allotments have been made to all Consulates at ports in British India, Australia, and New Zealand and to Rangoon, Nouméa, Suva, and Tahiti. Further to facilitate the repatriation of Americans from Singapore and other dangerous areas in the Far East, all of the foregoing and the offices referred to in the Department's 197 have been issued blanket authority to issue emergency consular certificates if requested to do so by masters of American flag vessels to provide emergency accommodations for American citizens. The Maritime Commission has informed the Department that the owners and charterers of all American vessels calling at such ports have instructed their agents abroad to consult American Consuls respecting the issuance of such certificates whenever they may be required to enable a vessel to carry passengers in excess of the number permitted by the vessel's certificate of inspection.

Department understands from your 376, December 20,¹⁷ that evacuation was then considered risky and that even official opinion was divided whether to inform the people of Singapore to risk the dangers of the sea transportation or the perils of remaining and that the choice to evacuate or to remain was one for each individual to make after weighing family and personal factors. Department has further noted that at the time your 376 was dispatched it was believed that all American women and children who wished to leave would be afforded transportation facilities before the end of December.

The Department is most anxious that Americans realize the danger of remaining and hopes that all Americans desiring to leave will have an opportunity to do so. It desires a current report on the situation, particularly whether any authorities are prohibiting American men, as you indicated they might in your 376, from availing themselves of such facilities for their evacuation as might have been or may be available on American vessels.

HULL

¹⁶ Not printed; it stated that the Department was making allotments to Batavia, Surabaya, Medan, Sydney, Ceylon, and Capetown for loans in connection with emergency repatriation or evacuation and temporary maintenance of American citizens while awaiting repatriation (390.1115A/607).

¹⁷ Not printed.

340.1115A/2412a : Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, January 27, 1942.

228. American Interests. As an exception to the provision of Department's 172 of January 21, you are authorized to refer to the Swiss Government for appropriate action without reference to the Department inquiries concerning the welfare or whereabouts of, or requests for the transmission of appropriate brief messages to, American nationals in enemy territory in cases where their American nationality has been established to your satisfaction.

HULL

390.1115A/651 : Telegram

The Secretary of State to the Consul at Bombay (Donovan)

WASHINGTON, January 28, 1942—7 p. m.

20. Your 45, January 22, 1 p. m. The answer to your concluding sentence is in the negative.

The Department has been informed that the Board of Immigration Appeals will endeavor to relieve steamship company of fine in the event an alien wife is found inadmissible upon arrival provided steamship company can show that such care had been taken as circumstances permitted and provided the Department of State indicates that incident resulted from emergency abroad.

The Department has been further informed that the Board will act similarly in the case of an alien wife found inadmissible upon arrival who is proceeding to the United States with her husband because of the war but without the existence of any special emergency in the country from which she came provided the company can show it had exercised due care before accepting the woman as passenger and provided the Consul had indicated that the departure of American citizens and their families for the United States might be advisable.

Departmental clearance is required for issuance of visa to any alien enemy. In case of alien enemy wife, applicant may be excused from submitting Forms BC if Section 4 (a) status authorized and clearance requested telegraphically by consular officer because of emergency or advisability of departure of American citizens and families for United States. Where Section 4 (a) status not already accorded the procedure outlined in Note 171 of Visa Supplement A may be followed. Your telegram should include request for Departmental clearance and indication that applicant is an alien enemy desirous of proceeding to the United States with husband because of war.

HULL

340.1115A/2402: Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, January 30, 1942.

274. Reference your 221,¹⁸ paragraphs 1 and 12. Department has been pleased to note that Swiss Government is requesting its representatives to make emergency relief payments to destitute Americans and also to submit estimates and other data for relief purposes.

President Quezon having acquiesced in Department's stated willingness to extend financial assistance to needy Filipinos on same basis as to American citizens, please ask Swiss Government to inform its representatives that the Department desires that such emergency relief payments be made similarly to needy Filipinos in enemy or enemy occupied areas outside the Philippine Islands able to produce evidence of Philippine citizenship in the form of an American passport, or a certificate of registration issued by an American Consular officer.

The Department desires that the emergency relief extended to both American and Filipino nationals shall be limited to minimum necessary for ordinary subsistence and essential extraordinary needs such as urgent medical attention and in no case may the scale of relief be such as to enable recipients to enjoy proportionately a higher standard of living than that to which they would ordinarily be accustomed.

HULL

390.1115A/676: Telegram

The Consul General at Rangoon (Schnare) to the Secretary of State

RANGOON, January 31, 1942—1 p. m.

[Received January 31—11:26 a. m.]

106. Referring to the Department's telegram No. 51, December 20, second paragraph.¹⁹ When full emergency capacity of vessel within number of life preservers available not needed for American citizens and their families may persons of other nationalities be covered by emergency certificates?

SCHNARE

390.1115A/676: Telegram

The Secretary of State to the Consul General at Rangoon (Schnare)

WASHINGTON, February 4, 1942—9 p. m.

57. Your 106, January 31, 1 p. m. Extra space made available by emergency consular certificates issued under discretionary authority given you by Department's 51, December 20, may be utilized only for

¹⁸ Undated telegram received January 22, p. 250.

¹⁹ See *Foreign Relations*, 1941, vol. v, p. 450, footnote 71.

American citizens and their accompanying alien spouses and unmarried minor alien children properly documented for entry into the United States.

The Department is not prepared, on a basis of available information, to grant blanket discretionary authority permitting extra space covered by emergency consular certificates to be made available to other aliens except to citizens of those countries allied with the United States in the war effort and then only at the request of their respective consuls and the local authorities in such grave emergency that time will not permit prior submission of your recommendations to and the receipt of specific instructions from the Department. If at any time such an emergency arises you may be governed accordingly; otherwise you should submit for the Department's consideration specific recommendations including number and nationality of aliens concerned, their documentation, destination and statement that their accommodation will not displace American citizens desiring to depart on the vessel.

In addition to having life preservers for each person on board, there must be sufficient buoyant equipment. See Diplomatic Serial No. 3047 of March 28, 1939.²⁰

HULL

340.1115A/2409 : Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, February 6, 1942—6 p. m.

354. American Interests. Your 257, January 24. Department is fully conscious of the heavy demands being made upon the Swiss Foreign Office and Swiss representatives in connection with whereabouts and welfare inquiries respecting Americans in enemy and enemy-occupied territories and desires to relieve the Swiss Government and its representatives of this burden to the extent that a satisfactory arrangement can be made to procure information through other channels.

The American Red Cross has indicated its willingness to take over this work if assurances can be obtained from International Red Cross that effective channels of communication are available to the International Red Cross promptly to obtain information in answer to whereabouts and welfare inquiries respecting American citizens in enemy and enemy-occupied territories. As inquiries of this nature sent by the American Red Cross to the international organization for submission to the Japanese Red Cross remain unanswered after more than 3 weeks, the American Red Cross is still uncertain whether it is

²⁰ *Foreign Relations*, 1939, vol. I, p. 585.

in a position to undertake full responsibility for making such inquiries through Red Cross channels. The International Red Cross is understood to be endeavoring to reach an understanding with the Swiss Government concerning reduction in cable rates on whereabouts and welfare inquiries, at least on those concerning civilian internees, similar to the reductions said to have been allowed on inquiries regarding prisoners of war.

You may accordingly take this matter up with the International Red Cross, support the efforts of the American Red Cross and endeavor to work out as promptly as possible with the former organization a satisfactory procedure for handling all whereabouts and welfare inquiries through it and the American Red Cross.

Please inform Swiss Foreign Office of foregoing and express the Department's hope that Swiss Government will be willing, until a satisfactory arrangement is worked out with the Red Cross, to continue to handle whereabouts and welfare inquiries regarding American citizens in areas where that Government is representing American interests.

To alleviate as much as possible the anxiety of relatives in this country that would be intensified were the Department compelled to state that no channel of inquiry is open to it, the Department will continue to forward such inquiries to you for reference in your discretion to the Swiss Government or to the International Committee pending the conclusion of a satisfactory arrangement under which all such inquiries may be referred to the American Red Cross here for action through its facilities and those of the International Committee at Geneva.

HULL

340.1115A/2440 : Telegram

The Chargé in Switzerland (Huddle) to the Secretary of State

BERN, February 14, 1942—4 p. m.

[Received 11 : 40 p. m.]

591. American Interests—Welfare. Department's 354, February 6, 6 p. m. On request of Consul Squire at Geneva by Legation, Vice Consul Elting and House Amcross²¹ representative interviewed Inter Croix Rouge²² officials February 12 to ascertain willingness Inter Croix Rouge make welfare inquiries relating Americans throughout Axis territory. Report summarized as follows.

1. Inter Croix Rouge entirely agreeable and prepared receive and make inquiries through Red Cross societies in Axis territory.

²¹ American Red Cross.

²² International Committee of Red Cross Societies at Geneva.

2. Amcross may forward inquiries direct following procedure employed on past occasions since outbreak war.

3. Preferable make inquiries only by telegraph for time being because mail difficulties and delays particularly for Far East. Amcross apparently handling matter payment telegraphic charges through House.

4. Inter Croix Rouge suggests only straight whereabouts and welfare inquiries be undertaken at present so greater number may be handled and replies obtained more promptly. When procedure functioning smoothly transmission brief personal messages may be undertaken.

5. In view of Swiss Foreign Office position indicated Legation's 257, January 14 [24] and, with respect to Far East inquiries, of Japanese authorities' refusal, as reported by Legation, to permit Swiss representatives make inquiries and communicate on American matters in Japanese occupied territory, Inter Croix Rouge seems only channel for making American welfare inquiries. Elting and House believe there will be no delay in clearing inquiries in and out of Inter Croix Rouge Geneva office. Inter Croix Rouge officials stated their channels communication through own delegates and various national Red Cross societies in Axis territory must be considered more effective than any other possible channels and that promptness obtaining replies naturally varies from country to country with certain amount delay to be expected at least at the outset.

6. Legation has communicated with Swiss Foreign Office as directed in Department's 354 and using discretion given it therein will refer to Swiss Government or Inter Croix Rouge inquiries received, endeavoring decide each case which channel offers best facilities.

HUDDLE

340.1115A/2455a

*The Secretary of State to the Chargé in Switzerland (Huddle)*²³

No. 1202

WASHINGTON, February 14, 1942.

SIR: The Department refers to its telegram no. 439 of December 31, 1941,²⁴ and to your telegrams, no. 221 of January 22 and no. 241 of January 23, 1942, concerning financial assistance and the transmission of funds to American nationals in territories where the interests of the United States are represented by Switzerland.

1. To lighten the burden of work and the expense involved in making individual payments, whether from official relief or pension funds or

²³ Copy transmitted to American Diplomatic and Consular Officers under Diplomatic Serial No. 3451, February 17, 1942.

²⁴ *Foreign Relations*, 1941, vol. I, p. 433.

from private funds, to American nationals in territories where the interests of the United States are represented by Switzerland, the United States Government proposes that Swiss representatives charged with such representation make no distinction between the several kinds of payments in advancing funds to American nationals found to be in need. All such American nationals able to qualify for financial assistance in accordance with the rules hereinafter stated will be entitled to receive from the Swiss representatives monthly payments corresponding to their established needs up to the maxima hereinafter set forth in a tentatively-established scale. From time to time, the scale will be revised upward or downward upon the basis of such recommendations as may be made by Swiss representatives charged with the representation of the interests of the United States. All recipients, with the exceptions specified below, will be limited to the maximum monthly payments for their place of residence, regardless of their ability to repay to this Government amounts greater than the sums advanced. Furthermore, the financial assistance herein authorized is intended entirely to supplant the transfer of any other funds to the American nationals concerned. It is realized that a limitation upon the amount that American nationals may expend in enemy territory, even from their own resources, will entail some hardship. The conservation of foreign exchange, however, is an essential factor in the present economic policy of the United States and it is expected that Americans everywhere will willingly share with those in the armed forces the sacrifices that must be made in winning the war.

2. The maxima may be exceeded to meet such extraordinary expenditures as may be essential to the health or safety of American nationals for medical, surgical, or dental care, for hospitalization, for reasonable legal defense against political or criminal charges, or for a decent though modest burial where such is not provided by friends or relatives nor by the local authorities.

3. Payments should be made against receipts in quadruplicate embodying promises to repay without interest the sums advanced. It is desirable that the receipts, of which a specimen is transmitted herewith,²⁵ be plainly marked, "Original", "Duplicate", "Triplicate", and "Quadruplicate". The original and duplicate should be forwarded to the Department, the triplicate retained by the Legation, and the quadruplicate retained by the Swiss Government or its representatives, as the Swiss Government may determine. It is suggested that receipt forms be printed in small type and on light-weight paper. Their cost is a proper charge against the funds of the United States Government. It is assumed that the Swiss Government will have such forms

²⁵ Not reproduced.

printed in Switzerland, but they may also be printed locally, wherever it may prove impracticable for Swiss representatives to procure the forms from Switzerland.

4. Receipts should indicate the evidence of American nationality borne by recipients of payments and the names and addresses of persons, firms, or organizations, if any, to whom the United States Government may look for reimbursement of the sums advanced. Recipients of payments may attach to the original receipt, checks or other negotiable instruments payable to the Treasurer of the United States, in amounts that cover partially or fully the sums received, upon the understanding that the obligation to repay such sums will not be discharged until the Treasurer of the United States actually receives full repayment in legal tender of the United States.

5. The Department will inform interested persons in the United States of its willingness to accept private deposits to be used either to reimburse the Government for sums advanced to American nationals in territories where the interests of the United States are represented by Switzerland, or to be held as a reserve against which such advances may be charged upon the receipt of evidence of payment to beneficiaries. Such deposits will be held by the Department until the receipts of the beneficiaries are received in the Department. The receipts (and the promissory notes embodied in them) will thereupon be canceled and forwarded to the depositors of the funds, and sums corresponding to the amount shown by the receipts to have been advanced will at the same time be transferred from the special deposits to the credit of the Treasurer of the United States. If any private deposit is insufficient to discharge in full the obligation of a beneficiary in whose behalf the deposit is made it will be applied against the indebtedness, the promissory note will be appropriately endorsed, and the depositor so informed. Notes accompanied by negotiable instruments will be canceled upon the receipt by the Treasurer of the United States in legal tender of the United States of full repayment of the sums advanced and will then be held in the Department's files at the disposition of the payer. Notes not redeemed in any of the above-mentioned ways will be held until eventually repaid by the actual recipients of the sums advanced.

6. Swiss representatives charged with the representation of the interests of the United States may explain to the recipients that the financial assistance herein provided should not be considered as public bounty but as loans from public funds to American nationals finding themselves in an abnormal position by reason of the war. It is accordingly expected, as already indicated, that all sums advanced will eventually be repaid. However, the ability to repay is not an indis-

pensable condition to financial assistance and American nationals able to qualify therefor in accordance with the rules hereinafter stated should in no event be refused payment simply because they cannot foresee a time when they will be able to repay the sums advanced.

7. Territories where the interests of the United States are represented by Switzerland are hereby divided into five classes and the basic maximum monthly payment for an adult is hereby established tentatively for each class as follows:

Class I	\$60
Class II	65
Class III	70
Class IV	75
Class V	80

8. In a single household with more than one adult member of the family, only one adult may receive the basic maximum monthly payment. For each additional adult member of the same family entitled to receive payments the monthly payment to the family may be increased by seventy-five percent (75%) of the basic maximum, provided that the total maximum monthly payment for all of the adult members of the same family entitled to receive payments shall not exceed two hundred fifty percent (250%) of the basic rate. The monthly payment for the family may be further increased by twenty-five percent (25%) of the basic maximum for each minor member of the family entitled to receive payments, provided that the total maximum monthly payment for the minor members of the same family entitled to receive payments shall not exceed seventy-five percent (75%) of the basic maximum. The maximum monthly payment for a single family in one household shall not exceed three hundred and twenty-five percent (325%) of the basic maximum, unless in special cases, such as extraordinarily large families, the Swiss representative recommends to the Legation at Bern and receives specific exceptional authority to pay a larger percentage of the basic maximum. It is emphasized that the rates of payment authorized above are maxima. It is expected that whenever possible the actual sums advanced will be less than the permitted maxima, and such advance should in no event be more than enough to provide for minimum essential needs. Whenever a payment to any individual exceeds the basic maximum, the receipt should indicate in detail the method of calculating the sum advanced, whether the excess is attributable to the fact that the payment includes authorized financial assistance for additional members of the family, or to extraordinary expenditures authorized by paragraph 2.

9. Territories are hereby classified tentatively as follows:

Baltic States.....	Class II	Italy.....	Class IV
Belgium.....	Class III	Japan.....	Class III
Bulgaria.....	Class III	Luxembourg.....	Class III
China.....	Class II	Manchuria.....	Class II
Czechoslovakia...	Class V	Netherlands.....	Class III
Denmark.....	Class V	Norway.....	Class V
France.....	Class V	Philippine Islands.	Class III
French		Poland.....	Class II
Indochina.....	Class III	Rumania.....	Class V
Germany.....	Class III	Straits	
Greece.....	Class I	Settlements.....	Class III
Hong Kong.....	Class I	Thailand.....	Class III
Hungary.....	Class V	Yugoslavia.....	Class III

10. Except upon the specific authorization of the American Legation at Bern, payments may be made only to persons who, upon the date of the severance of diplomatic relations (which for the purpose of this instruction is considered to be December 7, 1941), were in possession of valid American passports, valid American certificates of registration, or letters from American diplomatic or consular officers informing them that their applications for registration had been approved by the Department for a period extending beyond December 7, 1941.

11. Applications for payments desired by persons unable under the terms of the preceding paragraph to establish their claims to American nationality should be referred to the American Legation at Bern, which may, at its discretion, approve or disapprove them. In reaching its decisions, the Legation should be guided by the criteria established by the Department's circular instruction of August 12, 1941, diplomatic serial no. 3382,²⁶ concerning advances of Government funds for repatriation purposes. In each instance, the Legation should report its decision and the facts of the case to the Department by air mail. If, upon receiving such a report, the Department wishes to reverse the Legation's decision (be it approval or disapproval of an application), it will so inform the Legation, which will then communicate the revised decision to the Swiss Government for the guidance of the appropriate Swiss representative.

12. Applications referred to the Legation at Bern should be transmitted by mail if mail communications are reasonably expeditious. Otherwise they may be transmitted by telegraph at the expense of the United States Government, in which event, to effect an economy, several applications should be grouped in one telegram stating only such essential facts as the name and the place and date of birth of each applicant and a brief description of the evidence of nationality in each

²⁶ *Foreign Relations*, 1941, vol. I, p. 413.

applicant's possession. Such telegraphic applications should be followed as soon as feasible by a properly documented application transmitted by mail. Approval of a telegraphic application should be considered provisional, pending a decision upon the application transmitted by mail.

13. Aliens, including alien spouses and alien children of American nationals, cannot qualify for payments from funds of the United States Government.

14. It is recognized that the Swiss representatives charged with the representation of the interests of the United States may find it necessary to make payments by mail to American nationals residing in regions remote from the offices of the Swiss representatives. It is suggested that receipts might be obtained by mail and payments effected by money orders. Receipts not signed in the presence of a Swiss representative should if possible be signed in the presence of another American national and should in any event bear the right thumbprint of the person signing the receipt.

15. Since prisoners of war and interned civilians are supported by the detaining Power, it is expected that payments made to them will generally not exceed a sum sufficient to provide spending money for miscellaneous personal needs not supplied by the detaining Power. (The American Red Cross is studying the possibility of supplying such comforts free of charge.) It is thought that a maximum monthly payment of ten percent (10%) of the basic maximum rate will usually be sufficient for that purpose. If it becomes necessary to use a form of group receipt for such payments, it is hoped that the form may be drawn up in such a way as to include the essentials of the enclosed standard individual receipt form previously mentioned. No payments will be made to officers or to persons of equivalent status held as prisoners of war, who receive pay under the convention relative to the treatment of prisoners of war, signed at Geneva on July 27, 1929.²⁷

16. In view of previous inquiries, Swiss representatives may be informed that, for the purposes of this instruction, citizens of the Commonwealth of the Philippines are considered to be American nationals. However, unless such nationals are able to qualify for payments under numbered paragraph ten, their applications should be referred to the Legation at Bern. Except in the case of a Filipino who is a citizen of the United States, the receipt should be clearly marked, "Philippine Citizen".

17. You are requested to communicate to the Swiss Foreign Office the substance of this instruction and to express this Government's hope that the appropriate Swiss representatives will be informed of

²⁷ *Foreign Relations*, 1929, vol. I, p. 336.

it as soon as possible by mail, wherever that would be reasonably expeditious, or by telegraph, as will doubtless be considered desirable with respect to its transmission to the Far East. Emergency relief payments shall cease as soon as the foregoing wishes of this Government are communicated to the Swiss representatives charged with the representation of the interests of the United States, with the exception that the Swiss representatives, for a further period of two months, may at their discretion continue to extend emergency relief in worthy cases of nationals unable to qualify for immediate payments under numbered paragraph ten pending the receipt of decisions from the Legation at Bern on applications referred to it under numbered paragraph eleven. In particular, sympathetic consideration might be given to such cases as involve nationals able from resources in the United States to reimburse the sums advanced during that period.

18. From such credits as the Department will from time to time establish for the representation by Switzerland of the interests of the United States, you are authorized and requested to make block allotments to the Swiss Government in the amounts estimated to be necessary for expenditures attributable to such representation, including payments herein authorized. It is assumed that such funds will in turn be allotted by the Swiss Foreign Office in the manner indicated in numbered paragraph eight of your telegram no. 221 of January 22.

19. At such time as this Government's policy may be determined with respect to any special categories of payments not authorized by this instruction, further instructions will be issued.

20. Please acknowledge by telegraph the receipt of this instruction.

Very truly yours,

For the Secretary of State:

BRECKINRIDGE LONG

340.1115A/2459a : Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, February 16, 1942—6 p. m.

458. American Interests. Department's 354, February 6, 6 p. m.

1. Instruction in paragraph 3 was intended to apply to whereabouts and welfare inquiries only in respect of areas where Swiss Government is now or may later represent the interests of the United States. Inquiries respecting American nationals in countries where this Government has its own representatives will, of course, continue to be handled through such representatives.

2. Department has learned informally that American Red Cross is now able through the facilities of the International Committee to take over whereabouts and welfare inquiries in all enemy and enemy-

occupied territories. May Department assume, therefore, that American Red Cross negotiations with International Committee, which you were directed in Department's 354 to support, have resulted in successful issue? In your opinion, may the Department now refer all inquiries of the nature discussed in the foregoing paragraph 1 to American Red Cross with conviction that they will be handled more expeditiously in that way than through your office and the Swiss Government, in view of the considerations reported in your 257, January 24?

HULL

340.1115A/2438 : Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, February 19, 1942.

482. American Interests—Welfare Messages. Your 248 January 23. Please repeat following instruction in same manner as you repeated Department's 172 January 21:

1. Department's instruction of January 21 is amended as hereinafter indicated.

2. Add to numbered paragraph 1 the following sentences:

"Legation Bern indicates that transmission by mail is not at present feasible. If improvement in mail communications should be reported, Department will reconsider possibility of transmission by mail. Interested persons should be so informed."

3. Add to numbered paragraph 3 the following sentence:

"Ordinary one-way 25 word message Bern to Copenhagen costs at present approximately dollar and half; Bern to Tokyo, 24 dollars."

4. Eliminate that portion of numbered paragraph 4 (B) after the words "enemy territory" and add following in substitution for it:

"and cost of Swiss representative's reply will usually also be included in figure at end of Department's reply to originating office. If, however, the word 'partial' follows the figure, it will signify that Swiss charges remain to be collected; in which event Legation Bern will by mail eventually inform Department of charges and Department will likewise inform originating office."

5. Eliminate all of numbered paragraph 4 (C).

6. Eliminate from numbered paragraph 5 (C) the words "in same manner as under 4 (B)" and substitute for them:

"also by mail, at such time as Department may receive accounts from Swiss Government covering the expenditure."

7. Add following numbered paragraphs:

"7. This Government has informed the enemy belligerents that it intends to apply also to interned civilian enemy aliens the terms of the aforementioned convention so far as they are adaptable. Since it is contemplated that the belligerents will exchange lists of such interned civilians and will permit them some form of communication with their families similar to that provided for prisoners of war, the Department will likewise ask the Swiss Government only in exceptional circumstances to make special inquiries relative to individual American civilians known to be interned in enemy territory.

8. As an exception to numbered paragraph 1, interested persons should be informed that they may communicate directly with the Official Information Bureau for Prisoners of War and Civilian Internees, Office of the Provost Marshal General, War Department, Washington, concerning American prisoners of war in enemy hands or American civilians interned in enemy territory. Any inquiries concerning them received by the Department will be referred to that Bureau.

9. The Swiss Government has recently expressed doubt that its representatives will be able to cope with a great volume of private welfare inquiries and messages and has suggested the possibility of entrusting such activities to the International Red Cross, in conjunction with local Red Cross Societies. Negotiations to that end are now under way and, if such a plan materializes, Department will issue appropriate instructions."

HULL

340.1115A/2404 : Telegram*The Secretary of State to the Chargé in Switzerland (Huddle)*

WASHINGTON, February 19, 1942.

486. American Interests—Welfare Messages. Your 248 January 23.

1. In amending Department's 172, January 21 an effort has been made to give effect to your recommendations. It does not seem necessary, however, to instruct officers in the field to use the term "Charge Government" because it is expected that they will employ telegraph for transmission of private inquiries and messages only at expense of interested parties. If Department should in any instance desire that transmission be at Government expense, it will as usual add no words respecting charge.

2. Since Swiss Government can not prepare separate vouchers for individual telegrams please ascertain that telegram vouchers in Swiss accounts will contain sufficient itemization to enable Department to identify charges. At least the number of the Department's telegram requesting transmission of message or inquiry should in each instance be shown.

HULL

300.1115/245b : Circular telegram

The Acting Secretary of State to Certain Diplomatic and Consular Officers ²⁸

WASHINGTON, February 20, 1942—10 p. m.

The following instructions, issued by the War and Navy Departments, are repeated for your information and guidance:

From the Chief of Naval Operations to the Naval Transport Service:

"1. Upon request of the accredited diplomatic or consular officials of the United States, senior officers present afloat in foreign ports are authorized, in their discretion, to furnish American citizens transportation aboard vessels of the Naval Transportation Service.

2. The foreign service officer requesting the transportation will see that such passengers are provided with appropriate papers of identification and will arrange for the payment of subsistence and other charges."

From the Adjutant General to the Quartermaster General, Commanding Generals, Overseas Department and Defense Commands:

"1. Space on Army transports may be utilized to provide transportation to American citizens when commercial space is not reasonably available.

2. Upon request of the accredited diplomatic or consular officials of the United States, the Commanding Officers present in foreign ports are authorized, in their discretion, to furnish American citizens transportation aboard vessels of the Army Transport Service when commercial space is not reasonably available and military passengers are not displaced by such action. The foreign service officer requesting the transportation will be required to assure that passengers provided such transportation have appropriate papers of identification, and will arrange for the payment of subsistence and other charges."

The above instructions are in line with the Department's efforts to provide through every possible means, facilities for the emergency repatriation of bona fide American citizens from potential combat zones and from other dangerous areas, and are being brought to the attention of all Foreign Service Offices at seaports in the thought that a knowledge thereof may be helpful should any exceptional situation arise in which such accommodations, if available, might be utilized for

²⁸ Sent to diplomatic officers at London, with instructions to repeat to all seaport consular offices in the British Isles; Cairo (to repeat to Alexandria, Port Said, and Suez); Reykjavik; Monrovia; and to consular officers at Aden; Basra; Batavia (to repeat to Surabaya); Belfast; Calcutta (to repeat to Bombay, Karachi, and Madras); Capetown (to repeat to Port Elizabeth and Durban); Colombo; Funchal; Godthaab; Lagos; Las Palmas de Gran Canaria; Lourenço Marques; Suva; Sydney (to repeat to Melbourne, Perth, Adelaide, Brisbane, Nouméa, and Port Darwin); Tenerife; Vladivostok; Wellington (to repeat to Auckland); and Leopoldville.

Similar instructions were sent by mail to all diplomatic and consular officers in the Western Hemisphere as circular of March 9, 1942 (300.1115/251a).

the emergency repatriation of stranded bona fide American citizens unable to avail themselves of other means of transportation.²⁹

WELLES

340.1115A/2464 : Telegram

The Chargé in Switzerland (Huddle) to the Secretary of State

BERN, February 25, 1942—4 p. m.

[Received 8:21 p. m.]

745. American Interests, Welfare. Legation's 591, February 14, 3 [4] p. m. crossing Department's 458, February 16, 6 p. m., gives general reply thereto. However, Brandt³⁰ proceeded Geneva February 20 and accompanied by Elting and House interviewed Burckhardt and Chenevière, members International Red Cross Committee, to express appreciation for Committee's proffered services and offer Legation's assistance whenever needed and finally to verify Committee's readiness efficiently handle American welfare inquiries in Axis territories. Following is his report supplementing previous of Elting and House, summarized in Legation's 591 and constituting with that, as positive reply as can be made at this time to Department's queries:

1. The conversation had principally to do with welfare inquiries relating to non-interned Americans in Axis territories, there being no question of the Committee's ability to obtain information regarding prisoners of war and civilian internees for the exchange of which information among the belligerents the Committee exists as the central agency, under the international agreements. Burckhardt and Chenevière pointed out that the Committee's duties with respect to prisoners of war and civilian internees must therefore be its first concern.

2. The Committee is entirely willing to receive and act upon welfare inquiries relating to American civilian non-internees and moreover, it asks that it be trusted to do everything in its power to handle the inquiries in the most expeditious and effective manner so as to obtain maximum possible results for the United States. Utilizing the existing organization and facilities for the exchange of information regarding prisoners of war and civilian internees, with expansion as

²⁹ Circular telegram, dated May 18, 1942, indicated that the Department was informed by War and Navy Departments that facilities were extended, when accommodations were available, to the accompanying alien spouses of American citizens, the unmarried minor alien children of American parents, and the alien parents of American minors, and shipwrecked or stranded alien seamen from American or American-owned Panamanian vessels, provided such persons were properly documented for entry into the United States (300.1115/290a).

Similar instructions were sent by mail to American diplomatic and consular officers in the Western Hemisphere, as circular of June 10, 1942 (300.1115/282).

³⁰ George L. Brandt, First Secretary of Legation in Switzerland.

may be required, the Committee states that it is administratively prepared promptly to receive and dispatch a considerable volume of inquiries and to transmit the replies when received. The Committee's offices in Geneva were visited and found to be in a very large building accommodating a large personnel (it was stated the Committee employs at present about 4,000 persons in Switzerland), seemingly well organized and industriously at work. There is an Anglo-American Section with a competent appearing, English speaking woman in charge, where the American work, as yet, is not voluminous. There is an index of names of all persons about whom inquiry is made of the Committee.

3. However, the Committee cannot at this moment give assurance that it will be able promptly to obtain replies to all the inquiries. Non-internees, unlike internees and prisoners of war who are confined and known and whose whereabouts the belligerents are required to report to the Committee, must be sought out individually for news of them with military operations frequently impeding the inquiries and belligerents not being bound to assist or to facilitate them. The Committee does not have its own offices in the belligerent countries with sufficient personnel to make the inquiries but must depend therefor upon the separate Red Cross societies and upon the local authorities who display variation in ability and willingness for the task.

4. Eventually on a basis of reciprocity and with developed practice abroad the Committee believes that inquiries can be satisfactorily handled in volume for all countries from the receipt of the initial request to the transmission of the reply. In the meantime every effort should be made to keep the number of inquiries to a minimum, particularly for the Far East. Whereas at the beginning a larger volume of inquiries for the European countries can be efficiently handled with the better facilities and attitude toward inquiries existing in those countries the Committee fears that a flood of inquiries passed now to the Japanese Red Cross might easily discourage, prejudice or irritate them and militate against obtaining replies or at least prompt replies from them for non-internee inquiries and possibly adversely affect the work in behalf of internees and prisoners of war. Incidentally, the Committee stated that on February 19 it received a telegraphic reply to its inquiry of the Japanese Red Cross whether the latter would undertake to make inquiries relating to Americans in the Philippines and Hong Kong, the reply being that the Japanese Red Cross had consulted the competent authorities who stated that during the present military operations it is impossible to obtain information promptly. The Japanese Red Cross added, however, that it would endeavor to satisfy the Committee and accordingly the Committee immediately telegraphed to the Japanese Red Cross the inquiries which up to date had been referred to the Committee by this Legation.

5. The Committee accordingly makes the following recommendations relating to the dispatch of inquiries from the United States to it, more particularly with regard to inquiries for the Far East:

(a) that public announcement in the United States of the Committee's agreement to accept and make inquiries relating to non-internees should be avoided, or restrained as much as possible in promise of promptness;

(b) that inquiries [*inquirers?*] be explicitly advised that there will probably be long delay in obtaining replies and that the work of obtaining replies is likely to be hampered by repeated inquiry, and

(c) that inquiries be restricted to those for near relatives or close friends.

Should the Committee nevertheless receive suddenly a very large number of inquiries it would feel it necessary for the good of the work to divide the inquiries into small groups and send them on at spaced intervals determined by the receipt of replies especially for inquiries relating to Americans in the Far East.

6. With regard to the transmission of personal messages the Committee holds to its suggestion that only straight whereabouts and welfare inquiries be undertaken at present as stated in paragraph 4 of Legation's 591. It is considered, however, by the Committee that it may not be possible always to avoid inclusion in inquiries and replies of some few words constituting a personal message and the Committee does not propose to object thereto.

7. It was stressed to the Committee that funds to cover its necessary expenses, including telegraphic costs and needed personnel, would naturally be forthcoming from the United States, presumably through the American Red Cross. The matter was necessarily left to the Committee and Mr. House, representing the American Red Cross at Geneva, to arrange, as well as the matters of form and procedure for handling the inquiries between the American Red Cross and the Committee.

8. The conclusion reached and the answer to be made to the Department's queries in its 458 are accordingly as indicated in paragraph 5 of the Legation's 591, to the effect that the International Red Cross seems at present to be the only channel which may be hopefully used for satisfactorily making American welfare inquiries in the Axis territories. It may not function with prompt and satisfactory results generally for some time to come, since much depends upon factors which the Committee cannot control in countries in which the subjects of the inquiries reside. There is no other channel except through the Swiss diplomatic and consular representatives in charge of American interests which the Swiss Foreign Office, as indicated in the Legation's 257 of January 24th, has asked be avoided because of the burden of work on the Swiss officials, certainly for any considerable vol-

ume of inquiries. As stated in paragraph 5 of the Legation's 655, of February 19, 8 a. m.,³² Swiss official channel for making inquiries in the Philippines, Hong Kong, Singapore, and any other places which may in the future be occupied by the Japanese forces, are closed by action of the Japanese authorities forbidding Swiss officials to function therein. While the Swiss Chargé d'Affaires at Shanghai is continuing to answer American welfare inquiries addressed to him, he has reported that he does so in cooperation with the local Red Cross and he suggests Red Cross channels be used. For inquiries in Japan, Korea, Manchuria, Saigon and Bangkok the Swiss representatives remain available but are dependent for results largely upon recalcitrant local authorities. In Europe the Red Cross facilities for making inquiries may reasonably be considered the equal at least of those of the Swiss official representatives. The recommendation accordingly follows that the Department proceed to refer inquiries to the American Red Cross for transmission of inquiries to the International Red Cross Committee. The Committee evidently considers the acquisition and exchange of welfare information regarding civilians in war areas to be within the scope of humanitarian services provided by the Red Cross organization and within the possibility of successful general accomplishment by it. The hope may here be expressed that with progressive use of the Red Cross channels by the belligerent powers, cooperating reciprocally with the Committee, the Committee may come to be, for civilian welfare inquiries, the recognized and efficient central agency it is for prisoner of war inquiries.

9. Inquiries or messages for individuals which are of an official nature, or where the public interest of the United States is involved or where they are of some special or particularly urgent nature, may be referred to the Legation for Swiss official action except, of course, in those places in the Far East where, as stated above, the Japanese authorities have refused recognition of Swiss official representatives.

HUDDLE

390.1115A/725a : Circular telegram

*The Acting Secretary of State to Certain Consular Officers*³³

WASHINGTON, February 25, 1942—4 p. m.

Deserving cases of needy Filipinos able to produce evidence of Philippine citizenship in the form of an American passport or a certificate of registration issued by an American Consular Officer and

³² *Post*, p. 846.

³³ Sent to American consular officers at Batavia (to repeat to Surabaya); Calcutta (to repeat to Bombay, Madras, Karachi, and New Delhi); Capetown, Colombo, Nouméa, Suva; Sydney (to repeat to Adelaide, Brisbane, Perth, Melbourne, Port Darwin); Tahiti; and Wellington (to repeat to Auckland).

otherwise qualified for loans in accordance with the provisions of circular of August 12, 1941, Diplomatic Serial 3382,³⁴ may be granted financial assistance in form of loans on the same basis as needy Americans.

Philippine citizens may likewise be accorded accommodations made available by the issuance of emergency consular certificates as well as those made available by the Army and Navy Transport Service.

It is presumed that where loans are necessarily made for "repatriation" they will be used for travel to the United States in the status of temporary visitors pending return to the Philippine Islands at such time as this may be feasible.

WELLES

340.1115A/2489 : Telegram

The Acting Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, March 17, 1942—5 p. m.

690. The Department has found the Legation's 745, February 25, 4 p. m. most helpful and desires you to convey to Brandt, Elting and House, as well as to Burckhardt and Chenevière, the Department's appreciation of their contribution in working out the arrangements reported therein as confirmed by your 962, March 10, 10 a. m.³⁵

The Department in replying to inquiries concerning American citizens in enemy and enemy-occupied areas is now using language in the following sense:

"The Department fully appreciates your desire to obtain information regarding (relationship or person's name) and regrets that owing to war conditions it is no longer in a position to institute through diplomatic channels inquiries concerning Americans who have remained in enemy (or enemy-occupied) territory. However, in cooperation with the American Red Cross arrangements have been made by which such inquiries will henceforth be handled by the American Red Cross through channels available to the International Red Cross Committee at Geneva, Switzerland. It is suggested, therefore, that you communicate with the nearest chapter of the American Red Cross with a view to initiating the desired inquiry. You will readily appreciate that under existing conditions it may be difficult or even impossible to obtain the desired information and that, in any event, considerable delay may be experienced."

Similar language is used in replying to requests for the transmission of personal messages.

Should the American Red Cross inform the Department that its efforts to obtain a report or transmit a message in any individual case have been unsuccessful the Department will of course consider the possibility of instructing the Legation to request the assistance of the

³⁴ *Foreign Relations*, 1941, vol. I, p. 413.

³⁵ Not printed.

Swiss Government in obtaining the desired action. Furthermore, other very special cases may from time to time be referred to the Legation in the first instance for action through the Swiss Government.

Whereabouts and welfare inquiries in respect to American citizens in countries where this Government has its own representatives and requests for transmission of personal messages to such citizens will be handled, as heretofore, through this Government's representatives in those countries.

WELLES

390.1115A/796a : Telegram

*The Acting Secretary of State to the Minister in Switzerland
(Harrison)*

WASHINGTON, April 17, 1942.

971. American Interests—Financial Assistance. Department assumes that whenever it becomes possible to do so, the appropriate representatives of the Swiss Government will, in accordance with the provisions of Department's instruction no. 1202 of February 14 to you, extend financial assistance to needy Americans in the Japanese-occupied areas of Burma and of the Netherlands Indies. These territories are hereby tentatively classified as Class III (three) and I (one) respectively in the classification of territories given in paragraph 9 of that instruction.

WELLES

390.1115A/792 : Telegram

The Secretary of State to the Consul at Bombay (Donovan)

WASHINGTON, April 20, 1942—7 p. m.

142. Your 279, April 20.³⁶ While *Brazil* is believed able to accommodate all Americans desiring repatriation from India, Department has, nevertheless, arranged for a second vessel, the *Monterrey* to call at Karachi about the same time as the *Brazil* to repatriate Americans. These vessels will operate under the War Shipping Administration on the return voyages and that agency has appointed the American President Lines as agents for the vessels which Department considers desirable.

Department is endeavoring to arrange with War Shipping Administration to agree to operate these vessels on a semi-commercial basis, namely, that cabin accommodations would be available at ordinary commercial rates and that troop quarters accommodations would be

³⁶ Not printed.

available at the rate of \$150. Confirmation of these arrangements will be telegraphed to you as soon as possible.

Needy Americans unable to pay for their transportation to the United States may be granted repatriation loans against their promissory notes, providing they qualify therefor in accordance with the provisions of Diplomatic Serial 3382 (see Department's 57, February 20 to Calcutta³⁹ which was repeated to you).

Repeat to President's personal representative and all other offices in India.

HULL

890.1115A/793 : Telegram

The Secretary of State to the Minister in Iran (Dreyfus)

WASHINGTON, April 24, 1942—11 p. m.

101. Your 115, April 20.³⁹ Department anticipates that there will be ample accommodations for American citizens desiring repatriation on two vessels which will shortly call at Karachi. Department is requesting the Consulate at Bombay to telegraph you details concerning these vessels and to keep you currently informed regarding developments concerning them.

Recently, in reply to an inquiry from the Board of Foreign Missions of the Presbyterian Church, New York, the Department stated that in view of the dangers potential in the international situation, American citizens having no urgent or compelling reasons to remain abroad, particularly women and children, would be well advised to return to the safety of the United States while travel facilities are available without waiting for an emergency to develop.

In the circumstances the Department will not advise Board of Foreign Missions to instruct its missionaries to leave Iran since the decision whether to leave appears to be one for the individuals concerned in consultation with their employers. Department is, however, advising Board of Foreign Missions that Legation at Tehran is informed concerning the availability of vessels for the repatriation of Americans desiring to return from the Middle East.

HULL

840.1115A/2654a : Telegram

The Secretary of State to the Minister in Sweden (Johnson)

WASHINGTON, May 21, 1942.

425. American citizens qualifying for loans in accordance with provisions of Diplomatic Serial 3382, August 12, 1941 may if necessary also receive loans for their accompanying alien parents where pres-

³⁹ Not printed.

ence of parent is essential for welfare of child and for medical attendant or nurse where presence of such employee is certified by responsible medical authority as essential to health of traveler, consideration being given to presence of qualified medical officers on vessel.

Repeat to Helsinki and Göteborg.

HULL

701.0090/138m : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, May 23, 1942.

1336. American Interests—Repatriation. Department's 880, April 7⁴⁰ and 1246, May 14, Paragraph 6.⁴¹ Continued residence in enemy and enemy-occupied territories may become extremely precarious after the exchange of American nationals has been effected.⁴² Department desires that all American citizens avail themselves of the opportunity offered for their repatriation, and has decided to terminate financial assistance to those American citizens who when given an opportunity to do so fail to return to this country on one of the voyages of the exchange vessel, except in those rare cases in which Swiss representatives inform Department that in their opinion individuals offered repatriation are physically unable to undertake voyage.

Request Swiss Government ask its representatives to make special effort to insure communication foregoing to all American citizens in enemy and enemy-controlled and occupied territories.

HULL

390.1115A/961a : Telegram

The Secretary of State to the Minister in Egypt (Kirk)

WASHINGTON, June 30, 1942—3 p. m.

639. Your 1048, June 22.⁴³ Telegraph briefly nature of evacuation plans referred to in your telegram under reference particularly whether they include provision for non-official American residents of Egypt and if the latter category of persons is included whether your plans provide for their repatriation or merely for removal to a place of temporary refuge. Generally it has been Department's experience that it is inadvisable to evacuate Americans from their places of resi-

⁴⁰ *Post*, p. 352.

⁴¹ See footnote 69, p. 352.

⁴² See telegram No. 1672, July 1, p. 371.

⁴³ Printed in vol. iv, section under Egypt entitled "Concern of the United States regarding effect of Axis military advance into Egypt . . .".

dence abroad to points of temporary refuge which, in turn, may be endangered and from which they cannot readily be removed.

Department has conferred with War Shipping Administration regarding availability of American vessels for repatriation or evacuation of American citizens from Egypt and nearby countries, and Admiral Land ⁴⁴ has suggested that you discuss with the War Shipping representatives in Egypt means by which Americans may be evacuated. Your joint recommendations in this matter should be promptly submitted. However, should the local situation develop so as to demand immediate action, the War Shipping Administration authorizes you and its representatives jointly to utilize such American shipping as may be available to transport bona fide American citizens to temporary places of refuge provided conditions permit the use of such vessels for this purpose.

HULL

124.83/88 : Telegram

The Minister in Egypt (Kirk) to the Secretary of State

CAIRO, July 1, 1942—4 p. m.

[Received 5 p. m.]

1129. Department's 639, June 30, 3 p. m. Development of evacuation plans under administration of General Maxwell ⁴⁵ envisages removal of Americans through Suez where four American freighters are waiting as well as by air to Khartoum, the general destination being Eritrea which appears to be the nearest place of relative safety and where American installations will facilitate care of Americans. There is, however, no enforced evacuation of non-official Americans and those who are leaving have means to take care of themselves. Future moves from Eritrea will be determined upon arrival there. All plans are subject to momentary changes in situation which renders difficult evaluation of relative advantage of different routes as well as to final decision of the British Embassy.

KIRK

390.1115A/933a : Telegram

The Secretary of State to the Consul General at Calcutta (Schnare)

WASHINGTON, July 3, 1942—9 p. m.

301. In view of the potentially critical situation in the Middle East, you should invite all Americans in your district, particularly women and children and those having no urgent or compelling reason

⁴⁴ Rear Adm. Emory S. Land, Chairman of the United States Maritime Commission.

⁴⁵ Brig. Gen. Russell L. Maxwell, Commander, United States Forces in the Middle East.

for remaining in India, to return to the United States while there still remains opportunity for them to do so.

Department is trying to arrange shipping facilities available for the repatriation of American citizens from India and will communicate with you later in this respect. Telegraph estimate of number of persons desiring transportation.

Repeat to Bombay, Madras, Karachi and New Delhi.

HULL

125.8575/438 : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, July 3, 1942.

1692. American Interests—Far East. Your 2120, May 16 and 2806, June 18.⁴⁶

(1) Because of different national habits of living United States Government believes that administering of financial assistance to destitute nationals at liberty in enemy territory should be effected wherever possible by the state to which those nationals owe allegiance. Accordingly wherever Swiss representatives are permitted by Japanese Government to represent American interests in Japanese-controlled territory, United States Government is remitting ample funds for needy Americans.

(2) On assumption that Japanese Government would be motivated by similar considerations in respect to Japanese at liberty in United States, this Government proposed to Spanish Ambassador in note of February 11 and in *aide-mémoire* of March 12⁴⁶ a procedure for remitting funds for representation purposes, including payment of relief to needy Japanese. The United States Government on basis of reciprocity will not hinder Spanish representatives from disbursing funds so remitted for such purposes.

HULL

890.1115A/959 : Telegram

The Consul General at Calcutta (Schnare) to the Secretary of State

CALCUTTA, July 14, 1942—noon.

[Received 12:09 p. m.]

506. Your 301, July 3, 9 p. m. Estimate resident Americans now desiring transportation between two and three hundred. VG⁴⁷ and convalescent Army personnel may add about 200. Further Allied reverses may increase evacuation resident Americans. Please advise what shipping facilities arranged.

SCHNARE

⁴⁶ Neither printed.

⁴⁷ American Volunteer Group.

890.1115A/1010b : Telegram

The Secretary of State to the Consul General at Calcutta (Schnare)

WASHINGTON, July 24, 1942—2 p. m.

318. Your 506, July 14. Department informed two large vessels operating under War Shipping Administration presently available at Karachi for evacuation purposes. Available accommodations on these vessels apparently ample to afford all persons referred to in your 506 opportunity of repatriation.

HULL

740.00113A European War 1939/98a

The Secretary of State to Diplomatic and Consular Officers

Diplomatic Serial No. 3558

WASHINGTON, August 21, 1942.

SIRS: Transmitted herewith for your information is a copy of the Department's telegram no. 1903 of August 3, 1942 to the Legation at Bern concerning the decision of the United States Government not to permit the direct or indirect transfer of funds to enemy territory for the payment of charges arising in connection with private American property, real or personal, in enemy territory, such as taxes, rent, salaries of custodians, insurance premiums, repairs, and cost of packing or storage.

For your further information, the text of the Department's telegram no. 1336 of May 23, 1942 to the Legation at Bern, mentioned in paragraph five of the enclosed telegram, is as follows:

[Here follows text of telegram No. 1336 of May 23, printed on page 279.]

A copy of the Department's air mail instruction no. 1202 of February 14, 1942 to the Legation at Bern,⁴⁹ also mentioned in paragraph five of the enclosed telegram, was transmitted as the enclosure to the Department's mimeographed circular instruction of February 17, 1942, Diplomatic Serial No. 3451.⁵⁰

Very truly yours,

For the Secretary of State:
G. HOWLAND SHAW

[Enclosure—Telegram]

*The Acting Secretary of State to the Minister in Switzerland
(Harrison)*

WASHINGTON, August 3, 1942.

1903. American Interests—Property.

1. The United States Government does not intend to permit the direct or indirect transfer of funds to enemy territory for the payment

⁴⁹ Ante, p. 262.⁵⁰ See footnote 23, p. 262.

of charges arising in connection with private American property, real or personal, in enemy territory, such as taxes, rent, salaries of custodians, insurance premiums, repairs, and cost of packing or storage.

2. Furthermore, in conformity with its policy respecting the enforcement of the Trading with the Enemy Act, the United States Government will not forward or permit to be forwarded, directly or indirectly, from persons in the United States to enemy territory, or from such territory to persons in the United States, private communications concerning private property. However, the United States Government will always welcome reports of a general character upon the treatment of such American property and such brief reports in specific instances as Swiss representatives charged with the representation of the interests of the United States may find it possible to prepare when officially requested to do so. Such requests will be kept to a minimum.

3. Though Swiss representatives will not be authorized to discharge financial obligations arising in connection with private American property, it is hoped they will not overlook any alternative means of protecting such property.

4. Request Swiss Government so to inform all its representatives charged with representation of interests of United States for guidance in answering inquiries from owners of private American property in enemy territory or their agents and in replying to any demands for payment of charges such as those mentioned above in paragraph 1. They should also be informed that in reporting upon the status of an individual's private property, the omission of all verbatim statements of or written communications from custodians, agents, or other non-official persons will facilitate the forwarding of information to interested persons in the United States.

5. American nationals offered an opportunity to return to the United States but unable to avail themselves of the opportunity because they are physically unable to undertake the voyage of repatriation, and for whom the Swiss representative has recommended and the Department has specifically approved the continuance of financial assistance (Department's 1336, May 23), may pay such of the charges mentioned in paragraph 1 as are an essential part of the cost of their subsistence, provided that the total monthly payment to an American national is not permitted by reason thereof to exceed in any instance the applicable maximum prescribed by the Department's air mail instruction no. 1202 of February 14. However, charges such as salaries of custodians and cost of packing or storage are not considered to be a part of the cost of subsistence.

6. This Government does not permit persons in the United States to effect transactions on behalf of enemy nationals in enemy territory

by drawing upon funds that such enemy nationals may have in the United States for the payment of charges such as those mentioned in paragraph 1, when such transactions involve any communication with enemy territory. Consequently, in cases of American nationals in the United States possessing funds in enemy territory, the Department is not suggesting the possibility of utilizing such funds for the payment of such charges, and this Government would not approve communications with enemy territory for such purposes.

7. The terms "enemy national" and "enemy territory" as used in this instruction shall be understood to mean enemy national and enemy territory as defined in General Ruling No. 11, issued on March 18, 1942 by the Treasury Department pursuant to Executive Order No. 8389, as amended.

WELLES

AGREEMENTS WITH ENEMY COUNTRIES FOR THE EXCHANGE OF OFFICIALS AND NON-OFFICIALS

I. AGREEMENTS WITH THE GERMAN AND ITALIAN GOVERNMENTS

701.6211/1464a : Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, December 13, 1941.

285. Please inform the Swiss Government for the information of the German and Italian Governments¹ that the personnel of the German and Italian Embassies at Washington is receiving treatment in accordance with the statement provided by the Department to the American Embassies at Berlin and Rome² for communication in the present contingency to the German and Italian Governments, respectively. The members of the staffs of the German and Italian Embassies are being allowed freedom of movement within the District of Columbia and suburbs and are residing in their homes. They have freedom of communication with the Mission of the protecting power and with the Department of State. They are being given every facility to satisfy their personal needs and to obtain funds for that purpose and they are being accorded such police protection as appears necessary for their personal safety.

You can assure the Swiss Government and it may so inform the German and Italian Governments that the Department is doing everything within its power to assure the comfort of these persons.

When you communicate the foregoing to the Swiss Government, please request it also to inform the German and Italian Governments that they may obtain from their Missions in Washington through the intermediary of protecting power any information which they may desire in regard to the treatment which the personnel of their Mission is receiving.

Please request the Swiss Government to bring the foregoing promptly to the attention of our Chargés d'Affaires at Berlin and Rome and to instruct them that henceforth their communications with the Department should be through the representatives of Switzerland.

¹ The Swiss Government was in charge of German and Italian interests in the United States as well as U. S. interests in Germany and Italy.

² Telegram No. 1523, May 28, 1941, 11 p. m., to the Ambassador in Germany, and telegram No. 419, June 17, 1941, 10 p. m., to the Ambassador in Italy; neither printed.

Please request the Swiss Government to inform the German and Italian Governments that this Government assumes that equally favorable treatment will be accorded to its representatives in Berlin and Rome.

HULL

701.6210/52a : Circular telegram

The Secretary of State to Diplomatic Representatives in the American Republics

WASHINGTON, December 13, 1941—7 p. m.

The Department has received through several of its missions in the other American Republics requests that the diplomatic and consular representatives of the Axis powers in certain of the American Republics and the diplomatic and consular representatives of those Republics in Axis countries be included in any arrangements made for the exchange of diplomatic and consular representatives of Axis powers in the United States and diplomatic and consular representatives of the United States in Axis countries.

Whether or not such a request has been made by the Government to which you are accredited, you should, if that Government has broken or should subsequently break relations with any of the Axis powers state that this Government will be glad if desired to endeavor to include in the arrangements which it is endeavoring to make for the exchange of its own diplomatic and consular representatives in Axis countries and of the diplomatic and consular representatives of the Axis countries in the United States any of the official personnel of the other American Republics which have already broken or may subsequently break relations with the Axis powers in exchange for the official personnel of such powers in such other American Republics.

The Department is now drawing up specific proposals for transmission through the Swiss Government to the Japanese,³ German and Italian Governments with respect to the exchange of this Government's own diplomatic and consular representatives in Axis countries and of the diplomatic and consular representatives of the Axis countries in the United States. If the governments concerned desire it, those proposals will be made to include, among the officials to be exchanged, the representatives of Japan, Germany and Italy in the American Republics which have broken or may break relations with Japan prior to the carrying out of such arrangements and the representatives of those republics accredited to the Japanese, German and Italian Governments. The Department is unable to state at this

³ For correspondence concerning agreement with the Japanese Government regarding the exchange of officials and non-officials, see pp. 377 ff.

moment just what it may be possible to do in this respect. It is, therefore, suggested that until these arrangements are further advanced the governments concerned should keep in comfort in their Legations or homes, as is being done in Washington, the diplomatic and consular staffs of the countries with which relations have been severed.

The Department will communicate with you further in this connection as soon as possible, giving you for communication to the governments concerned the text of the proposals that it is now formulating.

HULL

701.6511/1250

*The Swiss Legation to the Department of State*⁴

MEMORANDUM

Offering and warranting reciprocity the Italian Government would like to see the departure of the staff of the Italian Embassy, including all dependents, arranged under the following conditions:

- 1.) Safe-conduct from an American to a European port.
- 2.) Guarantees that the vessel bringing the staff back to Europe will not be forced to call at an inimical port or stopped at sea by enemy forces.
- 3.) Illimited removal of personal belongings.
- 4.) Exemption of control and search of any kind of the staff and the dependents, as well as the private belongings taken along.
- 5.) Guarantees against seizure of such belongings.

WASHINGTON, December 13, 1941.

701.6511/1205a : Circular telegram

The Secretary of State to Diplomatic Representatives in the American Republics

WASHINGTON, December 18, 1941.

The Department has received inquiries regarding the treatment being accorded in the United States to Italian diplomatic officers now within our jurisdiction.

The following is the text of a note addressed today by the Department to the Swiss Minister:

"Sir: I have the honor to request you acting in your capacity as representative at Washington of the Government protecting American interests in Italy and Italian-occupied territories to be kind enough

⁴ Similar memorandum of the same date received from the Swiss Legation with respect to German interests.

to transmit to the former Italian Ambassador in Washington the information contained herein concerning the treatment by this Government of Italian diplomatic officers now within our jurisdiction. This information is also being communicated to the American Legation at Bern⁵ with instructions that the Legation request your Government to transmit the information to the Italian Foreign Office.

This Government will continue to accord to the personnel of the former Italian Embassy correct and liberal treatment in accordance with international law and the pertinent precedents. Every effort will be made to furnish them and members of their families with adequate protection and to insure their comfort as long as they remain within the jurisdiction of the United States. Furthermore, they will be accorded every reasonable facility for liquidating their personal affairs. They are being permitted to reside in their homes with their families and permitted entry to and exit from the Embassy without surveillance. While the Embassy itself and all members of the staff and their families are at all times being afforded adequate protection, no police officer will be stationed within the Embassy. The representative at Washington of the power protecting Italian interests in the United States has free access to the Embassy. The Embassy has telephone connection with the representative of the aforesaid power and with the Department of State. The Embassy is permitted to communicate freely with the Italian Foreign Office through the intermediary of the protecting power.

This Government is requesting the Swiss Government to propose to the Italian Government a plan for the repatriation of Italian diplomatic personnel in this country and members of their families and to exercise its good offices to the end that a mutually satisfactory arrangement may be made as rapidly as possible. The proposal of this Government is that the Italian official personnel and their families will proceed on an appropriate passenger vessel under safe conduct to Lisbon, there to be exchanged for the American diplomatic personnel from Italy; that there will be an exchange of passengers and baggage at Lisbon whence the vessel will return to the United States and that all expenses involved in this operation shall be divided among the governments concerned on the basis of the number of persons transported and the quality of accommodations assigned to them."

If the Government to which you are accredited has broken relations with the Italian Government or should it do so in the future you may communicate the foregoing to the Foreign Office saying that it is a statement of the treatment being accorded in the United States to these persons. The proposal for exchange of official personnel referred to in the Department's circular of December 13 will be sent you separately when it is formulated in greater detail.

HULL

⁵ Telegram No. 320, December 18, 1941, not printed.

701.6211/1482a : Telegram

*The Secretary of State to the Chargé in Switzerland (Huddle) **

WASHINGTON, December 19, 1941.

338. Please request the Swiss Government to be good enough to communicate to the German and Italian Governments, respectively, through the Swiss missions at Berlin and Rome the following proposal of United States Government for the exchange of diplomatic, consular and other official personnel with their dependents, staff and personal effects:

1. The United States Government will select a passenger vessel to carry to Lisbon the officials to be exchanged. It will proceed unarmed and will travel without convoy, under safe conduct of the belligerent governments. Arrangements will be made by this Government to embark at a suitable American port on the Atlantic seaboard all diplomatic personnel with their dependents, staff and personal effects of the German Government and of the Italian Government now within territory under the control of this Government. To the extent that may be desired by the other interested governments, there may be embarked on this vessel the diplomatic, consular, and the official personnel with their dependents, staff and personal effects, of the German and Italian governments now in territory under the control of any of the other American Republics which have now or may by that time have broken relations with the German Government and/or the Italian Government. The United States Government will provide at its own expense adequate transportation facilities for the travel of all such personnel with their dependents and staffs and the carriage of their personal effects from Washington or other places in the United States to the port of embarkation.

2. The persons embarking on this vessel will be allowed to take with them all their personal belongings subject only to such limitations as may be imposed by availability of space on the vessel and the arrival of the belongings at the point of embarkation in time to be laden aboard the vessel.

3. The persons embarked on the vessel by virtue of their diplomatic position as representatives of the German or Italian Governments in this country or elsewhere will not be subjected by the United States authorities to control or search of any kind and this shall likewise be true of their accompanying dependents and staffs and of their personal possessions being taken with them, except for anything that might endanger the safety of the vessel.

* This telegram was transmitted to the diplomatic and consular representatives in the American Republics in instructions dated December 27 and December 29, together with instructions regarding presentation of the proposals to the Governments to which accredited.

4. The vessel, identifying characteristics of which will be communicated in due course through the Swiss Government to the German and Italian Governments will proceed direct to Lisbon, Portugal and return along a course, the details of which will later be communicated, without stopping at any port en route.

5. The American diplomatic and other official personnel in Germany and Italy with their dependents and staffs will be given for their transportation to the Portuguese frontier with their personal effects adequate facilities and privileges identical with those described in paragraphs 1 through 4 above.

6. Identical facilities and privileges will be afforded to the extent that the interested governments may desire for the transportation, with their personal effects, dependents and members of their staffs, to the Portuguese frontier with Spain of the diplomatic, consular and other official personnel of the other American Republics who have now or may by that time have broken off diplomatic relations with Germany, Italy, or associated powers.

7. The Portuguese Government will be requested to be the guarantor for the exchange on Portuguese territory of all the official German and Italian personnel embarking from the United States against all the official American personnel whether of this Government or of the other American Republics departing from the territory under the control of the German and Italian Governments. The debarkation from the vessel at Lisbon of the personnel arriving from the United States and the entry into Portuguese territory of the personnel arriving from Continental Europe shall be simultaneous.

8. On a basis of reciprocity there shall be included in the exchange the accredited representatives of the press including radio reporters and press photographers whose identity shall be suitably notified by the mission of the protecting power on the basis of information received from the former diplomatic mission or from the government in behalf of which it is acting.

9. There may be included in the exchange on identical terms and to the extent that the interested governments may desire, the diplomatic, consular and other official personnel, with staffs, dependents and personal belongings formerly accredited to the United States of the European powers associated with Germany and Italy in the war against the United States and the United States diplomatic, consular and other official personnel with staffs, dependents and personal belongings formerly accredited to those powers as well as on equal terms the official representatives of those powers in any of the other American Republics and the official representatives of those other American Republics formerly accredited to those powers.

10. The Government of the United States shall on its own behalf guarantee safe conduct for the vessel and shall obtain similar assurances of safe conduct from the other belligerents friendly to it for the

voyage of the vessel from the United States to Lisbon and return. The German and Italian Governments shall likewise guarantee safe conduct for the round trip and shall obtain identical assurances of safe conducts from the belligerent powers associated with them.

11. All assurances of safe conduct for the voyage of the vessel from the United States to Lisbon and return shall be communicated to the Swiss Government which shall at the proper time notify the United States Government that all necessary safe conducts have been received in order that the vessel may commence its voyage. The Swiss Government shall be requested to act as the guarantor to both parties of the observance of the arrangements.

12. The expense of the operation of the vessel shall be divided among the governments concerned. The final determination of the respective shares of the interested governments shall be made by the Swiss Government.

13. There may be accommodated on the vessel, traveling in either direction, properly accredited personnel of the International Red Cross Committee or other Red Cross societies.

14. There shall travel on the vessel a representative of the Swiss Government as guarantor of the execution of the agreement and as the power protecting the interests of the principal interested governments whose official personnel is being exchanged. This representative shall have unrestricted use of the radio facilities of the vessel for communication with his Government in matters regarding the execution of the exchange agreement, and the voyage of the vessel. None of the passengers shall be permitted any use whatever of the radio facilities of the vessel.

The terms of the foregoing proposal are being communicated to the United States diplomatic missions in the other American Republics with the request that they be communicated where appropriate to the governments to which they are accredited with the offer to make any arrangement arising therefrom available for the return to Europe of German, Italian and associated diplomatic, consular and other official personnel with their dependents, staffs and personal belongings and the return similarly to this continent of corresponding official personnel of the American Republics in Germany, Italy, and associated countries. This Government will furthermore suggest that none of the American Republics adopt toward the German, Italian and associated personnel being returned an attitude less favorable than that which this Government is extending.

Please ask the Swiss Government in conveying the foregoing to the German and Italian Governments to state that the Department considers its proposal to include acceptance in principle of the German Government's proposal received through the Swiss Legation at Washington in the latter's note of December 13.⁷

HULL

⁷ See footnote 4, p. 287.

701.6211/1470a : Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, December 19, 1941.

344. Please inform Swiss Government for information of German Government that the treatment accorded the personnel of the German Embassy at Washington has until today been in accordance with the statements made in the Department's 285, December 13, 4 p. m. to you. For their greater comfort and protection all of this personnel and their dependents have today been accommodated in a first-class resort hotel where there will be more space available and larger grounds at their disposal. They will continue to be in free communication with the representative of the protecting power.

HULL

125.0040/87b : Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, December 24, 1941.

392. The Minister at Sofia and the Chargé d'Affaires at Rome and Budapest have sought information concerning the Department's attitude towards the willingness of the Governments to which they were formerly accredited to have them, their staffs, and dependents proceed to Lisbon to await the completion of arrangements now being considered for their repatriation in exchange for the Missions of those countries in the United States.

Please request the Swiss Government to inform these officers as well as any others that may make similar inquiries that the Department has no objection to the departure of official parties to Lisbon to await repatriation if the Governments to which they were formerly accredited are willing to permit them to do so.

With respect to the departure of non-official American nationals with any official party, the Department desires that such nationals understand that it must be their own responsibility to arrange onward transportation from Lisbon to the United States via clipper or other commercial means such as neutral flag vessels. While it may be possible at a later date to arrange for the exchange of non-official nationals in enemy countries, no action to this end is contemplated at the present time. It is abundantly of record that Americans throughout the dangerous areas in Europe have repeatedly been warned both before and since the outbreak of war in September, 1939 to return to the United States while regular transportation facilities were available. At great expense to this Government several special vessels were sent to Europe during the past 2 years to repatriate Americans willing to heed this Government's advice, and public funds in the

form of loans were made available to assist those unable otherwise to pay for their transportation. The provision of further special facilities at this time is not contemplated.

It is considered advisable that the Swiss Government endeavor to make a communication in the sense of this entire telegram to the Chiefs of Mission awaiting repatriation in the various enemy countries in Europe, and also endeavor to inform American citizens in those countries in respect to the last preceding paragraph.

HULL

125.0040/82 : Telegram

The Secretary of State to the Chargé in Italy (Wadsworth)

[Extract]

WASHINGTON, December 24, 1941.

1354. Your 1981, 20th,^s and preceding telegrams regarding inclusion of "notables" in exchange of officials.

Department has no objection to arrangements for special train to take official Embassy staff and official staffs of certain other American Republics from Rome to Lisbon. If sufficient space is available, non-official American nationals may accompany official party as far as Lisbon but, other than press representatives and their dependents and American representatives of Red Cross, non-official Americans must understand that it will be their own responsibility to arrange onward transportation from Lisbon to the United States via clipper or other means such as neutral flag vessels. While it may be possible at a later date to arrange for the exchange of non-official nationals in enemy countries, no action to this end is contemplated at the present time.

Accordingly Department's proposal for the exchange of official personnel between the Axis Powers in Europe and certain of the American Republics does not include the non-official "notables" referred to in your telegrams under reference.

HULL

124.623/909 : Telegram

The Chargé in Switzerland (Huddle) to the Secretary of State

BERN, December 25, 1941.

[Received December 25—11 a. m.]

436. Legation received at 12 noon today note from Swiss Foreign Office quoting as follows text of telegram just received from Swiss

^s Not printed.

Legation, Berlin, regarding treatment American diplomatic personnel in Germany and German personnel in United States (translation in [from] German) :

"Ministry of Foreign Affairs makes following statement regarding Americans at Nauheim.⁹

1st. Freedom of movement for whole group is given for time being outside of hotel both in grounds of hotel and of nearby mineral springs pavilion.

2d. The Chargé d'Affaires with his sister-in-law can upon his request also visit the town.

3rd. The representative of the protecting power can enter at any time.

4th. Telephone connection between Minister Steiner of Swiss Legation in Berlin and Chargé d'Affaires Morris is permitted.

5th. Postal connection between the Legation and American group is also permitted. (End of statement.)

"Inform our (Swiss) Embassy in Washington immediately to demand exactly similar treatment for German group in White Sulphur Springs. A satisfactory adjustment (*Regelung*) is requested within 48 hours or otherwise reprisals must be expected here."

For Department's information Legation communicated contents Department's 344, December 19 to Swiss Foreign Office on December 21 for information German Government.

HUDDLE

701.6211/1484a : Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, December 26, 1941.

406. Your 436, 25th and Department's 344, 19th. Please inform Swiss Government as follows for transmission to German Government:

All members of German Embassy at Washington and their dependents have been assembled at the well known Greenbrier Hotel at White Sulphur Springs, West Virginia.

In particular the following conditions apply:

1. The whole group is permitted freely to move about in an extensive area of the park grounds outside the hotel. This area includes the mineral springs.

2. The German Chargé d'Affaires with his wife can upon request also visit the town.

⁹ American official personnel and dependents in Germany had been assembled at Nauheim.

3. The representative of the Swiss Legation is permitted free access to the German group at all times.

4. There is unrestricted two-way telephone communication at all times between the German group and the Swiss Legation at Washington.

5. Postal communication between the Swiss Legation and the German group is also permitted.

Since diplomatic relations were severed, the Government of the United States under international law has treated on a reciprocal basis the former representatives of the governments with which it is now at war.

HULL

125.0040/93 : Telegram

The Minister in Portugal (Fish) to the Secretary of State

LISBON, December 27, 1941—2 p. m.

[Received January 11, 1942—1:38 p. m.]

776. Department's telegram 881, December 24, 7 p. m.¹⁰ It will be possible to accommodate in or near Lisbon our official personnel and that of certain other American Republics should they be sent here pending final arrangements for exchange. Accommodations naturally will not be de luxe in all cases but they will be adequate and every effort will be made to allocate them suitably.

Although I know the Portuguese Government has already been approached in this particular by the Governments of Italy, Hungary and Rumania I do not know what decision has been reached by the Foreign Office.

It will not be feasible for unofficial nationals not included in the arrangements for exchange to remain in Portugal indefinitely. Since our entry into the war the Portuguese Government has refused transit visas to all Americans unless they have definite booking for departure to the United States. In view of the limited capacity of the Clippers, the present irregularities of their schedule and the absence of any other means of transportation non-officials will not receive transit visas unless the Department establishes Clipper priority for them individually. Portugal appears determined to prevent an accumulation of refugees here such as existed in late 1940.

FISH

¹⁰ Not printed.

125.0040/86 : Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, December 30, 1941.

427. American interests. Your undated 449, received December 27.¹¹

1. This Government would be grateful if Swiss Government would obtain such lists wherever American official personnel is awaiting repatriation, including the Far East.

2. Lists should include diplomatic and consular officers; any other Government officers (specifying title of each); Government clerks and custodial personnel of American nationality; and American unofficial nationals of the following categories only: (A) such properly accredited representatives of the American Red Cross Society and their staffs as may wish to avail themselves of the facilities to be provided by the exchange agreements and (B) properly accredited newspaper correspondents (including radio reporters and press photographers) and their staffs.

3. After the name of each person, list such persons of the following categories in his or her household as will be included in the exchange:

(A) Members of the family, stating the name and relationship of each and the age of each minor; and

(B) If they are American nationals: Members of the household staff, stating the name and position of each.

4. The Department wishes also to receive for its consideration the names of such persons of the following categories as might wish to be included in the exchange, each name to be followed by the list specified above in numbered paragraph 3:

(A) Persons mentioned in numbered paragraphs 2 and 3 who, when hostilities commenced, were visiting in or traveling through the territories in question.

(B) Nationals of friendly countries who were employed in connection with the representation by the United States of foreign interests.

(C) Persons not otherwise covered by this instruction but considered by American officers to be entitled to inclusion in the official group. In all such cases, reasons should be stated fully and nationality indicated.

5. Lists from the Far East should include the United States Court for China, Legation Guard, Marine detachments, and any other employees of the United States Government.

¹¹ Not printed; it reported that the Legation had requested the Foreign Office to endeavor to obtain names of all American official personnel to be evacuated from Germany, Italy, Hungary, Rumania, and Bulgaria.

6. Please also request that the Swiss Government be so good as to prepare and transmit through you to this Government analogous lists of all Latin American official groups to be included in the exchange.

HULL

701.6211/1475: Telegram

The Chargé in Switzerland (Huddle) to the Secretary of State

BERN, December 30, 1941.

[Received December 30—11: 17 a. m.]

482. Department's 338.¹² Swiss Foreign Office has communicated Department's proposal in full as contained in its telegram to Swiss representatives for delivery to belligerent Governments as requested.

However, Minister de Pury in charge of Department of Foreign Interests of Federal Political Department has orally advised Legation of Swiss Government's position with respect to certain elements of proposal as follows:

"Paragraph 11 of the proposal states that Swiss Government shall be requested to act as the guarantor to both parties of the observance of the arrangements. Swiss Government cannot undertake that responsibility. It agrees however to communicate the receipt of safe conduct as proposed in the paragraph. Paragraph 12 proposes that Swiss Government shall determine the shares to be paid by the interested governments of the expense of operation of exchange vessel. Swiss Government is agreeable in principle. Paragraph 13 proposes the presence of Red Cross personnel and of a representative of Swiss Government on board vessel and restriction use of radio facilities during the voyage to Swiss representative. Swiss Government agrees to travel of the Red Cross personnel on condition that Red Cross has no objection thereto. It agrees that Swiss Government representative shall be on board; however it feels that during voyage, with consent of Swiss Government representative, the other passengers in case of emergency should be permitted use of radio to send telegrams in clear and controlled by Swiss Government representative."

HUDDLE

701.6211/1486a: Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, December 30, 1941.

431. Department's 338, 19th, paragraph 3. Please request Swiss Government to inform the German, Italian, Rumanian and Hungarian Governments that Department is prepared on the basis of reciprocity to extend exemption from search or control of personal effects to consular and other official personnel and to their accompanying dependents and staffs.

HULL

¹² Telegram of December 19, p. 289.

701.6211/1475 : Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, December 31, 1941.

441. Your 482, December 30. Department is agreeable to emendation of its proposal along lines suggested by Federal Political Department and requests that Swiss Government inform German, Italian, Hungarian, Rumanian, Bulgarian and Danish Governments of these suggestions and of the Department's assent thereto.

The provision in Department's 338 for presence of Red Cross personnel on the exchange vessel is permissive and was included because of this Government's desire to extend all possible facilities to the International Red Cross and other Red Cross societies in case they should wish to take advantage of the exchange vessel for the transportation of personnel.

With reference to suggested emendation of paragraph 11 of Department's 338, Department would suggest substitution of language similar to that in final sentence of paragraph 13 of its 405, December 26.¹³

HULL

701.6511/1205 : Telegram

The Chargé in Switzerland (Huddle) to the Secretary of State

BERN, January 2, 1942.

[Received January 2—4:13 p. m.]

6. American interests—Italy. Referring Department's 338, December 19, Swiss Foreign Office by note of January 1 communicates following reply of Italy Government through Swiss Minister at Rome to Department's proposal for exchange of official personnel (translation from Italian):

"1. The Italian Government takes note of the decision of the United States Government to designate a passenger ship to transport Italian officers and personnel to Lisbon. The ship will proceed unarmed without convoy under safe conduct from the belligerent governments. It is also noted that the United States Government will place on board at an American port on the Atlantic seaboard all the diplomatic personnel and dependent employees at present in territory under the control of the United States Government, such personnel and employees being permitted to take with them their personal effects. The Italian Government notes that there may also be embarked on board the ship the diplomatic and consular officers and their dependent employees who are at present in territory under the control of the other American Republics which have broken diplomatic relations

¹³ *Post*, p. 382.

with Italy or which may have broken relations at the time the exchange takes place. The Italian Government also notes that the United States Government will itself undertake the expenses of the travel of such personnel and the transportation of their personal effects from Washington and elsewhere in the United States to the port of embarkation. For its part the Italian Government will make provision to bear the expenses of transfer of the American diplomatic personnel, their families and their personnel from Rome or from elsewhere in Italy to the frontier of Mentone and of the transportation of their effects.

2. The Italian Government notes that the personnel embarked on the steamer will be authorized to take with them their personal effects within the limits of the possible space on the boat itself and the possibility of providing rapidly for embarkation. The Italian Government requests the assurance that this limitation shall not be less than the three trunks and hand baggage allowed by the Italian Government to the American personnel which is being repatriated.

3. The Italian Government notes that the persons who embark on the ship as diplomats representing the Italian Government in the United States or elsewhere together with their families and their personnel will not be subject to control or inspection by the North American and British authorities either on land or on sea, and the Italian Government will accord the same privileges to diplomats of the United States, to their families and their personnel as well as to the diplomats and consuls of other states who leave Italy on the diplomatic trains. This exemption is also accorded on the basis of reciprocity to the personal effects which the said personnel carry with them.

4. The Italian Government notes that the ship—the particulars concerning which will be communicated immediately to the Italian Government through the Swiss Government—will follow the following course: an Atlantic port on the American seaboard to Lisbon and return without touching any other port.

5. The American diplomats and other official personnel of nations at war or which may have broken diplomatic relations with Italy together with their families and personnel will be conducted in special trains and at the expense of the Italian Government to the frontier of Mentone. They will enjoy the same privileges which are accorded by the American Government to Italian diplomats. The Italian Government will moreover arrange for special trains to take the above described personnel from the French frontier to the port of embarkation.

6. The Italian Government will accord identical facilities and privileges on request of the interested governments and under condition of reciprocity for the transportation to the port of embarkation of the diplomats and their families and personnel of those Central and South American Republics which have already broken or which may eventually have broken diplomatic relations with Italy at the time of the exchange.

7. The Italian Government notes that the Portuguese Government will be requested by the Government of the United States to act as guarantor for the exchange within Portuguese territory of the personnel and Italian citizens who will be repatriated from the United States in exchange for the personnel and citizens of North American

and of the other American Republics who are being repatriated. An identical guarantee will be requested of the Portuguese Government by the Italian Government.

8. The Italian Government raises no objection to proceeding to an exchange of other categories of citizens of the two countries at the same time with the diplomats and their employees and by the same means of transportation. The Government of the United States in its note mentioned only journalists. The Embassy of the United States at Rome has of its own accord proposed the repatriation of a certain number of American citizens residing in Italy. The Italian Government is ready to facilitate such repatriation in as liberal a manner as possible on condition that the same criteria will be followed by the Government of the United States for the repatriation of Italian citizens. Concrete proposals to this effect have been made through Ambassador Colonna¹⁴ and Mr. Wadsworth.^{14a} The Italian Government does not consider that the exchange need be limited to journalists, radio announcers and photographers. It therefore requests that there be considered a block exchange of specified categories of citizens of both countries, an exchange which the Italian Government is ready to effect on the most liberal possible criteria. The Italian Government is prepared to make the same exchange with the other American Republics which have broken diplomatic relations with Italy or which will have broken relations at the time of the exchange provided that the Governments of these republics agree and that the Government of the United States is disposed to facilitate such an exchange. Disembarkation from the ship at Lisbon of the persons arriving from the United States and entrance into Portuguese territory of the persons arriving from continental Europe will be simultaneous.

9. The Italian Government agrees that on the request of the interested governments there be included in the exchange and under the same rules the diplomatic, consular and other official personnel already accredited to the United States by the European powers associated with the Axis powers. The Italian Government also agrees that there be included in the exchange the official personnel of the United States and of the Central and South American Republics formerly accredited to the countries associated with the Axis.

10. The Italian Government for its part in conformity with the steps which will be taken by the Government of the United States guarantees the safe conduct of the vessel for the round trip and will undertake to obtain identical assurances of safe conduct from the belligerent powers associated with it.

11. The Italian Government will not fail to communicate to the Swiss Government for the part which concerns it the guarantees of safe conduct for the round trip of the vessel from the United States to Lisbon and return and will request the Swiss Government to act as guarantor of the observance of such guarantees.

12. The Italian Government notes that the transportation expenses of the ship will be apportioned among the interested governments and will likewise request that the expenses of the special trains from the Italian-French frontier of Mentone to the port of embarkation be apportioned between the Government of the United States and the

¹⁴ Ascanio dei principi Colonna, Italian Ambassador in the United States.

^{14a} George Wadsworth, Chargé in Italy.

interested Governments of Central and South America. The Italian Government agrees that the expenses of the respective Governments shall be determined by the Swiss Government.

13. The Italian Government notes that there will embark on the ship personnel of the International Red Cross Committee and of other Red Cross societies as well as a representative of the Swiss Government in the dual capacity of guarantor of the execution of the agreements and of representative of the power protecting the interests of the principal interested Governments. The Italian Government notes that during the voyage no passenger will be permitted to use in any way the radio service except the representative of the Swiss Government for communication with his Government. The Italian Government notes that all the proposals outlined above have been communicated to the diplomatic representatives of the United States in the Central and South American Republics which have broken diplomatic relations or which are at war with Italy and Germany in order that the respective Governments may facilitate the return to Europe of the Italian diplomatic and consular personnel. The Italian Government for its part will send the necessary communications to the Governments of these countries through the Argentinian Government."

Swiss Foreign Office adds Minister Rome will shortly communicate oral comments which accompanied delivery of above reply.

HUDDLE

701.6511/1212 : Telegram

The Chargé in Switzerland (Huddle) to the Secretary of State

BERN, January 8, 1942.

[Received January 8—4:22 p. m.]

77. American interests, Italy. Legation's 6, 2d. Swiss Foreign Office note January 7 transmits following text telegram from Swiss Legation, Rome, containing further statement of Italian Government relating to exchange of personnel of the other American Republics: (Italian translation)

"There follows detailed statement concerning those clauses of note concerned particularly with exchange of diplomatic and consular personnel and of Italian citizens now in those Central and South American States which have broken diplomatic relations or which are at war with Italy, against diplomatic consular personnel and citizens of such States in Italy. American Government proposes that on steamer which will transport to Lisbon personnel Italian Embassy Washington there be also embarked the Italian diplomatic [and] consular officials and families and dependent employees now in territories of Central and South American Republics. American Government will provide at its expense for journey such personnel from Washington or other places in United States to port embarkation. This privilege will be extended likewise to transportation and embarkation their personal effects but will be limited to space available on board ship and to possibility arranging embarkment as soon as possible. Italian Government has agreed to this proposal with the

assurance that for its part there will be no difficulty for the diplomatic and consular personnel of Central and South American Republics departing from Italy to be placed on the diplomatic trains Rome to Lisbon. As far as transportation baggage is concerned, it has been stated that this privilege shall not be for less than three trunks per person and for hand baggage. Transportation expenses on diplomatic trains Rome to Lisbon and on board steamer will be borne by respective Governments. Italian officials and families and their personnel repatriated from Central and South America will not be subject control or visit by North American and British authorities either on land or sea. Same privilege will be accorded by Italian Government to officials Central and South American Republics, their families and personnel, who are being repatriated within Italian territory. Italian Government has agreed to proposal of American Government to include in exchange and under same conditions the official personnel Central and South American Republics formerly accredited to the countries associated with Axis and who are to be repatriated."

HUDBLE

701.6511/1309½

*Memorandum of Conversation, by the Assistant Secretary of State
(Long)*

[WASHINGTON,] January 12, 1942.

After I had talked this afternoon with the Swiss Minister,^{14b} he talked to Prince Colonna and then asked hurriedly to see me again. Upon the occasion of my second conference with him in the course of the afternoon, he said that Prince Colonna had asked him to present two points. First, that on the basis of reciprocity the Italians should not be assembled at White Sulphur Springs. If they were to be assembled and confined at some place, that he hoped they would be confined in a place other than the place where the Germans were confined, and that a hotel other than at White Sulphur Springs would be selected.

As regards the question of reciprocity, I told the Swiss Minister that I was quite conscious of the fact that the American diplomats in Rome were enjoying a status of liberty which the Italian Government could on a basis of reciprocity now curtail, and that the Italian Government was able to take a step which would reflect upon the comfort and convenience of our representatives, if they cared to act on the basis of reciprocity. Nevertheless the interest of national defense had determined the question and the decision had been made that the Italians would have to be placed under confinement.

As to the question of another hotel—I explained to the Minister that there were practically no hotels available; that all the hotels in the southern part of the United States were now enjoying their winter

^{14b} Charles Bruggmann.

season; and that all the guests would have to be put out of the hotel to make place for those to be confined, because we could not have visitors and casual contacts with those confined. As regards the hotels in the north, there seemed to be none available. The administrative problem largely aided by having all of the diplomats in the general neighborhood, some at Hot Springs and some at White Sulphur Springs; that I was sure the Japanese were rather exclusively occupying the hotel at Hot Springs; that all that remained was the hotel at White Sulphur Springs. And I assured him that we would give them decent and comfortable treatment and that we would secure some assembly room other than that used by the Germans and would try to arrange for their exercise in a part of the park different from that used by the Germans.

B[RECKINRIDGE] L[ONG]

701.6511/1230a : Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, January 13, 1942.

85. Please request the Swiss Government to deliver to Wadsworth the following quoted message which is also being sent to him direct in clear, and to make a communication in the same sense to the Italian Government, as well as *mutatis mutandis* to the Bulgarian and Rumanian Governments:

"As you know the Department has followed a policy of reciprocity in the liberal treatment accorded the members of the former Italian Diplomatic Mission in the United States. Unlike certain of the other enemy official groups the Italian officials have been permitted to reside in their usual places of abode and freely to move about Washington with only such surveillance as was considered necessary for their own protection and the security of the United States. Unfortunately, some of these officials have attracted attention in public places to such an extent that there has been public criticism of the liberal treatment accorded them. To avoid any possible disagreeable incident that might be embarrassing both to the Italian officials concerned and to this Government it has been found necessary, as earlier with the official personnel of other former missions here of enemy countries, to arrange for the accommodation of the Italian official personnel and their dependents at a place where they will be less in the public eye. It is accordingly planned to send them to the well-known Greenbrier Hotel at White Sulphur Springs, West Virginia, where they will be comfortably housed in this first class resort hotel at the expense of this Government pending their return to Italy in exchange for our official group there. The whole group will be permitted freely to move about in an area of the park grounds outside the hotel, including the area around the mineral springs, for the purposes of exercise and recreation and will have, if they wish, the companionship of the official

personnel of the former missions here of Germany and the other European countries that are at war or have broken relations with the United States, including those Axis officials arriving in the United States from the other American Republics to await repatriation.

The Italian Ambassador and his wife can upon request also visit the nearby town. The representative of the Swiss Legation will be permitted free access to the Italian group at all times; there will be unrestricted two-way telephone communication at all times between the Italian group and the Swiss Legation at Washington; postal communication between the Swiss Legation and the Italian group will also be permitted; and Prince Colonna may continue to communicate with his Government by telegraph in clear through the Department of State if he so desires.

Representatives of the Swiss Legation have visited the Greenbrier Hotel and grounds at White Sulphur Springs and are in a position to confirm to the Italian Government the satisfactory nature of the facilities available to the Axis officials there.

Although the members of the former Italian Mission have already had more than a month in which to pack their personal effects and to close out their personal affairs they will be given a few more days for this purpose.

It is assumed that the Italian Government will continue to accord you, your staff, and dependents, no less favorable treatment."

HULL

701.6211/1497 : Telegram

The Chargé in Switzerland (Huddle) to the Secretary of State

BERN, January 15, 1942.

[Received January 15—5:43 p. m.]

156. American interests—Germany. Swiss Foreign Office note January 14 communicates following text of German Government's reply to Department's proposal for exchange of officials (translation from German):

"Ministry Foreign Affairs has the honor to answer the proposals of Government of United States regarding exchange of diplomatic, consular and business personnel which Swiss Government transmitted in its *note verbale* December 26. German Government agrees with following modifications:

1. German Government takes as basis that the free passage agreed to in the note also included exemption of the ship from being stopped and searched. German forces will be instructed accordingly not to molest the ship on its voyage and to allow it to pass freely. This will be allowed in addition to the conditions already stated in note December 26 that ship will be unarmed and not in convoy under following additional conditions: (a) Details regarding name (if necessary former names), appearance, size and speed of ship must be communicated German Government in suitable time; (b) ship must have painted plainly visible both sides its name and name its country as well as its flag also flag painted fore and after decks; it would also be desirable have word 'diplomat' painted both sides ship; (c)

ship at night must travel fully lighted and identifying marks specified under paragraph *b* especially must be distinctly lighted; (*d*) ship must not enter zone of operations fixed by Germans around British Isles and Iceland. Information regarding course of ship as well as its schedule and especially time of departure and arrival in ports must be received Berlin at least 3 days in advance.

2. Regarding extent of persons to be exchanged, German Government proposes that there also be included representatives film companies, leading employees or representatives of companies, leading employees or [of] Chambers of Commerce. Furthermore persons who for study, teaching or other scientific reasons including members of their families have temporarily been living in territory of the other country.

3. German Government express expectation that Government of United States will make every effort that the Germans in groups to be exchanged from other American countries which have broken off relations with Germany can make voyage to Europe with exchange group of Germans in United States.

German Government on its part is prepared to facilitate to wide extent the transit of exchange groups of Americans from other European countries through German territory.

4. The members of exchange groups of Americans will be allowed take with them personal possessions as far as transport possibilities permit and in the taking of baggage there will be no limitation."

HUDDLE

701.0010/3½

Memorandum by the Chief of the Visa Division (Warren) to the Chief of the Special Division (Green)

[Washington,] January 15, 1942.

MR. GREEN: On the afternoon of the fourteenth, I discussed with Mr. Long the apparent confusion in policy with respect to payment of the expenses of transportation to this country of Axis officials expelled from the other American republics. I mentioned to Mr. Keeley¹⁵ over the telephone Mr. Long's definition of policy. In effect it is that this Government undertakes to pay the cost of transportation from the port of embarkation in another American republic to the United States unless the expelled officials themselves volunteer to pay such transportation expenses or unless the expelling government should volunteer to pay the expenses from the port of deportation to the United States. It is Mr. Long's wish that the authorization to American officials to pay such transportation expenses should not be used as a trading point. The authorization is construed to be specific unless there is expressed voluntarily the wish by the expelled officials or the expelling country to underwrite this cost.

AVRA WARREN

¹⁵ James H. Keeley, Jr., Assistant Chief of the Special Division.

701.6211/1499 : Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, January 19, 1942—7 p. m.

145. Following is Legation Lisbon's 31, January 15, 6 p. m. to Department:

"Foreign Office has informally approached me regarding the provision of our proposal for exchange of diplomatic personnel which states 'the debarkation from the vessel at Lisbon of the personnel arriving from the United States and the entry into Portuguese territory of the personnel arriving from continental Europe shall be simultaneous.'

Chief of Protocol points out that this offers certain practical difficulties in arranging train schedules in view of disrupted transportation service particularly in Spain. Should the groups start from their concentration points at the same time the vessel with European group leaves the United States the trains will unquestionably reach the Portuguese frontier before the ship reaches Lisbon. It will be not only impossible but impracticable to hold the trains immobile at the border station until the ship arrives in port. He suggests therefore that our groups be allowed to enter Portugal as soon as they reach the frontier. They will await arrival of the ship in Lisbon or at any other point in Portugal which may be decided upon, the Portuguese Government guaranteeing that no member of the American group will leave the country until the European group has disembarked. This is the arrangement which has been followed in the exchange of the British-Finnish diplomatic groups just completed.

I have informed the Chief of Protocol that I would submit this proposal to the Department for consideration. I said however, that I did not think it would be acceptable to the German and Italian Governments. I also pointed out that in case the vessel reached Lisbon before the trains had crossed the Portuguese frontier we would probably request the Foreign Office to prevent debarkation until our groups were on Portuguese territory as had been done in the case of the *West Point*.¹⁶ Please instruct."

Please inform Swiss Government of foregoing and state that Department is agreeable to proposal made by Portuguese Government. Please request Swiss Government to ascertain whether German and Italian Governments are likewise agreeable to this proposal. In the affirmative case it is requested that the German and Italian Governments so notify the Portuguese Government and that you inform Department in order that Legation at Lisbon may be appropriately instructed.

HULL

¹⁶ See bracketed note, *Foreign Relations*, 1941, vol. II, p. 632.

701.0010/17c: Telegram

The Secretary of State to the Ambassador in Argentina (Armour)

WASHINGTON, January 25, 1942—10 p. m.

109. For your information the following message is being sent to our missions in Lima, Santiago, Montevideo, Rio, Quito, La Paz, Asunción.

"In anticipation of an early break in diplomatic relations with the Axis on the part of the country to which you are accredited, you may, in your discretion, suggest to the appropriate authorities the desirability of taking suitable measures to prevent the departure of Axis diplomats and officials and particularly of unofficial agents especially to such other American republic or republics as may not be expected to sever relations in the immediate future. A concentration of these officials and agents is obviously undesirable."

HULL

701.6511/1318

*Memorandum by the Assistant Chief of the Special Division (Keeley)
to Mr. J. Wesley Jones of the Division of European Affairs*

[WASHINGTON,] February 2, 1942.

MR. JONES: With reference to our telephone conversation concerning Prince Colonna's message to Rome,¹⁷ in which, in behalf of his staff and himself, he absolves the former Italian mission here of any blame in respect of alleged indiscretions leading to their transfer to White Sulphur Springs, I believe that it might properly be suggested to the Swiss Legation that in fairness to all concerned Prince Colonna might wish to add to his telegram a paragraph in the following sense before we transmit it:

"The Swiss Minister who has inquired of the Department of State specifically what members of the former Italian Mission allegedly misconducted themselves in Public and what specifically they are alleged to have done was informed that the public criticism, which resulted in the transfer of the Italian official group to White Sulphur Springs, West Virginia, was of the Government for permitting enemy diplomats freely to circulate in public in time of war however unobtrusively and discreetly they might individually conduct themselves. The Department of State is unaware that any criticism was directed against any Italian diplomatic officer because of his individual conduct."

As Mr. Harrison ^{17a} is understood to have informed the Swiss Minister in the above sense, he might perhaps wish to make the foregoing suggestion in reference to his previous conversations on the subject with Mr. Bruggmann.

¹⁷ Not printed.^{17a} Leland Harrison, Minister to Switzerland; he was in Washington temporarily to aid Assistant Secretary Long and to maintain contact with the Special Division.

701.0010/211

The British Embassy to the Department of State

AIDE-MÉMOIRE

The United States Embassy in London has been in touch with the Foreign Office regarding the repatriation of the personnel of the European enemy missions in this country and in Latin America and of other enemy persons attached to these missions. It is understood that it is the intention of the United States Government that these individuals shall first be concentrated in the United States and then repatriated in a single ship which would proceed directly to Lisbon.

2. For their part, the British Government will gladly cooperate with the United States Government in facilitating the execution of this plan to assemble these individuals in the United States and will therefore take such steps as are open to them to prevent any of the persons in question returning independently direct to Europe.

3. As regards the subsequent return of the various individuals to Europe, the British authorities will not seek to prevent or interfere with the journey of bona fide members of the enemy diplomatic or consular missions. They consider however that the term "bona fide members of diplomatic or consular missions" should be strictly interpreted. Apart from other considerations, it is presumed that the United States authorities will wish to be able to secure the return from Europe of a certain number of their own nationals who are not members of American diplomatic or consular missions by exchanging them for a number of enemy nationals from the Western Hemisphere who are similarly neither diplomats nor consular officers. The more strictly the term "bona fide members of diplomatic or consular missions" is interpreted in respect of enemy nationals, the greater will be the residue of such nationals available for such an exchange. Experience has shown that the Germans will not reciprocate generous treatment in this respect. On the assumption that the United States Government will wish to acquire as strong a bargaining position as possible, it would therefore seem advisable that they should interpret the term "bona fide members of diplomatic or consular missions" as strictly as possible.

4. In addition to bona fide members of diplomatic or consular missions, the British authorities are prepared to facilitate the return to Europe of other enemy nationals who, though not entitled to diplomatic immunity, may be attached to such missions, if good reasons exist for believing that their return would be to the common interest.

5. In this last connexion the British Government feels sure that the United States Government will agree that it would not be to the common interest to permit the return to Europe of individuals such as trained technicians, reserve officers, pilots, submarine specialists, or

espionage and sabotage agents, of whom the enemy are known to be in need at the present time. The British authorities are in fact not prepared to facilitate the return of such persons. That being so, and in view of the considerations advanced in paragraph 3 above, it is hoped that the United States Government when arranging for these enemy nationals to come to this country from the Latin American countries will not give any *a priori* guarantee that all of them will subsequently be able to continue their journey to Europe without interruption.

6. In the case of those individuals whose return would not be in the common interest or who come within the categories to whom the British Government could not give a safe conduct, it is to be hoped that those Latin American countries which have broken off relations with the enemy would be prepared to intern them, or failing that to put them on board some neutral ship from which they could subsequently be removed by United States or British ships. Alternatively, if such individuals were expelled to the United States, the United States Government might be prepared to intern them. A particular case in point is that of one Konstantin von Massenbach, a former submarine commander, who has attached himself to the German diplomatic party from Venezuela, now on its way to the United States without having received a guarantee of safe conduct to Europe from the British authorities. Since the latter would be unable to give any such guarantee in respect of von Massenbach, it is hoped that the United States authorities will feel able to detain him in this country for the duration of the war.

7. As regards those enemy nationals who are eventually assembled in this country, it is suggested that before any decisions are reached as to which of them are to be repatriated to Europe, discussions should be held between the United States security officers and the British security officers now stationed in this country.

8. Finally it is hoped that the United States authorities will search all persons not possessing diplomatic immunity, together with their baggage, and that they will search the baggage of those possessing diplomatic immunity to ensure that they do not carry financial contraband.

WASHINGTON, 2 February, 1942.

701.6511/1250

The Department of State to the Swiss Legation

MEMORANDUM

The Department of State acknowledges the receipt of the memorandum of December 13, 1941, from the Swiss Legation in charge of Italian Interests, in which the Legation set forth a proposal of the

Italian Government for the exchange on a reciprocal basis of the official personnel and their dependents of the American Embassy at Rome and of the Italian Embassy at Washington.

The Department refers to its memorandum of January 7, 1942,¹⁸ with which was enclosed a copy in duplicate of the proposal of this Government for the exchange of diplomatic, consular and other official personnel between the United States, certain other American Republics, and the Axis Powers in Europe. The Department considers that this proposal constitutes an acceptance in principle of the proposal of the Italian Government.

WASHINGTON, February 4, 1942.

701.6511/1284a : Telegram

The Secretary of State to the Chargé in Switzerland (Huddle) ¹⁹

WASHINGTON, February 10, 1942.

404. American interests—Italy. Your 340, January 31 and 383, February 3.²⁰ Department assumes that an agreement in principle has been arrived at with the Italian Government for the exchange of all official personnel and that apart from necessary technical details including principally the communication of data regarding the exchange vessel and its course and the obtaining of assurances of safe conduct based upon its details when fixed, the only necessary step remaining is the exchange of lists of the officials to be embarked on the vessel here and to be transported to Portugal by the Italian Government.

For its part this Government not having received from the other American Republics which have broken relations with or declared war on Italy all the Italian official personnel whose repatriation is known to be contemplated is not yet in a position to communicate a complete list. It would be glad, however, to receive from the Italian Government a list of the American personnel both of this Government and of the other American Republics awaiting repatriation particularly as the parts of those lists relating to the other American Republics must be referred to them for approval before this Government can extend its approval to the entire list.

A separate message will be sent regarding the possibility of exchanging non-official persons.

HULL

¹⁸ Not printed; it enclosed a copy of the Department's telegram No. 338, December 19, 1941 (p. 289), to the Chargé in Switzerland, and stated that it considered that the enclosed proposal constituted acceptance in principle of the proposal of the German Government. (701.6211/1453)

¹⁹ Similar telegram on the same date, regarding American interests in Germany, to the Chargé in Switzerland (No. 403).

²⁰ Neither printed.

701.0010/214

*Memorandum of Conversation, by the Under Secretary of State
(Welles)*

[WASHINGTON,] February 13, 1942.

The British Ambassador ²¹ called to see me this morning at my request. I told the Ambassador I had asked him to come in since I wanted to talk over with him the memorandum of the British Embassy dated February 2 which he had left in the Department and which gave the reply of the British Government to the request made by this Government for safe conducts to be issued for the Axis diplomatic and consular officials and other dangerous Axis individuals in the United States and in the Western Hemisphere whom we did not desire to intern here and whom we did desire to deport on a ship chartered for that purpose.

I said it seemed to me to be very clear from this memorandum that the British Government in its reply was motivated solely by the most far reaching ideas as to what constituted its own security and was completely ignoring the very legitimate obligation of the United States Government to consider American security.

I said it should be obvious to the British Government that it was in the vital interest of the United States that Axis diplomatic and consular officials and also dangerous Axis agents of one kind or another should be removed from the other American Republics as quickly as possible. I said this was particularly the case in countries adjacent to the Panama Canal such as Colombia, Ecuador, and Peru and almost equally important in other republics where we were obtaining large quantities of strategic materials the sources of which were exceptionally subject to sabotage. I said that it was impossible for me to admit that internment of these individuals by the countries involved was a satisfactory substitute for the request we had made. I said that the Ambassador and I had both seen in the case of the interned sailors in Argentina from the *Graf Spee* how easy it was for minor local officials to be induced to facilitate the escape of such persons. I emphasized that it was a matter of primary concern to this Government to get these people out of the other American Republics and that in certain cases it would be impossible to get them out and to get our own nationals released from Axis-occupied countries in Europe unless we could give assurances that the Axis nationals would be permitted to proceed to Europe under safe conduct.

The Ambassador viewed my statement sympathetically and said he would do what might be possible to get his Government to take a more reasonable point of view. He suggested that further conversations be undertaken here in the Department of State with repre-

²¹ Viscount Halifax.

sentatives of his Embassy and I said I would be glad to ask that that be done.

I also gave the Ambassador to read telegram 421, February 12, 9 p. m. from the American Embassy in Rio de Janeiro²² which likewise made it very clear that the British Government by the inelastic restrictions which it was imposing upon the exodus of Axis diplomats from Brazil was not only irritating the Brazilian Government, but was making it highly difficult for dangerous Axis nationals to be deported from Brazil.

S[UMNER] W[ELLES]

701.6511/1284 : Telegram

The Acting Secretary of State to the Minister in Portugal (Fish)

WASHINGTON, February 20, 1942.

155. Your 31, January 15.²³ Following is Legation Bern's 618, February 16, to Department:

"Swiss Foreign Office February 13 forwards following copy note dated February 5 from Italian Ministry Foreign Affairs to Swiss Legation Rome.

'Ministry of Foreign Affairs has honor inform Swiss Legation that Italian Government agrees to proposal of Portuguese Government that train which takes American diplomats to Portugal may proceed Lisbon or other locality in Portuguese territory where American diplomats shall await disembarkation of Italian diplomats repatriated from United States. Ministry communicated its agreement with above proposal to Portuguese Government today.'

No response has yet been received from German Government.

WELLES

701.6511/1299b : Telegram

*The Acting Secretary of State to the Chargé in Switzerland (Huddle)*²⁴

WASHINGTON, February 20, 1942.

494. American interests—Italy. Department's 404, February 10. Please request Swiss Government to endeavor to obtain prompt confirmation from Italian Government of assumption by this Government that agreement in principle for exchange of officials has been reached.

²² Not printed.

²³ See telegram No. 145, January 19, 7 p. m., to the Chargé in Switzerland, p. 306.

²⁴ Similar telegram, dated February 19, regarding American interests in Germany, to the Chargé in Switzerland (No. 485).

Unless there is a prompt change in the recalcitrant attitude of certain Italian and German officials, who, ignoring the desire of the Italian and German Governments expressed through the Swiss Government to this Government, do not wish to proceed to the United States for repatriation with the officials formerly accredited here, it will be impossible to fix any early date for the exchange vessel to leave an American port. This Government expects that the Italian Government will issue to its former representatives remaining in Peru, Ecuador and the Dominican Republic orders that they promptly avail themselves of the facilities for repatriation which this Government has been at great pains to provide for them.

It is also hoped that any views which the Italian Government may wish to express on the subject of the exchange will be communicated promptly in order that there may be no additional delay.

The Department will in the immediate future communicate the characteristics and course of the exchange vessel in order that the Italian Government may be in a position promptly to obtain as agreed from the belligerents friendly to it and to deposit with the Swiss Government the necessary assurances of safe conduct.

Department expects to place on board the exchange vessel all official Italian personnel with their families and employees formerly accredited to the United States, Mexico, Honduras, Guatemala, Nicaragua, El Salvador, Costa Rica, Panama, Cuba, Haiti, the Dominican Republic, Colombia, Venezuela, Ecuador, Peru, and Bolivia. There may likewise be placed on the vessel, if the American newspaper correspondents are permitted to leave Italy with the American official party, the Italian newspaper correspondents now in this country. The total number of officials (including newspaper correspondents) is estimated at 232. Furthermore, there may be embarked on the vessel three Italian subjects received from the Colombian Republic.

As soon as possible the Department will deliver to the Swiss Legation in charge of Italian interests a list of the persons who will, according to this Government's understanding of the exchange agreement, be embarked on the vessel in order that the Swiss Legation may be able to verify that list and give the Italian Government such assurances as the latter may require regarding its completeness.

It is understood that the Brazilian Government will organize a separate repatriation of Axis European officials departing from Brazil, Paraguay and Uruguay.

The Department hopes that, after the exchange of official personnel has been completed, an exchange of non-official persons may be separately negotiated.

701.6511/1299a : Telegram

The Acting Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, February 21, 1942.

527. American interests—Germany, Department's 485, February 19.²⁵ American interests—Italy, Department's 494, February 20. Please request the Swiss Government to inform the Italian and German Governments that the recalcitrant attitude referred to in paragraph 2 of the Department's telegram under reference now appears to be due to orders received from the Italian Government. In any case, the Department is definitely informed that the similar attitude of the Italian officials in Bolivia is due to instructions which they have received. In this connection, it should be pointed out that the Department is prepared to proceed immediately with the exchange upon the arrival of the officials from the other American Republics (other than Brazil, Uruguay, and Paraguay) which have broken relations with Italy but that obviously the exchange of officials which has been agreed upon in principle cannot be carried out until these officials have reached this country.

WELLES

701.0023/26 : Telegram

The Acting Secretary of State to the Ambassador in Peru (Norweb)

WASHINGTON, February 21, 1942—6 p. m.

158. Your 156, February 15, noon.²⁵ This Government will be able to provide transportation for and accommodation in the United States for the 70 undesirable Axis non-officials as well as the 186 Axis nationals mentioned in the third substantive paragraph of your 138, February 11, 8 p. m.²⁶

For reasons of national security all non-official persons will be maintained in protective custody in the United States pending an ultimate general exchange of non-official persons. The Department hopes that such an exchange can be arranged after the official exchange takes place. Because of lack of facilities this Government will find it necessary as a temporary measure to separate families. However, steps are being taken to provide adequate facilities in the near future to accommodate families as a unit.

WELLES

²⁵ See footnote 24, p. 312.

²⁶ Not printed.

701.6511/1259 : Telegram

*The Acting Secretary of State to the Chargé in Switzerland
(Huddle)*²⁷

WASHINGTON, February 25, 1942.

541. American Interests—Italy. Your 340, January 31, paragraph 5; ²⁸ Department's 494, February 20. Please ask Swiss Government to inform Italian Government as follows:

"1. It now appears that it may be possible for the United States Government to place on board the official exchange vessel not to exceed 250 Italian non-official nationals. The lists received from Prince Colonna and the Swiss Legation of Italian nationals who have at one time or another expressed a wish to return to Italy include 160 names but the United States Government has, in respect of the persons named by the Swiss Legation, no assurances that these individuals are persons in whose return to Italy the Italian Government has interest. It is expected that the Italian Government will promptly make known through Swiss channels its views regarding the Italian nationals to be accommodated in the available 250 berths and whether the 250 berths shall be reserved for Italian nationals from the United States or whether part of them shall be made available to Italian nationals from other of the American Republics.

2. In view of its willingness to permit the embarkation on the exchange vessel of a number of Italian nationals which may be considered to be larger than the number of such nationals in whose return the Italian Government has expressed an interest the United States Government expects correspondingly generous attitude on the part of the Italian authorities specifically that any American national in Italy and Italian-occupied territory who may wish to return home will be granted permits and facilities necessary for departure in order to return on the exchange vessel."

Furthermore please inform Foreign Office that Department would appreciate receiving as promptly as possible lists of unofficial Americans in Italy and Italian-occupied territory who have expressed the desire to return to the United States. It would likewise appreciate it if the Swiss representatives throughout this area might endeavor to communicate with the Americans in their respective districts with a view to ascertaining whether they wish to return to the United States.

WELLES

²⁷ Similar telegram on the same date, regarding American interests in Germany, to the Chargé in Switzerland (No. 542).

²⁸ Not printed; paragraph 5 of the telegram repeats the Italian desire for the exchange of some non-official nationals in connection with the exchange of official personnel.

701.5411/309

*Memorandum by the Chief of the Special Division (Green) to the
Assistant Secretary of State (Long)*

[WASHINGTON,] February 25, 1942.

MR. LONG: The Swiss Minister called upon me this morning by appointment to present Mr. Walter de Bourg, who has just joined the staff of the Swiss Legation and who will be in charge of German and Italian interests.

The Minister referred to his recent conversation with you in regard to the recalcitrant attitude of the Axis officials on the West Coast of South America. He said that he had been informed that an American vessel would call at Arica on or about March 20 and at other West Coast ports shortly thereafter to embark these officials in order to bring them to the United States. He added that he was informing his Government of this fact in order that it might urge the German and Italian Governments to reverse their position in regard to the repatriation of these officials from the West Coast via the United States.

JOSEPH C. GREEN

701.0011/384a

The Department of State to the British Embassy

MEMORANDUM

The Department of State acknowledges the receipt of the British Embassy's *Aide-Mémoire* of February 2, 1942 regarding the negotiations between the United States Government and the Governments of Germany, Italy, Hungary, Rumania and Bulgaria for the exchange at Lisbon of the official personnel of this Government and of the other American Republics which have broken relations with or declared war on the Axis powers in Europe against the official personnel of the European Axis powers formerly accredited to the United States and to the other American Republics which are not maintaining diplomatic relations with the Axis powers.

These negotiations are already so far advanced that only certain technical details remain to be settled.

In respect to paragraph 2 of the Embassy's *Aide-Mémoire* the Department notes with appreciation the desire of the British Government to facilitate the execution of the arrangements which have been negotiated by the United States Government, and in particular that the British Government will not grant safe conduct for the expelled officials of the Axis powers unless they are traveling in pursuance of those arrangements. It is hoped that the British Government will

likewise be disposed to facilitate any exchange agreement which may arise from the reported desire of the Brazilian Government to effect similar arrangements.

This Government having within its borders a larger number of enemy nationals than there are American nationals in enemy territory abroad is not in approaching negotiations for exchange of official and unofficial persons motivated by considerations of numbers involved. It has on the contrary been motivated by the desire to remove from this hemisphere as promptly as possible and in the interest of national security as many as possible of the German agents who have been placed here at great trouble and expense by the German Government for the purpose of facilitating subversive actions in this continent. For reasons of policy and because of the laws of the other Governments in the Americas, it has been found desirable and necessary in including the other American Governments in the exchange arrangements to interpret the definition of official character as broadly as possible so as to include in the exchange and remove from South America agents of the Axis powers whose continuing presence in the Americas is dangerous to the security of the countries in which they respectively are and to that of the United States. It has likewise been found necessary to give assurances to those other American Governments that these persons will be repatriated under safe conduct with the official group from each of the other American Republics as a part of the official exchange between each such country and the Axis countries concerned. This Government has in following this policy been able to remove from their present spheres of activity certain very dangerous agents and has done so under the terms indicated. Should this Government be unable to carry out the terms of its agreement with these other American Republics that these persons may return to their homelands it would be obliged to return them to the countries from which they had been removed at such great pains, an alternative which would be clearly dangerous to the common interest and to the security of the western hemisphere. This Government has further received for repatriation to their homelands under similar conditions a number of other Axis nationals, suspected of being engaged in subversive activities, whose expulsion from other American countries is particularly desirable and whose continued presence in the United States is not desired for reasons of national security.

In view of the foregoing it is expected that the British authorities will interpose no obstacle to the carrying out of the steps which this Government finds essential for its national security, for the security of the western hemisphere and for the common interest. It is the feeling of the United States Government that none of the persons or categories of persons whose removal from this hemisphere is found necessary will constitute as effective threats against the common in-

terest in their home countries as they would in their chosen fields of activity.

The agreements made by this Government for the repatriation of official personnel include the provision that neither the persons nor the baggage of those considered officials shall be searched. The question of the search, if any, to be made of the persons or effects of unofficial persons is not yet subject to any agreement, and this Government will in this respect therefore follow the careful course already contemplated to secure the best interests of this Government and of the governments with which it is associated.

WASHINGTON, February 25, 1942.

701.0010/33 : Telegram

The Chargé in Switzerland (Huddle) to the Secretary of State

BERN, February 28, 1942.

[Received February 28—8:40 a. m.]

808. American interests—Germany. Department's 485, February 19th.²⁹ Swiss Minister, Berlin,^{29a} telegraphs February 24th following:

"Ministry Foreign Affairs informs me officially that exchange German group in South American countries which broke diplomatic relations after conference Rio de Janeiro^{29b} will not take place via United States.

German diplomats in Brazil will be exchanged directly against Brazilian group. All others will be assembled at Buenos Aires and transported from there aboard Argentine vessel to Lisbon. Arrangements to this end have been made with Argentinian and Brazilian Governments. Please inform State Department and Governments of Peru and Uruguay. Colombian diplomats in Germany will join perhaps above mentioned group as they prefer themselves to return with Brazilian group to avoid detour by United States. I would like to receive from State Department indications still lacking regarding exchange, the ship and its course."

Swiss Foreign Office adds as exchange arrangements of personnel formerly accredited other American Republics have been handled by Department it would appreciate Governments Peru, Uruguay and Colombia being informed foregoing.

HUDDLE

²⁹ See footnote 24, p. 312.

^{29a} Paul Werner Steiner.

^{29b} Third Meeting of the Foreign Ministers of the American Republics held January 15-28, 1942; for correspondence concerning this Conference, see vol. v.

125.0040/134 : Telegram

The Chargé in Switzerland (Huddle) to the Secretary of State

BERN, February 28, 1942—4 p. m.

[Received 11 : 42 p. m.]

816. American interests—Germany. Following received from Morris⁸⁰ through Swiss channels.

“Bad Nauheim, February 14. For the Department from Morris. I desire to draw to the Department’s attention certain unsatisfactory conditions relative to our detention.

In general, purchases of food for this hotel have been based during the period of our detention here on an allotment amounting to one and a half times the normal German civilian ration. This allotment is insufficient. The ration provided for diplomatic personnel in Berlin is very considerably larger and at least double the ration received here. The theoretical ration is, however, not usually an exact criterion of the food received for the reason that supplies of allotted items are often simply not obtainable on the local markets, particularly in winter.

Formally meat is served at nine meals per week, although as will be seen below quantities are quite inadequate. The other five main meals are meatless and on 2 days a week no meat at all is served. No fresh eggs have ever been served, an omelet was provided for two meals during the first weeks and then ceased. On meatless days, poor quality fish was served on two or three occasions. Chicken or duck has recently been served about once a week for one meal. Unskimmed milk has been provided only for the children and persons unwell. Skimmed milk for substitute coffee only is served in small pitchers twice a day and further skimmed milk must be purchased at 50 pfennigs per glass.

Bread of fair quality is provided abundantly. 20 grams of butter per person are provided for breakfast with rolls, otherwise butter is almost never served. Fats are limited to an occasional small piece of sausage or cheese besides the breakfast butter and the limited amount of fats used in cooking. The food in general consists of soups mostly of a flour or thin meat stock and various combinations of starches consisting largely of potatoes together with a few ordinary coarse vegetables such as carrots, dry string beans, beets and cabbage, which are frequently frozen and soured. Sweets are provided in the form of puddings of indifferent composition, some of which have a rice basis, and others of which appeared to be of synthetic composition as well as the marmalade provided at breakfast and tea, at which times substitute tea and coffee, together with rolls, are also served.

The cooking is acceptable and the meat provided is good, but since the middle of January the portions served are totally inadequate, consisting always of one very thin slice of meat, and second helpings are not served. Twice a week the meal specified one of the so-called *Feldküchengericht*, or soldier’s field ration. This is a single dish

⁸⁰ Leland B. Morris, American Chargé in Germany.

usually composed of potatoes and cabbage with a very small piece of meat on top. This, together with the bread, is the whole meal. This civilian *Feldküchengericht* is admittedly smaller in calory content than that served to the troops, and civilians are asked to restrict themselves to it as a patriotic duty.

This ration has resulted in a marked reduction in weight, diminution of energy and deterioration of well-being throughout the group. It is not sufficient nor proper for persons accustomed to a substantial diet such as all of this group have been used to. The lack of adequate fats has been particularly unfortunate during the severe weather which has prevailed with temperatures frequently as low as 20 degrees centigrade. Fresh fruit has been served only twice since we arrived and compote and fresh salads very rarely.

In the latter part of January the attention of both the Swiss and the Foreign Office representatives resident at the hotel was invited to this unsatisfactory food situation. Some 2 weeks ago I was informed by the Swiss Legation that the Foreign Office had agreed to bring about an early improvement. This intended improvement was also confirmed to me orally by the Foreign Office representative here. It has not taken place.

We have never received any soap from the German authorities since we have been here; no arrangements have been made to enable us to buy soap locally; and people are unable to get their personal laundry done unless they furnish soap from their private stock. No pressing or ironing or shoe polishing services are provided, and persons are obliged to do their own work along these lines. We have existed on soap from our own canteen supplies, and we have to some extent been able to supplement our diet with a small amount of canned goods from the canteen. This has been only a stop-gap, and is in no sense a remedy. The German authorities have granted in some measure a request for extra rations for children, one pregnant woman and one man chronically ill. A request to resume the Embassy's normal duty free importation from Denmark particularly of butter, bacon and eggs for the group at our own individual expense was declined, except for pregnant women and ill persons.

I have made a request in this sense through Swiss Legation, but only 14 persons including 6 children, will be benefited thereby. In the Public Health Surgeon's opinion, there are many others who ought to have these extra rations.

I have not brought this situation to the attention of the Department sooner because (1) it could be tolerated over a short period in the expectation that our departure from Germany would occur and indeed if the exchange arrangements are to be completed within a week or so after the receipt of this telegram, the conditions complained of can be supported for that length of time; and (2) we have repeatedly been promised an improvement and wish to give the German authorities an opportunity to remedy conditions. If, on the contrary, a prolongation of our detention is inevitable for a longer period, a correction of the conditions complained of is required. This telegram is being sent with the agreement of the group house committees, composed of Embassy officials, Army, Navy, Public Health Service, the Chargé d'Affaires, the local authorities and American press representa-

tives and has my complete concurrence as a reasonable, impartial, and factual statement of the conditions hereby brought to the Department's attention."

Swiss Foreign Office in forwarding states Swiss Legation Berlin emphasizes the fact that description by Mr. Morris of conditions at Bad Nauheim should not be considered as an invitation to Department of State to consider measures of reprisal against the official group detained at White Sulphur Springs. Minister Steiner adds that he has intervened to obtain amelioration of these conditions and he is certain that his efforts will bring results as far as this is possible. Difficulties of transport resulting from the unusual cold of this winter have influenced this matter and should be taken into consideration.

HUDDLE

701.6210/62: Telegram

*The Acting Secretary of State to the Ambassador in Argentina (Armour)*³¹

WASHINGTON, February 28, 1942—midnight.

286. Your 369, February 26, 9 p. m.³² You may inform the Foreign Office that this Government has taken steps to provide facilities for travel to the United States of the Axis official personnel in Peru, Ecuador and Bolivia and expects that the German and Italian officials proceeding to Europe will be able to transfer promptly to the vessel to carry them to Lisbon. The German and Italian Governments are being informed that these steps have been taken and that there exist no comparable facilities for repatriating by any other routes their personnel in these countries with their baggage under safe conduct of all the belligerents.

It is expected that Italian and German official personnel in Paraguay and Uruguay will be included in plans which the Brazilian Government is perfecting for the early repatriation of Axis personnel direct from Rio de Janeiro to Lisbon. The Brazilian Government will obtain all necessary safe conducts for this voyage.

In view of the foregoing, it would seem in order for the Argentine Foreign Office to inform the German Embassy that it has learned that adequate provision has already been made for the repatriation under safe conduct of the German official personnel in the five countries referred to.

This Government would not be disposed to grant safe conduct to Italian and German officials formerly accredited to countries which

³¹ See penultimate paragraph for information regarding repetition to Peru, Ecuador, Bolivia, Uruguay, Paraguay, and Brazil.

³² Not printed.

have broken relations with the Axis traveling otherwise than in groups in pursuance of definitely stipulated exchange agreements and it is understood that British safe conducts would likewise not be granted for such travel.

In reference to penultimate paragraph of your 369, you are informed that it is now proposed to have the exchange vessel proceeding to Lourenço Marques stop at Rio de Janeiro to take on Japanese personnel and baggage from Brazil, Uruguay and Paraguay. The Japanese Government has been requested to consent to this arrangement which is more convenient to all Governments and individuals concerned.³³

Repeated to Lima, Quito, La Paz, Montevideo, Asunción and Rio de Janeiro.

Please repeat your 369 to Rio de Janeiro by air mail.

WELLES

125.0040/134 : Telegram

*The Acting Secretary of State to the Chargé in Switzerland
(Huddle)*

WASHINGTON, March 2, 1942—8 p. m.

582. American interests—Germany. Department's 573, February 28, 6 p. m.;³⁴ your 816, February 28, 4 p. m. Please stress urgent necessity of investigation of conditions at Bad Nauheim and insistence of this Government that these conditions be remedied immediately. German representatives at White Sulphur Springs are receiving only such treatment as is felt by this Government to be consonant with normal standards of decency but the message contained in your 816 makes it clear that the treatment being accorded American personnel in Germany at least up to February 14 was far inferior thereto, that the attention of the German Government had been directed to the matter and that no remedial steps worth mentioning had been taken. Department assumes situation has been improved in 2 weeks since Morris wrote his distressing message and pending early report of Swiss representative will not take any measures to adjust situation.

WELLES

³³ See telegram No. 574, February 28, 1942, to the Chargé in Switzerland, p. 400.

³⁴ Not printed.

701.0023/30 : Telegram

The Acting Secretary of State to the Ambassador in Peru (Norweb)

WASHINGTON, March 2, 1942—8 p. m.

178. Your 186, February 23, 2 p. m.³⁵ Please call upon the Minister for Foreign Affairs and give him the following oral message from me:

From information which has reached the Department it has become clear that the Axis Governments are assuming an attitude which on the one hand is designed to keep their officials for an indefinite period in some of the American Republics where their continued presence will be a source of danger from every standpoint and on the other hand derogates from the sovereign right of the American Republics in question to determine the time and means of departure from their territory of representatives of governments with which they have broken relations.

The United States Government has completed in full detail an agreement with the Axis Governments for the repatriation of their officials in exchange for the officials of the American Governments. A vessel of this Government provided in order to give effect to these agreements is to call at Callao in the near future and it is contemplated that the Axis officials embarking thereon may be transferred promptly at a United States port to the ship which will carry them to Lisbon. The Axis Governments have been informed and are aware that no comparable transportation facilities exist for the repatriation of their officials with their baggage by any other route.

The arrangements made by this Government would relieve the Peruvian Government of a source of continued apprehension and I earnestly trust that the Peruvian Government will see to it that the arrangements as originally scheduled are carried out. I feel that the cooperation of the United States with Peru in this regard is of the utmost importance to both our countries.

Please give the Minister my very warm personal regards and the expression of my hope that we can continue to cooperate effectively together.

Please telegraph me urgently the nature of the reply made.

WELLES

701.6511/1320

The Swiss Minister to the Secretary of State

The Minister of Switzerland in charge of Italian Interests presents his compliments to the Honorable the Secretary of State and, with

³⁵ Not printed; it informed the Department of a report that the German Government had started negotiations with the Swedish Government for repatriation of diplomatic representatives by some other means than through the United States.

reference to the Legation's note of February 24th,³⁶ has the honor to transmit the following communication received from the Italian Government, through the intermediary of the Political Department in Bern:

"The Italian Government would regret to be compelled to apply restrictions similar to those adopted in regard to the personnel of the Italian Embassy in the United States if the United States Government should not give favorable consideration to the requests presented by Ambassador Colonna, inasmuch as:

1. The American diplomats in Rome continue to enjoy a privileged treatment as to food and clothing.
2. The Americans are free to move about at their pleasure if escorted, with the sole restriction of not being allowed to visit public places.
3. Children are entirely free to go wherever they wish.
4. The purchase of books and magazines is permitted."

WASHINGTON, March 2, 1942.

701.0023/34: Telegram

The Ambassador in Peru (Norweb) to the Secretary of State

LIMA, March 3, 1942—8 p. m.

[Received March 4—12: 57 a. m.]

216. Department's 179, March 2, 9 p. m.³⁷ Substance communicated to Foreign Office, which still professes uncertainty regarding possible forcible expulsion Axis officials ostensibly due to fear of reprisals against prominent Peruvians including ex-President Pardo now in Axis hands. Similarly honorary consular officers will not be expelled unless activities considered dangerous to Peru. Foreign Office also is disposed to accept lists of Legation employees as submitted by Axis Ministers.

I expect to see Foreign Minister within the next few days.

NORWEB

³⁶ Not printed. In its reply on March 5, 1942, the Department informed the Swiss Legation of the result of investigation of complaints as to conditions at White Sulphur Springs. Some complaints were found unwarranted, some requests were met, and others were referred to the Department of Justice. (701.6511/1304)

³⁷ Not printed; it stated that a passenger vessel under charter to the War Department would take on board the Axis officials, and gave instructions concerning the embarkation of passengers and type of baggage permitted by the exchange arrangements (701.0023/33a).

701.0010/33 : Telegram

The Acting Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, March 3, 1942.

588. American interests—Germany. Your 808, February 28. Intimation having been received from Embassy Rome that Italian Government envisages separate repatriation for its official personnel formerly accredited to American Republics which broke relations after Rio conference, Department addressed to Embassy Rome its 56, February 26 reading as follows:

"Your 64, February 15 [16], parenthesis at close of first sentence.³⁸

While Department agrees with Italian Government that a separate repatriation of Italian officials from certain of the other American Republics which broke relations after the Rio de Janeiro conference may be more convenient to all parties, it cannot see that such a repatriation would be more desirable in respect of the official parties in Bolivia, Peru and Ecuador in view of the difficulty of communication between those countries and Rio de Janeiro, the port from which a separate repatriation might be expected to take place.

Department is providing facilities for the transportation to the United States of Axis officials in Bolivia, Peru and Ecuador. These facilities will make the exchange more simple and direct for the officials concerned and will afford them ample facilities for the transportation of their personal effects of the categories agreed upon (trunks and handbaggage). It is accordingly hoped that the Italian Government will concur in the Department's viewpoint and instruct its personnel in the three countries referred to to embark on the vessel being dispatched to bring them to this country. It is contemplated that the personnel in question will be immediately transferred to the exchange vessel and proceed to Lisbon upon their arrival in this country."

Please request Swiss Government to transmit to the German Government the above quoted message *mutatis mutandis* in order to make it applicable to German officials in Bolivia, Peru and Ecuador adding that Department has informed Argentine Government of provision already made for repatriation of German official personnel in these three countries.

WELLES

³⁸ Telegram not printed; the parenthesis at the close of the first sentence contained information that the Italian list did not include names of parties of six Latin American countries and that the Italian Government was contemplating their separate later repatriation (701.1040/12).

701.6510/56: Telegram

The Chargé in Italy (Wadsworth) to the Secretary of State

ROME, March 4, 1942.

[Received March 5—1:14 p. m.]

75. Your 63, 2d.³⁹ Competent official informed Minister de Stoutz⁴⁰ and me this morning that, although Foreign Ministry had not yet received through official channels text of Department's message of February 25 to Bern, substance of Ministry's reply, preliminary draft of which had already been prepared, could be communicated to us *officieusement*. It will:

(1) Express appreciation of Department's attitude and reiterate desire to effect exchange on basis of complete reciprocity;

(2) State that any American (unless under penal process) in Italy or Italian occupied territory desiring repatriation aboard exchange vessel will be transported to Lisbon at Italian Government expense (see also my 76 and 77, 4th⁴¹);

(3) Formally request that 121 Italians on Prince Colonna's latest list and any others added thereto be embarked on exchange vessel, together with such others (within proffered limit of 250) in Central American Republics as may when informed of this facility for repatriation express desire to avail themselves thereof and be able to join the vessel before its scheduled date of departure;

(4) Request promptest possible communication of name, characteristics and course of exchange vessel (see also my 78, 4th³⁹);

(5) Assume that the Italian officials in Bolivia, Ecuador and Peru will be repatriated en bloc from Buenos Aires; request assurance that United States and its allies will furnish them any limited number of accompanying nationals appropriate safeguards to European port; and, if such assurance be given, authorize repatriation aboard exchange vessel of officials of those three countries in Italy (see also my 79, 4th³⁹);

(6) Give all presently possible assurances regarding Buckley⁴² (see my 80, 4th³⁹); and

(7) Reiterate its position regarding Father Woolf⁴³ (see my 81, 4th³⁹).

Ministry would appreciate Department's informing Prince Colonna of substance of this telegram.

WADSWORTH

³⁹ Not printed.

⁴⁰ Swiss Minister in Italy.

⁴¹ Neither printed.

⁴² Maj. Michael Buckley, Jr., American military observer taken prisoner in Libya by the Italians.

⁴³ Rev. H. Gruber Woolf, rector of St. Paul's American Church in Rome, arrested and imprisoned by the Italians.

701.0010/39a : Telegram

The Acting Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, March 4, 1942.

597. The United States Government having learned of the availability of the Swedish vessel *Drottningholm* has accepted the offer of the Swedish Government to charter this vessel for the purpose of effecting exchanges of official personnel between the American Republics and the Axis powers. The charter of the vessel is to cover its voyage from Göteborg to the United States, a round trip to Lisbon, a round trip to Lourenço Marques and a return voyage to Göteborg.

Please request Swiss Government to have its Minister at Berlin inform German Government of the foregoing tomorrow in coordination with delivery by Swedish Minister of similar message from Swedish Government. It is expected that German Government will grant safe conduct which Swedish Government is seeking for voyage of vessel from Göteborg to United States preparatory to commencement of exchange movements and from United States to Göteborg when those movements have been concluded.

Please request further that Swiss Minister at Rome be asked similarly to inform Italian Government urgently of the foregoing arrangements and seek of it assurances of safe conduct of vessel from Sweden to United States and subsequently from United States to Sweden.

The German and Italian Governments may be informed that a similar approach is being made to British Government and maritime powers among the United Nations.⁴⁴

Reply desired urgently in order that necessary details may be completed without delay.

WELLES

701.6211/1599 : Telegram

The Chargé in Switzerland (Huddle) to the Secretary of State

BERN, March 5, 1942.

[Received March 5—5:15 p. m.]

891. American interests—Germany. Department's 485, February 19.⁴⁵ Swiss Foreign Office note March 3 forwards copy note February 26 addressed to Swiss Legation, Berlin, by German Foreign Office of which following is translation:

"Ministry Foreign Affairs in reference to *notes verbales* 38, January 10, 48, January 12, 131, January 30, and 213, February 12, from Swiss Legation regarding extensions and changes in proposals of

⁴⁴ Telegram No. 938, March 4, 1942, not printed.

⁴⁵ See footnote 24, p. 312.

American Government for carrying out of exchange of diplomats, consuls, and their dependents has honor communicate following:

1. To make agreement as clear as possible and in consideration of personal interests of persons to be exchanged, German Government proposes paragraph 3 (Department's 338, December 19) of original American proposal be extended by following addition 'German Government is prepared on basis of reciprocity to extend freedom from search or control to all persons who are included in exchange and to their personal belongings taken with them'.

2. German Government agrees to changes proposed under paragraphs 11, 12, and 13 of original American proposal (Department's 338, December 19).

3. Regarding scope of persons to be exchanged, German Government proposes agreement that in addition to diplomatic, consular, and business personnel and their families, their employees and household servants there also be included in exchange, regularly accredited press representatives including radio announcers, press photographers as well as representatives of film companies, and members of Chambers of Commerce and members of their families.

German Government also agrees on basis of reciprocity to include in exchange, immediate family relatives of officials of both Governments even if these officials have not been or no longer are assigned to country from which the repatriation is made.

4. German Government expresses expectation that nonofficial German citizens with their families and their accompanying personal effects who travelled to North America with the German official exchange group from the different Central American countries including Venezuela and Colombia be included in exchange.

It is pointed out that these German citizens left former country of residence with approval of Government of country in good faith for an unhindered possibility for their homeward travel.

5. German Government agrees that exchange of further nonofficial persons at later time is reserved and will be subject of further negotiations after the carrying out of exchange of diplomatic personnel.

6. German Government is ready on basis of reciprocity to allow members of all American exchange groups that in addition to baggage brought with them to their present location, they can also take with them their household effects (with exception of furniture).

7. In order to expedite exchange of German diplomatic groups in those countries of American continents which have declared war on Germany or have broken off diplomatic relations, against corresponding groups of these countries in German territory, German Government intends accept a proposal of Brazilian Government according this proposal German diplomatic, consular, and business personnel with members of their families as well as a number of nonofficial German citizens with their families in Brazil will be immediately exchanged against corresponding categories of Brazilian persons in German territory. This exchange is also to take place in Lisbon and a ship is to go directly from Rio de Janeiro to Lisbon and from there again return to Rio de Janeiro.

German personnel and a certain number of nonofficial German citizens from other South American countries which broke off diplo-

matic relations with Germany after conference Rio de Janeiro namely Ecuador, Peru, Bolivia, Paraguay, and Uruguay will be assembled Buenos Aires and will be sent direct to Lisbon on ship chartered for this purpose where exchange will be carried out against corresponding categories of persons in German territory.

In regard question of safe-conducts for these two exchange ships, appropriate protecting powers of German Government will get in touch with Governments of countries at war in suitable time.

German Government considers as before that exchange from and with all countries of American continents according to original proposals of Government of United States is complete plan for whose success all nations at war carry responsibility. Division of exchange as a whole into three sections is for technical reasons and is done for purpose of simplifying and expediting exchange."

Swiss Legation, Berlin, adds German Foreign Office had not yet received contents Department's 485, February 19 when drafting above.

HUDDLE

701.0023/34 : Telegram

The Acting Secretary of State to the Ambassador in Peru (Norweb)

WASHINGTON, March 5, 1942—5 p. m.

186. Reference your 216, March 3, 8 p. m. and Bonsal's⁴⁷ telephone conversation with you March 4. You may inform the Peruvian Government that if it makes use of the arrangements already made for the transportation to the United States of the Axis officials and dangerous non-officials this Government will be glad to receive them and to effect their repatriation along the lines of such agreement as may be necessary in order to ensure the repatriation and proper treatment of Peruvian officials and non-officials in Axis territory. This Government would be willing to hold the German non-officials in this country until an agreement will be reached for the release and repatriation of Peruvian non-officials in Germany and German-occupied territory.

This Government has not agreed with the Japanese Government that Japanese officials formerly accredited to countries in the Western Hemisphere which have broken relations with Japan may proceed to a neutral country and it is hoped that the Peruvian Government will not permit the Japanese Chargé d'Affaires to proceed to Santiago.

WELLES

⁴⁷ Philip W. Bonsal, Acting Chief of the Division of the American Republics.

701.0010/63c

The Secretary of State to the Minister in Paraguay (Frost) ⁴⁸

No. 216

WASHINGTON, March 5, 1942.

The Secretary of State informs the Legation, for possible discreet use, that this Government, not wishing to be bound by any considerations of reciprocity should there be received requests to retain enemy alien personnel as custodians of enemy diplomatic property or for other purposes in connection with the representation of enemy interests in the United States, has expressed its unwillingness that any of its personnel remain in enemy territory as custodians of property or to assist the Swiss authorities in connection with protection of American interests.

Several persons insisted on remaining and the Department warned them that they would be doing so on their own responsibility and that it would not consider them eligible to relief from its funds.

701.0024/26 : Telegram

The Acting Secretary of State to the Ambassador in Spain (Weddell)

WASHINGTON, March 6, 1942—8 p. m.

123. Following telegram has been received from La Paz:

"135. March 5, 6 p. m. Minister of Foreign Affairs ^{48a} tells me Spanish Chargé d'Affaires has just shown him long cable from Spanish Foreign Office stating in effect that since the United States has agreed in principle to repatriation of German diplomatic representatives through Buenos Aires he should make arrangements for their transportation to that city. In view of Department's 113, February 28, midnight, ⁴⁹ I have told Minister that I am sure telegram is incorrect but would appreciate immediate confirmation from Department so as to hold Minister to his promise to have Axis personnel sent to Arica on March 12 for embarkation about March 20 to New York."

Please inform the Foreign Office (1) that the Brazilian Government is arranging for the direct repatriation from Brazil of European Axis officials now in Brazil and Paraguay; (2) that the Uruguayan Government is arranging for the direct repatriation of European Axis nationals from Uruguay; (3) that European Axis officials in all of the other American Republics which have broken relations with the Axis are to be repatriated via the United States; (4) that the Argentine Government has recognized the impracticability of the re-

⁴⁸ The same on the same date to the Ambassadors in Peru (No. 1009), and Uruguay (No. 344), the Minister in Ecuador (No. 916), and the Chargé in Bolivia (No. 496).

^{48a} Eduardo Anse Matienso.

⁴⁹ See footnote 31, p. 321.

patriation via Argentina of Axis officials from the other American Republics and has informed this Government as well as the German Chargé at Buenos Aires that it can give no further consideration to this project.

WELLES

701.0023/39 : Telegram

The Ambassador in Peru (Norweb) to the Secretary of State

LIMA, March 9, 1942—7 p. m.

[Received March 10—1:45 a. m.]

239. Department's 178, March 2, 8 p. m. Foreign Office today informed me that Spanish Ambassador ^{49a} on instructions from Madrid had again stated that German Government alleged that its negotiations with the United States were not complete and insisted that German official personnel be repatriated via Buenos Aires. The Spanish Ambassador had in consequence renewed his inquiries as to possibility of safe-conduct from the United States Government to permit such Austrian [*sic*] Ambassador to take Swedish ship now available to Mollendo, and thence by rail to Argentina from where the party would embark for Europe.

The Foreign Office was advised that the United States Government would not grant safe-conduct for this travel and it in turn notified the Ambassador.

The Spanish Ambassador had also informed the Foreign Office that the German Government would agree to release all Peruvians in Germany or German occupied territory on condition that all Germans in Peru who might wish to depart might do so.

The Foreign Office continues resolved to deport Axis officials via the United States and also undesirable Axis non-official personnel. It hopes that means may be found also to transport other non-officials and families who may wish to leave Peru for eventual repatriation as contemplated by the Department's telegram No. 188, March 5, 7 p. m.⁵⁰

In view of gradation in official categories of diplomatic, consular and other chief Axis personnel and in social classes of non-officials to be expelled from Peru, I trust that instructions may be issued to commanders that vessels conveying such personnel to the United States to adhere insofar as may be possible in allocating accommodation to the classified lists which will be supplied them from this Embassy.

The Chief of Detectives of Ministry of the Interior has just informed Embassy officer of anonymous telephone call wherein

^{49a} Pablo de Churruca Dótres, Marques de Aycinena.

⁵⁰ Not printed.

speaker mentioned strictly confidential list of Germans to be expelled giving date of secret call of United States ship at Callao and stating that it would not be permitted to take off German nationals.

NORWEB

701.0011/385

The British Embassy to the Department of State

AIDE-MÉMOIRE

The British Embassy acknowledges the receipt of the State Department's memorandum of the 25th February regarding the repatriation of the personnel of the European enemy missions in this country and in Latin America and of other enemy persons attached to these missions.

The British Government understand the point of view from which the United States Government regard the problem of selecting the enemy nationals to be repatriated and will be very glad to facilitate the return of any such persons whose departure would be to the common advantage, irrespective of whether they are entitled to be repatriated on account of their official position. In order to decide whether the repatriation of an enemy national who is not a proper official is or is not to the common advantage it will be necessary to measure the amount of harm that he would be able to do if allowed to remain in this hemisphere against the amount of harm that he would be able to do if repatriated. This estimate will generally depend on the degree of freedom which he would be able to enjoy if he were not repatriated. Where the alternative to repatriation is internment in the United States it is clear that internment would in most cases be more advantageous and the British Government sincerely hope that the United States Government will use all their privileges and powers to intern as many enemy nationals as possible within the confines of the United States. Where the alternative is complete freedom of movement and liberty of action in some area of Latin America the advantage will generally lie with repatriation. The British Government note in this connection that the governments of a number of other American Republics have agreed to send certain enemy nationals to the United States only after receiving an undertaking from the United States Government that they will eventually be repatriated and that the United States Government if they do not repatriate them will feel obliged to send them back to the countries whose governments sent them here. The British Government agree that it is desirable to prevent enemy nationals from being free to do as they wish in Latin America, particularly those who have been deliberately placed there by enemy governments for subversive purposes, and they are fully

alive to the implications this whole question has for the security of the Western Hemisphere. Conversely they anticipate that the United States Government will understand if the British Government should feel unable to grant safe conducts to such enemy nationals as there may be who because of their technical qualifications would be more likely to injure the common cause by being sent back to Europe than by being allowed to reside in Latin America. The British Government are confident that agreement will be reached without difficulty in each case if a joint examination is made of the amount of harm likely to follow from either alternative. With this criterion in mind the British authorities will proceed as quickly as possible to examine the lists to be submitted to them from time to time by the United States authorities of the persons whom the latter think it desirable to repatriate.

The British Government will be glad to facilitate any arrangements for the exchange of enemy officials which the governments of any other American Republics may wish to make, provided that they meet with the approval of the United States Government. In negotiating with these governments regarding the enemy nationals to be included in such arrangements the British Government will be guided by the considerations set forth above.

WASHINGTON, 9 March, 1942.

701.0010/44 : Telegram

The Chargé in Switzerland (Huddle) to the Secretary of State

BERN, March 10, 1942.

[Received March 10—3:55 p. m.]

974. American interests—exchange officials. Department's 597, March 4. Swiss Foreign Office advises Swiss Minister Berlin telephoned he delivered communication regarding Swedish steamship *Drottningholm* to German Foreign Office yesterday March 9 in concert with Swedish Minister who did not receive instructions from his Government until then.

Swiss Minister Rome delivered communication Italian Foreign Office March 5. He reports today that his Swedish colleague has not received instructions from Swedish Government to make any communication to Italian Government regarding ship. He further reports that in informal conversation with Italian Foreign Office officials latter remarked that *Drottningholm* was registered at 11,000 tons and they did not believe its small size would permit United States Government to repatriate Axis personnel plus 500 additional Italians and Germans (as offered in Department's 542, February 25⁵¹).

HUDDLE

⁵¹ See footnote 27, p. 315.

701.0010/44 : Telegram

The Acting Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, March 12, 1942.

663. Your 974 March 10. Please request Swiss Government to inform German Government that this Government must have a reply regarding the *Drottningholm*. If the reply is not forthcoming the exchange will be unduly delayed and it will become necessary to remove the personnel now assembled at White Sulphur Springs to other quarters since they cannot be maintained indefinitely where they now are especially in view of the fact that this Government has no evidence whatever that the German Government intends to proceed to any exchange of official personnel.

WELLES

701.6224/64a : Telegram

The Acting Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, March 12, 1942.

662. American interests—Germany. Please request Swiss Government to inform German Government that the United States Government has received reliable information⁵² that the German Government has instructed its official representatives in Bolivia not to leave that country to be repatriated through the United States unless compelled by force and to threaten the Bolivian Government with reprisals if force is exercised.

The United States Government assumes that the German Government in the effort to avoid the repatriation of its officials in other American Republics has sent similar instructions to them.

Please request Swiss Government to inform German Government that there are no transportation facilities available for the repatriation of their officials except those provided by or with the consent of this Government; that the Argentine Government has indicated its clear refusal to receive the German officials pending their repatriation; and that the present attitude of the German Government indicates to the United States Government a probability that the German Government has no serious intention of proceeding to an exchange of official personnel.

You may continue that if this Government finds that the exchange of personnel is to be interminably delayed by new pretexts it cannot continue to maintain enemy personnel indefinitely at White Sulphur Springs which was taken over on the understanding that its use by

⁵² Telegrams No. 156, March 11, 2 p. m., and No. 159, March 11, 5 p. m., from the Chargé in Bolivia, not printed.

this Government would be for a limited time. It will be necessary to seek other quarters for the personnel now detained at that resort and comparable quarters will not be available during the spring and summer seasons.

Similar message sent to Wadsworth for delivery to Italian Foreign Office.

WELLES

701.6524/12: Telegram

The Acting Secretary of State to the Chargé in Bolivia (Dawson)

WASHINGTON, March 12, 1942—5 p. m.

146. Personal for Dawson. Your 159, March 11, 5 p. m., and 156, March 11, 2 p. m.⁵³ Please see the Foreign Minister again and give him the following personal message from me:

"The attitude now displayed by the German and Italian Governments constitutes positive confirmation that those two Governments are determined to use every method at their disposal to try to prevent the departure of their diplomatic and consular officials from the American Republics. If any proof had been required that these agents were destined for subversive activities of grave danger to the security of the American Republics and to the efficacy of our cooperative hemispheric defense plan, that proof is now clearly presented.

As I have stated before, the plans have been fully worked out for the transportation of all of these German and Italian officials by way of New York to Lisbon. The Argentine Government will not permit them to enter Argentina unless a previous safe conduct has been granted by the United States and British Governments for their passage from Buenos Aires to Europe and this safe conduct has not and will not be issued. Consequently, the only way in which these persons can return to their own country is under the terms of the plan formulated by the United States Government, of which the Bolivian Government is fully advised.

Naturally the United States Government cannot continue to send ships to remove these people. The ships designated for the purpose of removing Axis officials from the Pacific ports of South America are already under way and if the German and Italian Axis officials now in Bolivia reach Arica by March 19 they will be put on board one of these vessels immediately thereafter.

It is clear that the continued presence in Bolivia of these officials would constitute a grave and continuing danger to the security of the state just as the continued presence of similar Axis officials in the United States, if prolonged, would constitute a danger to the security of this country. The threat of reprisal should not, in my opinion, outweigh the sovereign right of every one of the American Republics to take, for its own security, those measures which appear to it to be necessary and which are clearly recognized by every standard of in-

⁵³ Neither printed.

ternational law. I most earnestly hope that the Minister will agree with my own belief that the step in question is of the highest importance as being in consonance with the spirit and the letter of the resolutions adopted at the Rio de Janeiro conference.

If these officials are not sent to Arica by March 19, there is no other prospect of their removal, and their internment in Bolivia would, I am confident, be a source of danger to the security of the Bolivian state and a source of continued disquiet to the Bolivian authorities."

Telegraph me the reply made to you.

WELLES

701.6524/15 : Telegram

The Chargé in Bolivia (Dawson) to the Secretary of State

LA PAZ, March 13, 1942—3 p. m.

[Received 8 : 55 p. m.]

169. For the Acting Secretary. Your 146, March 12, 5 p. m. Foreign Minister asks me to tell you he wishes to contest policy with Peruvian and Ecuadoran Governments. His advices are that Peru is expelling Axis officials but that Ecuador has not yet reached decision. He also says he must await reply of Spanish Foreign Minister ^{53a} whose good offices he requested in endeavor to get German and Italian Governments to agree to departure via Arica.

He explains that earliest Axis officials could leave would be March 19, arriving Arica next day since necessary railroad equipment will not be available before. He "hopes" to have Axis personnel leave then. I tried to pin him down to definite promise but he would not make one.

DAWSON

701.6224/76 : Telegram

The Acting Secretary of State to the Ambassador in Spain (Weddell)

WASHINGTON, March 21, 1942.

154. Following is Legation Bern's 1115, March 19 :

"Swiss Minister, Berlin telegraphs following March 17 :

"We had today interview with Secretary State Weizsaecker and Chief Protocol. In informing them of objections raised in American communication we expressed the desire of protecting power to endeavor overcome as soon as possible remaining difficulties. Secretary State declared that German Government desires proceed as rapidly as possible to a proper exchange and that it has no intention to complicate or delay exchange agreement. Although Germany would prefer to have its diplomats return from Bolivia, Ecuador and Peru by port on east coast of South America, German Government agrees that they rejoin group in United States on express condition that every guarantee of

^{53a} Ramón Serrano Suñer.

security shall be given for their passage to United States. To that end it will be necessary indicate name vessel; its description and characteristic signs, tonnage, owners, port of origin, port of departure and of arrival as well as date of departure and of arrival, route, speed and ports of call. The ship must be illuminated at night and bear the inscription "diplomate," the German Government must receive these indications 15 days before departure of vessel. German Government will take the necessary steps to obtain guarantee of safe conduct on part of Japanese forces. On the other hand it requests assurance in particular from English authorities that vessel will not be stopped and that the German passengers and their baggage will not be subjected to control or search. Definitive statement on subject of proposal for chartering of *Drottningholm* has not been given to us as yet as examination by naval authorities not yet completed. Chartering of larger vessel, for example, the *Kungsholm* or of a second vessel would be appreciated, it appearing the *Drottningholm* is too small to transport all the official group on a single journey. German Government is of opinion that double voyage should be avoided if possible. Inform American Legation and press to obtain reply as soon as possible.'"⁵⁴

Department has replied as follows: ^{54a}

"Please request Swiss Government to inform German Government that United States Government is providing every possible guarantee of security for the safe passage to the United States of the German officials in Bolivia, Ecuador and Peru, for the few remaining German officials in Colombia, and for those persons who will be accompanying them.

Two vessels will be used for the movement to the United States, namely:

(1) S. S. *Acadia*, passenger vessel; navigating bridge forward of foremast; high superstructure from bridge to cruiser stern; two masts; one funnel amid ships; 387 feet long; gross tonnage 6,185; net tonnage 3,020; owned by Eastern Steamship Company; chartered by United States Government, built 1932. Port of departure Balboa about April 5. Port of arrival Arica, April 10. Leaves Arica April 11, arrives Callao April 13 and leaves April 14; arrives and leaves Guayaquil April 16; arrives and leaves Buenaventura April 18; arrives Balboa April 19; leaves Cristobal April 20; arrives New Orleans April 24. Will proceed by normal route along west coast South America to Panama Canal thence to New Orleans. Speed 18 knots. 'Diplomate' in white paint amidships on port and starboard. Will fly pennant for 'diplomate' in daylight and illuminated at night. Will run at night fully lighted.

(2) S. S. *Etolin*, passenger vessel; flush deck; three masts; 1 funnel aft; amidship superstructure; deck house and bridge between foremast and mainmast; gross tonnage 9,728; net tonnage 6,173; length 480 feet; owners Alaska Packers Association; chartered by United States Government; built 1913. Port of arrival Callao, Peru; leaves Callao April 5; arrives and leaves Guayaquil April 7; arrives and leaves Buenaventura April 9; arrives Balboa April 11; leaves Balboa April 12; arrives San Francisco April 23. Will follow normal route along west coast of South America to Balboa; thence to San Francisco. Speed 15 knots. Word 'diplomate' painted white amidships port and starboard. Will fly pennant for 'diplomate' which will be illuminated at night. Will run fully lighted at night.

⁵⁴ Translation of this sentence revised as requested by the Swiss Federal Political Department in note to the American Embassy dated December 31, 1958 (023.1/1-859).

^{54a} Telegram No. 753, March 21, 1942.

The United States Government will obtain from the British Government assurance that the two vessels in question will not be stopped en route and that the persons on board and their baggage will not be subjected to control or search. The German Government will be promptly informed through Swiss channels of the receipt of these assurances which have already been promised.

Upon arrival in the United States the passengers from Peru, Bolivia and Ecuador with their effects will be immediately transported to the eastern part of this country for embarkation on the exchange vessel proceeding to Lisbon.

United States Government believes that the plan set forth above meets all the points of the German communication of March 17 and expects that the German Government for its part will promptly apprise its officials in Peru, Ecuador and Bolivia in order that they may lose no time in preparing for the voyage.

Please ask Swiss Government to advise identically Italy, Japan, Hungary, Rumania and Bulgaria and advise time of delivery of notice."

Please convey foregoing to Spanish Foreign Office stating that the texts of these messages have likewise been communicated to the Spanish Embassy at Washington.

WELLES

701.6524/26

The Chargé in Bolivia (Dawson) to the Secretary of State

No. 1888

LA PAZ, March 23, 1942.

[Received March 28.]

SIR: I have the honor to refer to the penultimate paragraph of my telegram No. 190 of March 20, 12 noon [11 a. m.],⁵⁵ and previous correspondence concerning the request by the Bolivian Minister of Foreign Affairs direct of the Spanish Minister of Foreign Affairs on March 11, 1942, that the latter exercise his good offices with the German and Italian Governments in an endeavor to obtain their consent to the exchange of their official personnel in Bolivia via the United States. It will be recalled that the Spanish Foreign Minister had not replied through March 20 and that the Bolivian Minister of Foreign Affairs had instructed the new Bolivian Minister to Spain not to present his credentials but, because of this lack of courtesy, to take up residence in Portugal pending developments.

The Bolivian Foreign Minister informed me this afternoon that he had today received a reply from the Spanish Foreign Minister stating that he agreed with him that exchange via the United States presented the best solution to the problem and that he had exercised his good

⁵⁵ Not printed.

offices with the German and Italian Governments as requested.⁵⁶ The Spanish Foreign Minister explained that he had delayed his reply in the hope of having something definite to report but did not wish to delay any longer. In the same communication, the Spanish Foreign Minister agreed to take over the representation of Bolivian interests in occupied France.

The Bolivian Foreign Minister informed me that his Spanish colleague's reply cleared up the whole misunderstanding which had arisen and that he was now instructing the Bolivian Minister-designate to Spain to present his credentials as soon as possible.

Respectfully yours,

ALLAN DAWSON

701.6211/1635 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, March 26, 1942.

[Received March 27—7:30 a. m.]

1236. American interests—Germany. Exchange personnel, Legation's 1115, March 19.⁵⁷ Swiss Foreign Office note March 25 communicates following *note verbale* dated March 21 addressed by German Foreign Office to Swiss Minister, Berlin.

"The Foreign Office has the honor to inform the Swiss Legation, Division of Foreign Interests, as follows in answer to the latter's *notes verbales* dated February 20, No. 263, February 25, No. 294, February 27, No. USA 04 H10NR of March 6 without number and March 6, No. 370 regarding the extensions and changes of the proposal of the Government of the United States for carrying out the exchange of the diplomats, consuls and other persons of both countries:

1. In order to expedite the exchange of the German diplomatic groups in those countries of the American continent which have declared war on Germany or have broken off diplomatic relations with the corresponding groups of those countries in German territory, the German Government agrees that the German groups from Bolivia, Peru and Ecuador should be brought to North America and join the exchange group at White Sulphur Springs for transportation together to Lisbon. The German Government, however, agrees to the journey home of the German groups of the above mentioned three countries via North America upon condition that at least 14 days before the departure of the ship selected for the transportation of these groups to North America, the following details about the ship

⁵⁶ In a note from the Swiss Minister in charge of Italian interests, dated March 27, 1942, the Department was informed that the Italian Government in agreement with the German Government accepted the repatriation via United States of the Italian diplomatic missions in Peru, Bolivia, and Ecuador (701.6523/24).

⁵⁷ See telegram No. 154, March 21, to the Ambassador in Spain, p. 336.

and the route it will travel are to be transmitted: (a) name of the ship, (b) nationality of the ship, (c) owners, (d) home port, (e) characteristics of the ship (exact description), (f) speed of the ship, (g) route of the ship, (h) exact details of times of arrival and departure of the ship at the ports to be touched.

On the sides of the ship and on the upper deck the flag of the country of registry as well as the name of the ship and the word 'diplomat' are to be visibly painted. The ship during the night is to travel fully lighted whereby the national flag painted on the sides and the upper deck as well as the name should be sufficiently and clearly illuminated.

The German Government after being informed of the above mentioned details will inform its allies accordingly in order that they in turn may ensure the unmolested passage of the ship to the United States.

Likewise the German Government after the receipt of these details will give the necessary instructions for departure to the German missions in Bolivia, Peru and Ecuador.

2. The German Government notes that in the exchange ship proceeding from the United States to Lisbon the German groups from United States, Mexico, Honduras, Guatemala, Nicaragua, El Salvador, Costa Rica, Panama, Cuba, Haiti, Dominican Republic, Colombia, Venezuela, Ecuador, Peru, Bolivia, Surinam will be included and are to be sent to Lisbon for carrying out the exchange.

The German Government expresses the expectation that as soon as possible an official list of the members of the above mentioned groups will be supplied to it.

The Foreign Office in turn will make every effort to give the Swiss Legation as soon as possible a complete official list of the persons entering into consideration for the exchange.

3. The German Government has instructed the German missions in Paraguay and Uruguay to proceed as soon as possible to Rio de Janeiro in order to start the journey home with the German group from Brazil on the ship which the Brazilian Government expects to charter. The German group in Brazil has been instructed to wait until the complete arrival of the above mentioned groups.

4. The German Government is ready to permit as has already been stated in the *note verbale* of February 26 protocol A2798 on the basis of reciprocity the members of all American exchange groups in addition to the baggage which they have already brought with them to their present stopping place, also to take with them their entire household effects with the exception of furniture. The Foreign Office would appreciate receiving information from the Government of the United States as well as from the other American Governments entering into consideration whether reciprocity is accorded.

5. The German Government in principle agrees to the chartering of the Swedish ship *Drottningholm* for the transportation of the German groups from the United States to Lisbon. It should be pointed out in this connection, however, that the ship *Drottningholm* for the transportation of so large a group of persons is in no way adequate. The German Government would like to carry out the exchange as soon as possible and is anxious that the German exchange groups proceed on a single voyage from the United States of America to Lisbon. As the inclusion of all German as well as other exchange groups will not be

possible on the steamer *Drottningholm* the German Government suggests that a second ship for the journey from North America be chartered so that the two ships can cross the Atlantic at the same time.

Regarding the necessary technical details for the preparation of the *Drottningholm* for the journey from Göteborg to the United States the Foreign Office will communicate with the Swedish Legation separately.

6. The German Government considers the exchange from and with all countries of the American continents as before as one operation even if it is carried out in two sections via North America and Brazil for the success of which all the countries at war carry the responsibility. The Foreign Office therefore requests that the assurance of a free passage for the ships crossing the Atlantic from North America and also from Brazil includes the freedom from being held up and searched by all countries at war. The German Armed Forces will be instructed accordingly that the ships are to be allowed to pass on their journeys unmolested. This will be done in addition to the condition that the ships are unarmed and do not travel in convoy under the conditions already in part stated and now given in detail as follows:

(a) information about the name (including the former names if any), appearance, size, tonnage, home port, owners, speed of the ships, times of departure and arrival in the different ports, as well as the route of the ships, must be communicated to the German Government at least 10 days before the start of the journey,

(b) the ships must have painted clearly visible on both sides the name of the ship as well as the name of the country of registry and a picture of the flag. Similarly the fore and aft deck must be painted with a picture of the flag. Finally the word 'diplomat' must be painted on both sides of the ship,

(c) the ships must travel at night fully lighted and especially the signs specified under (b) must be clearly and sufficiently lighted by night,

(d) the ships must not touch the zone of operations around the British Isles and Ireland [*Iceland?*] declared by Germany.

7. The Foreign Office on the basis of its *notes verbales* of January 12, Prot A 24945/41 and of February 26, Prot A 2798/42, as well as the present note, and in view of the changes and extensions made by this note in regard to the carrying out of the complete exchange of the German groups from the countries of the American continent, and the corresponding groups of these countries in German territory, requests the Swiss Legation to ascertain and report whether a definite agreement now exists."

In forwarding copy note Minister reports as follows to Swiss Foreign Office:

"Following my explanations, German Government declared it is ready to permit transportation to United States official, German groups in Bolivia, Peru and Ecuador, under certain conditions.

I would be obliged if you for your part would intervene with American Government to obtain urgently necessary details assure safety of vessel.

I take the occasion to repeat what I have already said by telephone that it is very desirable South America Republics abstain from intervening separately in this matter as did Peruvian Government (see Legation's 1174, March 23, and Department's reply 760, same date).⁵⁸

Regarding other points of the note I call attention to fact that agreement not yet reached regarding persons to be included in group for repatriation. In its note February 26 (see Legation's 891, March 5) German Foreign Office proposed under numbered paragraph 3 that not only diplomatic and consular personnel and other officials, as well as their families, employees, and household servants, but also accredited press representatives, including radio announcers, press photographers, representatives of film companies, and members Chambers Commerce and their families should be included in exchange. Although press representatives, radio announcers, and press photographers were already included in proposal transmitted by me December 22, (presumably Department's 338, December 19) American Government has not yet made statement on subject inclusion representatives film companies and members Chambers Commerce. In its note of March 21, Foreign Office asked if definite agreement exists (see numbered paragraph 7).

On other hand, I am of opinion that question of non-official persons not yet sufficiently clarified. In its note of February 26 (see Legation's 891, March 5) German Government expressed hope that German nationals without official character arriving in United States coming from various republics of Central America, Venezuela and Colombia, as well as their families, should be included in groups for repatriation.

In principle Department of State seems to be in agreement (reference here made to communications contained Department's 485, February 19,⁵⁹ and 542, February 25^{59a}), nevertheless this agreement in principle not yet reached point where non-official persons to be exchanged can be designated.

Finally, question baggage not yet settled. In its note 1 A 242, January 18 (see Department's 111, January 15⁶⁰) American Legation, Bern, requested transmission communication on this subject to German authorities. Communication made to German Foreign Office by note February 12, German proposition on this subject contained in note German Foreign Office February 26 (see Legation's 891, March 5) and goes further than American proposal as it provides under condition of reciprocity authorization for all members of group to be repatriated without reservation as to available space on ship, to take their household effects aside from effects which they already have with them at their present residence, with sole exception of furniture. By your telegram of March 5 (see Department's 588, March 3) you advised that members of groups from Bolivia, Peru, and Ecuador to be repatriated via United States, can only take their personal effects.

It is advisable invite attention American Legation to these various points on which agreement still necessary in order avoid new difficulties at last moment."

HARRISON

⁵⁸ Neither printed.

⁵⁹ See footnote 24, p. 312.

^{59a} See footnote 27, p. 315.

⁶⁰ Not printed.

701.0010/63h

The Department of State to the British Embassy

MEMORANDUM

The Department of State acknowledges the receipt of the British Embassy's *aide-mémoire* of March 9, 1942 regarding the exchange of diplomatic, consular and other personnel between the American Republics and the Axis Powers in Europe.

The United States Government is pleased to note that the British Government will be glad to facilitate by the issuance of navicerts any arrangements made by or with the approval of the United States for the exchange of diplomatic, consular, and other official personnel of the American Republics and the Axis Powers in Europe.

With respect to the repatriation of non-official Axis nationals susceptible of internment in the United States, this Government shares the opinion of the British Government that a careful examination should be made in the case of individuals possessing special abilities which could manifestly be used in furthering the enemy's war effort. Regarding all other Axis non-officials susceptible of internment in the United States, this Government believes that reciprocal repatriation would be preferable to internment.

The United States Government has noted with appreciation that the British Government is fully aware of the other factors which must be considered in connection with the repatriation of Axis non-officials from the other American Republics. Of particular importance in this regard are the wishes of the other American Republics and the potentialities for danger inherent in the continued freedom in those Republics of unscrupulous Axis agents. In order to meet this situation, the United States Government placed its facilities at the disposal of all American Republics which desired to rid themselves of Axis nationals. In a number of instances the Government of the United States felt that it was preferable to undertake obligations to repatriate the Axis personnel in question rather than to leave them at liberty in their chosen fields of activity in the Western Hemisphere, and it is the considered opinion of this Government that it could not divest itself of those obligations to certain other American Republics without seriously damaging the cause of the United Nations.

The Governments of Brazil and Uruguay expressed the desire to conduct their own exchanges of personnel with the Axis Powers in Europe. The Government of the United States, respectful of the sovereign rights of the Brazilian and Uruguayan Governments, and mindful of the friendly disposition of these non-belligerent Governments toward the common cause, has assured the Governments of Brazil and Uruguay that it will grant safe-conducts for their exchange vessels, thus leaving to those Governments that complete freedom of

action which they desire in determining the persons to be placed aboard their vessels and in prescribing the regulations to be enforced regarding the search of baggage, financial matters, and other such details.

It is earnestly hoped that the British Government will concur in the considered judgment of the United States Government that the contribution which a few German or Italian individuals might make to the enemy's war effort is less important than the possible repercussion from interference with the desires of the American Republics to rid themselves of dangerous Axis nationals and to conduct their own exchange arrangements without hindrance from any of the United Nations to whose common cause these Republics are either allied or outspokenly friendly.

WASHINGTON, March 27, 1942.

701.6210/86a : Telegram

*The Acting Secretary of State to the Minister in Switzerland
(Harrison)*

WASHINGTON, March 28, 1942.

816. Your 1236, March 26 and your 920, March 6.⁶¹

1. United States Government notes that the German Government agrees that the German groups from Bolivia, Peru and Ecuador shall be repatriated through the United States subject to certain conditions which have already been complied with in that German Government has already been notified through Swiss and Spanish channels regarding the vessels which will bring the Germans from Bolivia, Peru and Ecuador to the United States and has been assured that the vessels will be identified in the manner specified by the German Government in its previous communication received through Swiss channels (your 1115, March 19^{61a}). As the present communication of the German Government additionally specifies that the national flag shall be painted on the sides and top deck of the vessels, prompt steps will be taken to have this additional identification placed upon the vessels. United States Government therefore assumes that these German groups will be promptly directed to embark.

2. An official list of the members of the German official groups to be repatriated through or from this country has been furnished to the Swiss Legation at Washington. This list comprised officials and persons whom this Government has agreed to treat as officials. Additional lists of persons official or non-official to be embarked upon the exchange vessel will be furnished to the Swiss Legation.

⁶¹ Latter not printed.

^{61a} See telegram No. 154, March 21, 1942, to the Ambassador in Spain, p. 336.

3. United States Government notes German statement regarding repatriation of former German officials in Brazil, Paraguay and Uruguay. United States Government has already informed Portuguese Government that upon receipt of the requisite data the necessary safe conduct will be provided for the voyage of vessels carrying these persons.

4. United States Government now agrees on basis of reciprocity that German officials being repatriated from or through the United States may take with them their household effects, except furniture, so far as those effects are packed or are entrusted to responsible warehousing or storage firms capable of preparing them for shipment and are ready in due time for lading on the exchange vessel. United States Government has previously stated and now reasserts its willingness on basis of reciprocity that additional household effects may be shipped by existing commercial means after the departure of the exchange vessel. The Governments of Bolivia, Peru and Ecuador will now be informed that this additional category of effects may be placed on board the vessels bringing German groups to the United States. The same facilities will be extended to the German officials from other American Republics who are already in this country.

5. With respect to the expressed wish of the German Government that the German groups to be exchanged shall travel on a single voyage and its suggestion that as the *Drottningholm* is not large enough for this purpose another vessel be chartered, United States Government recognizing that the number of persons whom it has undertaken to repatriate via Lisbon is greater than the passenger capacity of any vessel, has already arranged for this vessel to make two successive trips to Lisbon. In order that second trip of *Drottningholm* will not delay arrangements for exchange of Japanese and American officials and non-officials, United States Government is negotiating for charter of a second vessel for that purpose. It is noted that German Government will communicate separately with Swedish Government regarding technical arrangements for voyage of *Drottningholm* to United States.

With two trips of the *Drottningholm* it will be possible to repatriate non-official nationals in excess of the number originally contemplated in Department's 542, February 25.⁶² It is intention of United States Government, after accommodating on exchange vessel all European Axis officials and their dependents as well as all non-official European Axis nationals and their dependents from the other American Republics for repatriation whether already here or hereafter received prior to the departure of the exchange vessel on either of its trips to Lisbon, to include for repatriation, on a basis of reciprocity, all non-

⁶² See footnote 27, p. 315.

official European Axis nationals in the United States desiring to leave, including specific occupational categories mentioned by German Government (your 891, March 5) whether interned or not interned, to the full capacity of the vessel on each trip, except for any individuals whose return may be considered prejudicial to the national interest. Should the vessel be unable to carry all such non-official nationals, this Government on a basis of reciprocity will permit the remainder to be repatriated by neutral commercial vessels as suggested by German Government or by such other means as may be determined.

On the first voyage of the *Drottningholm* it is anticipated that all Axis career officials and their dependents to the extent that suitable accommodations are available will be accommodated and that the vessel will then be filled to capacity with European Axis non-officials received from other American Republics; on the second voyage there will be accommodated the remaining European Axis officials and their dependents together with as many as possible of the Axis non-officials to be repatriated to the full capacity of the vessel.

The consideration for this Government's agreement to repatriate such non-official European nationals on so broad a scale is, of course, agreement on the part of the Axis Governments concerned to permit all bona fide United States citizens, and citizens of the other American Republics, whether interned or not interned, who desire to return to United States to leave Axis or Axis-controlled territory in time to board the exchange vessel on its return voyages from Lisbon. Others of the Axis Governments concerned have already indicated their agreement, and it is hoped that German Government will likewise communicate its agreement at the earliest possible date, providing promptly through Swiss channels list of those German non-official nationals in United States in whose expressed desire to return to Germany the German Government concurs. All German citizens in United States are free to communicate with Swiss Legation at Washington and vice versa. Those to be repatriated will be provided with means of transportation to port of embarkation and necessary exit permits.

Swiss Government has been asked to prepare list of United States citizens desiring to return home from Germany and German-occupied territory. This list will be communicated to the German Government as soon as received to extent United States Government concurs in the repatriation of those listed. It is expected that all United States citizens in German-controlled areas will be given all facilities necessary to communicate with Swiss representatives and that all those expressing a desire to leave will be provided with means of transportation to Portugal and with all necessary exit permits in time to

obtain necessary visas and reach Portugal in order that no space may be wasted on the exchange vessel on its return voyages.

With respect to the German Government's suggestion that in the future general internment of German and American citizens shall not be undertaken by the respective governments and that should it develop in future that the presence in territory of one of the countries of a citizen of the other country appears prejudicial to the national safety, the protecting power could act as intermediary in arranging the return travel of such citizen to his home country, it is suggested that by such an inclusive exchange as that proposed herein the number of nationals thereafter susceptible of internment would be so greatly reduced as to constitute no problem. However, in so far as any citizen of either country remaining on the soil of the other subsequent to such general exchange may appear at any time prejudicial to the safety of the country of his temporary residence, negotiations could as suggested by German Government, be undertaken through the protecting power for the deportation and repatriation of such persons.

In addition to accepting German Government's proposal that persons susceptible of military service be required through a formal declaration to obligate themselves not to bear arms throughout the war, this Government proposes that all nationals repatriated under any phase of this arrangement shall be considered obligated not to return to the hemisphere from which they are being repatriated under penalty, if apprehended, of internment for the duration of the war, exception being made, of course, for any officials who may so return under safe conduct.

6. United States Government notes that German Government considers the exchange of officials with all the countries of Western Hemisphere to constitute one operation even though effected in two sections. It is further noted that the German Government requests assurance that all vessels engaged in this movement will be free of molestation and search by all countries at war. United States Government, which considers the assurances referred to by German Government essential to the conclusion of the exchange, is prepared to give and to seek from the powers friendly to it such assurances and expects to receive similar assurances from German Government and the powers friendly to Germany. In this connection reference is made to paragraph 11 of Department's telegram no. 338 of December 19, in which provision is made for deposit with Swiss Government of assurances of safe conduct for these vessels.

It is understood, as provided in the original proposal of the United States Government, that the exchange vessel will be unarmed and will not travel in convoy; that it will be marked in accordance with the suggestions made by the German Government; and that it will

not enter into the waters which the German Government considers dangerous.

7. The inquiry of the German Government whether an agreement exists is noted. As Swiss Minister at Berlin pointed out to Swiss Foreign Office in forwarding the German communication of March 21, the latest German communication (your no. 1236, March 26) does not touch on the several points which have heretofore been raised in connection with the exchange.

United States Government believes that, with the concession on basis of reciprocity of extra facilities regarding effects to be transported, (see paragraph 4 above) a complete agreement exists with the German Government regarding the exchange of officials. It is hoped that the clarification regarding non-official persons to be exchanged, which the Swiss Minister considers desirable, has been attained by the statement of this Government under (5) above. It is hoped that an early agreement may be reached respecting the inclusion of non-official nationals on the broader basis indicated in order that, without delaying the official exchange, all United States citizens and nationals of other American Republics in territory under German control who desire to return may be able to embark upon the exchange vessel to its full capacity on its return trips from Lisbon.

8. Reference is made to the second part of paragraph 3 of the German communication of February 26 to the Swiss Legation at Bern (your no. 891, March 5) regarding the immediate dependents of officials of both Governments not assigned to the countries from which repatriation is being effected. This statement constitutes agreement to suggestion previously made by United States Government regarding the dependents of American officials not accredited to Germany and German officials not accredited to United States. It is noted, however, that Swiss Legation at Washington construes this agreement to refer to any persons closely related to any former German officials living or dead. Swiss Legation promised to provide Department of State with list of such persons, but this list has not yet been received. Upon receipt, list will be examined to determine whether the persons named come within the scope of the agreement which this Government desires to make with the German Government.

9. Swiss Minister at Berlin should explain to German Foreign Office that transfer of German nationals to White Sulphur is not prerequisite to embarkation of such persons upon official exchange vessel, since steps will be taken to place on that vessel any German nationals designated for embarkation regardless of the place where they may be situated. Quarters at White Sulphur are limited and cannot possibly be expanded to accommodate all the persons to travel on the two trips of the exchange vessel.

10. Government of United States desires to know whether German Government accepts and is willing to proceed to give effect to the comprehensive exchange arrangements proposed herein. In view of the time element, it would be appreciated if Swiss Foreign Office would present foregoing to German Foreign Office in shortest possible time and request promptest possible reply.

WELLES

701.6511/1364a : Telegram

*The Acting Secretary of State to the Minister in Switzerland
(Harrison)*

WASHINGTON, March 30, 1942.

821. Request Foreign Office inform appropriate Governments that within next few days Italian, Hungarian and Bulgarian official groups will be moved to Grove Park Inn, Asheville, North Carolina, and Japanese official group to Greenbrier Hotel, White Sulphur Springs, West Virginia and that new accommodations will be equal to those presently enjoyed by personnel concerned.

WELLES

701.6211/1642 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, March 31, 1942—9 p. m.

[Received 9:51 p. m.]

1288. American interests—Germany. Department's 145, January 19, and 355, February 6, and Legation's 699, February 21.⁶³ Swiss Foreign Office note March 27, states contents of Department's 145, communicated to the German Government January 31, and transmits copy of German Foreign Office *note verbale* of March 20 in reply as follows:

"Portuguese Government has been requested assume guarantee that all German exchange groups from America be exchanged on Portuguese territory against exchange groups of corresponding countries of American continent arriving from German territory.

In view of exceptional difficulties in arranging a simultaneous disembarkation German diplomats at Lisbon and entrance into Portuguese territory of trains with American groups German Government has declared itself in agreement that American groups may cross Portuguese border as soon as trains reach frontier. Arrival of ship would then be awaited in Lisbon or in another place to be

⁶³ Telegrams No. 355 and No. 699 not printed.

agreed upon. Portuguese Government has been asked to assume guarantee requested of it that no member of American groups leave Portugal before all German groups have disembarked."

HARRISON

701.6211/1635 : Telegram

The Acting Secretary of State to the Ambassador in Panama (Wilson)

WASHINGTON, April 1, 1942.

204. For Spruks⁶⁴ from Green. Department has now concurred in German suggestion that national flag shall be painted on sides and top deck of vessel in addition to other markings previously specified.

It has also been agreed on basis reciprocity that German officials being repatriated may take with them household effects except furniture so far as those effects are packed or entrusted to responsible warehousing or storage firms capable of preparing them for shipment and are ready in time for lading aboard. Some of these effects may be shipped on *Etolin* if they are ready. [Green.]

WELLES

125.0040/178a : Telegram

The Acting Secretary of State to the Minister in Portugal (Fish)

WASHINGTON, April 6, 1942—6 p. m.

376. With reference to Department's telegram today regarding exchange at Lourenço Marques⁶⁵ please take any corresponding measures which may seem advisable to you regarding forthcoming exchange at Lisbon informing Department of such action and giving Department benefit of such suggestions in the matter as may occur to you from time to time.

WELLES

701.6510/69 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, April 7, 1942.

[Received April 7—2:38 p. m.]

1388. American interests—Italy. Exchange personnel. Department's 671 and 672, March 13;⁶⁶ Swiss Foreign Office forwards *note*

⁶⁴ H. Charles Spruks, ceremonial officer in the Division of Protocol; on special mission in South America for repatriation of Axis diplomatic missions.

⁶⁵ See telegram No. 375, April 6, 5 p. m., to the Minister in Portugal, p. 410.

⁶⁶ Neither printed.

verbale of April 2 from Italian Foreign Office as follows (translation from Italian) :

"Following our *note verbale* No. 4/01995/33 of March 6 regarding the communications made by the Department of State to Mr. Wadsworth the 2 and 13 of March⁶⁷ the Royal Ministry of Foreign Affairs requests the Swiss Legation to communicate to the Government of the United States the following :

"The Royal Government agrees with the proposal advanced by the American Government to put 250 berths at the disposition of Italian non-diplomatic citizens on board the steamer which will repatriate the Italian diplomatic personnel.

The Royal Government has made dispositions to facilitate the repatriation of all North American citizens who desire to leave Italy or Italian occupied territory.

The Royal Government will also bear the travel expenses from said territories and those incurred from Rome to Lisbon for all North American citizens.

The Royal Government is further disposed to allow to depart with the group of American citizens Father Woolf in exchange for the liberation and subsequent repatriation of Italian citizens, who are under arrest or detained and included in the list of Prince Colonna, and also the Italian citizens coming from other countries of the American continent and who are under arrest or detained before the departure of the diplomatic ship should they be requested by Prince Colonna to be included in the list of repatriates.

As proposed by Prince Colonna to the Department of State and in view of obtaining similar treatment for Italian citizens the Royal Government is disposed to bear the cost of transportation to Lisbon of the personal effects except household furniture and automobiles of diplomats and American citizens who are to be repatriated, in a quantity of four pieces per person (trunks or boxes) which quantity can be increased according to the possibilities of railway transportation. Prince Colonna has been invited to present to the Department of State a definite list of 250 Italian citizens already residing in the United States and in the countries of Central and South America except Uruguay, Paraguay and Brazil who will leave on the diplomatic boat.

The Royal Government expects that the American Government will facilitate the grouping in the United States of all the citizens residing in Central and South America included in the list of Prince Colonna.

The journalist Denny who is at present at Poppi, (Arezzo) will be allowed to depart freely with other American journalists.

As was proposed at the time to the German Government the Royal Government is in accord that the diplomatic personnel and Italian citizens in Peru, Bolivia and Ecuador join the group of Prince Colonna to be repatriated with it.

To this end instructions have been given to the Italian representatives in the above-mentioned countries to use the ships *Acadia* and *Etolin*.

The Royal Government is completely in accord with the chartering of the Swedish steamer *Drottningholm* for the transport of the Italian diplomatic representatives and their compatriots from the United States to Lisbon.

As already proposed to the German Government the Royal Government is in accord that the diplomatic personnel and Italian citizens in Peru, Bolivia and Ecuador join the group of Prince Colonna to be repatriated with it.

To this end instructions have been given to all Italian representatives; however it is to be noted that the number of repatriates from the Axis and the associated countries will be around 1500 persons, in greater number women and children.

In case the steamer *Drottningholm* does not have sufficient capacity for the entire transport of the above persons the Royal Government asks the American Government if it will charter a second ship so that the departure of the diplomats and the Italian citizens can be effected simultaneously.

The Royal Government would like to avoid the repatriation of the diplomats and nationals in two successive trips and therefore wishes to insist that another ship be chartered with the *Drottningholm*. The Royal Government has given instructions to its own naval forces that the voyage of the ship *Drottningholm* from Göteborg to New York should take place undisturbed and it awaits being informed

⁶⁷ Telegrams No. 63 and No. 73 ; neither printed.

at least 14 days before the departure of the *Drottningholm* from a North American Atlantic port for Lisbon of the precise route of this steamer.

The Royal Government agrees that its own diplomatic representatives and citizens in Paraguay and Uruguay are to be gathered in Rio de Janeiro to be transported from that city to Lisbon on board Brazilian ships.'"

HARRISON

840.51 Frozen Credits/5938

The Department of State to the Swiss Legation

MEMORANDUM

The Department of State refers to the memorandum dated February 11, 1942 from the Swiss Legation in charge of Italian interests in the United States⁶⁸ regarding the amount of money which the United States Government will permit the members of the former Italian mission in this country to take with them on the exchange vessel.

The United States Government is willing for each adult member of the Italian group being repatriated from the United States to take aboard the exchange vessel a sum in cash not to exceed \$300.

Members of the Italian groups being repatriated from the other American Republics via the United States will be permitted to take with them on the exchange vessel the amounts of money which they were allowed to bring with them from the other American Republics.

WASHINGTON, April 7, 1942.

740.00115A European War 1939/111a: Telegram

The Acting Secretary of State to the Minister in Switzerland
(Harrison)⁶⁹

WASHINGTON, April 7, 1942.

880. As it now appears that it may be possible to accommodate on the exchange vessel from Lisbon to New York, particularly on its first return voyage, some American nationals from other than Axis territory in Europe, telegraph as soon as possible estimate of number Americans in Switzerland who may wish to use this means of return to United States if available. Indicate also probable length advance notice required in order to inform them in time for them to complete necessary formalities and reach Lisbon.

Following information is to assist you in answering inquiries:

1. Fares from Lisbon to New York: \$300 for adults; half fare for children 1 to 10 years; \$22 for infants; \$28 for pets; \$5 per cage

⁶⁸ Not printed.

⁶⁹ Similar telegram sent on May 14, 1942, to the Minister in Switzerland (No. 1246) for transmission to Swiss representatives in the Far East for communication to American citizens who were to be repatriated on the exchange vessel from Lourenço Marques.

for birds. Free baggage space for non-official passengers—26 cubic feet for adults, proportionate for children. Excess baggage chargeable at 85 cents per cubic foot.

2. Fares must be paid in dollars to American Export Lines, New York. Department will be pleased to receive through Swiss channels for persons in enemy territory and through diplomatic missions elsewhere requests from intending passengers that funds for their passage be deposited with Export Lines and to transmit such messages to persons or firms in this country. Respecting payment of passage for persons unable to arrange from Europe for payment in advance, see 4 below.

3. Bona fide American citizens may be accompanied by the following so far as local authorities are agreeable: (a) alien spouses; (b) alien children; (c) alien parents where presence of parent is essential for welfare of child; (d) medical attendant or nurse where presence of such employee is certified by responsible medical authority as essential to health of traveler, consideration being given to presence of qualified medical officers on vessel. So far as feasible cases of aliens should be telegraphed Department in advance for decision regarding their documentation at Lisbon for entry into the United States.

4. Non-official American nationals desiring to take passage on the exchange vessel who are unable from their own resources to finance their return, and who are unable to arrange to have relatives, friends or employers in the United States finance their return, may be granted loans against their promissory notes in accordance with the provisions of diplomatic serial 3382 of August 12, 1941,⁷⁰ provided that applications for loans of those not in possession of the documentary evidence of citizenship mentioned in paragraph 10 of Diplomatic Serial no. 3451 of February 17, 1942,⁷¹ should, as concerns such nationals in enemy territory, be referred for decision to the American Legation at Bern in the same manner provided in paragraph 11 of Diplomatic Serial 3451 for other types of financial assistance, and as concerns nationals in other countries to the American Mission in each country. Loans advanced under this authorization should be sufficient only to meet incidental expenses in reaching Lisbon where, if other funds have not been provided for them, such persons will be asked to sign additional promissory notes for their ocean passage.

5. Requests for allotment of funds for this purpose elsewhere than in Axis territory will be given prompt attention. Repatriation loans by Swiss representatives for expenses to Lisbon will be considered

⁷⁰ *Foreign Relations*, 1941, vol. I, p. 413.

⁷¹ See Department's instruction No. 1202, February 14, to the Chargé in Switzerland, p. 262, and footnote 23.

as final payments of financial assistance under Diplomatic Serial 3451 and should be accounted for accordingly without special allotment.

6. Swiss representatives should be informed for communication to American nationals within their respective jurisdiction that Department is disposed to terminate financial assistance to those American citizens physically able to make the journey who fail to return to this country when given this final opportunity for repatriation.

Repeat *mutatis mutandis* to Vichy, Madrid and Lisbon, and all but introductory paragraph to Swiss Government for information and guidance of its representatives at Berlin, Rome, Budapest, Bucharest, Sofia, Copenhagen, Oslo and elsewhere in Axis territory in Europe.

WELLES

701.0010/69a : Telegram

The Acting Secretary of State to the Chargé in the United Kingdom
(Matthews)

WASHINGTON, April 8, 1942.

1460. Department's 938, March 4.⁷² Information contained in the following telegram sent to Bern should be transmitted to the British Government which should be requested to grant safe conducts for the voyages of the *Drottningholm* from New York to Lisbon and return to New York:

"Please request Swiss Government to have its Minister at Berlin inform the German Government, in connection with exchange of official personnel, that the following routing will be followed by the S. S. *Drottningholm* on its voyage to and from Lisbon:

To Lisbon—From Ambrose Channel Lightship course 169° true to latitude 40°10' North, longitude 73°45' West; thence course 090° true along the parallel of latitude 40°10' North to longitude 30°00' West; thence course 095° true direct to Lisbon.

From Lisbon—Course 275° true to the position latitude 40°10' North, longitude 30°00' West; thence course 270° true along latitude 40°10' North to longitude 73°45' West; thence course 349° true to Ambrose Lightship.

Please request also that a similar notification be given the Italian Government by the Swiss Minister at Rome.

In making these notifications Swiss Government should invite attention to provision of paragraph 10 of Department's 338, December 19, 1941 which places on German and Italian Governments responsibility not only for giving their assurances of safe conduct but also for obtaining identical assurances of safe conducts from the belligerent powers associated with them."

⁷² Not printed.

Inform Department as soon as assurances of safe conduct are received⁷³ in order that it may inform Swiss Government which is to be depository of all safe conducts for the voyages.

For Biddle: Please make same notification and request similar assurances regarding this vessel from Norwegian, Netherlands, Polish and Greek Governments. Reply urgently.⁷⁴

WELLES

701.6510/69 : Telegram

*The Acting Secretary of State to the Minister in Switzerland
(Harrison)*

WASHINGTON, April 11, 1942.

916. On April 3 Embassy Rome telegraphed in the sense of your 1388, April 7. Department replied as follows:⁷⁵

"Department notes that Italian Government is willing to repatriate Father Woolf in return for those Italian subjects under arrest or detention in United States and other American Republics who are included in definite list of repatriable Italians yet to be provided by Prince Colonna. Department is pleased to agree in principle with this provision and will be disposed to repatriate these persons on one of the voyages of the S. S. *Drottningholm*.

Please inform Italian Foreign Office that United States Government has no intention to attempt to place on S. S. *Drottningholm* on its first voyage all Axis officials and nationals to be repatriated as number to be repatriated now exceeds by far capacity of any single vessel. It is expected to make at least two trips of this vessel and United States Government hereby gives formal assurance that all Italian nationals whose repatriation has been assented to will be accommodated on one or another of the trips of this vessel.

It is hoped within a few days to inform Italian and associated governments of the course of *Drottningholm* from New York to Lisbon.

Regarding your last sentence Department is unaware of any lack of agreement with Prince Colonna regarding baggage of officials. United States Government has consented to shipment of all personal effects of Italian official party and to subsequent shipment by commercial means of household effects. No upper or lower limits on effects to accompany individuals has been fixed and so far as is now known there will be ample space for all trunks and handbaggage of the Italian party. With respect to non-officials those arriving from other American Republics will be permitted to take with them all the baggage which they have brought here. Italian non-officials depart-

⁷³ British note dated May 6, 1942, contained assurances of safe conduct on the understanding "that the *Drottningholm* will carry no passengers on her eastward voyages in whose repatriation His Majesty's Embassy have not concurred." (701.0010/129½)

⁷⁴ Telegram No. 29, April 11, 1942, from Biddle conveyed the Polish, Netherlands, Norwegian, and Greek assurances of safe conduct (701.0010/72).

⁷⁵ Telegram No. 104, April 7, 1942.

ing from this country will be permitted to embark personal effects to extent normally permitted on commercial vessels on New York-Lisbon run."

As mentioned in the above quoted telegram the Department is unable to accede definitely to the wishes of the Italian Government that a second vessel be used as this Government must carry on a simultaneous and extensive repatriation of Japanese nationals from this hemisphere. This Government reiterates its formal assurance that all Italian nationals whose repatriation has been assented to will be accommodated on one or another of the trips of the *Drottningholm* or any other appropriate vessel available.

WELLES

701.2162/32 : Telegram

The Chargé in Colombia (Keith) to the Secretary of State

BOGORÁ, April 13, 1942—8 p. m.
[Received 11:04 p. m.]

489. Foreign Office has been advised by the Colombian diplomatic representative at Bern that Colombian and other officials at Bad Nauheim are not permitted to receive mail because Germans claim that their officials in the United States are denied this privilege. Foreign Office would appreciate advice as to what action being taken by us with regard to communications of German officials in the United States.

KEITH

340.1115A/2548a : Telegram

*The Acting Secretary of State to the Minister in Switzerland
(Harrison)*

WASHINGTON, April 13, 1942.

923. Department's 886, April 8, 6 p. m.⁷⁶ *Drottningholm* expected to sail tomorrow, 14th, from Göteborg. Department having received no refusal to the suggestions made in its telegram under reference assumes that the German Government will have no objection to the repatriation on the *Drottningholm* of Americans stranded in Sweden and Finland, and is consequently advising Legation Stockholm that they may board the vessel for voyage to the United States. The departure of the vessel is being delayed 24 hours in order to permit their evacuation and embarkation.

⁷⁶ Not printed.

Please request that this information be urgently conveyed to the German Government as an assumption on the part of the United States that there has been no objection made by the German Government to the proposal of the United States Government and a further assumption that Americans desiring repatriation and presently in Sweden and Finland are assimilated to Americans in southern Europe whose departure on the vessel has been agreed to by the Axis powers, those persons in Sweden and Finland being unable to reach Lisbon and apply for evacuation on subsequent voyages of the *Drottningholm* from that port.

WELLES

340.1115A/2550 : Telegram

*The Acting Secretary of State to the Minister in Switzerland
(Harrison)*

WASHINGTON, April 15, 1942—4 p. m.

944. Your 1512, April 14, 10 p. m.⁷⁷ Please see second paragraph of part numbered 5 of Department's 816, March 28 which accords German Government full reciprocity and implies willingness of this Government which is hereby confirmed to permit German nationals to return to Germany on steamship *Drottningholm* when that ship sails from New York to Göteborg after completing the exchange voyages. Department cannot understand why German Government should raise such a question since it has before it the full and comprehensive reply of this Government set forth in Department's 816 to you.

WELLES

340.1115A/2553 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, APRIL 15, 1942—11 p. m.

[Received April 15—5: 52 p. m.]

1530. American interests—exchange ships. Department's 927, April 13 and 937, April 14⁷⁸ and Legation's 1512, April 14.⁷⁹ Following is the substance of telephone conversations the Swiss Foreign Office has just had with its Legation at Berlin:

⁷⁷ Not printed; it stated that the Swiss Legation in Berlin telephoned that "German Government refuses to allow Americans in Sweden and Finland to embark on *Drottningholm* until American Government reexamines its position with a view to according reciprocity by permitting German nationals to return to Germany on *Drottningholm* when that ship sails from New York for Göteborg after completing exchange voyages."

⁷⁸ Neither printed; they indicated complications in negotiations for the exchange of diplomats with Germany (340.1115A/2550a; 701.0010/76).

⁷⁹ See footnote 77, above.

"1. The German authorities deny any complications in the negotiations for the exchange of diplomats and state they are willing to grant at once safe-conduct for *Drottningholm* if the United States gives assurances which they consider lacking up to now that German nationals may be repatriated when that ship sails from New York for Göteborg after completing its exchange voyages.

2. Three lists of American citizens in Sweden and Finland to be repatriated presented by the Swiss Minister at Berlin (originating from the American Legation at Stockholm) have been approved by the German authorities but the American Legation at Stockholm continues to submit further lists to the Swiss Minister at Stockholm for communication to the German authorities. Inasmuch as all lists must be approved by not one but many German governmental departments, the submission of further ones necessarily leads to delay.

3. The German authorities are of the opinion that it is better for the moment not to bring up the question of chartering the *Gripsholm*. This may, however, be done once the *Drottningholm* has sailed for New York."

In regard to point 2, it would undoubtedly facilitate matters if the Legation at Stockholm were instructed not to accept further registrations of American citizens for repatriation on the *Drottningholm*.

HARRISON

340.1115A/2557 : Telegram

The Acting Secretary of State to the Minister in Sweden (Johnson)

WASHINGTON, April 16, 1942—8 p. m.

278. German Government states that continued submission of lists of proposed passengers for *Drottningholm* is causing delay in granting clearance for vessel. This appears confirmed by your 844, April 15, 7 p. m.⁸⁰

If within 12 hours preceding receipt of this telegram you have submitted additional names for German approval you may upon receipt of this telegram submit any other names now before you stating they comprise your final list. If you have submitted no list within last 12 hours you should inform German Government through Swiss channels that there will be no additional lists for this vessel.

It is expected to proceed after departure of *Drottningholm* with negotiations for charter of *Gripsholm* for Japanese exchange. As soon as German Government consents in principle to charter of *Gripsholm* you should notify Helsinki and you and Helsinki should take all possible steps to prepare in time passenger lists for this vessel so that these lists may be transmitted through Swiss channels to German Government for approval in time not to delay sailing of the vessel.

⁸⁰ Not printed.

It is important that you stress to persons who may have missed sailing on *Drottningholm* fact that this Government is not obligated to provide extraordinary means for their repatriation although it has been glad to place at their disposal the facilities arising from the departure of the *Drottningholm*. You may add that should similar opportunity arise the same consideration will be shown them but that this Government cannot consider itself under any binding obligation in the matter nor can it bind itself to give extensive advance notice of any future sailing (that is of the *Gripsholm*.)

Repeat to Helsinki and keep that office fully informed of developments regarding *Gripsholm* in order that appropriate measures may be taken to notify Americans in Finland as soon as it appears that there may be an opportunity to bring them home.

WELLES

701.2162/32 : Telegram

The Acting Secretary of State to the Chargé in Colombia (Keith)

WASHINGTON, April 16, 1942—9 p. m.

443. Your 489, April 13, 8 p. m. After careful consideration of all attendant circumstances, the Department, by a note dated April 9 to Swiss Legation Washington,⁸¹ charged with the representation of German interests in the United States, stated that it "does not at present contemplate any arrangement that would permit the transmission" of personal letters to persons in Germany from members of German official group awaiting repatriation.

There is of course no restriction on communications of protecting Powers.

Please so inform Colombian Government.

WELLES

840.1115A/2575 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, April 19, 1942—10 p. m.

[Received April 20—1 : 30 a. m.]

1610. American interests—exchange negotiations. *Drottningholm*. Legation's 1609, April 19.⁸¹ The Foreign Office has just received text of *note verbale* dated April 18 from German Foreign Office to Swiss Legation, Berlin, translation of which follows:

"The Foreign Office has the honor in reply to Swiss Legation's *note verbale* of April 14 to confirm that the steamer *Drottningholm*

⁸¹ Not printed.

on its journey to be made in accordance with the German-American exchange agreement will neither be held up nor searched by the German naval forces or the naval forces of its allies. This guarantee is valid for the forthcoming voyage of the *Drottningholm* from Göteborg to New York, further for the voyage between New York and Lisbon⁸³ and finally for the last return voyage from New York to Göteborg.

While the assurances given in this *note verbale* are undoubtedly intended to cover the points specified in the Department's 980, April 18,⁸⁴ and thus to afford the desired guarantees, the Legation has nevertheless deemed it expedient to request Foreign Office to ask its Legation in Berlin to secure a specific statement from the German Foreign Office that passengers on *Drottningholm* will neither be detained nor searched.

HARRISON

340.1115A/2586: Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, April 23, 1942.

[Received April 23—10: 53 a. m.]

1668. American interests—exchange negotiations, Germany. Department's 816 March 28, and Legation's 1533, April 15, section 5, paragraph 1.⁸⁵ Swiss Foreign Office states that according to letter of April 17 from Swiss Legation, Berlin, German authorities propose to require from American citizens repatriated on *Drottningholm* and capable performing military service, the promise that they will not bear arms for duration of war in conformity with section 5, paragraph 7 of Department's telegram 816. German authorities however, are disposed only to require the making of this promise from men of the classes 1900 to 1923 namely aged 18 to 45.

HARRISON

⁸³ The Minister's telegram No. 1635, April 21, noon, confirmed that this phrase was intended to cover the several round trip voyages between New York and Lisbon (340.1115A/2577).

⁸⁴ This telegram stated that "Safe-conduct for *Drottningholm* should specify it will proceed without being intercepted or stopped or any of passengers detained or searched. Department does not prescribe other terms for safe-conduct." (340.1115A/2566)

⁸⁵ Latter not printed; the paragraph under reference contained statement that the German Government considered the proposed limitation of the American Government that certain persons, for reasons of national interest, could be excluded from the exchange as unnecessary, and hoped that both sides would remove this limitation (340.1115A/2558).

701.6211/1642 : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, April 23, 1942—8 p. m.

1026. American interests—Germany. Your 1288, March 31, 9 p. m. and Department's 995, April 20, paragraph 4 (b).⁸⁶ Please notify Department immediately if it appears that German Government recedes from its intention to allow all American officials to proceed to Portuguese territory for exchange there.

Because of difficult régime at Bad Nauheim Department does not care to see its subordinate personnel any more than Morris remain there longer. It would, accordingly be disposed to give any necessary assurances regarding the continued stay of such persons in Portugal pending exchange for corresponding ranks of German officials if such assurances prove to be necessary in order that the entire official party may leave Bad Nauheim at the same time. In particular, should the question be raised, you are authorized to state that the German newspaper correspondents are being included with the career officials.

It is requested that you refrain from raising this question with the Swiss and make use of this instruction only in the event that information reaching you formally or informally through the Swiss makes it appear that your intervention is necessary.

HULL

701.0010/105 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, April 29, 1942.

[Received April 29—7:16 p. m.]

1802. American interests—Germany. Legation's 1801, 29th.⁸⁷ Following from Morris, Bad Nauheim.

"The special division of the Swiss Legation at Bern [*Berlin*] has just informed me by telephone that the Department has proposed that the exchange ship *Drottningholm* sailing from New York on the 5th May on her first voyage should take 250 German and Italian civilians and leave behind an equal number of members of the diplomatic personnel to be picked up on the second voyage. This is said to be necessary on the ground that there is not on the ship a sufficient number of first class accommodations for all the diplomatic personnel intended to be transported. The Swiss official in charge of the American interests section told me that the German Foreign Office is opposed to this

⁸⁶ Telegram No. 995 not printed; in paragraph 4 (b) there is indicated the groups of persons the United States had made arrangements to repatriate on the first and second voyages of the *Drottningholm* between Lisbon and New York (340.1115A/2565).

⁸⁷ Not printed.

proposal to include civilians on the first trip of the exchange vessel and has stated that should the American Government insist upon giving preference to civilians in place of officials it will have no choice but to delay the departure of a like number of members of the American diplomatic group in the same manner. I understand the Department's desire to furnish only first class accommodations to official personnel. However, if the German Government and its officials awaiting repatriation are willing to accept whatever the *Drottningholm* provides I feel they should be allowed to proceed all together without splitting up the group.

As regards the American diplomatic group at Bad Nauheim I can say with the greatest emphasis that accommodation on the ship is of minor importance on behalf of my group. I make the most urgent appeal that the official group on both sides be given first preference in the exchange as was outlined in the Department's communication transmitted to the German Government by the Swiss Legation at Berlin on January 30th⁸⁸ which in paragraph 2 said that diplomats should be exchanged first and civilians afterwards.

It is a painful shock and surprise to me that there could be any question of departing from the principle laid down by the Department of exchanging official personnel first. I am sure that you will appreciate what it has meant to the Embassy's staff to have been held under strict police supervision day and night since the 14th of December last. They are in this position because they loyally stuck to their post and served the Government. In most instances civilians had repeated opportunity to get repatriated. If this proposal to include civilians on the first voyage must be insisted upon for reasons which do not appear clear to me I must request the Department to designate by names the members of the group who are to proceed and those who are to remain. I feel that this is a task which I cannot undertake myself to discriminate among the members of my group in a manner so vitally concerning their fate.

As the date set for our departure from Bad Nauheim for Lisbon according to information supplied by the Swiss Legation is the 10th May a message as to the Department's decision must reach me before then. If part of the group must remain feel it is my duty and my wish to remain also to give them such further comfort and assistance as may be in my power. Signed Morris."

HARRISON

701.0010/127b : Circular telegram

*The Secretary of State to the Ambassador in Cuba (Braden)*⁸⁹

WASHINGTON, April 30, 1942.

With reference to exchange of diplomatic, consular and other personnel between United States, certain other American Republics and Axis Powers in Europe, United States Government agreed to obtain assurances of safe-conduct for exchange vessel S. S. *Drottningholm*

⁸⁸ Department's telegram No. 176, January 22, 1942, to the Minister in Switzerland, not printed.

⁸⁹ The same on the same date to the Ambassadors in Panama and the Soviet Union and the Ministers in the Dominican Republic, Haiti, Guatemala, El Salvador, Honduras, Nicaragua, and Costa Rica.

from all the United Nations and to communicate such assurances to Swiss Government acting as repository of all safe-conducts for this exchange. Notify the government to which you are accredited and inform Department by telegraph as soon as that government gives assurance of safe-conduct for the several voyages of *Drottningholm* from New York to Lisbon and return to New York. First voyage leaves New York May 5; other sailing dates will be communicated shortly.

Vessel will be clearly marked with Swedish flag and word *Diplomat*. Course of vessel will be as follows:

To Lisbon—From Ambrose Channel Lightship course 169° true to latitude $40^{\circ}10'$ North, longitude $73^{\circ}45'$ West; thence course 090° true along the parallel of latitude $40^{\circ}10'$ North to longitude $30^{\circ}00'$ West; thence course 095° true direct to Lisbon.

From Lisbon—Course 275° true to the position latitude $40^{\circ}10'$ North, longitude $30^{\circ}00'$ West; thence course 270° true along latitude $40^{\circ}10'$ North to longitude $73^{\circ}45'$ West; thence course 349° true to Ambrose Lightship.

HULL.

701.0010/105: Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, May 1, 1942.

1115. American interests—Germany—exchange personnel. Your 1801 and 1802, April 29.⁹⁰ In view of German insistence upon departure of all German officials on first voyage of *Drottningholm*, arrangements are being made to place on board *Drottningholm* all German officials except those whose present state of health as certified by their own physicians and at their own request may not make their departure advisable at this time.

The original plan provided that all the German career officials be carried on the first voyage together with certain non-officials whom the Germans had requested. The non-career officials were to follow on next trip of vessel.

That is now discarded and all officials will be carried on first trip—career and non-career alike.

These arrangements will necessitate delay from May 5 to May 7 as departure date for ship from New York.

Please ask Swiss Foreign Office to advise immediately Swiss Minister Berlin for communication to German Foreign Office, if possible by telephone followed by telegraphic confirmation.

Italian, Hungarian, Rumanian, Japanese and Bulgarian Governments should be informed of delay in sailing of vessel as indicated.

Inform Morris.

HULL

⁹⁰ Telegram No. 1801 not printed.

701.0010/126 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, May 2, 1942.

[Received May 2—6:11 p. m.]

1868. American interests—exchange negotiations. Reference Legation's 1801, April 29.⁹¹ Department's 1115, May 1st. Swiss Foreign Office transmits following *note verbale* April 28 from German Foreign Office to Swiss Legation Berlin:

"Foreign Office informs Swiss Legation as follows: Foreign Office as before takes position that in order to carry out exchange smoothly desirable that entire official exchange groups be exchanged in Lisbon on first voyage of *Drottningholm*. German Government has always considered official exchange groups from countries entering into consideration as an indivisible whole and has only been willing to make exceptions in regard to individual persons. In entire exchange of notes with Swiss Legation the Foreign Office has considered members of official group as an entity. In exchange of notes the persons belonging to official exchange groups have been clearly specified. There belong to these groups not only career diplomats and other career officials but also all other consular and office personnel with their families, also employees and servants of various German representations in foreign countries and recognized press representatives including radio announcers and press photographers, representatives of film companies and members of Chambers of Commerce with their families. German Government would appreciate if Swiss Government would again endeavor to induce American Government to accept German proposal especially possibility of accommodating entire German exchange group on one voyage which according to above mentioned *note verbale* of Swiss Legation was definitely accepted by the American Government. Inasmuch as a sufficient number of berths are available in addition German Government would like to have it definitely understood that it is not according to German views that higher diplomatic officials should receive preferential treatment.

Should American Government however hold to its proposal not to send whole official exchange group on one voyage but bring them to Europe on two voyages of *Drottningholm* German Government would withdraw its objections to this procedure in interest of expediting and finally carrying through the exchange. Foreign Office insists however that in this case Counselor Resenberg⁹² be left in United States with rest of members of German official exchange groups remaining behind. In addition it is pointed out that this is on the obvious understanding that second voyage of *Drottningholm* would have same status of diplomatic transport as first voyage. German Government asks Swiss Government to undertake special guarantee for carrying out of second voyage of *Drottningholm* which will bring remaining German members of official group to Europe.

Foreign Office points out that in case plan of American Government is carried out only to transport a part of German official exchange

⁹¹ Not printed.

⁹² Karl Resenberg, First Secretary of the German Embassy.

group on first voyage of *Drottningholm* to Europe only a corresponding part of the official American group from Bad Nauheim would naturally be permitted to proceed to Lisbon even though German Government in no way wishes further presence of former members of American Embassy on German soil and wishes them to depart as soon as possible. Nevertheless in this case on basis of reciprocity a further stay of various members of former American Embassy in Berlin at Bad Nauheim would be unavoidable. The German Government rejects as unfounded the claim of American Government transmitted in note of Swiss Legation that living conditions for American exchange group in Bad Nauheim are difficult.

Finally Foreign Office would appreciate if Swiss Legation would arrange that American Government on its side also induce Portuguese Government to extend its guarantee for exchange not only for exchange of complete group as has been under discussion up to the present but also for exchange of sections of groups.

German Government will grant to citizens of those American states desirous of returning home and who allow German citizens to return the same facilities for return to their country as to citizens of the United States.

German Government is prepared to allow taking hand baggage of returning citizens of American countries in same quantity as proposed by American Government for Germans who return.

Finally German Government confirms that *Drottningholm* on voyages to be carried out on basis of German-American exchange will neither be held up nor examined by German naval forces or naval forces of countries allied with Germany on all its voyages from New York to Lisbon and return as well as on its last voyage from New York to Göteborg on obvious condition that American Government's guarantee that *Drottningholm* on all its voyages in exchange operations will neither be held up nor searched by naval forces of United States be extended to include naval forces of countries allied with United States."

HARRISON

701.0010/126 : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, May 6, 1942.

1149. American interests—Germany. Your 1868, May 2 and 1870, May 3.⁹³

1. Entire German official group is being repatriated on first voyage with exception of sick as agreed to by Thomsen⁹⁴ so there is no occasion for Counselor Resenberg to be left behind.

2. Department, which understood that entire repatriation of American and German officials and non-officials should be considered a

⁹³ Latter not printed.

⁹⁴ Hans Thomsen, Counselor of the German Embassy.

single movement, had the intention from the beginning that all voyages of the *Drottningholm* should have same status of diplomatic transport as first voyage. It is not understood why this is viewed by German Government as a new proposal. Confirmation is desired that German Government considers all voyages of the vessel to have equal status.

3. While German Government may wish to reject statement of American Government that living conditions for American exchange group at Bad Nauheim are difficult American Government does not perceive validity of such rejection in view of fact that there has been uniform loss of weight exceeding 10 pounds per person among American group. German group at White Sulphur has no such complaint.

4. Portuguese Government is being requested by United States Government to extend its guarantee for exchange on Portuguese territory to cover categories of persons within the various exchange groups.

5. It is noted that German Government will grant to nationals of other American Republics who wish to be repatriated and whose Governments permit the repatriation of German nationals the same facilities as those accorded nationals of the United States.

6. It is noted that German Government is prepared to accord returning nationals of the United States and other American Republics reciprocally same facilities for transportation of their effects as those accorded Germans being repatriated.

United States Government is permitting German nationals leaving United States to take with them normal amount of baggage allowed on vessels plying between Lisbon and New York as prescribed by conference rules. Those German nationals received from other American Republics are being permitted to take with them the effects which they brought from those Republics with permission of local authorities.

7. Through error there were collected from certain non-official Germans arriving on S. S. *Acadia* customs duties on certain of their personal effects. As soon as detailed reports on this matter are at hand necessary steps will be taken to obtain remission of these collections and the amount of these collections will be refunded to Swiss Legation in charge of German interests.

8. It is noted that German Government guarantees that *Drottningholm* on its several voyages will not be held up or examined by German naval forces or naval forces of countries allied with Germany. United States Government gives similar guarantee for its own part and for its associates.

701.0010/137 : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, May 6, 1942.

1151. Assurances of safe-conduct for the several voyages of S. S. *Drottningholm* between New York and Lisbon have been received from following Governments: British, Polish, Netherlands, Norwegian, Greek, Soviet, Salvadoran, Cuban, Panamanian, Guatemalan, Haitian, Dominican, Honduran, Nicaraguan and Costa Rican.

Please ask Swiss Government to inform German, Italian, Bulgarian, Hungarian, Rumanian, and Japanese Governments.

HULL

[The S. S. *Drottningholm* made two round trips between New York City and Lisbon, leaving New York on May 7 and June 3, respectively. It arrived in New York on the second return trip from Lisbon, June 30, 1942.]

701.0090/71 : Telegram

The Minister in Sweden (Johnson) to the Secretary of State

STOCKHOLM, May 19, 1942—2 p. m.

[Received May 19—1:01 p. m.]

1222. Swedish Legation in Berlin has reported by telephone to Foreign Ministry that this morning German officials stated they would agree to departure of *Gripsholm* on May 23 with passengers whose names they will then have approved. They added, however, that they do not think that they will have had time to approve all of the names which they have received especially those from Denmark and Norway. Please instruct whether the Legation should authorize the departure of the *Gripsholm* on May 23 irrespective of whether all names submitted by it to the Germans have been approved.

This Legation has submitted names of Americans in Sweden and Finland only. It is probable, however, that Nordis Bureau submitted through Swedish Traffic Commission names of persons in Denmark desirous of leaving on *Gripsholm*. Names of Americans in Norway could only have been obtained by the Berlin authorities from German officials in Norway.

Should ship depart before approval is given to all of names submitted to Germans considerable hardship will be caused to Americans from Finland who are leaving that country today and will be stranded in Sweden if they cannot depart on *Gripsholm* without sufficient funds to proceed to the United States via Lisbon.

JOHNSON

701.0090/103a : Telegram

The Secretary of State to the Minister in Sweden (Johnson)

WASHINGTON, May 20, 1942.

417. Your 1216, May 18, 7 p. m.⁹⁵ and 1222 May 19, 2 p. m. Department considers it important that the 180 Americans and their relatives from Sweden and Finland and also those Americans in Norway provided with passports who desire repatriation embark on *Gripsholm* even if a slight delay in the departure of the vessel seems necessary. It is also desirable that Americans from Denmark should be placed aboard. Department is telegraphing Legation Bern requesting Swiss Foreign Office urgently instruct Swiss Minister Berlin inform German Foreign Office accordingly and state that this Government would even be willing to have the vessel delay its departure for a day or two if necessary in order that the Americans in question may be placed aboard, with request that urgent reply be telegraphed to the Department and to you. In the meantime please do whatever is possible to assist in the embarkation of the Americans in question, telegraphing Department urgently and informing the Swedish Government and Legation Bern should delay in the departure of the vessel seem necessary to embark the Americans from Sweden and Finland whose names you have submitted for German approval. Department understands Swedish Government has given belligerent governments necessary notice of sailing of the vessel on May 23 and assumes that slight inadvertent delay of one or two days, should that become necessary, will not affect validity of the notice.

HULL

701.0090/118 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, May 22, 1942.

[Received May 22—5:40 p. m.]

2233. American interests—Sweden and Finland. Repatriation non-officials. Department's 1310, May 21. Legation's 2210, May 22.⁹⁶ Swiss Legation, Berlin, telephones that German authorities guarantee that majority although not necessarily all Americans in Sweden desiring repatriation, but not in Finland, will as far as Germany is concerned be repatriated on *Gripsholm* even if planned sailing May 23 is maintained. German authorities reiterate their readiness to repatriate remaining Americans, Sweden and Finland as well as those in Norway and Denmark via Germany to Lisbon for embarkation *Drottningholm*.

HARRISON

⁹⁵ Not printed.⁹⁶ Neither printed.

701.0090/127 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, May 23, 1942.

[Received May 23—12: 42 p. m.]

2252. American interests—Norway, Denmark, Sweden, and Finland. Repatriation non-officials. Department's 1317, 21st, 1321, 22d, Legation 2210, 22d.⁹⁷ Swiss Legation, Berlin, telephones that in view sailing *Gripsholm* postponed May 28, German authorities are of opinion that it will be possible embark at Göteborg on that vessel American non-officials Sweden and Finland desiring repatriation. According figures Swiss Legation, Berlin, there are in Sweden desirous repatriation *Gripsholm* 71 American citizens and 11 accompanying non-American relatives and in Finland 96 American citizens and 10 accompanying non-American relatives.

German authorities have assured Swiss Legation, Berlin, that American citizens, Norway and Denmark, desiring repatriation will be transported Lisbon in time for second westbound voyage *Drottningholm*.

Repeated Stockholm.

HARRISON

701.0090/162 : Telegram

The Consul at Göteborg (Corcoran) to the Secretary of State

GÖTEBORG, May 28, 1942.

[Received May 28—9: 40 p. m.]

83. S. S. *Gripsholm* sailed noon today for New York with 142 Americans, 52 aliens. Passenger list being telegraphed.

CORCORAN

125.0040/826 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, June 17, 1942.

[Received June 17—12: 47 p. m.]

2763. Exchange negotiations. Department's 1437, June 3⁹⁸ and previous regarding steamship *Drottningholm*. Following is translation of note from German Foreign Office dated June 16 to Swiss Legation, Berlin, which latter telephoned Swiss Foreign Office.

"German Foreign Office has the honor in reference to its *notes verbales* of April 18 and June 6, 1942 regarding voyages of Swedish

⁹⁷ None printed.⁹⁸ Not printed; it requested that the Axis Governments be notified that the exchange vessel *Drottningholm* sailed from New York at 6: 40 p. m., June 3 (701.0010/333b).

motor ships *Drottningholm* and *Gripsholm* to call attention of Swiss Legation to German declaration of June 14⁹⁹ concerning the extension of zone of operations to American coast.

German Foreign Office informed Swiss Legation under paragraph of its *note verbale* of March 21 that German Armed Forces were instructed to allow to pass freely ships designated for exchange agreed upon. As a condition for this assurance it was stated under paragraph 6d that ships must not touch zone of operations around British Isles and Ireland [*Iceland?*] designated by German Government. This assurance is now changed so that *Drottningholm* and *Gripsholm* must not touch extended zone of operations.

German Foreign Office therefore requests Swiss Legation to take necessary steps in order that two ships arrange their voyages so that after June 26, 1942 they do not touch extended zone of operations and that after carrying out their journeys they have opportunity to start return journey to Sweden from a port of United States that lies outside extended zone of operations. For this return journey German Government will make necessary arrangements with Swedish Government."

Copy forwarded Lisbon.

HARRISON

125.0040/826 : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, June 17, 1942.

1571. Your 2763, June 17. Department's 994, April 20 and 1402, June 1.¹ Your 1635, April 21² and 2558, June 7.³ In view of assurances of safe-conduct given by German Government and all other belligerent governments for "the several voyages of *Drottningholm* between New York and Lisbon" and for "the several voyages of *Gripsholm* between New York and Lourenço Marques", the United States Government cannot accept German Government's statement "that *Drottningholm* and *Gripsholm* must not touch" a so-called "extended zone of operations".

United States Government awaits confirmation from German Government that German assurances of safe-conduct for *Drottningholm* and *Gripsholm* remain valid as originally given.

HULL

⁹⁹ A statement broadcast from Berlin June 13 described a submarine zone of operations extending to the American coast and warned that "every ship which enters this zone after June 26, 1942 will expose itself to destruction."

¹ Neither printed. Telegram No. 1402 contained instructions to request the Swiss Government to obtain assurances of safe-conduct from all Axis Governments for the several voyages of the *Gripsholm* between New York and Lourenço Marques (701.0090/156).

² See footnote 83, p. 360.

³ Not printed; it conveyed German assurances of safe-conduct for the *Gripsholm* from New York to Lourenço Marques and return (701.0090/246).

340.1115A/2742

*Memorandum by the Assistant Secretary of State (Long) to the Chief
of the Special Division (Green)*

[WASHINGTON,] June 24, 1942.

MR. GREEN: I refer to previous regarding the requirement of the German authorities that male persons coming to the United States on the exchange vessel sign promises not to bear arms during the present war. Telegram No. 2900 of June 23 from Bern⁴ states that this requirement is being made of all travelers of the male sex over sixteen and under fifty years of age. Therefore, we should now request all such males whom we may return on the exchange vessel to Lisbon to sign a like declaration at the places where they are detained before they are brought to New York for the sea journey. Those who may refuse to sign such a declaration should be advised that a like declaration is being required of Americans by the German Government and that if they continue their refusal to sign they will be kept in the United States. Arrangements for the signing of such declarations should be made immediately against an additional sailing of the exchange vessel which, if it does not proceed again to Lisbon, will return to Göteborg.⁵

B[RECKINRIDGE] L[ONG]

701.0010/420b : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, July 1, 1942.

1672. Exchange negotiations—Germany. Your No. 2883, June 22,⁴ and Department's No. 1571, June 17. The Department is in receipt of a memorandum of June 29 from the Swiss Legation at Washington⁴ giving a translation of a note received by the Swiss Government from the German Government. This note offers to give safe conduct for one voyage of the *Drottningholm* from New York to Lisbon provided the ship sails within one week after its arrival at New York but insists that the return voyage and all future voyages have a port on the Gulf of Mexico as the North American terminus.

To this note, the Department has replied in part as follows:

"The Department notes that the German Government, by unilateral action, has violated the agreement entered into between this Government and the German Government for the exchange of their

⁴ Not printed.

⁵ Marginal note: "Done re passengers on *Serpa Pinto*, 6/25/42. Will be done shortly for passengers aboard *Drottningholm*. Must wait few days to find out their probable locations."

nationals in that it has withdrawn the safe conduct previously given for the several round-trip voyages of the *Drottningholm* between New York and Lisbon. As the assurance of this safe conduct was an essential part of the Exchange Agreement between the two Governments, this Government must consider the agreement as terminated by the act of the German Government."

Please inform the Swiss Foreign Office and request that the German, Italian, Hungarian, Rumanian, and Bulgarian Governments be informed.

HULL

701.0010/432 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, July 9, 1942.

[Received July 9—4:26 p. m.]

3217. Exchange negotiations—Germany. Department's 1672, July 1. Swiss Foreign Office this afternoon informally handed Tait⁷ copy of note dated July 8 received from German Legation, Bern. Following is translation:

"Through note of Swiss Legation, Division of Foreign Interests, of April 2, 1942, and note of German Foreign Office of April 13, 1942, it was established that German Government would give citizens of American countries opportunity to return their homes and Government of United States would give opportunity to German citizens desiring return home to return Germany for repatriation. Neutral ships were to be used which would travel under guarantees of all countries at war. The German request that on these voyages ships would not touch war zones declared by Germany was met by American Government in that it—in general—agreed that exchange ships would not go into regions which German Government declared as dangerous. Aside from the fact that German Government did not withdraw safe conduct for *Drottningholm* but to the contrary specifically confirmed prospective voyage from New York to Lisbon, use of New York as a port does not represent any essential part of arrangement made for exchange. German Government has made proposal that *Drottningholm* continue its voyages in work of repatriation, but that it should, in future, proceed to an American port on Gulf of Mexico. To this proposal there has been no answer from Government United States. The Legation is instructed to state that German Government considers arrangements made for mutual exchange of citizens as binding as heretofore. German Government will carry out agreement insofar as this is not made impossible by action of Government United States."

HARRISON

⁷ George Tait, First Secretary of Legation.

340.1115A/3055

Memorandum of Conversation, by Mr. George L. Brandt, Executive Assistant to the Assistant Secretary of State (Long)

[WASHINGTON,] October 6, 1942.

Dr. Feer of the Swiss Legation came to see me this morning at his request. He said that we had perhaps heard something from our Legation at Bern recently regarding the renewal of the exchange of American and German nationals. I told him that we had had a telegram from the Legation within the past few days saying that Mr. Tait of the Legation had had a conversation with the officials of the Swiss Foreign Office, during which the latter had stated that it was their guess that the Germans had resorted recently to the internment of Americans from the Paris area with the idea of reopening the exchange question. Dr. Feer said that he had received the same suggestion from his Foreign Office and had come to talk it over with me. I told him that we were replying to our Legation at Bern, quoting the language we had used in a note to the Swiss Legation here recently in response to an Italian feeler in the same direction, and requesting the Legation to undertake no conversations or action looking toward the renewal of the exchange agreement. I recalled to Dr. Feer that with respect to the Italian query, we had stated that we were not disposed to make any further commitment with respect to a mutual exchange of nationals and that we would proceed on our own initiative with regard to the future repatriation of any Italian nationals.

Dr. Feer then again referred to the Americans who had been interned recently by the Germans and asked whether we were inclined to undertake some exchange for them. I replied that they had been given many opportunities to return to the United States and that they would now have to endure their situation so far as we could not help them, in the national interests. I repeated that we were not interested at this time in any renewal of the exchange agreement. I reminded Dr. Feer that we had resorted to no mass internment here of German nationals, as he admitted.

Confidentially Dr. Feer added as he was leaving that he understood that we were quite dissatisfied with the type of person returned to us on the first two exchange voyages of the *Drottningholm* and that he had reported to his Government that the kind of persons the Germans had returned to us in exchange for their own nationals was disgraceful.

125.0051/272a

*Memorandum by the Assistant Secretary of State (Long) for
President Roosevelt*

[WASHINGTON,] December 16, 1942.

EXCHANGE OF FRENCH AND AMERICAN OFFICIAL PERSONNEL

French Personnel in United States:

On November 7, 1942, when Franco-American relations were severed, there were of record at the Department the following French personnel of the French Government in the United States:

	Officials and Employees	Dependents
French Embassy	46	34
French Consulates and other official		
French agencies	84	81
	130	115

Total—245 persons

All these persons were immediately placed under restraint of their movements and communication. They were, however, permitted free communication with the Swiss diplomatic and consular representatives. Those representatives were granted permission to exercise their good offices in behalf of the French personnel and interests in accordance with international practice and as the Swiss representatives in France were permitted to represent American interests there.

Action was then initiated to assemble French personnel in one place for security reasons and in preparation of their exchange for American official personnel in France. A number of the French were known to be Allied sympathizers and some to be willing and able effectively to serve the Allied cause. Accordingly, it was not necessary nor desirable to subject them to confinement.

The Hershey Hotel at Hershey, Pennsylvania, was selected for the assembling and safeguarding of the other French personnel, of doubtful or unknown attachment to the Allied cause. It comprises persons who, like the ex-Ambassador, desire to return to France, and those who do not wish to return and whose disposition must be decided upon following examination of their cases with respect to their political sentiments and activities. That examination is going on, being at present conducted by Departmental representatives at Hershey. The results should be available in a week's time.

The number of French persons removed to Hershey and now detained there is as follows:

	Officials and Employees	Dependents
French Embassy	18	15
French Consulates	29	32
	47	47

Total—94 persons

American Personnel in France:

Upon the rupture of relations, the United States had the following official personnel in France:

	Officers	Employees	Dependents
Embassy, Vichy	8	24	22
Consulates at Marseille, Lyon and Nice	5	17	19
	13	41	41

Total—95 persons

To be assimilated to and included with the official personnel, as customary for exchange purposes, there were the following additional categories:

American Red Cross	15	
American press	10	plus 8 dependents

Total—33 persons

Grand Total—128 persons

While the Department has not yet received complete information promised by the American Legation at Bern, it appears from preliminary reports that 68 of the Americans were taken to Lourdes, France, on November 11 and lodged under guard in four hotels there. These comprised nearly all of the Embassy personnel including the Naval and Military Attachés' staffs and the press representatives.

In addition, the Italians have taken and are holding the American Consul at Monaco.

Exchange Negotiations:

On November 17 the Department telegraphed the Legation at Bern^s to ascertain from the Swiss Government whether the American personnel in France might proceed to Lisbon to remain there under guarantee of the Portuguese Government pending exchange. The Swiss Government reported message delivered to French Government November 23.^s

^s Telegram not printed.

Department again telegraphed November 30^o stating it was prepared to make exchange and desired Swiss Government's suggestions with respect to arrangements that might be made therefor. Reply of December 4^o stated Swiss Minister at Vichy reported French Government was unable to consider possibility of authorizing departure of American officials from France so long as no information was available concerning members of the Algerian Armistice Commission and the German Consul at Algiers.

Swiss Government again telegraphed December 7^o indicating its willingness to approach the French Government with proposal that American and French personnel be immediately evacuated to Lisbon for exchange under responsibility of the Portuguese Government, United States to arrange transportation with French officials to Lisbon.

The Department replied on December 10^o stating its willingness to give earnest consideration to any proposal the Swiss Government might wish to make looking toward early repatriation of the American personnel in France and saying that on November 17 it had requested its Legation at Lisbon to ascertain whether the Portuguese Government would be willing to provide the necessary guarantee for the exchange on its territory.

The inquiry of the French Government, referred to above, concerning the Algerian Armistice Commission and the German Consul at Algiers, indicates the probability that the French Government, under German coercion, will insist that the exchange include captured German and Italian members of the Commission and the German Consul. The Department is endeavoring to obtain complete information regarding these Germans and Italians. A number of the German and Italian officials are known to have escaped to Spanish Morocco, Spain and France, and some were killed incidental to military operations at the time of the American landing. Nine (Germans) have been brought to the United States. The following captured Germans and Italians, including families, are reported to be in England in the custody of American military authorities there:

	<i>Germans</i>	<i>Italians</i>
Armistice Commission	37	202
Consular	20	7
	57	209
Total—266		

Arrangements have been made to hold the captured Germans and Italians for use for exchange purposes, should that become necessary. The legal authorities in the War and State Departments are inclined

^o Telegram not printed.

to the opinion that this personnel may be held as prisoners of war and, therefore, not entitled to repatriation, unless our Government should exceptionally consent.

Status of Exchange:

The Department is examining the French personnel to decide who are to return to Vichy. The indications are that there will be very few who wish to return and who should be returned.

It is gathering information regarding the German and Italian personnel captured in North Africa, against the possibility that the French Government will demand their inclusion in the exchange.

It has asked and is awaiting advice from the Swiss Government as to arrangements that Government may make with the French Government for the return of the American personnel.

II. AGREEMENT WITH THE JAPANESE GOVERNMENT

701.9411/1587a : Telegram

The Secretary of State to the Ambassador in Japan (Grew)

WASHINGTON, December 7, 1941.

820. Following action has been taken today. Immediately upon receiving news of the Japanese attack upon Hawaii, the American Government took steps to see that absolute protection was accorded the Japanese official establishments and official personnel within the jurisdiction of the United States.

HULL

124.94/103b : Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, December 8, 1941—5 p. m.

268. The Department desires that you request the Swiss Government to be good enough to ascertain through the Swiss Legation at Tokyo whether the Japanese Government is willing to agree in principle to an exchange of Japanese consular and diplomatic officers and Japanese nationals in the United States for American consular and diplomatic officers and American nationals in the Japanese Empire and the Japanese occupied territory of China and Manchuria.

If the Japanese Government gives an indication of its willingness in principle to reach an agreement along the lines mentioned above, the Department will be glad to consider any means that the Japanese Government may wish to propose by which to effect such a transfer.

HULL

701.9411/1547a : Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, December 13, 1941.

290. A note was addressed on December 13 to the Swiss Minister at Washington ¹⁰ as follows:

"Sir: I have the honor to request you, acting in your capacity as representative at Washington of the government provisionally protecting American interests in the Japanese Empire and in the territories occupied by Japanese forces, to be kind enough to transmit to the former Japanese Ambassador at Washington ¹¹ the information contained herein concerning the treatment by this Government of Japanese diplomatic and consular officers now within our jurisdiction. This information is also being communicated to the American Legation at Bern with instructions that the Legation request your Government to transmit the information to the Japanese Foreign Office.

This Government will continue to accord to the personnel of the former Japanese Embassy correct and liberal treatment in accordance with international law and the pertinent precedents. Every effort will be made to furnish them and the members of their families with adequate protection and to assure their comfort as long as they remain within the jurisdiction of the United States. Furthermore, they will be accorded every reasonable facility for liquidating their personal affairs. Specifically, those who customarily resided in the Embassy and the unmarried members of the staff will be permitted to remain undisturbed in the Embassy; married members of the staff having residences in Washington will be permitted to remain in those residences with their families and to visit the Embassy daily; unmarried members of the staff having residences outside the Embassy will be permitted to visit their residences for the purpose of packing their personal effects; a member of the Embassy staff will be permitted to circulate within the city for the purpose of making any desired purchases for the comfort and convenience of the Embassy staff; the Embassy itself, and all members of the staff and their families, will at all times be afforded adequate police protection but no police officer will be stationed within the Embassy; the representative at Washington of the power protecting Japanese interests in the United States will have free access to the Embassy; the Embassy will be provided with telephone connection with the representative of the aforesaid power and with the Department of State; the Embassy will be permitted to communicate freely with the Japanese Foreign Office through the intermediary of the protecting power.

Similar arrangements have been made for the protection and welfare of the former Japanese consuls, the members of their staffs, and their families in the several cities in which they were formerly stationed.

This Government is requesting the Swiss Government to propose to the Japanese Government a plan for the repatriation of the Japanese diplomatic and consular personnel in this country and the members of their families, and to exercise its good offices to the end that

¹⁰ Charles Bruggmann.

¹¹ Adm. Kichisaburo Nomura.

a mutually satisfactory arrangement may be made as rapidly as possible. The proposal of this Government is that the Japanese diplomatic and consular personnel and their families will proceed on an appropriate passenger vessel provided by this Government to Lourenço Marques; that a similar vessel provided by the Japanese Government proceed simultaneously to Lourenço Marques, with the American diplomatic and consular personnel and the members of their families, from Japan and Japanese occupied territories; that the vessels exchange passengers and baggage at Lourenço Marques and return to their respective countries; and that all expenses of the Japanese mentioned above, for travel and subsistence from their former posts of duty in the United States to Lourenço Marques, will be borne by the United States Government.

It is assumed, of course, in connection with all of the above that the Japanese Government will agree to accord similar treatment on a reciprocal basis to American nationals possessed of official status within the Japanese Empire and in Japanese-occupied territories while such American nationals remain there and in all that appertains to facilitating their departure and transit homeward."

Please request the Swiss Government to transmit to the Japanese Government the text of this note.

HULL

124.94/111a : Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, December 18, 1941.

329. American interests. Please express to Swiss Government this Government's appreciation of its message expressing willingness to undertake the representation of American interests in Japanese-occupied territories and, when necessary, in other regions of the Far East.¹²

Department would be grateful if Swiss Government would by telegraph circularize to its representatives in the Far East, for the information of such American diplomatic or consular offices as may by reason of the present situation find it impossible to carry on their functions or to communicate with the Department, the following message (in substance already communicated to Embassy Chungking,¹³ which endeavored without success to repeat it to the offices concerned) :

"1. In the event of a sudden emergency, when communications with the Department are broken or uncertain, officers shall be guided by the following instructions with respect to Government property, archives, leases, alien employees, the evacuation of the American members of the staff, et cetera.

¹² See bracketed note, *Foreign Relations*, 1941, vol. I, p. 593.

¹³ Telegram No. 811, December 5, 1941, 10 p. m., to the Ambassador in Japan, repeated to the Ambassador in China, not printed.

2. If travel orders for officers and American employees have not been received, Department hereby authorizes expenditures, in accordance with the travel regulations, for: traveling expenses (travel by air is included in this authorization); per diem; and, if possible, shipment of effects. Action upon this authorization shall be within the discretion of the Chief of Mission or principal consular officer and shall apply to all officers and American employees of this Government and to their wives and minor children. Unless regular travel orders have been received (in which event, the appropriation for 'Transportation, Foreign Service' is charged), the expenditures hereinabove authorized shall be charged to Authorization no. 11-1942 and officers shall draw separate drafts and render separate accounts. Nothing in this paragraph shall be construed as relieving the Japanese Government of the obligation, recognized in international usage, to provide for such official groups proper transportation from their posts to a point beyond the Japanese frontiers, and the provisions of this paragraph are not applicable to transportation expenses within Japan or within territories occupied or controlled by Japan unless the Japanese Government fails to observe that obligation.

3. At the expiration of 30 days' leave, less any leave taken previously in the calendar year, the services of alien personnel should be terminated (except as hereinafter provided in numbered paragraph 4). Leave shall commence on the day following the effective date of the closing of the office unless the further services of such aliens are required, in which event leave shall commence within 2 weeks after date of closing. For each alien employee, report date of termination of services and dates of leave. The Department reminds officers that no salary payments may be made in advance. Department will endeavor to arrange for payment after the officers' departure. The provisions of this paragraph are not intended as a limitation upon the right of the Power representing American interests to re-employ at the expense of the American Government any such alien personnel as the representing Power may consider necessary in connection with the representation of American interests.

4. At posts where this Government owns the office and/or residence, it is suggested that officers (in consultation with the representatives of the Power assuming the representation of American interests) arrange to leave custodians of the premises, retaining one or more trustworthy alien employees for that purpose. Their salaries as custodians would be at the same rate they were receiving in their previous capacities at the time of the closing of their offices. The Department would endeavor, by such means as might be available, to make arrangements to pay their salaries and to provide funds for the maintenance of the buildings. All such custodians should be instructed to confine their activities strictly to the guardianship of this Government's property and to refrain from any activities, however informal, that might possibly be interpreted as being outside of their custodial functions.

5. At posts where offices are leased, the Chief of Mission or the principal consular officer shall, within his discretion, determine whether it is preferable to retain the premises or to terminate the lease and store this Government's property in commercial warehouses. De-

pending upon the time at their disposal and the availability of such warehouses, officers should endeavor to make the most economical arrangements compatible with the security of the property concerned. If the premises must be retained, officers should endeavor to obtain a reduction in the amount of the rental and should determine whether this Government's property in such premises may be entrusted to the landlords or whether it is essential to retain custodians.

6. This Government's property, mentioned above, includes furniture, equipment, and the non-confidential archives. Such archives should be sealed, whether stored in the premises or at commercial warehouses.

7. Officers shall destroy all seals, codes, ciphers, true readings, proctograph dies, confidential files, et cetera. Fee stamps should be destroyed by burning in the presence of at least two competent witnesses, who shall prepare affidavits concerning the destruction.

8. All passports (whether valid or invalid), extra visa pages, certificates of naturalization, and certificates of registration and identity (whether blank or filled in) shall be thoroughly mutilated and then burned. The first page of every passport should be retained for delivery to the Department. A complete list of all documents destroyed except passports should be prepared, with identifying data to whatever extent possible. Officers shall in no event attempt to bring with them any of the documents or supplies mentioned above, except the first pages of the passports.

9. In Government-owned premises or in leased premises that are retained, officers or American employees may store their personal effects. If such storage space is not available, local storage charges will be paid by Department.

10. Forms 285 and 298 should, if possible, be submitted after the office is closed. The effective date of closing the office should be communicated by telegraph to the Department.

11. If an office representing foreign interests has not received instructions from the Department concerning their disposition, the representative of the Power assuming the representation of American interests should be requested provisionally to assume also the representation of such foreign interests, until such time as he may receive through his own government information concerning their disposition.

12. In connection with authorizations to draw drafts and to make payments to individuals against deposits made with the Department, each office should at the time of closing immediately inform the Department of all cases of non-compliance, stating amounts and beneficiaries and citing the numbers and dates of relevant instructions."

If the American officers for whom the foregoing message is intended should by force of circumstances find it impossible to give effect to its provisions, this Government would be grateful if the Swiss diplomatic and consular officers charged with the representation of American interests in the Far East might be authorized to accept the message for their own guidance. Please so inform the Swiss Government.

HULL

701.9411/1576b : Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, December 26, 1941.

405. Please request Swiss Government to be good enough to communicate to Japanese Government and to Ambassador Grew at Tokyo the following amplification of the proposal of the United States Government for the exchange of all diplomatic, consular and other official personnel, their dependents, staffs and personal effects:

1. The United States Government will select a passenger vessel to carry to Lourenço Marques, or other point agreeable to both parties the officials to be exchanged. It will proceed unarmed and will travel without convoy under safe conduct of the belligerent governments. Arrangements will be made by this Government to embark at an American port all diplomatic, consular and other official personnel of the Japanese Government together with their dependents, staffs and personal effects within the territory under the control of this Government. To the extent that may be desired by the other interested governments there may be embarked on this vessel the diplomatic, consular and official personnel of the Japanese Government together with their dependents, staffs and personal effects in territory under the control of any of the other governments in the Americas including Canada which have now or may by the time of the exchange have broken relations with the Japanese Government. The United States Government will provide adequate transportation facilities for the travel of all such personnel with their dependents and staffs and the carriage of their personal effects from Washington or other places in the United States to the port of embarkation. These facilities in respect to personnel accredited to this Government and their dependents will be provided at the expense of this Government.

2. The persons embarking on this vessel will be allowed to take with them their personal effects subject to such limitations as may be imposed by availability of space on the vessel and the arrival of the effects at the point of embarkation in time to be laden aboard the vessel.

3. The persons embarked on the vessel by virtue of their diplomatic, consular or other official position as representatives of the Japanese Government in this country or elsewhere will not be subjected by the United States authorities to search of any kind and this shall likewise be true of their accompanying dependents and staffs and of their personal effects.

4. The vessel, identifying characteristics of which will be communicated in due course through the Swiss Government to the Japanese Government will proceed to the point agreed upon and return

along courses, the details of which will be later communicated, without stopping at any port en route.

5. The Japanese Government will select a vessel to carry to the point agreed upon the officials to be exchanged. The vessel will proceed unarmed without convoy under safe conduct of the belligerent governments. Arrangements will be made by the Japanese Government to embark at a suitable port or ports within its jurisdiction all diplomatic, consular and other official personnel of the United States Government within territory under the control of the Japanese Government. The United States Government considers that its official personnel, subject to this exchange, includes the personnel of the United States Court at Shanghai, the marine guards remaining in China and there under protection of international agreement, and all employees of the various branches of this Government in the far eastern areas under the military control of the Japanese Government. To the extent that may be desired by the other interested governments there may be embarked on this vessel diplomatic, consular and other official personnel of any of the other governments in the Americas, including Canada, together with their dependents, staffs and personal effects within territory under the control of the Japanese Government. There may also be included similar personnel of the United States Government and of the other governments in the Americas within territory under the control of any other government in the Far East which is associated with Japan in the war against the United States. The Japanese Government will provide at its own expense adequate transportation facilities for the travel of all such personnel with their dependents and staffs and the carriage of their personal effects from their posts to the port or ports of embarkation.

6. The persons embarking on this vessel will be allowed to take with them their personal effects subject to such limitations as may be imposed by availability of space on the vessel and arrival of the effects at the port or ports of embarkation in time to be laden aboard the vessel.

7. The persons embarked on the vessel by virtue of their diplomatic, consular or other official position as representatives of the United States or any of the other American Governments in Japan or elsewhere will not be subjected by the Japanese authorities to search of any kind and this shall likewise be true of their accompanying dependents and staffs and of their personal effects.

8. The vessel, identifying characteristics of which will be communicated in due course by the Japanese Government through the Swiss Government to the United States Government will proceed to the point agreed upon and return along courses, the details of

which will be later communicated, without stopping at any port en route.

9. Identical facilities and privileges will be afforded to the extent that the interested governments may desire for the transportation, with their personal effects, dependents and members of their staffs, of the diplomatic, consular and other official personnel of other American Governments which have now or may before the time of the exchange have broken diplomatic relations with Japan and of the diplomatic, consular and other official personnel of other far eastern governments which have now or may by that time have associated themselves with Japan in the war against the United States.

10. On a basis of reciprocity there shall be included in the exchange the accredited representatives of the press including radio reporters and press photographers whose identity shall be suitably notified by the mission of the protecting power on the basis of information received from the former diplomatic mission or from the belligerent government in behalf of which it is acting.

11. The Government of the United States is agreeable that there take place at the point agreed upon for the exchange of American and Japanese personnel a simultaneous exchange, to be negotiated separately by the British and Japanese Governments, of British and associated and Japanese and associated personnel.

12. The Government of the United States shall on its own behalf guarantee safe conduct for the duly notified vessels concerned in the exchange throughout their voyage. The Government of the United States will obtain similar assurance of safe conduct from other belligerents friendly to it for the vessels concerned in the exchange which will be carrying American and Japanese personnel. The Government of Japan shall likewise guarantee safe conduct for all vessels concerned in the exchange and shall obtain identical assurance of safe conduct from the belligerent powers associated with it.

13. All assurances of safe conduct for the vessels concerned in the exchange shall be communicated to the Swiss and Spanish Governments which shall at the proper time notify the government providing each vessel that all necessary safe conducts have been received in order that such vessel may commence its voyage. The Swiss and Spanish Governments shall be requested to use their good offices to insure the observance of the arrangements.

14. The Government providing each vessel in the exchange shall meet the expenses incident to the operation of the vessel throughout its voyage.

15. There shall travel on each vessel representatives of the protecting powers. These representatives shall have unrestricted use of the

radio facilities of the vessel for communication in plain language with their respective Governments in matters concerning the execution of the exchange agreement and the voyage of the vessel. None of the other passengers shall be permitted any use whatever of radio facilities of the vessel.

16. There may be accommodated on the vessels traveling in either direction properly accredited personnel of the International Red Cross Committee or other Red Cross Societies.

A summary of the foregoing proposal will be communicated to all the United States diplomatic missions in the Americas and to the American Embassy at London with the request that it be communicated where appropriate to the governments to which those missions are accredited with the offer to make the arrangement arising therefrom available for the return to America of American and to Europe of British and associated diplomatic, consular and other official personnel with their dependents, staffs and personal effects and the return to Japan of corresponding official personnel of Japan and associated governments. This Government will, furthermore, suggest that none of the governments in the Americas which may request participation in the arrangements adopt toward the personnel of the Japanese and associated governments an attitude less favorable than that which this Government is extending.

HULL

701.9411/1597a

*Memorandum by the Assistant Chief of the Division of Protocol
(Woodward)*

[WASHINGTON,] December 27, 1941.

SUPERVISION OF THE STAFFS OF THE FORMER JAPANESE EMBASSY AND
CONSULATES AT THE HOMESTEAD HOTEL, HOT SPRINGS, VIRGINIA

1. The personnel of the former Japanese Embassy and the consulates shall be afforded use of the hotel grounds within such limitations as may be determined.

2. None of the Japanese personnel will be permitted to have direct communication with any outside person in any way. None of the personnel will be permitted to have visitors.

3. A representative of the Spanish Embassy shall be designated and his name furnished the State Department. This representative shall be assigned a room at the hotel where all conferences with the Japanese personnel shall take place and the Spanish representative will be permitted to talk with members of the personnel without supervision.

4. There will be no sending sets or short wave receiving sets permitted in the hotel.

5. There shall be uncensored mail communication between the Spanish Embassy and the former Japanese Ambassador. All mail from the Spanish Embassy shall be addressed to the former Japanese Ambassador under the seal of the Embassy and will be transmitted to the State Department. This mail will then be placed in State Department official envelopes and transmitted by the Department to its representative at the hotel who will in turn deliver it to the designated person representing the former Japanese Ambassador at the hotel.

All mail destined to the Spanish Embassy from the hotel will be given to the State Department representative at the hotel for transmission to the State Department which will in turn deliver it to the Spanish Embassy.

6. The Spanish Embassy will be permitted unrestricted communication by telephone with the former Japanese Ambassador at the hotel or his designated representative, and vice versa.

701.9411/1571 : Telegram

The Chargé in Switzerland (Huddle) to the Secretary of State

BERN, January 5, 1942.

[Received January 5—8:15 p. m.]

45. American interests—Japan. Following is text (French translation) telegram dated December 30 from Swiss Legation Tokyo as furnished by Swiss Foreign Office of official Japanese reply to Department's proposal for exchange official personnel:

"Japanese note dated December 30 contains four points as follows:

First. The Imperial Government accepts American proposition of mutually sending ships to Lourenço Marques, each Government taking upon itself cost of sending a ship to that port.

Second. With regard to persons to be exchanged see note annexed hereto.

Third. Although Japanese interests in Hawaii have been entrusted to Sweden, Japanese Government desires to establish likewise an arrangement in principle with American Government by intermediary of Swiss Government for evacuation of members of Japanese Consulate and other Japanese in Hawaii toward which it desires to proceed along same lines and at same time as evacuation of diplomatic and consular personnel et cetera who are in United States and in Philippines. Japanese Government is very desirous to be informed of opinion of Swiss and American Governments in that connection.

Fourth. The Imperial Government will also communicate foregoing to American Government by intermediary of Spain which represents Japanese interests in United States.

Annexed note worded as follows with omission of unnecessary words:

Section 1. Personnel to be exchanged.

First. Japanese Government and American Government will mutually exchange from the Japanese who are in United States including Hawaii and Philippines and the Americans who are in Japan, Manchukuo and occupied China respectively:

(a) All the members, including the members *hors cadre* and employees of the Embassies, Legations and Consulates, the officials and persons similar to officials whether or not *en mission* to Japan, to Manchukuo in occupied China or United States of America as well as their families and servants.

(b) As for persons who are not officials, for this one occasion, temporary residents and among the permanent residents the women and children who desire to return to their country as well as those in special circumstances. All the persons who come within the two above mentioned categories will be exchanged without limit as to their number and without question of their usefulness for the prosecution of the war. The number of Japanese in category (b) to be evacuated from the United States, Hawaii and Philippines will be less than 300.

Second. The two Governments will recognize following exceptions for exchange of persons covered by (a) of preceding paragraph:

(a) For persons who find it difficult or impossible to return to their country for one reason or another such as illness of themselves of [*or*] their families, authorization to be accorded to the sick persons or their families to continue their stay, conjointly or separately.

(b) For persons who shall have been appointed to another country mutually to permit them to proceed directly to their new posts and to give them safe conduct, and for persons appointed in a third country who are in one of the two countries away from their posts, permission to be granted them to return to their posts giving them safe conduct, independently of the other persons to be exchanged.

(c) For members *hors cadre* and for employees hired locally who desire to remain permission to be granted them for their continued stay.

Section 2. Place and method of exchange.

First. The exchange of persons at Lourenço Marques will take place in presence of representatives of the countries assuming protection of interests of two parties.

Second. Japanese Government will send directly to Lourenço Marques a Japanese ship to carry there at its expense the Americans to be exchanged. American Government at its expense will send there the Japanese to be exchanged.

Third. American Government will give assurance of safety for round trip of ship sent by Japanese Government and will procure in addition for the ship an assurance of safety from all countries in a state of war or who have broken diplomatic relations with Japan. Japanese Government will give assurance of safety for round trip of ship which carries persons to be exchanged, Japanese and Americans,

and will obtain in addition for the ship assurance of safety from all countries allied with Japan.

Section 3. Facilities given at time of exchange.

First. Persons to be exchanged will be permitted to carry with them money for which they will have need on the boat and elsewhere until their arrival at place of exchange.

Second. Persons of category (a) section 1, first paragraph, including those persons who are absent will be permitted the transportation to their country of their '*baggages deménagement*' (Swiss Foreign Office is telegraphing Tokyo for exact meaning) without having to pay any tax or duty thereon and being required only to submit a statement of contents of such baggage.

Section 4. At the moment of the exchange with United States of America, Japanese Government desires to proceed to a block exchange of diplomats and other persons with the countries which are in a state of war or which have broken diplomatic relations with Japan. Toward this end it will send to Lourenço Marques on above mentioned Japanese ship the persons to be exchanged by said countries. American Government therefore will provide facilities for the Japanese coming from the countries of Central and South America as well as from Canada, the Dutch Indies, et cetera which have declared war on Japan or have broken diplomatic relations with Japan."¹⁴

HUDDLE

701.9411/1603 : Telegram

The Chargé in Switzerland (Huddle) to the Secretary of State

BERN, January 20, 1942.

[Received January 20—4:39 p. m.]

203. American interests—Japan. Reference Department's 405, December 26 and Legation's 345 [45] January 5. Swiss Minister Tokyo¹⁵ telegraphed January 15 further statement of Japanese Government regarding exchange proposal as follows.

"Japanese Government communicates to me as it will communicate to Spanish Government its views on American proposal. Text as follows (English).

1. Concerning paragraph 1 of American proposal and paragraph 5 of American proposal:

(A) It is desire of Imperial Government make Lourenço Marques point exchange.

(B) Imperial Government agrees to United States proposals that vessel shall proceed unarmed travel without convoy under safe conduct of belligerent Governments.

¹⁴ In telegram No. 29, January 20, 1942, to the Ambassador in Cuba, this paragraph was quoted for the information of the Cuban Government; it was added that this Government is maintaining the position set forth in paragraph 11 of its telegram No. 405, December 26, 1941, to Bern, p. 382. The same telegram, *mutatis mutandis*, was sent to the Embassies in Panama (No. 52), Mexico (No. 99), Venezuela (No. 40), Colombia (No. 74), and to the Legations in Costa Rica (No. 26), the Dominican Republic (No. 13), Haiti (No. 19), El Salvador (No. 17), Guatemala (No. 32), Nicaragua (No. 31), and Honduras (No. 20).

¹⁵ Camille Gorgé.

(C) Imperial Government considers appropriate that scope of those to be exchanged be as indicated in annex, section 1, first paragraph of basic proposals of Imperial Government; namely those to be exchanged are Japanese subjects staying in United States and its territories and possessions and United States citizens staying in Japan, Manchukuo and occupied areas of China belonging to following categories: (a) Diplomatic, consular and other official personnel (including those appointed to third countries) together with their dependents and servants. (b) Staff members of diplomatic, consular and other official personnel (including those appointed to third countries) and employees of Embassies, Legations and Consulates (including those situated in third countries) and their dependents and servants. (c) Non-permanent residents; those belonging to this category are to be mainly prefectural and municipal officials; quasi-officials; those dispatched by public organizations; press correspondents; members and employees in United States of business firms and banks of Japan; and those in Japan, Manchukuo and occupied areas in China of firms and banks of United States, religionists; scholars; students; and research fellows dispatched by respective governments; and their dependents and servants. (d) Of permanent residents, women and children desiring to return home and persons who have special reasons. Those belonging to above four categories are to be included in the exchange without regard to number or to usefulness or otherwise in the prosecution of war. Again as regards those belonging to above (a) and (b), the exceptions indicated in section 1, second paragraph of basic proposals of Imperial Government are to be allowed.

(D) While Imperial Government has no objection to including among those to be exchanged the personnel of United States Court in Shanghai it is unable to agree to include United States Marine Guards remaining in China as they constitute a military unit.

(E) While Imperial Government is unable to agree to inclusion of those United States officials in areas occupied by Imperial forces other than China it is agreeable to allow United States consular officials in Hongkong together with their staff members, dependents and servants to return home by vessel in question.

(F) Concerning transportation facilities for travel of those included in exchange and carriage of their personal and household effects to embarkation point Imperial Government is to provide said facilities at its own expense in respect to personnel belonging to categories (a) and (b) of the above paragraph (C) and are appointed to Japan together with their staff, dependents and servants, and the United States Government is to provide said facilities at its own expense in respect to personnel who belong to said categories and are appointed to United States together with their staff, dependents and servants.

(G) United States Government is to embark on vessel in question the Japanese subjects together with their personal and household effects included in exchange between Imperial Government and any of the other Governments in the Americas including Canada which have or may by the time of exchange have severed diplomatic relations with Japan; Imperial Government is to embark likewise on vessel in question the nationals of those countries in the Americas together

with their effects included in above mentioned exchange. United States Government is to provide adequate transportation facilities for travel of above mentioned Japanese subjects and carriage of their effects to embarkation point. Imperial Government is likewise to provide adequate transportation facilities for travel of above mentioned nationals of American countries and carriage of their effects (these Japanese subjects and nationals of American countries are to bear their own expenses up to embarkation point).

(H) Diplomatic, consular and other official personnel of United States and other American countries staying in oriental countries which are associated with Japan in war against United States together with their dependents, employees and effects may be embarked on vessel in question. They may also be provided with transportation facilities for their travel and carriage of their effects to embarkation point. The similar personnel together with their dependents, employees and effects of above mentioned oriental countries staying in the Americas may likewise be embarked on vessel in question and may also be provided with transportation facilities for their travel and carriage of their effects to embarkation point.

2. Imperial Government agrees to paragraph 2 and paragraph 6 of proposals of United States Government.

3. Concerning paragraph 3 and paragraph 7, the persons of those to be exchanged are not to be subjected to search; those belonging to categories (a) and (b) of paragraph (C) of above 1 are to declare to authorities concerned contents of their effects and those belonging to categories (c) and (d) of above 1 may be subjected to examinations of their effects which are to be as considerate as possible.

4. Imperial Government agrees to paragraph 4 and paragraph 8 of United States proposals.

5. Concerning paragraph 9 Imperial Government agrees to afford similar facilities and privileges within possible limit.

6. Concerning paragraph 10 Imperial Government considers it appropriate to extend the scope of those to be exchanged to include category (c) of paragraph (C) of above section 1.

7. Concerning paragraph 11 of United States proposals as is mentioned in section 4 of basic proposal of Imperial Government it is desire of Imperial Government that exchange between Imperial Government and Governments of British Empire and other countries which are at war or have severed diplomatic relations with Japan should take place in same lot with that between Japan and United States. With that in view although Imperial Government has already so proposed to interested governments it is hoped that United States Government would proceed to confer with them to expedite exchange.

8. Concerning paragraph 12 Imperial Government considers that its view as contained section 2, paragraph 3 of its basic proposals coincide with those of United States Government.

9. Imperial Government agrees as regards paragraph 13 to paragraph 15 of United States Government proposals and as regards paragraph 16 Imperial Government entertains no objection to the [garbled groups] members of International Red Cross or members of other Red Cross societies. Vichy informed."

701.9411/1630 : Telegram

The Chargé in Switzerland (Huddle) to the Secretary of State

BERN, January 30, 1942.

[Received January 30—2:24 p. m.]

320. American interests—Japan. Swiss Foreign Office note January 28 transmits following substance telegram from Swiss Minister, Tokyo.

"Foreign Office informed me orally Japanese Government particularly insistent that non-permanent residents as listed in its first proposals under paragraph 1, capital (C), small (c) (see Legation's 203 January 20) be included among officials to be exchanged. Inconveniences which American Government might foresee are same for Japan since proposal based on reciprocity."

Swiss Minister adds Japanese Vice Minister Foreign Affairs informed him Spanish Ambassador Washington has been requested urge American Government hasten exchange negotiations.

HUDDLE

701.9411/1630 : Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, February 7, 1942.

379. American interests—Far East. Your 45, January 5; 180, January 17; ¹⁶ 203, January 20 and 320, January 30. Department has received from Spanish Embassy in charge of Japanese interests in continental United States a memorandum dated January 17, 1942 stating:

"A cable has been received from the Spanish Government expressing the desire of the Japanese Government that all Japanese diplomatic exchange negotiations be handled through our Representatives. This does not imply that the interests of the Japanese Government in other countries cannot continue being protected by Representatives of other Nations.

The Spanish Embassy would be deeply obliged to the Department of State for taking this matter into consideration."

In accordance with the foregoing Department on February 5 delivered to Spanish Embassy Washington a memorandum reading as follows:

"The Department of State has received memorandum no. 42 of January 6, 1942 and memorandum no. 58 of January 16 from the Spanish Embassy in charge of Japanese interests in the continental United States.¹⁷ The Embassy's first memorandum constitutes a

¹⁶ Telegram No. 180 not printed.

¹⁷ Neither printed; for contents, see telegrams No. 45, January 5, and No. 203, January 20, from the Chargé in Switzerland, pp. 386 and 388, respectively.

basic proposal of the Japanese Government for the exchange of Japanese and American official personnel arising from the outline of such a proposal contained in the Department's note of December 13, 1941 (Department's 290, December 13, to you) to the Swiss Minister at Washington, a copy of which is attached. The Embassy's second memorandum under acknowledgment constitutes an expression of the views of the Japanese Government in respect of the detailed proposal of the United States Government for the exchange of Japanese and American personnel, (Department's 405, December 26 to you), the text of which was conveyed to the Embassy by the Department's note of January 7, 1942. The Department has received through Swiss channels and through the American Legation at Bern texts of communications addressed by the Japanese Government to the Swiss Legation at Tokyo in language substantially similar to that of the memoranda under acknowledgment.

The Department further acknowledges the receipt of the Spanish Embassy's memorandum no. 59 of January 17, 1942¹⁸ setting forth the desire of the Japanese Government that all negotiations for the exchange of Japanese official personnel be conducted through the representatives of the Spanish Government without prejudice to the representation of Japanese interests by other neutral governments in other countries.

From examination of the basic proposal of the Japanese Government and of the Japanese Government's views with respect to the detailed proposal of the United States Government, the United States Government believes that an agreement has been reached in the matter of the exchange of Japanese and American official and other personnel.

With a view to clarifying certain details of the matter and to providing for certain practical points, the United States Government makes the following observations:

PART I—OBSERVATIONS ON JAPANESE BASIC PROPOSAL

The following observations are made by the United States Government in respect of the basic proposal of the Japanese Government set forth in the Embassy's memorandum no. 42:

1. The version of this proposal received through Swiss channels was transmitted as an annex to a note dated December 30 to the Swiss Legation at Tokyo from the Japanese Foreign Office containing the following four points: (Here were quoted the four points of the 'Japanese note dated December 30' quoted in your 45, January 5).

In respect to the third quoted paragraph above the United States Government observes that it has already taken steps looking toward the transportation to the United States of the Japanese official personnel in Hawaii. Upon arrival in this country these persons will be housed in an appropriate hotel pending their repatriation. It is assumed that the Japanese Government does not now raise any question regarding the repatriation of Japanese personnel in the Philippines. If this assumption is incorrect the Department would appreciate being informed of the views of the Japanese Government in the matter.

¹⁸ Not printed.

2. With respect to 1 (a) of the basic proposal of the Japanese Government this Government expresses its desire that all the persons referred to be included in the exchange. Furthermore, this Government expects that the Japanese Government will afford cooperation to the Thai and French authorities in providing facilities for transportation to the United States as part of the present exchange of American officials with their dependents, staffs and personal effects who are in Thailand and French Indochina. The French and Thai Governments are being informed of the wishes of this Government in this respect and further that the Japanese Government is being requested to extend them such cooperation in the matter as may be possible.

3. In regard to 1 (b) the United States Government is agreeable as stated in its detailed proposal to the inclusion in the exchange of press and Red Cross representatives with their dependents in addition to the official personnel of the several governments. The United States Government is, furthermore, agreeable to the repatriation of all other non-official persons referred to in this portion of the basic proposal of the Japanese Government subject to the capacity of the vessel to accommodate such persons after all official personnel has been accommodated. Should the Japanese Government desire a further repatriation of persons who cannot be accommodated on the vessel to be used at this time, the United States Government will give consideration to the matter.

4. With reference to 2 (a) the United States Government is willing on the basis of reciprocity to permit persons who might be included in the exchange to remain in this country pending the rehabilitation of their health and the provision subsequently of facilities for their repatriation.

5. In respect to 2 (b) this Government prefers in order to insure that the exchange can be carried out with the minimum of complication that all officials who were at the time when Japan began hostilities against the United States en route to any posts or away from posts to which they were accredited be included in the block exchange and be repatriated with all other officials.

6. In the absence of any objection on concrete grounds to the continued stay of specified individuals, the United States Government agrees to 2 (c).

7. The United States Government agrees to the provisions of all three subsections of point numbered 3. The United States Government further proposes that the Portuguese Government shall be requested to act as guarantor for the execution of the exchange on Portuguese territory at Lourenço Marques. This Government is addressing a request in this sense to the Portuguese Government and hopes that the Japanese Government will make a similar request.

8. With reference to 4 (a) the United States Government agrees that the persons to be included in the exchange will be granted all necessary facilities of whatever description for taking with them a supply of funds which, without possibility of question, will be sufficient to meet all their needs on the ship and elsewhere until their arrival at the place of exchange. The necessary amounts may be subsequently determined on the basis of reciprocity and an expression of the views of the Japanese Government on this subject would be expected.

9. In regard to 4 (b) this Government agrees that the officials to be exchanged and their dependents and their servants and their employees shall be permitted to bring with them all their personal effects including such things as silverware, linen and the like which can be packed in trunks, boxes with handles and handbaggage. Such effects will not be subject to search, be subject to any tax or duty nor subject to any limitations other than those imposed by availability of space on the vessel and the arrival of the effects at the port of embarkation in time to be laden aboard the vessel. This Government feeling that the character of the baggage is sufficiently established by the agreement between the governments does not consider that any individual declaration or even list of contents of the baggage is necessary. Should the Japanese Government feel such lists to be essential this Government will be forced to reconsider its entire position on this point. A statement of the Japanese Government's concurrence in this position would, therefore, be appreciated.

10. In compliance with the request made by the Japanese Government in 5 the United States Government is providing all necessary suitable facilities for the Japanese officials formerly accredited to the other American Republics which have broken relations with Japan, and to Canada, to embark on the exchange vessel. It is expected that the Japanese Government will act similarly in respect of American officials being repatriated from Thailand and French Indochina.

The United States Government notes that certain of the former diplomatic and consular officials of Japan in other American Republics which have broken relations with or declared war upon Japan have apparently not received from their government instructions to proceed to this country for the purpose of being included in the exchange now being negotiated and are unwilling to accept offers made to them of facilities for the journey here. The Japanese Government should inform its officials in the other American Republics of its desire that they take advantage of the facilities now being negotiated and of the need that these persons depart promptly for the United States in order to be present when the exchange vessel departs.

The United States Government is willing that a separate block exchange of non-American officials leaving Japan and Japanese officials leaving places outside the Americas shall take place at the same time and at the same port as the exchange of American and Japanese officials. It assumes that the Japanese Government will arrange the exchange of its officials in the Netherlands Indies in connection with the exchange it will arrange with other governments since it would seem for practical reasons that such Japanese officials might more suitably be brought to the port of exchange in such vessel as may bring there the Japanese officials from Australia and other British territory nearby.

11. With respect to 6 the United States Government considers that misunderstanding might arise from designating as hospital ships under the Geneva Agreement of 1907¹⁹ the vessels to be used for the purpose of the exchange and assumes that the Japanese Government will select another method of marking the vessels. For its part the

¹⁹ *Foreign Relations*, 1907, pt. 2, p. 903.

United States Government will mark distinctively the vessel to be used carrying Japanese official personnel and will communicate these markings to the Japanese Government in the near future. It is agreed that the markings of the vessels shall be such as to ensure the greatest possible visibility and that particulars of colors and markings shall be notified in due time before the departure on the voyage. The United States Government would wish to know, in addition to the data specified in 6 of the Japanese basic proposal, the speed of the vessels therein named.

PART II—OBSERVATIONS UPON JAPANESE VIEWS REGARDING THE DETAILED AMERICAN PROPOSAL

12. With respect to 1 (1) and 1 (2) reference is made to item 7 in Part I above.

13. With respect to 1 (3) and its subheadings see items 2 and 3 above.

14. The United States Government notes from 1 (4) that the Japanese Government agrees to include the personnel of the United States Court at Shanghai among the persons to be exchanged but that it does not agree to include the United States Marine Guards remaining in China. The United States Government may revert to this point at a later date.

15. It is noted from 1 (5) that the United States consular officials at Hong Kong together with their staffs, dependents and servants will be included in the exchange. The United States Government expects that its other officials at Hong Kong as specified in a list transmitted to the Swiss representative at Tokyo through the Swiss Government as well as the other categories of persons mentioned in the first sentence of item 3 above will also be included.

16. 1 (6) regarding the provision of transportation facilities is understood to constitute acceptance of the proposal of the United States Government on this point.

17. Except in so far as the proposal of the Japanese Government might call for the shipment of household effects not packed in boxes with handles, trunks or handbaggage coincidentally with the departure of the persons to be exchanged the United States Government considers that 1 (7) is a confirmation of its view in regard to the obligation of both governments to embark persons and things on the exchange vessels.

18. 1 (8) coincides with the views of the United States Government on this point.

19. The United States Government notes in respect of 2 that the Japanese Government agrees that the persons embarked on the vessel will be limited in respect of the personal effects accompanying them only by the space on the vessel and by the presence of the effects in time to be laden aboard.

20. So far as concerns 3 the view of the United States Government regarding baggage declarations by officials, their dependents and staffs is set forth under item 9 above. The United States Government perceives no objection to and will effect the lenient examination of the effects being taken with them by non-official persons who may be included in the official exchange. The question of the examination of the effects of non-official persons to be included in any subsequent phases of the exchange movement which may be arranged will be

dealt with at another time. The persons of those to be exchanged will not be searched.

21. The United States Government notes regarding 4 that the Japanese Government agrees to paragraphs 4 and 8 of the American basic proposal.

22. Regarding 5 reference is made to items 2 and 16 above.

23. Concerning 6 reference is made to item 3 above.

24. Concerning 7 the United States Government in order to facilitate the negotiations initiated by the Japanese Government with other governments and particularly the British Government and its associated Governments in Europe is providing the British Government with a copy of this reply and of the communications which have been exchanged through several channels with the Japanese Government on this subject.

25. There appears to be a meeting of views in respect of 8 and 9.

PART III—SPECIAL MATTERS

The Government of the United States has received through Swiss channels information that the Japanese Government particularly wishes included in the exchange of official personnel the Japanese diplomatic and consular personnel in Iran and the eastern part of Samoa.

The United States Government is ready to take all possible steps to facilitate the inclusion in the exchange of Japanese official personnel from the Americas and from insular possessions of the United States. It is not, however, in a position to afford any physical assistance for the inclusion in the exchange of Japanese official personnel in other areas as, for example, Iran. It is assumed that the Japanese Government will be able to make arrangements for the travel to the exchange point of Japanese official personnel in Iran through the medium of the powers representing Japanese interests in intervening territories or that alternatively the Japanese Government will be able to arrange for the repatriation of this personnel through Soviet territory. So far as concerns those parts of the Samoan Islands which are under the jurisdiction of the United States this Government is unaware of the presence there of any Japanese official personnel. It would appreciate being informed further in the matter."

Please request Swiss Government to provide full text of this reply to Swiss Minister at Tokyo and to ask him to keep all other Swiss representatives in the Far East fully informed in the matter. Department stresses fact that it wishes to be informed as soon as possible of additions or amendments to lists of officials and newspaper correspondents which have already been provided the Swiss Government through you and that it desires to receive at earliest opportunity lists of non-official persons in the Far East who will be repatriated under point 3 of the foregoing memorandum to the Spanish Embassy. It is hoped that the Swiss representatives will confer closely with Department's officers in regard to these lists and that they will transmit to Department any comments which may be made by those officers

regarding the lists or those details of the exchange arrangement which have not yet been agreed upon.

Spanish Embassy's memorandum of January 6 was identical with "Annexed Note" quoted in your 45, January 5 with addition of following paragraph:

"For the purpose of exchange and in accordance with the Geneva agreement of 1907, the Japanese Government appoints the following ships to serve as hospitals:

Hicawe Maru—11,621 tonnage, 155.9 length, two masts, two chimneys.

Tacasco Maru—9347 tonnage, length 142.09, two masts, two chimneys.

Ahahi Maru—9326 tonnage, length 147.22, one chimney, two masts.

These ships have the following marks in common: Whole hull painted white, Red Cross emblem, upper part of hull supplied with electricity, Red Cross on port and starboard center of hull, green line running all along hull, in accordance with Convention regulations. Chimney bears Red Cross electrically outlined, and search-lights mark the flag-case or post of signals."

Spanish Embassy memorandum of January 16 was identical with text quoted in your 203, January 20 with slight differences in numbers of heading and in phraseology not affecting the meaning of the communication.

HULL

701.9411/1645 : Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, February 14, 1942.

447. American interests—Japan. Your 547, February 12.²⁰ Please inform Swiss Foreign Office for information Japanese Government that this Government is unable to understand the statement of the Japanese Government quoted in your 547. In the document quoted in Department's 379, February 7, to you the Department informed the Spanish Embassy in charge of Japanese interests in continental United States that upon the basis of the communications exchanged between this Government and the Japanese Government it considered that agreement for the exchange of official personnel had been arrived at and that all that was needed to complete the agreement was an understanding on certain technical details necessary to give effect to the exchange. Among the technical details in question is the assembly at a central point preparatory to embarkation of the Japanese officials

²⁰ Not printed; it quoted statement of Japanese Government that "officials must remain posts until Japanese Government is assured success of exchange negotiations."

and nationals to whose repatriation this Government has agreed. Should a vessel be able to leave the United States today to bring these persons here it could not return in less than 4 weeks. It is believed that the other necessary details to be arranged preparatory to the actual exchange, including the notification to the Spanish and Portuguese Governments of the necessary assurances of safe conduct, will not require more than 2 weeks and should not, if a spirit of cooperation is exhibited, serve to delay the effectuation of the exchange.

By contrast with the attitude of the Japanese Government as exhibited in your telegram under reference, this Government has requested the French and Thai Governments to expedite the departure for Japan of the American officials in Thailand and French Indochina in order that they may embark on the exchange vessel. It likewise assumes that the Japanese Government is similarly taking steps to assemble at central points the American official personnel and American nationals to be repatriated from territory under the control of the Japanese Government. If this assumption is incorrect this Government would appreciate being informed accordingly at the earliest possible moment.

In the opinion of the United States Government the "assured success" of the exchange depends entirely upon the Japanese Government.

HULL

125.0094/151a : Telegram

The Acting Secretary of State to the Consul at Lourenço Marques (Preston)

WASHINGTON, February 25, 1942—2 p. m.

6. This Government has agreed with the Japanese Government that there shall take place at Lourenço Marques an exchange of official personnel and non-official nationals of the American Governments coming from Japan and Japanese-controlled territory against Japanese official personnel and non-official nationals coming from the United States, Canada and the other American Republics. It has, furthermore, been agreed that there may take place simultaneously at Lourenço Marques a block exchange of other diplomatic and consular officials being expelled from Japanese territory against Japanese consular and diplomatic officials being expelled from non-American areas. There is no information at present to indicate whether this separate exchange will include non-official persons.

It is not now possible to state with assurance when the exchange will take place but it is hardly likely to occur before the last week in May. In addition to a vessel arriving from the United States with perhaps 1500 persons on board, there will probably be three vessels ar-

iving from Japan with as many as 3500 persons and vessels arriving from other directions with perhaps as many as 500 Japanese nationals.

The carrying out of the exchange at Lourenço Marques will constitute a burdensome and complex task in which the Department hopes to be able to extend to you all proper and necessary assistance. It would be helpful to the Department if you could promptly telegraph the following information in so far as it may be available:

1. Availability of quarters suitable for a booking office to be set up by the passenger agents appointed to handle the embarkation on the American vessel of passengers coming from Japan on their way to the United States. Probable length of advance notice necessary to obtain such quarters.

2. Extent of banking facilities available to meet needs of passengers arriving from Japan en route to the United States. The terms of the agreement with the Japanese Government do not envisage that these persons will be in possession of funds upon their disembarkation at Lourenço Marques, and it will be necessary that there be facilities to provide them with local and dollar currency for their expenses while awaiting embarkation and on the vessel proceeding to the United States. If necessary and feasible Department is willing to propose and facilitate the temporary establishment of an American-manned private banking office at Lourenço Marques during the period of the exchange.

3. Facilities available at Lourenço Marques for temporary accommodation of the persons being exchanged and minimum length of advance notice necessary to reserve such accommodations for shelter of persons en route to the United States bearing in mind that other governments will be endeavoring to make similar arrangements for their nationals.

4. Adequacy of your quarters to handle the anticipated volume of business during the exchange period and to accommodate the personnel which the Department hopes to be able to detail temporarily to your office to assist you. Availability of suitable temporary quarters for official personnel and length of notice necessary to obtain such quarters.

5. List briefly all consular establishments of other countries at Lourenço Marques giving name of country, number of career officers, if any, number of honorary officers and extent of subsidiary staff. This information is necessary in order to enable Department to estimate extent of probable appeals to your office for good offices in behalf of nationals of friendly nations not represented at your post.

6. If there are any other considerations regarding the foregoing which you would like to bring to the attention of the Department, please consider yourself at liberty to do so now and subsequently whenever the occasion arises.

WELLES

701.9411/1630 : Telegram

*The Acting Secretary of State to the Chargé in Switzerland
(Huddle)*

WASHINGTON, February 28, 1942.

574. American interests—Japan. Department's 379, February 7, (numbered paragraph 21) and 528, February 21.²¹ Brazilian Government has now requested that the exchange vessel leaving the United States stop at Rio de Janeiro in order to take on board Japanese official personnel and nationals to be repatriated from Brazil, Uruguay and Paraguay. The United States Government is informing the Brazilian Government that it is willing to have the vessel make this call at Rio de Janeiro but that the consent of the Japanese Government is necessary before a definite undertaking is given.

Please request Swiss Government to inform Japanese Government that projected stop of vessel at Rio de Janeiro will permit earlier consummation of exchange and save Japanese who are to be repatriated the trouble of an unnecessary voyage to the United States with their effects. It is accordingly assumed that the Japanese Government will agree that the exchange vessel may stop at Rio de Janeiro to take on the Japanese personnel at that port and early and prompt confirmation of this assumption is expected.

WELLES.

701.9411/1677a : Telegram

The Acting Secretary of State to the Ambassador in Brazil (Caffery)

WASHINGTON, February 28, 1942—6 p. m.

504. Your 571, February 24, 4 p. m.²² You may inform Brazilian Foreign Office that the vessel carrying Japanese personnel from this country to Lourenço Marques is not expected to leave before the first of May. In addition to numerous minor details in the negotiations between this Government and the Japanese Government which need to be arranged, in particular the exchange of final lists of persons involved in the exchange movement, it has come to the Department's attention that the British Government has not yet replied to the original Japanese proposal for exchange of personnel. As the Japanese intend to carry out the exchange in a single movement, the transportation of personnel from this hemisphere to Lourenço Marques will serve no useful purpose until all negotiations by all parties

²¹ Latter not printed; it indicated that there were 612 persons in the Japanese official group from the Americas to be embarked on the vessel sailing from Lourenço Marques, and it was estimated that the vessel might be able additionally to accommodate 500 or more non-official persons (125.0040/138a).

²² Not printed.

are completed. The British Government has indicated an understandable desire to have none of the Japanese personnel being exchanged remain for any length of time at Mozambique and it would furthermore be desirable, if possible, to have the party arriving from Japan reach Lourenço Marques before the party from this hemisphere in view of the limited accommodations available for the shelter of so many persons.

As soon as more definite information about the time of the exchange becomes available, Department will be glad to inform you further.

WELLES

701.9411/1690b : Telegram

The Acting Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, March 5, 1942.

604. American interests—Far East. Following document dated February 23 has been received from Spanish Embassy: ²³

"In answer to the proposition dated February 5th ²⁴ of the United States Government, the Japanese Imperial Government's point of view is as follows:

"The Japanese Government are glad to learn that an agreement has practically been reached in the matter of the exchange of Japanese and American officials and other personnel, however, they desire to make the following observations in order to avoid misunderstanding Part I.

Persons to be included in the exchange:

(1) The Japanese Government note that the United States Government are agreeable to the inclusion in exchange of all official persons referred to [in] 1 (b) of their Basic Proposal in addition to all the official personnel referred to in 1 (a) of the same proposal.

(2) The Japanese Government are ready to afford cooperation to the Thai and French Authorities in providing facilities for transportation to the United States as part of the present exchange of American officials with their dependent staffs and personal effects who are in Thailand and French Indochina.

(3) As regards the repatriation of non-official persons, the Japanese Government consider essential that both Governments should select vessels without delay to accommodate such persons who cannot be accommodated on the first exchange vessel so that all persons concerned would be repatriated within reasonably short space of time. They appreciate concurrence of the United States Government in this matter.

(4) The Japanese Government further propose that priority among non official persons, including press representatives, for accommodation on the exchange vessels should be decided upon by agreement between governments concerned. The Japanese Government agree in compliance with the request of the United States Government

²³ Memorandum No. 93.

²⁴ See telegram No. 379, February 7, to the Chargé in Switzerland, p. 391.

that the American official personnel as well as non official persons at Hong Kong be included in the exchange.

(5) The Japanese Government gather that the United States Government do not insist on inclusion of the Marine Guards in China in the present exchange.

(6) The Japanese Government are unable to concur in with the view of the United States Government to the effect that complications will ensue if some of the official personnel are permitted to proceed directly to their new post in neutral countries, they therefore desire that the United States Government will reconsider the matter.

(7) Regarding certain Japanese diplomatic and consular officials formerly accredited in some Latin American countries who have declined to accept the offer of facilities for journey to the United States the Japanese Government desire to make it clear to the United States Government that they have done so under instructions from the Japanese Government since agreement has now been practically reached in the matter of the exchange they will be instructed to leave their former post, in this connection the Japanese Government desire that as some of these officials are ordered to proceed to their new post, the United States Government will not place obstacle in their taking up post elsewhere.

(8) The Japanese Government understand that Japanese non official persons belonging to the category mentioned first (b) of their basic proposal and residing in countries in the Americas, including Canada, which have broken relations with Japan, be embarked on the exchange vessel. The Japanese Government on their part will embark such non official nationals of these American countries, residing in Japan, Manchukuo, China, etc. part local and method of exchange (1). The Japanese Government being agreeable to the proposition of the United States Government that the Portuguese Government shall be requested to act as guarantor, of the execution of the exchange at Lourenço Marques, will address a request in this sense to the Portuguese Government. As suggested 2 concerning method of marking vessel, the Japanese Government agree to the proposition of the United States Government. They are further agreeable to the desire of the United States Government regarding the speed of the vessel. Part Third, provision of facilities 1, as regards the amount of money allowed to be taken out by persons to be included in the exchange, the Japanese Government propose that up to 1000 (one thousand) yen or its equivalent be allowed to each adult person to meet the needs on the vessel until the arrival at the place of exchange. The Japanese Government agree to the proposition of the United States Government concerning personal effects viz officials to be exchanged and their dependents, their servants and employees, shall be permitted to take with them all their personal effects including such things as silverware, linen and the like which can be packed in trunks, boxes with handles and handbaggage. Such effects will not be subject to search and tax of duty, nor subject to any limitations other than those imposed by availability of space in the vessel and the arrival of the effects at the port of embarkation in time to be laden aboard the vessel."

The foregoing text contains certain apparent mutilations presumably caused by difficulty in telegraphic transmission. It has, further-

more, been noted that Japanese communications as received through Swiss and Spanish channels occasionally differ in small points. Department accordingly requests that Swiss Minister at Tokyo be asked to transmit to Swiss Foreign Office text of communication which he received from Japanese Foreign Office in order that the foregoing may be compared therewith by you and the Department promptly informed of any variations or of any corrections which should be made.

The text of the reply to be made to the foregoing will be telegraphed to you on the day that it is delivered to the Spanish Embassy.

WELLES

701.9411/1698a : Telegram

*The Acting Secretary of State to the Chargé in Switzerland
(Huddle)*

WASHINGTON, March 7, 1942.

624. American interests—Far East. Department's 604 March 5. In partial answer to the memorandum dated February 23 from the Spanish Embassy in charge of Japanese interests in continental United States, Department has made following reply dated March 3:

"The Department of State refers to Item 8 of its memorandum of February 5, 1942 to the Spanish Embassy in charge of Japanese interests in continental United States, comprising the comments of the United States Government upon certain counter proposals made by the Japanese Government in the matter of the exchange of official personnel and non-official nationals. Reference is likewise made to the penultimate sentence of the Spanish Embassy's memorandum no. 93 of February 23, 1942 regarding the proposal of the Japanese Government that the persons departing be permitted to carry with them up to 1000 yen or its equivalent.

It is agreed that the various persons to be embarked in the United States and in Japan and Japanese-occupied territory on the exchange vessels shall be authorized to take with them funds in an amount up to 1000 yen or its equivalent. So far as there may be Japanese currency available in the United States departing Japanese officials and nationals will be given facilities to take with them such proportionate amount in yen as they may desire. The dollar equivalent of 1000 yen will for this particular purpose be considered to be \$300. It is expected that the Japanese Government will similarly afford the American nationals departing from Japan the facility of taking with them such part of their funds as they may desire in United States currency.

With respect to American officials and nationals who may proceed to Japan or Japanese-controlled territory from French Indochina or Thailand for the purpose of embarkation on the exchange vessel, it is expected that the Japanese Government will authorize the exportation of all funds of whatever character which these persons may be bringing with them with the permission of the authorities in the place

from which they departed. The United States Government similarly will permit Japanese officials and nationals arriving in this country from other American countries to take with them the funds which they have brought here."

Please request the Swiss Government to transmit the substance of the above quoted memorandum to the Swiss Minister at Tokyo for his information.

WELLES

701.9411/1664 : Telegram

The Acting Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, March 13, 1942.

665. Department's 604, March 5 and 624, March 7. Following communication has been delivered today to Spanish Embassy in charge of Japanese interests in continental United States:

"The Department of State refers to memorandum no. 93 of February 23, 1942 from the Spanish Embassy in charge of Japanese interests in continental United States transmitting certain observations of the Japanese Government which were made in order to avoid misunderstanding regarding the forthcoming reciprocal exchange of official and non-official persons.

The numbered points of the memorandum under acknowledgment are answered as follows:

- (1) Full agreement has apparently been reached on this point.
 - (2) It is noted that the Japanese Government is prepared to cooperate with the Thai and French authorities in facilitating as a part of the present exchange the transportation to the United States of the American personnel in Thailand and French Indochina. In view of the fact that the exchange agreed upon between the Japanese and American Governments now includes unofficial personnel, it is assumed that the Japanese Government will be equally willing to facilitate the repatriation of non-official Americans from these countries.
 - (3) The United States Government agrees with the Japanese Government that it is necessary to select suitable shipping to accommodate as many as possible of the persons to be repatriated and to repatriate as soon as feasible those who cannot be accommodated on the first vessel. The United States Government has already informed the Japanese Government through Swiss channels that it will be possible to accommodate on the first exchange vessel from the United States all the Japanese official personnel in the Western Hemisphere as well as various unofficial Japanese nationals. It is assumed that the accommodations provided by the Japanese Government for the repatriation of these persons will be adequate to accommodate all these individuals.
- The United States Government, having been informed by the Japanese Government that the first exchange would take place in three vessels which were named by the Japanese Government, is not certain of the meaning of the expression 'first exchange vessel' contained in the communication under acknowledgment.

(4) The United States Government does not desire to indicate any degree of priority for the repatriation of its nationals as between individuals. It would, however, desire that, after all officials of the United States, the other American Republics, and Canada, all pressmen, together with members of their families, and all Red Cross personnel, together with members of their families, have been embarked, priority be given among the unofficial Americans to be repatriated:

(a) to those persons whose presence appears to be objectionable to the Japanese authorities as evidenced by their having been arrested or interned.

(b) to persons from Thailand, Indochina and Hong Kong and from the areas under Japanese control, which are more remote from Tokyo and Shanghai as, for example, Dairen, Harbin, Mukden, Hankow, Nanking, Hainan, Tsinan, Keijo, Tsingtao, Amoy, Swatow and Chefoo. Among these persons, women, children, and the aged and infirm should be given priority.

After these categories have been taken care of priority among the Americans to be repatriated from the remaining centers should be accorded as follows:

(c) Women and children dependents of non-permanent residents listed (f) below:

(d) Women and children dependents of permanent residents according to the urgency of their cases.

(e) Quasi-officials (officers and employees of the Municipal Council of the Shanghai International Settlement; officers and employees of the Chinese Maritime Customs, Chinese Postal Administration, Chinese Salt Gabelle; and advisers to the Chinese Government) and their dependents.

(f) Officers and employees of American organizations (commercial, religious, philanthropic, etc.) sent out from the United States by such organizations.

It is desired that the selection of persons to be repatriated under the categories set forth above shall be made by the Swiss representatives and it is expected that these will, in cases of doubt, be afforded facilities for conferring with the officials of this Government. It is further expected that the Japanese Government will in every way facilitate communication between the Swiss representatives and American nationals in order that the latter may be fully apprised of the opportunity for their repatriation and the conditions which have been laid down in the agreement for the exchange.

(5) The United States Government refers to former communications in regard to the return of the Marine guards in China and expects the Japanese Government to take cognizance of their true status as diplomatic guards.

(6) The travel otherwise than in accordance with the stipulated movement to Lourenço Marques of officials accredited to third countries would in the opinion of the United States Government raise numerous complicating questions of safe conduct and of physical travel facilities which could not be settled within a reasonable time and without further undesirable delay. The United States Government would not be in a position to comment upon any redistribution

of personnel which the Japanese Government might undertake to make from Lourenço Marques.

(7) It is noted that the Japanese Government has informed its representatives in this hemisphere that they shall leave their posts in order to facilitate the assembly of persons for the exchange. A separate communication has been made on this subject through Spanish channels with particular reference to the Japanese officials in Colombia.

(8) The non-official persons of Japanese nationality residing in those countries in the Americas which have broken relations with Japan will be entitled to the extent that accommodations may permit and that they fall within the categories of the non-official persons to be exchanged, to embark upon the official exchange vessel. As the Japanese Government has been informed through Swiss channels, the number of berths to be available for these non-officials will be approximately 500 and the views of the Japanese Government will be taken into consideration in allocating these berths. It is assumed that the Japanese Government will, in expressing its views, take into consideration the fact that transportation facilities may not permit all Japanese non-official nationals from countries in the Western Hemisphere to reach the port of embarkation before the sailing of the official vessel. It may thus be necessary through no fault of this Government that a small number of Japanese nationals from certain countries await a later exchange vessel.

It is noted that the Japanese Government will request the Portuguese Government to act as guarantor of the execution of the exchange at Lourenço Marques. It is noted that the Japanese Government will mark in a distinctive manner but not as a hospital ship the vessel or vessels to be used for the exchange and will in due course communicate to the United States Government the nature of the markings decided upon.

A separate communication has been sent to the Spanish Embassy in charge of Japanese interests in continental United States accepting in substance the proposal of the Japanese Government regarding funds.

It is noted that the views of the Japanese Government concerning the personal effects of the persons being exchanged coincide with the views of the United States Government and it is presumed that the Japanese Government has now withdrawn its stipulation that the officials embarking on the exchange vessels shall make written declaration of the contents of their baggage."

WELLES

701.9411/1664 : Telegram

The Acting Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, March 13, 1942—5 p. m.

664. In reference to Department's telegram today ²⁵ transmitting text of reply delivered to Spanish Embassy regarding most recent Japanese communication concerning exchange, particular attention is called to numbered paragraph 4.

²⁵ *Supra.*

Department feels that indications given in this paragraph are sufficient to enable Swiss representatives in the Far East to make up an equitable list of American non-officials to be placed on board the exchange vessel or vessels. Particular emphasis is to be laid upon the fact that it is desired that equal facilities be given nationals of other American Republics and of Canada. It is assumed that the other governments involved will through their representing powers indicate the nature of priority among their nationals. It is likewise assumed that these nationals are relatively few in number and that their inclusion will not displace United States nationals.

It is requested that the Swiss representatives report urgently if they encounter obstacles in communicating the terms of the exchange agreement to repatriable Americans or in conferring with Department's officers regarding questions of doubt in making up lists of repatriables. Should Japanese authorities in any case question classification of an American permitting his repatriation, Department should be promptly furnished with entire facts in the case.

Please point out to Swiss Government that remaining time before exchange may be expected to be consummated is very limited and that it is urged that communications regarding the exchange be given every possible priority.

WELLES

701.9411/1707 : Telegram

*The Acting Secretary of State to the Minister in Switzerland
(Harrison)*

WASHINGTON, March 25, 1942.

782. Your 1124, March 19.²⁶ Following communication has been delivered today to Spanish Embassy, Washington :

"The Department of State refers to its memorandum of March 13, 1942 to the Spanish Embassy in charge of Japanese interests in the continental United States ²⁷ in reply to the Embassy's memorandum no. 93 of February 23 setting forth certain counterproposals of the Japanese Government regarding the forthcoming exchange of Japanese and American officials and non-official nationals.

The United States Government has received through Swiss channels information that the Swiss Legation at Tokyo in charge of American interests received on February 21 from the Japanese Ministry of Foreign Affairs, a communication in the same terms as the Spanish Em-

²⁶ Not printed ; it related information similar to that set forth in the second paragraph of the communication to the Spanish Embassy quoted in this telegram.

²⁷ See telegram No. 665, March 13, to the Chargé in Switzerland, p. 404.

bassy's memorandum of February 23 but with the addition of the following paragraph:

'Japanese Government will demand neither individual declaration nor lists of contents. Japanese Government feel that each trunk, box with handles or handbaggage should be of such size and weight as may be carried by a single person. As to personal effects to be brought away by non-official persons views of Japanese Government coincide with those of United States Government.'

The United States Government notes that the Japanese Government will require of American officials no individual declarations or lists of contents of personal effects to be laden on the exchange vessel. The United States Government had not contemplated applying a limitation regarding the weight of containers for personal effects and will not apply such a limitation if it is assured that the Japanese Government will be guided similarly. Assurance is requested on this point.

As it has now become apparent that space will be available on the exchange vessel leaving the United States for the household effects of the Japanese officials formerly accredited to this country, the United States Government is willing to permit the embarkation on the exchange vessel of such household effects to the extent that these effects are now packed ready for shipment or have been entrusted to responsible forwarding agents or storage companies capable of preparing them for shipment. If satisfactory assurances are received that the Japanese Government will be similarly guided in respect of the household effects of American official personnel in Japan and elsewhere who are to be returned to the United States on the vessel provided by the Japanese Government, authorization will be given the Spanish Embassy in charge of Japanese interests in the continental United States to prepare the household effects of the Japanese officials for shipment.

An identical statement is being forwarded to the Japanese Government through the medium of the Swiss Legation at Tokyo in charge of American interests in Japan."

Text should be transmitted to Japanese Government and to Grew.²⁸

WELLES

125.0094/174 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, April 4, 1942.

[Received April 4—8:42 p. m.]

1383. American interests—Japan, exchange personnel. Department's 665, March 13. Swiss Foreign Office has received a telegram from its Minister in Tokyo dated April 1 reporting a conversation he had March 30 with the Japanese Minister of Foreign Affairs ^{28a} regarding the evacuation of official and non-official persons. A summary

²⁸ Joseph C. Grew, Ambassador in Japan prior to outbreak of war, December 7, 1941.

^{28a} Shigenori Togo.

of this conversation as received by the Legation in a note from the Foreign Office dated April 3 is as follows in translation :

"1. The Japanese Government anticipates that all the official representatives of the United States, Canada and Latin America states, Belgium, Greece and the Netherlands will be repatriated on the first evacuation ship. The number of these persons will be about 500 so that there will remain on the first ship about 600 places for persons without official position.

2. Regarding the evacuation of persons without official position priority should be given to those who are in Thailand and Indochina, namely about 100 persons.

3. The 500 remaining places should be reserved for the evacuation of 250 non-official persons from Japan and 250 non-official persons from China.

4. Regarding the evacuation of non-official persons from China the Japanese Government agrees to proceed first with the repatriation of the persons included under 4 (d) of your communication of March 17 (this communication contained the text of the Department's 665, March 13).

5. Regarding the 250 non-official persons to be repatriated from Japan it is left to us (the Swiss) to decide the priority among the American, Canadian and other citizens. The Japanese Government believes that the American Government should reach a decision on this point either with or without the agreement of the interested countries.

6. The Japanese Government declares itself in agreement with the proposal for the repatriation of officials from Hong Kong but it is not in a position to assume a guarantee for the evacuation of non-official persons particularly on account of the difficulties of transport.

7. The Japanese Government will shortly give me a list of Americans imprisoned. It is believed that there are about 30 in all. I am assured that the majority could be evacuated and that very probably all the journalists will be evacuated but it is almost certain that some will not be liberated because of charges against them. Japan also declares itself ready to evacuate 1 Belgian and 12 Netherland citizens from Manila. We have also discussed the question of diplomats from neutral countries who have expressed a desire to be repatriated according to several among them. The American Government has consented to their repatriation in particular for Madame de Vigo, wife of the Spanish Minister and for seven members of the French Embassy but the Japanese Government calls attention to the fact that their evacuation would be effected at the expense of American citizens whom Japan is desirous of evacuating in the largest number possible inasmuch as they are citizens of an enemy country; under these conditions Japan could not take these wishes into consideration unless the Swiss Minister declares officially that this is the desire of the American Government. Will you please ask the American Government to indicate the names of all persons of neutral countries who according to its opinion should be repatriated with the American officials. It would be helpful if the American Government would state whether I should take measures for the evacuation of all the personnel of the Chilean Legation. There are 12 persons in all and as a result there would be 12 places less for American citizens. The Japanese

Government considers this matter important and appears desirous of obtaining confirmation from the American Government.

The departure of the exchange ship from Japan will probably take place April 25 to arrive at Lourenço Marques about May 20. The ship chosen for the transport of the officials to be repatriated will probably be the *Kamukura Maru* or the *Asama Maru*, ships known in America. It is not excluded that Japan will propose a stop at Singapore in view of the difficulties of securing drinking water at Saigon. Naturally the Japanese Government would prefer that the exchange boat would not have to stay too long at Lourenço Marques and I am asked whether from the American end preparations are in a stage which would permit the American ship transporting all the Japanese officials included in the agreement to arrive at Lourenço Marques at about the same date as the Japanese ship.

The Ministry of Foreign Affairs has evinced a certain skepticism regarding the possibility of changing its decision taken as a result of the refusal of the American Government to accept the placing on board the exchange ship without restriction of the personal effects of the persons to be repatriated.

I will send you in another telegram the figures which the Gaimusho²⁹ will communicate to me regarding the officials and non-officials to be repatriated. These figures will be subject to revision as the Japanese have not yet exact ones for certain places particularly Chefoo. The most important and urgent question is to know as exactly as possible in what way the American Government will decide about the priority among different countries for the non-official persons. The Canadians in Japan have alone more than 100 Catholic priests to be repatriated. The American Government may perhaps consider it preferable to establish percentages for the different countries."

HARRISON

125.0040/178b : Telegram

The Acting Secretary of State to the Minister in Portugal (Fish)

WASHINGTON, April 6, 1942—5 p. m.

375. 1. With respect to forthcoming exchange of American and Japanese personnel at Lourenço Marques, please request Portuguese Government to instruct Colonial officials to extend every possible facility in this matter granting to extent that may be possible waiver of landing taxes and other charges against individuals being exchanged.

2. Please ascertain from Portuguese Government minimum requirements for documentation of persons being exchanged with respect to those coming from Far East and those coming from United States. Department hopes that visas may be waived or that at least Portuguese Government will not wish to insist on more than block transit visa for lists of persons being embarked on exchange vessels.

²⁹ i. e., the Japanese Foreign Office.

3. As urgent problems may arise in connection with the movement which cannot now be foreseen, please request that Portuguese Minister Washington³⁰ be granted discretionary authority to take urgent action upon such matters when presented to him by the Department.

WELLES

701.0090/19

The Department of State to the Swedish Legation

MEMORANDUM

Reference is made to a conversation between the Swedish Minister³¹ and Mr. Long³² March 31, 1942 in respect of the possibility of chartering the Swedish M. S. *Gripsholm* for the purpose of exchange of Axis and United States diplomatic and consular personnel and to the Swedish Minister's memorandum of March 28, 1942 upon that subject.³³

The United States Government is now desirous of chartering the M. S. *Gripsholm* under conditions similar to those covering the *Drottningholm*.³⁴ The conditions in question refer to safe conduct, redelivery of the vessel in a Swedish port, clearance of export of sufficient fuel oil to fuel the vessel, and other conditions similar to those covering the *Drottningholm* subject to charter negotiations between the War Shipping Administration and the Swedish American Line.

It is contemplated that the *Gripsholm* charter party will cover at least one voyage to Lourenço Marques, Portuguese East Africa with an optional call at a port on the East Coast of South America for the purpose of embarking Axis personnel for exchange at Lourenço Marques, with an optional second voyage from a United States port to Lourenço Marques and return, in addition to optional voyage or voyages between a United States port and Lisbon, Portugal and return for further exchange of Axis and United States diplomatic and consular personnel or unofficial personnel.

It is assumed that the Swedish Government will take appropriate steps to obtain the assent of the German Government to the charter of the *Gripsholm* for this purpose. The United States Government will be pleased to take through Swiss channels such action in support of the Swedish *démarche* as the Swedish Government may request.

WASHINGTON, April 6, 1942.

³⁰ João Antonio de Bianchi.

³¹ W. Boström.

³² Breckinridge Long, Assistant Secretary of State.

³³ Not printed.

³⁴ For correspondence regarding the exchange voyages of the *Drottningholm*, see pp. 327-373, *passim*.

125.0094/175 : Telegram

*The Acting Secretary of State to the Minister in Switzerland
(Harrison)*

WASHINGTON, April 7, 1942.

879. Your 1383, April 4 and 1384, April 5.³⁵ 1. Department is greatly surprised to learn that the Japanese Government plans to place Belgian, Greek and Netherlands officials and non-officials on the vessel to be provided pursuant to the arrangements which have been agreed upon for the reciprocal repatriation of Japanese and American officials and non-officials, including those of the other American Republics and Canada. This Government cannot agree to undertake to fix a formula for the inclusion in this exchange of Belgian, Greek and Netherlands nationals whose inclusion would reduce the number of Americans to be repatriated. British Government has informed this Government that its exchange negotiations include repatriation of nationals of governments temporarily in Britain. United States Government must insist that although the two exchanges may be carried on simultaneously, they be considered as separate operations, and that the terms of one will not be used to restrict the scope of the other.

2. United States Government is now seeking to charter additional Swedish vessel *Gripsholm*, (in addition to *Drottningholm*) and expects that its negotiations to that end will be successful unless German Government interposes some obstacle. Japanese Government will be informed immediately upon the termination of these negotiations. If this vessel is obtained, the United States Government will be able to repatriate on its first voyage 1,585 passengers in comfortable accommodations, that is, all Japanese officials leaving this hemisphere plus approximately 1,000 Japanese non-officials. It is anticipated that the number of Japanese non-officials to be repatriated under the existing agreement will be sufficient to fill the vessel on a second voyage. United States Government accordingly recommends that Japanese Government provide ample facilities for return trip to Japan of these persons increasing correspondingly provision for transportation to Lourenço Marques of nationals of United States, other American Republics and Canada.

3. United States Government is agreeable to granting priority to nationals of United States, other American Republics and Canada in Thailand and Indochina.

4. Respecting your numbered paragraph 4 Department unable understand why category 4 (d) (Department's 665, March 13) should

³⁵ Latter telegram not printed; it indicated provisional figures of officials to be repatriated secured by the Japanese Government.

in China be given precedence over categories 4 (a), (b), and (c). Please explain.

5. United States Government expects that nationals of other American Republics and of Canada will be extended equal treatment *pari passu* with American nationals and that as each priority class is evacuated names will be taken proportionately on a percentage basis from lists by nationality. Where number of nationals of any country is so small as to be insignificant entire list may be taken without applying this formula.

6. The inclusion of all Americans at Hong Kong in accordance with previous commitment of Japanese Government is definitely expected by United States Government. In order to facilitate the exchange this Government is willing that the exchange vessel stop en route at or near Shanghai, Hong Kong, Saigon, Bangkok and Singapore.

7. It is not clear whether 30 Americans in prison are in Japan, China, or elsewhere. Please send list indicating places of imprisonment and charges in each case. In regard to charges which the Japanese Government might possibly consider as of such a nature as to prevent repatriation, the Japanese Government should be informed that very serious charges could be placed on many Japanese now held by this Government. With a view to facilitating reciprocal repatriation, this Government has withheld the making of such charges. It is expected that the Japanese Government will be governed by similar principles.

8. United States Government believes willingness of Japanese Government to evacuate Belgian and Netherlands nationals from Manila should more properly be communicated to British Government and the same with respect to officials of European neutral countries. Department expects that any officials of Canada and the American Republics to whose evacuation from Manila the Japanese Government agrees will be accommodated on the exchange vessel.

9. With respect to wife of Spanish Minister Department considers her evacuation desirable. The same holds true of the Chilean nationals referred to in same paragraph of your 1383 as they are citizens of an American Republic.

10. If United States Government is successful in obtaining *Grips-holm* which is especially suitable for contemplated voyage, that vessel will not be ready to commence voyage from United States until May 15 and after stopping at Rio de Janeiro should arrive at Lourenço Marques about June 15. United States Government agrees, in view of necessity of proceeding immediately to second voyage, that exchange vessel should remain as short a time as possible at Lourenço Marques.

11. With respect to extent of effects of officials to be placed on exchange vessel United States Government would appreciate being informed as soon as possible of final Japanese position in order that United States Government may be guided by reciprocity.

12. Seven women and children of French Embassy may not be accommodated on present exchange vessel as they would displace American citizens but they may be accommodated on another vessel later if no Americans are displaced.

13. Comments on numbers given in your 1384 will follow.

WELLES

703.5493/13 : Telegram

*The Acting Secretary of State to the Minister in Switzerland
(Harrison)*

WASHINGTON, April 10, 1942.

903. Your 1397, April 7.³⁶ Bona fide American citizens to be repatriated from the Far East may be accompanied by the following: (a) alien spouses of European or Oriental origin, (b) alien minor children, (c) alien parents where presence of parent is essential for welfare of children. So far as feasible, information in regard to aliens should be telegraphed Department in advance of their departure for decision regarding their documentation at Lourenço Marques for entry into the United States.

WELLES

701.0090/11½

*Memorandum of Conversation, by the Assistant Secretary of State
(Long)*

[WASHINGTON,] April 13, 1942.

Sir Ronald Campbell³⁷ came in this afternoon at my request. I reverted to the memorandum he had handed me on Saturday³⁸ which, referring to the exchange of American, British and Japanese officials, proposed to make the British safe conducts for the evacuation ships subject to the condition that the British and American officials leave Japanese controlled territory on the same date. I asked Sir Ronald if this had been indicated by his Government or whether it had been

³⁶ Not printed.

³⁷ British Minister.

³⁸ Memorandum No. 224, dated April 8, 1942, not printed.

a proposal of the Embassy. He replied that his Government had instructed that it be delivered.

I asked Sir Ronald in what stage of development were the negotiations for the exchange between the British and Japanese Governments. He did not know. I suggested to him that they expedite as far as possible the conclusion of their agreements which we understood to be in an advanced stage, and stated that the American Government could not very well agree to the proposals made by the British Government for the implications of it were that the departure of the American officials from Tokyo, which had been long delayed, might even be further delayed. I advised the Minister that our arrangements with Japan had been completed with the possible exception of the inclusion of a few names of American officials who were in distant points but who were understood to be covered in, and that our program was so far advanced that we had had to postpone the suggestion of the Japanese that there be early departure because the American Government is not quite ready to begin the transportation owing to the lack of a vessel. As far as the agreement was concerned, it was practically in such shape that if we wanted to begin day after tomorrow, we could probably close the agreement tomorrow.

Sir Ronald said that he thought his Government would view with regret the decision of this Government because he felt that the two governments together were stronger than they were separately. I replied that I thought each of us was strong enough considering the officials of the enemy whom we had in our jurisdictions to insure the careful execution of the agreement on the part of Japan and assured him that there would be about four weeks before the American delegation could leave Tokyo and that we expected that they would put forth every effort to conclude their negotiations so that the British delegation could leave at the same time and on the same vessels but that we could not agree that the American officials should be delayed or that their departure should be made contingent upon the lack of an agreement between Great Britain and Japan.

B[RECKINRIDGE] L[ONG]

701.0090/18a

The Secretary of State to the British Ambassador (Halifax)

The Secretary of State presents his compliments to His Excellency the British Ambassador and has the honor to acknowledge the receipt of his note no. 201 of March 30, 1942, referring to the Department's memorandum of February 27³⁹ in which it was suggested that, in

³⁹ Neither printed.

view of the possibility that the number of American nationals arriving at Lourenço Marques from the Far East might exceed the capacity of the American vessel immediately available to transport them to the United States, arrangements might be made with the South African Government for the temporary admission into the Union, pending repatriation, of any excess of American nationals.

The Department is glad to learn that the South African Government, having been consulted in the matter, has consented to the temporary admission of officials of the United States and the other American Republics. It is further noted, with appreciation, that the South African Government has also agreed to the temporary admission of private individuals, under certain conditions. The foregoing information has been transmitted in detail to the Governments of the other American Republics concerned, and they will doubtless make the necessary guarantees with regard to their own nationals direct to the South African Government. The United States Government will endeavor to communicate the approximate numbers of nationals of the United States and the other American Republics as soon as that information becomes available, but it will be realized that this information may not be available before the exchange vessels reach Lourenço Marques.

For its own part, the United States Government does not, at this time, expect that it will be necessary to call upon the South African Government to admit temporarily any of the United States nationals, Canadian and nationals of other American Republics being evacuated from Japan. Nevertheless, this Government hereby guarantees that (a) it will be responsible for the maintenance and the repatriation of its nationals who may enter in the Union in pursuance of this arrangement, (b) individual United States nationals will not be authorized to take up employment in the Union while awaiting repatriation, and (c) all such United States nationals will leave at the first available opportunity either for the United States or some other country and this Government will accept the responsibility of making arrangements to that end.

The number of Americans sent to the Union of South Africa will be as small as possible, and, as stated in the preceding paragraph, it is quite possible that no persons whatever will be sent. However, should the situation require that the Union's offer of hospitality be accepted, full information with regard to the approximate numbers involved will be furnished with the greatest possible despatch.

A copy of this note is being transmitted to the American Legation at Pretoria for communication to the South African Government.

WASHINGTON, April 20, 1942.

703.5493/13 : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, April 27, 1942—7 p. m.

1066. Department's 903, April 10. Department's 444 of even date to the American Legation at Lisbon is quoted below for your information.

"Bona fide American citizens to be repatriated on an exchange vessel may be accompanied by the following: (a) alien spouses of European or oriental origin, (b) alien minor children, (c) alien parents where presence of parent is essential to welfare of children, (d) alien nurse, companion or servant (except Orientals) accompanying American employer, provided presence certified by physician as necessary.

As above persons cannot apply for American visas until they reach neutral country, Portuguese Government should be assured that these categories of aliens will be embarked upon the exchange vessel promptly and will not be permitted to become a burden on the Portuguese Government."

HULL

701.0090/22 : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, May 7, 1942.

1160. Department's 879, April 7, paragraph 10. Department now informed that *Gripsholm* cannot leave Sweden before May 25 and will possibly be delayed until May 30. Accordingly vessel will be unable to depart from United States until June 10 to 15 arriving at Lourenço Marques 1 month later. Swiss representatives Far East should be informed urgently and requested to communicate this information to Department's officers.

HULL

701.0090/10 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, May 8, 1942.

[Received May 8—7:21 p. m.]

1971. American interests—Japan. Department's 879, April 7. Swiss Legation, Tokyo, telegraphs May 6 following reply Japanese Government (English text):

"Japanese Foreign Office requests that following memorandum dated May 6 be transmitted to United States Government:

(1) The Japanese Government have been very much surprised to find that apparently no understanding was reached between the Gov-

ernments concerned regarding the proposed departure of the Belgian, Dutch, and Greek officials by the vessel to be provided in accordance with the arrangement agreed upon between the Japanese and American Governments. Far from having insisted on the departure of these officials by the said vessel, the Japanese Government have agreed upon it in order merely to comply with the request from the representatives of the protecting powers as they have been assured that the American Government's consent to that effect had been obtained. However, as the intention of the American Government in this matter has now been made clear, the Belgian, Dutch and Greek officials will be accommodated on the vessel to be provided pursuant to the Anglo-Japanese exchange agreement. With regard to the Belgian, Dutch, and Greek non-official personnel, the Japanese Government have never proposed to repatriate them by the same vessel with American citizens.

(2) As to the vessel or vessels to be selected for the exchange by the American Government, the Japanese Government regret to say that the memorandum referred to above does not contain any concrete and definite plan. It is not clear to the Japanese Government whether the American Government propose to provide two vessels i. e., the *Gripsholm* and the *Drottningholm* or only one of these two. Nor is it certain when negotiations for the charter of the *Gripsholm* will materialize. Under these circumstances the Japanese Government cannot but conclude that the number of Japanese non-official personnel to be repatriated simultaneously with the official personnel is not yet known and the date of departure of the vessel from a United States port cannot yet be fixed. The Japanese Government on their part have selected two vessels namely *Asama Maru* and *Conte Verde*, an Italian vessel, which having accommodations in total for 1500 persons will be able to transport on their first voyages more than 1100 non-official persons besides all officials to be exchanged. Other non-official persons to be exchanged will be carried on subsequent voyages.

(3) The Japanese Government desire to propose that in order to ensure a smooth execution of the reciprocal exchange both Governments undertake to secure arrival at Lourenço Marques of first exchange vessels by July 10th.

(4) The Japanese Government desire the United States Government will confirm that about 700 non-permanent residents in American countries whose names were communicated to them through the Spanish Government be allowed to embark on the first exchange vessel. They further desire that in allocating remaining accommodations, Japanese non-officials who were forced to leave Panama, Costa Rica, Ecuador or Peru be given priority.

(5) Japanese Government agree to embark all American non-official persons residing at Hong Kong who wish to leave by the first exchange operation. It is anticipated they number about 300.

(6) With regard to paragraph 5 of the memorandum above referred to (paragraph 7, Department's 879, April 7) Japanese Government will be able to make clear their attitude shortly."

701.0090/10 : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, May 13, 1942.

1234. American interests—Japan. Your 1971, May 8. Japanese Government should be informed as follows:

1. United States Government notes that misunderstanding regarding accommodation of Belgian, Netherlands and Greek officials and non-officials has apparently now been removed and that they will accompany British party leaving Japan.

2. United States Government has made all arrangements for use of Swedish S. S. *Gripsholm*, formality of signature of charter for which is expected momentarily. *Gripsholm* is expected to leave Göteborg in near future. Definitive date of departure from United States which will be within first 10 days of June will be announced to Japanese Government as soon as confirmation obtained of departure from Sweden. It is noted that Japanese Government has selected *Asama Maru* and *Conte Verde* for transportation of American party to Lourenço Marques and that number of passengers to be accommodated on these vessels approximately equals number of passengers which can be carried on *Gripsholm*.

3. United States Government hopes to have *Gripsholm* arrive at Lourenço Marques by earliest July 6 and by latest July 10. Confirmation of exact date will be provided as soon as possible. It is noted that vessels from Japan are to arrive at approximately same time.

4. United States Government confirms that 622 persons so far named in communications from Spanish Embassy will so far as physically possible be embarked on first exchange vessel. United States Government points out that communications from Spanish Embassy are arriving almost daily, each communication containing two or three names of persons often in remote areas of other American Republics and that transportation of some of these persons to New York or Rio de Janeiro in time to embark on first exchange vessel may be impossible through no fault of United States Government and associated governments. It is noted that Japanese Government desires its nationals who were forced to leave Panama, Costa Rica, Ecuador or Peru to be given priority over other Japanese nationals.

5. It is noted that all American nationals from Hong Kong who wish to leave by the first exchange vessel will be afforded the opportunity to do so.

6. It is noted that a statement of the Japanese attitude regarding the United States nationals who are imprisoned may be expected in the near future.

7. Please request Grew be informed.

HULL

701.0090/34 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, May 14, 1942—9 p. m.

[Received May 14—4:04 p. m.]

2078. American interests—Japan. Legation's 1971, May 8. Swiss Minister Tokyo telegraphs May 7.

"Japanese Foreign Office estimates that vessel *Asama Maru* can take 850 passengers from Japan, Manchukuo, Hong Kong, Indochina and Thailand, namely 198 officials and 652 non-officials. Latter figure broken down as follows: 38 from Manchukuo, 300 from Hong Kong, 11 from Indochina, 69 from Thailand and 234 from Japan. *Conte Verde* can take approximately 650 passengers from China."

In transmitting foregoing Swiss Minister stresses that estimate was given to him in confidence and that he is passing it on with a view to assisting the Department in forming idea of manner in which repatriation and evacuation of American citizens is to be carried out.

HARRISON

125.0094/175 : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, May 16, 1942.

1275. American interests—Japan. Your 2095, May 15.⁴⁰ Japanese Government should be informed that as already indicated (Department's 879, April 7 to you, paragraph 7, third sentence) United States Government has in order to facilitate their contemplated eventual repatriation avoided for the most part arresting and making criminal charges against Japanese nationals to whose activities it objects.

United States Government is of its own initiative making a survey of detention and internment camps to determine names of Japanese in confinement who wish to be repatriated. Likewise, wishes of Japanese Government for repatriation of Japanese nationals, as expressed through Spanish Embassy in charge of Japanese interests, are being given careful attention regardless of status of individuals. United States Government thus confirms that it expects to repatriate upon the contemplated voyages of the *Gripsholm* (numbering possibly three) all Japanese internees or detainees or other Japanese nationals expressing desire for repatriation whether that desire is first expressed by the individual or by the Spanish Embassy in charge of Japanese interests.

⁴⁰ Not printed.

It is assumed that Japanese Government does not wish the Japanese nationals whom it may name to this Government through Spanish channels to be repatriated if these persons publicly declare of their own free will, which the Spanish Embassy as representing the Japanese Government can freely verify, that they do not wish to be repatriated.

As all Japanese nationals interned in this country for the duration of the war who wish to return to Japan will so far as the capacity of the vessel will permit be accommodated on the first sailing of the S. S. *Gripsholm* it is expected that the Japanese Government will accommodate on the first exchange vessels leaving Japan all those American nationals whom it has interned or arrested. If the Japanese Government agrees full reciprocity is assured.

HULL

701.0090/56 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, May 16, 1942.

[Received May 16—5:42 p. m.]

2121. American interests—Japan. Swiss Minister Tokyo telegraphs May 12 following in reply to contents Department's 1033, April 24 ⁴¹ (translation from French).

"Japanese Government would not object to evacuation on first exchange vessel all American diplomatic and consular personnel in Japan, Manchukuo, Indochina, Thailand and Hong Kong provided American Government gives assurance that it will authorize Japanese diplomatic and consular officials in United States, Canada and in Latin American countries which have declared war or broken diplomatic relations to return to Japan on first exchange vessel. Same treatment will be accorded representatives American Red Cross in view of nature of activity of this institution. As for newspaper correspondents, Japanese Government cannot recognize their privileged position and they will be treated as American non-permanent residents. However, in consideration of what I said regarding Japanese newspaper correspondents the interested authorities are considering their position at this moment and the decision of Japanese Government will be communicated as soon as possible."

Legation assumes that in last sentence foregoing Swiss Minister was referring to last paragraph Department's 1033 which was forwarded as received to Tokyo and he is being urgently requested to confirm.

HARRISON

⁴¹ Not printed; it indicated that Department desired confirmation that all officials, newspaper correspondents, and Red Cross representatives in Japan and Japanese-controlled areas would be placed on first exchange vessel without exception (703.5494/32).

701.0090/138e : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, May 20, 1942.

1298. American interests—Japan. Department's 1234, May 13, paragraph 2. Japanese Government should be informed that charter for *Gripsholm* has been signed and it is expected that vessel will leave New York June 9 and arrive Lourenço Marques July 6 calling at Rio de Janeiro.

HULL

701.0090/56 : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, May 22, 1942.

1319. American interests—Japan. Your 2121, May 16. Department which expects inclusion of all American diplomatic and consular personnel on first exchange vessel from Japan and all Japanese diplomatic and consular personnel leaving the Western Hemisphere on first exchange vessel from United States naturally gives desired assurances that this will be done on its part but is somewhat disturbed that these reciprocal assurances appear necessary at this time when the exchange arrangements are so nearly completed.

Department notes that lists of persons to be embarked on the exchange vessel have not yet been received. It would be appreciated if Swiss representatives would bear in mind that exchange vessel is to leave United States June 10 and that lists of Americans (United States nationals, nationals of other American Republics, and Canadians) should be received here for approval before that date. Lists should be segregated by nationality, by family groups and by priority categories set forth by Department for guidance of Swiss representatives in Far East. It is hoped that lists will not be delayed as otherwise departure of *Gripsholm* might likewise be delayed.

Lists of passengers being placed on *Gripsholm* will be provided Spanish Embassy in charge of Japanese interests as long as possible before departure of the vessel.

Please rush reply.

HULL

390.1115A/837 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, May 22, 1942.

[Received May 22—4:59 p. m.]

2241. American and British interests—Far East, repatriation officials and non-officials. Foreign Office informs Legation that it has received note from British Legation Bern stating British authorities will be unable effect exchange British and Japanese officials and non-officials at Lourenço Marques before August 15. Note continues.

"As soon as Japanese Government confirms that they agree to this date His Majesty's Government will inform Imperial Japanese Government of names of ships to be used for purpose of exchange assuming that points outstanding in Anglo-Japanese negotiations have by then been satisfactorily settled.

The entirely new proposal made in Japanese Government's communication of May 14th that the United States and British exchanges should take place simultaneously furthermore has necessitated consultation with United States Government whose views on this point are awaited."

In communicating foregoing, Foreign Office refers to Japanese Government's intention to effect exchange with United States and with United Kingdom separately on one or more than one vessel but states that in order to assure security of navigation Japan deems it desirable that these vessels travel together.

HARRISON

701.0090/164 : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, May 23, 1942.

1329. American interests—Japan. Japanese Government should be advised that United States Government has been informed by British Embassy of Japanese proposal to British Government that Japanese vessels transporting British and associated nationals to Lourenço Marques should travel from Malacca Strait eastward in company with Japanese vessels bringing American nationals to the exchange point. United States Government is further informed that British Government has replied to Japanese Government that it cannot effect exchange of British for Japanese personnel at Lourenço Marques before August 15 at earliest. United States Government on other hand is ready to proceed to exchange and now feels in view of scanty facilities for shelter of passengers at Lourenço Marques that separation of exchanges may be helpful to all concerned. Accordingly United States Government intends to carry forward with its plans to effect exchange by arrival of *Gripsholm* at Lourenço Marques about July 6. British Government has been informed to that effect.

HULL

701.0090/126 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, May 23, 1942.

[Received May 23—2:51 p. m.]

2260. American interests—Japan. Legation's 2121, May 16 and Department's 1319, May 22. Swiss Minister Tokyo reports under date May 21 that Japanese Government has decided to authorize re-

patriation of all American newspaper correspondents without exception at present in Japan and Japanese occupied parts China. Swiss Minister, Tokyo, being requested to confirm that American newspaper correspondents will be evacuated first exchange vessel.

HARRISON

390.1115A/840 : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, May 25, 1942.

1345. Department has received from Spanish Embassy memorandum ⁴² stating that Japanese Government will transport Americans from Shanghai to Nagasaki and Kobe via *S. S. Conte Verde* leaving Shanghai June 1. Description of *Conte Verde* given in this memorandum is not adequate.

Please request Swiss Government urgently to inform Japanese Government that American Government must know flag displayed by *Conte Verde* and distinctive markings on port, starboard, and upper deck of this vessel.

Also inform Japanese Government sailing of *Conte Verde* should be postponed from June 1 to June 7 to permit receipt of desired information by American armed forces.

HULL

701.0090/56 : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, May 26, 1942.

1348. American interests—Japan. Department's 1319, May 22, final paragraph. Japanese Government should be informed that there has been delivered today to Spanish Embassy in charge of Japanese interests in the continental United States a list of 1484 Japanese to be repatriated on first voyage of *Gripsholm*. List includes 484 officials embarking at New York, 681 non-officials embarking at New York and 319 officials and non-officials embarking at Rio de Janeiro. Passenger list of 1500 will be completed by 16 Thai nationals.

List of persons embarking at Rio de Janeiro is believed to be incomplete. Additions to that list must necessarily be compensated by deductions from list of Japanese non-officials to be embarked at New York as it is desirable to complete evacuation of Japanese from Brazil on the first voyage of the vessel. Spanish Embassy will be informed of changes made necessary for this reason.

HULL

⁴² No. 226, dated May 20, 1942, not printed.

701.0090/175: Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, May 29, 1942.

[Received May 29—4:40 p. m.]

2342. American interests—Japan. Department's 1234, 13th. Swiss Legation Tokyo telegraphed May 27 following:

"Foreign Office informs Japanese Government has taken note of necessary formalities carried out for chartering of *Gripsholm* and that arrival in Lourenço Marques is scheduled between July 6 and 10. Larger part of Japanese non-official citizens whose names were communicated to United States Government are residents of the United States including Hawaii, Mexico and Brazil. Japanese Government considers that there is nothing to justify their not being transported to New York or Rio in order to be embarked on *Gripsholm* even if they are in the most distant parts of these countries. Japanese Government is informed that all other Japanese citizens residing in other countries than the three above named have already arrived or are about to arrive in United States. Japanese Government considers that these also could be embarked on *Gripsholm*. Regarding Japanese subjects in Paraguay Japanese Government expects that they will be embarked from Rio as American Government has already stated. Japanese Government desires urgently to receive confirmation of agreement of United States on these points."

HARRISON

701.0090/156: Circular telegram

The Secretary of State to the Ambassador in Cuba (Braden) ⁴³

WASHINGTON, June 1, 1942.

Please inform Foreign Office that M. S. *Gripsholm*, a Swedish vessel chartered by United States Government for transporting Japanese to Lourenço Marques and for bringing Americans back to New York, will adhere to the following schedule on its first voyage:

Leave New York, 4 p. m. June 10; arrive Rio de Janeiro June 24; leave Rio de Janeiro June 25; arrive Lourenço Marques July 7; leave Lourenço Marques July 11; arrive Trinidad for fuel and water July 29; leave Trinidad July 30; arrive New York August 4.

⁴³ The same on the same date to the Ambassador in Panama, and the Ministers in the Dominican Republic, Haiti, Nicaragua, Costa Rica, Guatemala, Honduras, and El Salvador.

Similar telegrams sent on the same date to the Ambassadors in China (No. 460) and the Soviet Union (No. 268); to the Ambassador in the United Kingdom and the Minister to the Belgian, Polish, Norwegian, Netherlands, Czechoslovak, Yugoslav, and Greek Governments in Exile (No. 2480); to the Minister in Switzerland (No. 1402) to obtain assurances of safe-conduct from all Axis Governments; and circular telegram to the Ambassadors in Mexico, Colombia, Bolivia, Brazil, Paraguay, Venezuela, Ecuador, Peru, and Uruguay.

M. S. *Gripsholm* is painted white with the name of the vessel, the Swedish flag and the words *Sverige* and *Diplomat* painted prominently on port and starboard. The vessel will travel fully lighted at night with identifying markings fully illuminated.

Please request Foreign Office to grant safe-conduct for the several voyages of M. S. *Gripsholm* between New York and Lourenço Marques. Inform Department as soon as assurance of safe-conduct is received in order that Department may notify Swiss Government.

Sailing dates of subsequent voyages of *Gripsholm* will be communicated well in advance of each sailing.

HULL

701.0090/195 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, June 2, 1942.

[Received June 2—12:48 p. m.]

2424. Exchange negotiations—Japan. Department's 1392 [1329], May 23. Swiss Legation Tokio telegraphed May 31 following:

"Japanese Government sees no objection to separate British and American exchanges so that American exchange can take place about July 10 as agreed."

HARRISON

390.1115A/859a : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, June 4, 1942.

1445. Please inform Japanese Government as follows:

"United States Government gives assurance of safe conduct for voyages from Japan to Lourenço Marques and return of steamships *Conte Verde* and *Asama Maru*, effective June 10 Western Hemisphere time. If *Conte Verde* carries Americans from Shanghai to Japan, it must not leave Shanghai before June 10. All possible precautions will be taken for earlier voyages of *Conte Verde* and *Asama Maru* but because of lateness of notification by Japanese Government, guarantee of safe conduct can only be given as of June 10.

Safe conducts will be granted by this Government for *Tatuta Maru* and *Kamakura Maru* if Japanese Government notifies United States Government of sailing dates and itinerary of these vessels at least 10 days in advance of sailing."

HULL

390.1115A/860 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, June 6, 1942—8 p. m.

[Received June 6—3:28 p. m.]

2543. American interests—exchange negotiations. Department's 1445, June 4. Swiss Legation Tokyo telegraphed June 4 following:

"As difficulties may arise on the subject of reservations on *Asama Maru* I proposed reserve first and second classes for officials according to rank but not too strictly interpreted. On other hand American Embassy takes entirely different attitude and has allocated cabins according to total number of official passengers and not according to proportion of officials of each country. The result is that of 289 places available in first and second classes 239 are claimed by Americans so that many officials among them career consuls of South American Republics will be placed in third class which would of course result in considerable difference in food. American Embassy also insists in principle all women of American nationality official or non-official be placed in first class."

Legation has informed Swiss Foreign Office there must be a misunderstanding and has requested it to instruct urgently Swiss Minister Tokyo endeavor to adjust this matter and in particular to see that Chiefs of South American Missions as well as other foreign officials receive accommodations suitable their rank.

HARRISON

390.1115A/860 : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, June 9, 1942—2 p. m.

1485. American interests—Japan. Your 2543, June 6, 8 p. m., final paragraph. Your action approved, as officials and nationals of Canada and other American Republics must obviously be given full equality in all respects with United States officials and nationals and the Department desires that all persons traveling on the vessel be given accommodations suitable to their relative rank and position regardless of nationality.

Swiss Legation Tokyo should be informed that Department accordingly supports its position.

HULL

390.1115a/866 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, June 9, 1942.

[Received June 9—9:50 a. m.]

2589. American interests—exchange negotiations. Legation's 2543, June 6. Swiss Legation, Tokyo telegraphed June 6 following message which Ambassador Grew desires be given to Secretary State, Washington:

"Faced with the very difficult and complicated problem of arranging accommodation on the *Asama Maru* for both Americans and foreigners we have tried to solve this problem in accordance with American traditions and for the greatest good of the greatest number. The *Asama Maru* carries 839 permanent berths of which 235 are first class and 90 second class. The Japanese propose to place in one of the public rooms of the third class, 51 temporary berths, so that the total passenger complement will be 890. The Japanese Foreign Office has left to the Swiss Minister final responsibility for the allocation of berths to all national groups in view of the fact that the costs of evacuation from the Western Hemisphere will be allocated among the various American nations in proportion to the number of their respective nationals evacuated from the Far East. We have proposed to the Swiss Minister that the berths in the first, second and third classes be allocated to each national group in accordance with the ratio between the number of each national group and the total number of persons to be evacuated. United States nationals would comprise more than 90 per cent of the total, but to accommodate non-United States officials, we have allocated only 85 per cent of the berths in the first and second classes to United States nationals. Our plan contemplates the assignment of all United States women and children about 250 in number to first and second class cabins and we are conceding from the berths which would be allocated to United States men a sufficient number of cabins to accommodate in first and second class all the women of the other national groups. There would be left for the accommodation of United States males 22 berths in first and second class after accommodating the first and second classes, elderly and indisposed United States males. All our United States official personnel from and including the rank of First Secretary down, would be assigned to the third class under our plan which required that every berth in each cabin shall accommodate one person. We have allocated one-berth cabins, each with private bath, to each unmarried foreign Chief of Mission, two-berths cabins, each with private baths to foreign Chief of Mission with wives, and we have accommodated children of diplomats in other first and second class cabins. The Panamanian Minister, his wife (who is bedridden with heart trouble), and two children have been allotted a suite with five berths. Those foreign officials to be accommodated in the third class would consist exclusively of the following: Peru, 2 Consuls; Chile, 1 Consul and 1 Chancellor; Mexico, 1 Chancellor; Brazil, 1 clerk; Paraguay, 1 Consul; Canada, 2 Second Secretaries, 1 Commercial Secretary, 1 Immigration Commissioner and 1 Trade Commissioner. The diplomatic representatives of Brazil, Mexico and Peru have informed the Swiss Minister that they cannot accept our plan of allotment of space. The

Peruvian Minister and wife were assigned a cabin with one bed and a sofa bed and he complains that the cabin would be too small for comfortable travel over a long voyage. The Mexican Minister and his wife similarly accommodated also complain that the cabin is too small. Both these Ministers are demanding three-berth cabins. If their demand were complied with, two additional United States males would be obliged to travel third class. In view of the fact that the Swedish and Portuguese Ministers said to the Swiss Minister that they cannot accept our plan for their various protégés, I feel that there is no alternative to our requesting from the Department of State, instructions which will enable us to determine our course in this problem, involving potentialities of serious friction and general bad feeling. I am not inclined, without specific instructions from you, to recede in any respect from the logical and reasonable position that we have taken. I cannot subscribe to any exaggerated and untimely concept of diplomatic privilege which under the conditions that will face us on board the ship would be contrary to the dictates of humanity. I believe that the American public would support the position that we have taken."

Department's attention called to last paragraph Legation's 2543 in which Swiss Minister requested to endeavor to adjust this matter. Legation's request telegraphed to Tokyo apparently crossed with above message from Ambassador Grew.

HARRISON

390.1115A/890a : Telegram

The Secretary of State to the Ambassador in the United Kingdom (Winant) ⁴⁴

WASHINGTON, June 9, 1942.

2625. Department's 2480, June 1.⁴⁵ For British Government and Governments to which Biddle is accredited.⁴⁶ Since Japanese Government has postponed sailing of *Asama Maru* and *Conte Verde*, M. S. *Gripsholm* will now sail from New York at 4 p. m., June 17. Itinerary of *Gripsholm* given in Department's telegram under reference should be altered accordingly.

Please obtain urgently assurances of safe-conduct for voyages of *Asama Maru* and *Conte Verde* from Japan to Lourenço Marques and return. Inform Department promptly of receipt of these assurances in order that Department may notify Swiss and Spanish Governments.

Itinerary of Asama Maru:

Leaves Yokohama June 17, arrives Hong Kong June 22, leaves Hong Kong June 23, arrives Saigon June 26, leaves Saigon June 27,

⁴⁴ The same, *mutatis mutandis*, on the same date to the Embassies in the Soviet Union (No. 286) and China (No. 503) ; sent to the Embassy in Cuba as a circular telegram, and repeated to the Embassy in Panama and the Legations in the Dominican Republic, Haiti, Nicaragua, Costa Rica, Guatemala, Honduras, and El Salvador.

⁴⁵ See footnote 43, p. 425.

⁴⁶ Belgium, Poland, Norway, the Netherlands, Czechoslovakia, Yugoslavia, and Greece, established in England.

arrives proximity of Singapore June 29, leaves proximity of Singapore July 3, crossing Straits of Sunda and passing south of Mauritius, Reunion and Madagascar, arrives Lourenço Marques July 16, leaves Lourenço Marques July 19, arrives proximity of Singapore August 1, leaves proximity of Singapore August 4, arrives Kobe, August 12.

Itinerary of *Conte Verde*:

Leaves Kobe June 18, arrives Shanghai June 21, leaves Shanghai June 24, arrives proximity Singapore June 30, leaves proximity Singapore July 3, arrives Lourenço Marques July 16. Return voyage to Japan on same itinerary as *Asama Maru*.

Markings on Japanese exchange vessels are as follows:

1. (*Daytime*)

- (a) Grey hull, white deckhouses, black funnels.
- (b) On each side of hull, two white crosses with Japanese ensign in between, are painted amidships.
- (c) On each side of bow and stern, white cross is painted about same height as above mentioned ensign.
- (d) Japanese ensign is painted on top of fore deck, cargo hatch and a white cross each on top of quarter deck, cargo hatch and both ends of bridge (except *Conte Verde* which has a white cross in middle of roof bridge).
- (e) Japanese ensign hoisted on foremast.
- (f) White cross on both sides of funnels.

2. (*After Dark*)

- (a) Ships will be lit normally.
- (b) Series of light signals visible all around horizon to be hoisted on top of main mast in vertical order of green, red, green, red.
- (c) White cross illumination amidships on both sides of hull and on stern.
- (d) White crosses on funnels and quarter deck illuminated.
- (e) Cargo lamp fixed on each side of stern so as to project light slantingly upwards to characteristics of exchange vessel.

Asama Maru—Tonnage: Gross 16,975 Net 10,017

Length: 170.69 metres

Two funnels

Two masts

Cruiser stern built in 1928

Speed: 16 knots

Width: 21.95 metres

Depth: 12.95 metres

Conte Verde—Tonnage: Gross 18.765 Net 11.517

Two funnels

Two masts

Elliptical stern built in 1923

Speed: 16 knots

Length: 600 knots [*feet*]

Width: 75 feet.

390.1115A/866 : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, June 10, 1942.

1499. American interests—Japan. Your 2589, June 9. Following for Grew: Department appreciates the humanitarian motives governing its representatives and the United States nationals in Japan who volunteer to give up such precedence as might be extended them on account of their official rank or on other grounds and wish to see women and children placed in the better accommodations on the vessel.

In accommodating on exchange vessels the enemy diplomatic missions and non-official nationals leaving the United States this Government has not consulted the Chiefs of departing missions but has assigned definite blocks of space to separate nationality groups and has allocated space within those blocks by order of priority allowing the individuals on reaching the vessel to adjust space among themselves if they wished. It appears that in Japan the allocation of space is being left by the Japanese Foreign Office to the representatives of the protecting powers and Department feels that these representatives should be allowed freely to allocate space in consultation with each other and in accordance with their best judgment. If any of the Department's officers or any of the other United States men receive under such allocation quarters more comfortable than any United States women and children the former are, of course, at liberty to surrender their quarters to women or children if they so desire. The Department relies upon your tact to avoid any dispute over allocation of space on the vessel particularly in that the entire basis of the negotiation is that all the American states whose representatives and nationals are being repatriated have entered into this arrangement on a basis of absolute equality. Department particularly desires that the representatives of the other American states be not put in a position to feel that the United States representatives have insisted upon their taking accommodations inferior to those to which they might normally be entitled.

HULL

701.0090/361a : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, June 12, 1942.

1521. Please inform Swiss Foreign Office and ask that Swiss Minister and Grew, Tokyo, be also informed Department regrets state departure exchange vessel *Gripsholm* delayed account of failure receive Japanese list American nationals coming from China and be-

cause Japanese Government refused give safe conduct *Gripsholm* until June 16. Hope these difficulties will be settled and vessel will proceed on June 17.

HULL

390.1115A/888 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, June 13, 1942.

[Received June 13—4:10 p. m.]

2699. Exchange negotiations—Far East. Department's 1392, May 30, Legation's 2614, 10th.⁴⁷ Swiss Legation Tokyo telegraphs June 10 following:

"Japanese Government has decided to repatriate all Americans imprisoned or interned in Japan, Korea, Manchukuo, China, Hong Kong, Indochina and Thailand who desire to be evacuated except three persons mentioned (Legation's 2498, 5th⁴⁸). It has made great efforts and great expenditures to bring these American citizens from very distant regions to port of embarkation.

It therefore sees no objection that all Americans imprisoned or interned in Korea and Manchukuo be included if they wish in first exchange; the repatriation will be done as Japanese Legation has already stated, see Legation's 2474, 4th,⁴⁹ on condition that American Government repatriate without delay and without exception all Japanese whose names were communicated by Spanish Embassy to American Government. Japanese Government calls attention that number of Japanese whose names were communicated is far from attaining number of passengers which *Gripsholm* can carry. Japanese Government cannot understand statement according to which American Government will embark Japanese on *Gripsholm* to extent which its capacity permits."

HARRISON

701.0090/362 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, June 13, 1942.

[Received June 13—5:02 p. m.]

2705. Exchange negotiations—Far East. Department's 1521, 12th. Swiss Legation, Tokyo telephoned Swiss Foreign Office June 13 following:

"Japanese Government states there is discrepancy in number of names on Admiral Nomura's list and Japanese list of Japanese to be embarked on *Gripsholm*. Discrepancy is approximately 160 includ-

⁴⁷ Neither printed.

⁴⁸ Not printed; the three persons mentioned were Daniel Brooke MacKinnon, missionary, and Professor and Mrs. Harold Macy Lane, who were imprisoned by the Japanese in Japan (701.0090/234).

⁴⁹ Not printed.

ing not only non-official but also some officials. Japanese Government states that *Asama Maru* will depart on June 15 but that corresponding number of American officials and non-officials will be left behind if above discrepancies are not settled by then."

HARRISON

390.1115A/893 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, June 16, 1942.

[Received June 16—8:57 a. m.]

2733. Exchange negotiations—Japan. Department's 1536, June 15.⁵⁰ Swiss Legation Tokyo telegraphs June 15 following.

"It is officially confirmed that departure of *Asama Maru* scheduled for Wednesday June 17. *Conte Verde* will leave Osaka June 18 for Shanghai where it will take aboard officials and non-officials to be repatriated. Readjusting distribution plan of cabins according to indications contained in your telegram (Department's 1499, June 10). Endeavoring arrange matters to avoid any complaints of diplomats of other countries than United States, probably cannot please everybody with such large number of passengers but will do best to insure equitable distribution."

Confirm sailing date of *Asama Maru* June 17 as correct date.

HARRISON

701.0090/156 : Telegram

The Secretary of State to the Ambassador in Brazil (Caffery) ⁵¹

WASHINGTON, June 19, 1942.

1589. Department's circular telegram June 1. M. S. *Gripsholm* sailed from New York at 11:22 p. m. June 18 bound for Lourenço Marques via Rio de Janeiro. Schedule of *Gripsholm* given in Department's circular telegram under reference should be altered accordingly.

Please request that sufficient guards be on hand when vessel docks to prevent Japanese from leaving ship. Department expects you to have 403 (four hundred three) passengers for *Gripsholm*.

HULL

⁵⁰ Not printed.

⁵¹ Similar telegrams, excluding last paragraph, were sent on June 18 (circular) to the Embassies in the Soviet Union, China, and the United Kingdom; also on June 18 (circular) to the Embassies in Mexico, Panama, Colombia, Venezuela, Paraguay, Bolivia, Ecuador, Uruguay, Peru, and Cuba, and the Legations in Haiti, Nicaragua, Costa Rica, Guatemala, Honduras, and El Salvador; and on June 19 to the Legation in Switzerland (No. 1590) with instruction to inform all Axis Governments.

701.0090/454a : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, June 20, 1942.

1615. Exchange negotiations—Japan. Your 2834 and 2835, June 20.⁵² Department is surprised by indication that Japanese Government is postponing sailing of its exchange vessels until receipt of list of Japanese embarked on *Gripsholm* which left New York June 18. Department until receipt of these telegrams has been entirely without any knowledge from the Spanish representative here of Japanese interests or from the Japanese Government through Swiss channels that the Japanese Government desired the passenger list of the *Gripsholm* for approval before the departure of the ship. It has understood that the *Gripsholm* could depart upon a statement from the Spanish representative here that he was satisfied with the complement of the vessel. Accordingly a passenger list of 987 Japanese and 10 Thai nationals ready for embarkation on the ship was given to the Spanish Ambassador on June 15 and he was informed that approximately 403 Japanese were to be embarked at Rio de Janeiro from Brazil and Paraguay; consequently there remained vacancies for 98 additional persons from the United States whom he might name to complete the full passenger carrying capacity of 1500 for the vessel. The Spanish Ambassador proceeded on June 16 to New York and consulted there with the former Japanese Ambassador aboard the *Gripsholm*. He subsequently furnished the Department with additional names of Japanese to fill the vacancies, and there were embarked on board as many of the Japanese named as could be transported to New York for the sailing of the ship, including 17 Japanese from Peru and Ecuador who were in Louisiana and who were put on board by special plane. Matsudaira⁵³ was also placed aboard. The two others were already aboard and have sailed. The names of the additional persons who were actually placed on board were given to the Spanish Ambassador and he had a final conference with Nomura aboard the *Gripsholm* on June 18. On that evening he informed the Department that the passenger list as completed was approved by him and by Nomura and that he considered that this Government had fulfilled the terms of its agreement to date to the fullest possible extent.

As your 2733, June 16, indicated that the *Asama Maru* and the *Conte Verde* would depart on June 17 and 18 respectively from Yokohama and Osaka, the *Gripsholm* was permitted to sail, at 11:22 p. m. June 18 for Lourenço Marques via Rio de Janeiro. The ship actually had on board 1065 Japanese and 18 Thai nationals, total

⁵² Neither printed.

⁵³ Ichiro Matsudaira, son of president of Japanese Imperial Household.

1083, leaving 417 Japanese to be embarked at Rio de Janeiro. The passenger list included all of the Japanese officials in the United States on the outbreak of war and all Japanese officials who were brought to the United States subsequently from other American countries. It included also Japanese newspaper men and non-official Japanese nationals whose names had been submitted to this Government by the Spanish Ambassador in so far as such non-official Japanese could be located and desired to leave, and the passenger carrying capacity of the ship would permit.⁵⁴

This Government insists therefore that it has fully complied with the terms of the agreement and points out that the *Gripsholm* sailed with the consent of the Spanish representative here of Japanese interests after consultation with the chief Japanese official aboard the ship, namely Nomura. It desires to point out further that it permitted the *Gripsholm* to depart with the clear understanding with the Japanese Government, according to your 2733, June 16, that the Japanese exchange vessels would depart at the same time, on June 17 and 18. It permitted Matsudaira to embark with the understanding that McKinnon and Mr. and Mrs. Lane would be included among the Americans to be repatriated on the first British or second American exchange vessel, whichever left Japan first, as stated in Green's⁵⁵ telephonic conversation on June 17 with Tait.⁵⁶ It therefore desires immediate confirmation of the departure of the Japanese ships.

A complete list of the Japanese and Thai passengers on board the *Gripsholm* at the time of the ship's departure from New York on June 18 has been given to the Spanish Ambassador.

HULL

390.1115A/922b : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, June 22, 1942.

1617. Exchange negotiations—Far East. Department's 1445, June 4. Assurances of safe conduct for voyage of *Asama Maru* and *Conte Verde* between Japan and Lourenço Marques and return have been received from governments of Belgium, China, Costa Rica, Cuba, Czechoslovakia, Dominican Republic, Great Britain, Greece, Guatemala, Haiti, Honduras, the Netherlands, Nicaragua, Norway, Panama, Poland, El Salvador, Soviet Union, Yugoslavia.⁵⁷

HULL

⁵⁴ For statement of relief supplies carried on first exchange voyage of the *Gripsholm*, see Department of State *Bulletin*, April 10, 1943, p. 295.

⁵⁵ Joseph C. Green, Chief of the Special Division.

⁵⁶ George Tait, First Secretary of Legation in Switzerland.

⁵⁷ Department's telegram No. 1662, June 29, to the Minister in Switzerland, added the Mexican Government (390.1115A/948a).

701.0090/511a : Telegram

The Secretary of State to the Ambassador in Brazil (Caffery)

WASHINGTON, June 24, 1942—1 p. m.

1645. We are experiencing some difficulty with the Japanese exchange. On June 17 in telephone conversations between Washington and Bern and between Bern and Tokyo the Swiss Minister in Tokyo announced that he had been aboard the *Asama Maru*, that all the Americans were aboard, and that Grew was satisfied. Several details concerning the agreement were disposed of during those telephone conversations, and he was assured by the Japanese authorities that the vessel would depart immediately. After the Spanish Ambassador in charge of Japanese interests in Washington expressed himself as satisfied and former Ambassador Nomura as content with the arrangements, the *Gripsholm* departed on June 18 at 11:22 p. m.

On June 20, 2 days after the *Gripsholm* sailed, we were advised that the *Asama Maru* had not yet sailed. After telephonic and telegraphic communications through the Spanish Embassy in Washington and the Foreign Office at Madrid, Spanish Ambassador Cárdenas received a telegram from Madrid stating that they were advised by the Japanese Legation in Madrid that the *Asama Maru* had sailed. The Department has been trying through Bern to obtain confirmation of that statement but Bern advised on the 22d and again on the 23d that it was unable to confirm the sailing of either the *Asama Maru* or the *Conte Verde*, the latter of which was to carry the evacuees from China.

Telephone conversation between Bern and Tokyo has been interrupted for atmospheric or other similar reasons since early on the 22d. Cabled inquiries from Bern to Tokyo have not been answered.

Department advised by telephone from Bern today that *Asama Maru* has not sailed.

The Department has carefully considered the American Government's course vis-à-vis the *Gripsholm*, and in consultation with other Departments has determined to permit the vessel to proceed on its regular course for Rio de Janeiro where it is due about July 3. If Department is advised that the vessels have sailed from Japan you will be advised.

With this background the Department has several suggestions it desires to make for your guidance:

First, on arrival in Rio de Janeiro the vessel should be held in the stream or in the outer harbor without access of those aboard to the shore until such time as it is ready to load the passengers and baggage.

Second, the operation of loading should be completed in the shortest possible time.

Third, only very carefully selected Brazilian officials should be permitted aboard and none other than the Spanish or Swiss representatives in their respective capacities of representation of interests should be permitted to board the vessel unless in your discretion a limited number of members of the staffs should do so for the transaction of necessary official business.

Fourth, a sufficient military guard should be placed around the entrances to the quay so as to exclude from the vicinity of the vessel all persons other than those whose presence is actually necessary to assist those boarding the vessel and placing the baggage aboard.

Fifth, when the vessel is loaded with passengers and baggage she should immediately be taken from the quay and removed into the outer harbor or into the stream to await orders unless orders have previously been received by you for the captain of the vessel.

Sixth, in case it should be deemed advisable to place additional passengers of American nationality aboard who subsequently may be named to you, you will be prepared at the proper moment to present the matter effectively to the appropriate authorities in order that their presence aboard may be assured and before the vessel leaves the quay. This is for your own entirely confidential information and for your use only in case the matter is subsequently presented to you.

Seventh, in case there should be any change in the existing orders of the captain, you will be notified prior to the time the vessel is scheduled to leave Rio de Janeiro.

You should pave the way with the appropriate authorities for an expeditious, orderly, and exact compliance with these requests but you are cautioned not to mention the matter in sub-paragraph 6 above until that should develop to be necessary.

For the information of the Brazilian Government you may state that the personnel aboard this vessel includes very competent officers of the Japanese Navy from the rank of Admiral down, as well as a number of members of the military and naval reserve forces, the leaders of whom have shown every indication of being in a surly state of mind. Considering the circumstances as a whole as outlined to you above, the Brazilian authorities will be able to understand the reasons for the desires now expressed by the American Government and we hope will be inclined to cooperate with you to the fullest extent and to make such disposition of their official, military, and naval forces in the neighborhood of the quay as will secure the situation there. You are instructed to approach the appropriate officials in confidence and request their cooperation.

HULL

390.1115A/922 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, June 26, 1942.

[Received June 26—9:13 a. m.]

2963. Exchange vessels *Asama Maru* and *Conte Verde*. Your 1615, June 20. Swiss Foreign Office telephones following telegram received from Swiss Legation Tokyo.

"About 15 minutes after my telephone with Bern, Gaimusho informed me that the military authorities were confident that I would succeed with the help of my Government in settling the last difficulties with the American Government. In order to lose no time they gave orders to the commander of the *Asama Maru* to sail after midnight. *Asama Maru* actually sailed on Thursday June 25 at 1:35 a. m. I communicated your telegram June 24,⁵⁸ relating to itinerary of *Asama Maru* and *Conte Verde* sent at the request of Japanese Legation Bern (this telegram likewise sent to Governments of Great Britain, Egypt and Australia), to Gaimusho which received it with greatest satisfaction. *Conte Verde* will sail from Shanghai on June 29 probably in the afternoon. I confirm: Primo: Gaimusho made all reservations for possible protests to Washington in case all Japanese whose repatriation has been demanded were not on board the *Gripsholm*. Telegrams received from Madrid are so mutilated that Gaimusho was unable to check accurately the number of passengers on *Gripsholm*. Secundo: Gaimusho cannot understand why the capacity of *Gripsholm* is now indicated as 1500 passengers and not 1585 as has been announced before.

Gaimusho wishes to receive an explanation in this regard as Japanese Government endeavored to repatriate on *Asama Maru* and *Conte Verde* a number of passengers as near as possible to figure previously indicated."

Swiss Foreign Office adds that the itinerary of the vessel referred to previously as having been communicated to London, Cairo and Canberra is as follows, although it would appear possible, since *Asama Maru* only sailed early hours June 25 Tokyo time, that there may be some minor revisions necessary.

"Depart Yokohama June 24 PM, arrive Hong Kong June 29 AM, leave Hong Kong June 30 AM, arrive Saigon July 3 AM, leave Saigon July 4 PM, arrive near Shonan Ko July 6 PM, leave Shonan Ko July 9 PM, arrive Lourenço Marques July 22 PM, depart Lourenço Marques July 25 PM, arrive near Shonan Ko August 8 AM, depart Shonan Ko August 10 AM, arrive Yokohama August 17 AM. *Conte Verde* due depart Shanghai June 29 PM, arrive near Shonan Ko July 5 PM. Remainder of voyage identical with *Asama Maru*."

Repeated Lisbon, Madrid and Vichy.

HARRISON

⁵⁸ In despatch No. 2728, June 29, 1942, from the Minister in Switzerland, it is indicated that the reference to Foreign Office's telegram of June 24 to Tokyo concerned solely the Department's telegram No. 1615, June 20, to the Legation, p. 434, and that this information was being communicated to the Department so that the Department's records would be complete and accurate on this subject (390.1115A/986).

390.1115A/932c: Circular telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*⁶⁹

WASHINGTON, June 26, 1942.

Exchange vessel *Asama Maru* left Yokohama at 1:35 a. m. on June 25. Exchange vessel *Conte Verde* will according to report received from Swiss Government leave Shanghai on afternoon of June 29. Both vessels will proceed together from Singapore to Lourenço Marques, where they will arrive July 22.

HULL

390.1115A/1004a: Telegram

The Secretary of State to the Consul at Lourenço Marques (Preston)

WASHINGTON, July 6, 1942.

66. Department is requesting that Swiss representatives on *Asama Maru* and *Conte Verde* provide you immediately on arrival certified copy of passenger lists of those vessels. You will certify these lists to the American Export Lines as correct lists of the passengers on the *Asama Maru* and the *Conte Verde* entitled to accommodation on the S. S. *Gripsholm* and the lists will thus be used by the Export Lines office in establishing the passenger list of the latter vessel.

It is not planned to inform you of the prepayment of passage for any non-official individuals to travel on the *Gripsholm*. All officials of United States Government, other American Republics and Canada should be placed on the vessel upon the basis of their official status. All non-officials, except in the case of certain of the other American Republics which will be named in a separate telegraphic instruction to you, should be accommodated on the *Gripsholm* upon proper identification as indicated above and upon execution of a promise to repay the government to which the passenger owes allegiance. American citizens should execute such a promise for their accompanying alien relatives and likewise nationals of the other American Republics and of Canada for their accompanying relatives. Passengers should be informed that the promissory notes will be canceled automatically upon settlement of the voyage account if prepayment of passage has been made at New York.

Promissory note should conform to model prescribed in paragraph 1 of Department's 50, June 11, 11 p. m. to you⁶⁰ with such modifica-

⁶⁹ Sent also to the Ambassadors in Cuba, Panama, Mexico, Uruguay, Paraguay, Bolivia, Peru, Ecuador, Colombia, Venezuela, Soviet Union, and China, and the Ministers in Nicaragua, Haiti, Dominican Republic, Costa Rica, Honduras, El Salvador, and Guatemala, and the Consul at Lourenço Marques. Similar telegram, same date, to the Ambassador in Brazil.

⁶⁰ Not printed.

tions as may be necessary in view of differing purpose of note and nationality of passenger (paragraph 4 of Department's 50 to you).

Tickets of all passengers will be endorsed "Payment guaranteed by (name of Government to which passenger owes allegiance) Government on Basis of Audited Costs."

Berthing of passengers will be undertaken by Export Line officers with assistance, as far as concerns officials only, of Raymond D. Muir, State Department representative on *Gripsholm*.

HULL

390.1115A/1010a : Telegram

The Secretary of State to the Minister in Portugal (Fish)

WASHINGTON, July 17, 1942—9 p. m.

994. Consul Lourenço Marques reports he is informed by Portuguese authorities that no measures preparatory to exchange have yet been taken by Japanese authorities through any firm or official at Lourenço Marques. Consul and representatives of American Export Line pointed out to Portuguese Foreign Office representative at conference on July 13 that American preparations were well advanced but that little more could be done because of Japanese failure to appoint local agency to handle mechanical details of exchange such as berthing of vessels, funds, cargo and baggage. Furthermore, Japanese Government has informed Portuguese authorities they expect their vessels to sail from Lourenço Marques July 25.

Please bring foregoing to attention of Portuguese Foreign Office urgently and suggest that Portuguese Government as guarantor of the exchange may wish to communicate on urgent basis with Japanese Government suggesting that latter take necessary steps.

HULL

390.1115A/1006 : Telegram

The Consul at Lourenço Marques (Preston) to the Secretary of State

LOURENÇO MARQUES, July 28, 1942.

[Received July 28—6 p. m.]

192. From MacGowan [and] Nicol ⁶¹ for Gehan.⁶²

"*Gripsholm* arrived 20th, *Conte* [and?] *Asama* 22d. Exchange operation accomplished 24th successfully under 4 hours. However, considerable confusion berthing, originally based lists our possession prior arrival necessitating complete reberthing program after exchange effected based on steamers official lists. Reberthing work terminated evening 26th. Order avoid similar extremely unpleasant

⁶¹ John MacGowan and Robert Nicol of American Export Lines.

⁶² John F. Gehan, vice president of American Export Lines.

occurrence which serious, necessary you arrange we return New York [as soon as possible] order report and rectify system exchange which otherwise perfect. *Gripsholm* sailed 28th, 1,510 aboard, details later. Your 6, yes."

PRESTON

390.1115A/1006 : Telegram

*The Acting Secretary of State to the Minister in Switzerland
(Harrison)*

WASHINGTON, August 1, 1942.

1889. American interests—Far East. In future when lists of Americans being repatriated from Far East are telegraphed Swiss representatives should so far as possible indicate age and sex of children and relationship of members of family groups other than wife and children. In listing family groups head of family should be listed first, wife second, children thereafter and other members of family last.

Purpose this request is to facilitate assignment of accommodations at Lourenço Marques and avoid delay of vessel through incorrect assignment of berths.

WELLES

390.1115A/1006 : Telegram

The Secretary of State to the Consul at Lourenço Marques (Preston)

WASHINGTON, August 22, 1942—3 p. m.

160. Reference your 192, July 28 transmitting message from MacGowan, Nicol for Gehan. Department beginning receive complaints from returning passengers *Gripsholm* against MacGowan for extremely inefficient berthing arrangements at Lourenço Marques resulting in great inconvenience passengers all of whom alleged unprovided for long hours up to 2 days with accommodations and obliged therefore remain in public rooms and on deck until cabins assigned them. This said to be in contradistinction to Japanese arrangements under which Japanese passengers received tickets assigning them their cabins as they boarded their ships from *Gripsholm*.

Please air mail Department immediately complete detailed report of matter including full statement of all that went on from time MacGowan, Nicol arrival to departure *Gripsholm* in connection with disembarkation Japanese from *Gripsholm* and embarkation Americans. Compare as far as possible Japanese arrangements. Include your recommendations for arrangements for second exchange.

While MacGowan's message, your 192, ascribes confusion berthing

to difference lists given him before departure with subsequent lists received Department unaware any important difference in two sets lists.

While Department desires above-called-for report for consideration passenger complaints mentioned, it also desires report to enable it consider arrangements for second and any further exchange.

HULL

390.1115A/1097: Telegram

The Consul at Lourenço Marques (Preston) to the Secretary of State

LOURENÇO MARQUES, August 28, 1942—4 p. m.
[Received 10 p. m.]

247. Referring to the Department's telegram No. 160, 3 p. m., since airmail takes from 1 month to 6 weeks from Lourenço Marques to the United States believe it to be advisable to report briefly by cable.

1. Japanese aboard SS *Gripsholm* had official committee with absolute control over passengers. Portuguese delegate informs me that this committee was in radio communication with Japanese vessels and that during westward voyages Japanese ships berthing by Japanese pursers was completed before arrival so that cabins could be allocated as passengers boarded vessels.

2. MacGowan, Nicol from time of arrival worked intensely preparing practical details for exchange operations which are now being used as basis for British exchange.

3. MacGowan berthed *Gripsholm* prior to arrival of vessel except officials.

4. After arrival *Gripsholm* lack of shore accommodations it was found that 1,558 required berths as against approximately 1,450 berths available, advance lists did not indicate sex of all passengers, relationship, or age; official Canadian list incomplete; extensive and hourly increasing sick list required reberthing. All this contributed to render preparatory berthing work of MacGowan useless, notable complications combining two distinct passenger groups into one ship made it extremely difficult long arduous operation with resultant hardship to passengers awaiting allocation.

5. After official exchange completed requiring debarkation and embarkation simultaneously it necessitated incoming passengers *Gripsholm* confined to public rooms, decks due to necessity clean cabin section.

6. Believe critics in comparing with Japanese should consider Japanese had much simpler problem transferring to two large ships neither of which was overcrowded. Strongly recommend that not

more than 1200 persons should be permitted *Gripsholm* second exchange thus assuring more comfort for passengers and greatly [facilitating?] berthing problem.

8. A full report with recommendations in detail is being mailed by most expeditious route.⁶³

PRESTON

390.1115A/1234 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, October 15, 1942.

[Received October 15—10:20 a. m.]

4657. American Legation's 4394, September 26,⁶⁴ Department's 2294, 1st.⁶³ Swiss Legation Tokyo telegraphs October 12 following:

"Minister Gorgé had conference October 9 Japanese Ministry Foreign Affairs at which 'Vice Minister' assured him Japanese Government had no intention renounce second evacuation American citizens but not possible at present give exact date. Other officials who handle evacuation matters gave Minister supplementary information according which delay second exchange due fact American Government reported found only about one-third of 1500 Japanese which Japan desires repatriate. Japanese Government waits information from American Government regarding new endeavors locate missing Japanese.

Japanese Government gave following replies in substance to three questions asked by Department (1) statements made by Japanese authorities apply to all visits in general, (2) through official information bureau Japanese Government continues make complaints regarding treatment meted Japanese civilians in American Republics which does not help negotiations, (3) in addition to fact that Japanese authorities disapprove treatment of Japanese subjects recently repatriated, Japanese Government irritated by measures in United States and other countries which it considers under control Washington, such as Mexico, Peru, Panama, El Salvador, Nicaragua, Costa Rica towards Japanese civilians in general. Japan claims that regime imposed on Japanese subjects strongly contrasts with generous treatment given enemy internees its territories.

In communicating above Minister Gorgé adds following observations: To answer 1: Meantime situation changed special report on new internment measures in preparation. To answer 2: Despite remarks made Japanese authorities believe evacuation will take place soon as American Government ready repatriate Japanese subjects designated, nevertheless work completing internment camps continues, indicating early evacuation not planned, true, however, authorities controlling internment may act independently of political authorities."

HARRISON

⁶³ Not printed.

⁶⁴ *Post*, p. 822.

740.00115 Pacific War/8454

The Department of State to the Spanish Embassy.

MEMORANDUM

The Department of State refers to its memoranda of September 1 and 2, 1942,⁶⁷ in which His Excellency the Spanish Ambassador was informed of the status at that time of the proposed sailing list for the second voyage of the exchange vessel *Gripsholm*, and to the Spanish Embassy's memorandum no. 406 of September 21⁶⁸ setting forth more specifically the Japanese Government's views respecting the order of priority to be followed in determining the Japanese nationals to be included in the second exchange.

As the Spanish Embassy is aware, the paucity of information available in respect to some names, the duplication of others, differences in spelling, and other circumstances have made it particularly difficult to identify and locate those named by the Japanese Government. This work has, however, progressed and more than 3,000 persons named by the Japanese Government have been identified and located. A proposed sailing list comprising the names of 1,523 of these, compiled from those mentioned in the Spanish Embassy's lists nos. 1 to 9, inclusive, in the order of priority set forth in the Embassy's memorandum of September 21, is now enclosed for the Spanish Embassy's consideration.

The proposed sailing list includes more names than the number of persons that can be accommodated on the *Gripsholm*, but experience has shown that everyone designated for repatriation does not accept the opportunity when offered either because of a disinclination to leave the United States or because of illness or some other impediment. To avoid further unnecessary delay, therefore, it has been deemed advisable to propose a greater number than the capacity of the vessel and to leave to the Spanish Embassy the selection of those to be held over, along with others not named on the list, for a subsequent exchange. Allowance will also have to be made for whatever number of Japanese nationals it is finally determined will be embarked from Canada and from Brazil. The list has been alphabetically arranged so as to facilitate the identification and location of any particular individual whom the Spanish Embassy decides should be held over for a subsequent sailing to the extent that this may be necessary to make space available for Japanese nationals from Canada and Brazil.

⁶⁷ Neither printed.

⁶⁸ Not printed.

The appropriate American authorities are being requested to inform the individuals named on the proposed sailing list of their designation by the Japanese Government for repatriation, in order that they may express their wishes with respect to repatriation and, if they desire to accept the opportunity, may prepare themselves for early embarkation. As a number of Japanese nationals whose repatriation has been requested by the Japanese Government have already indicated their desire to remain in the United States, it must be understood that if any individuals on the enclosed list should indicate a similar preference, it will be necessary to withdraw their names for further consideration.

It is expected that a minimum of two weeks will be required to enable those who are selected for and who accept the offer of repatriation on the second exchange to arrange their personal affairs and be transported to the port of embarkation. The Spanish Embassy's early approval of the proposed sailing list would therefore be appreciated. If this approval is forthcoming in time and if the necessary assurance of safe conduct is received, the Government of the United States would like to propose December 1 as a tentative sailing date for the *Gripsholm*.

In this connection the Department points out that although the Japanese Government was requested through the Swiss Government early in September to give assurance of safe conduct for itself and its allies for the round-trip voyage of the *Gripsholm* on the second and subsequent exchanges, no such assurance has yet been received.

For its part, the Government of the United States on August 29 requested the Swiss Government⁶⁹ to inform the Japanese Government that the Government of the United States would grant safe conduct for the *Asama Maru* and the *Conte Verde* as soon as the Japanese Government would indicate the revised sailing dates and furnish itineraries of these vessels; and stood ready to obtain assurances of safe conduct from the other United Nations. These assurances were likewise contained in a note dated September 1, 1942⁷⁰ which the Secretary of State addressed to His Excellency the Ambassador of Spain in reference to the Spanish Embassy's memoranda no. 353 of August 26 and no. 356 of August 27,⁷¹ regarding the itineraries of the Japanese Government's exchange vessels *Asama Maru* and *Conte Verde*.

WASHINGTON, November 3, 1942.

⁶⁹ Communication not found in Department files.

⁷⁰ Not printed.

⁷¹ Neither printed.

390.1115A/1406

The Spanish Embassy to the Department of State

No. 511

MEMORANDUM

The Spanish Embassy in Washington in charge of Japanese interests in the United States, present their compliments to the State Department and beg to communicate that the Ministry of Foreign Affairs in Madrid has informed that the United States Government, through the Swiss Minister at Tokio, recently requested the Imperial Japanese Government to state whether this Government had discarded the idea of a second trip of the *Gripsholm* asserting that in what it concerned the American Government, its point of view on the matter had not changed.

The Imperial Japanese Government further informs that, after a perusal of the new list of repatriations presented by the United States Government, it appears as though the American Authorities had not taken the necessary interest in locating the Japanese included in the list of priorities arranged by the Japanese Government, adding that, in the Memorandum from the State Department⁷² the suggestions on the exchange made by the Japanese Government do not seem to have been taken into consideration.

Consequently, the Imperial Japanese Government does not think it possible to come to an agreement on the projected second voyage of the *Gripsholm*, if the Government of the United States does not clarify its attitude on the points of reference.

The Spanish Embassy would greatly appreciate the State Department's consideration of this matter, as well as a reply on it which can be transmitted to the Imperial Japanese Government.

WASHINGTON, December 16, 1942.

390.1115A/1407a

Memorandum by the Assistant Chiefs of the Special Division (Keeley and Clattenburg) to President Roosevelt

[WASHINGTON,] December 16, 1942.

STATUS OF THE NEGOTIATIONS WITH JAPAN FOR A SECOND EXCHANGE
OF AMERICAN AND JAPANESE NATIONALS

Basic Agreement

The Japanese Government's proposal for an all-out exchange of the nationals of each country temporarily resident in the other, as well as of certain permanent residents, without regard to their possible usefulness in the war effort, was accepted by this Government

⁷² Dated November 3, *supra*.

without reservation. A similar exchange agreement with Germany has provided that each party thereto might withhold from the exchange anyone whose repatriation might be considered inimical to the national interests. An all-out exchange without this exception was considered to be necessary with respect to Japan because of the uncivilized treatment to which American nationals left in Japan and Japanese-occupied areas might be expected to be exposed as the intensity of the war would increase.

First Exchange

The first exchange was facilitated by reason of the fact that it was largely composed of officials of the two Governments concerning whose exchange there was no question. Even so, the first exchange was temporarily held up at the last minute by the Japanese Government's insistence upon the inclusion of certain non-official nationals tardily designated by it for that exchange. Some few of these could not be produced at the moment, and rather than hold up the departure of the vessel were promised for the next exchange.

Negotiations for a Second Exchange

As soon as the *Gripsholm* left on its first voyage, late in June, the Department of State began to prepare a tentative passenger list for the second exchange. It included the few Japanese nationals promised for the second exchange and the remainder of those until then designated by the Japanese Government for repatriation, but it was largely made up of Japanese nationals not so designated who had voluntarily expressed their desire to be repatriated. Just as this list was about to be presented early in August to the Spanish Embassy in charge of Japanese interests in the United States, the Swiss Government in charge of American interests in Japan informed the Department that the Japanese Government wished included in the second exchange only those Japanese nationals designated by it. The list was accordingly revised to include all those designated by the Japanese Government then ready for departure, some 580 persons, the remainder of the list being made up of Japanese nationals seeking repatriation but not named by the Japanese Government. This tentative sailing list was submitted to the Japanese Government through the Spanish Embassy on September 1, 1942 with the statement that those named thereupon could be delivered immediately, whereas to repatriate in the second exchange only those named by the Japanese Government would indefinitely delay the sailing of the exchange vessel. On September 21 the Spanish Embassy informed the Department that the tentative sailing list as submitted was not acceptable and that the Japanese Government insisted upon a sailing list composed of Japanese nationals named by it, and that any delay incidental to compliance with its wishes was immaterial. The Jap-

anese Government insisted that certain persons numbering approximately 1,000 be included in the second exchange and that the remaining number necessary to fill the vessel be chosen in specified order from another larger group named by the Japanese Government.

Difficulties Encountered in Meeting the Japanese Government's Demands

1. Of the approximately 6,000 persons designated by the Japanese Government for repatriation the protective agencies of this Government (Alien Enemy Control Unit of the Department of Justice, Federal Bureau of Investigation, Military and Naval Intelligence) have objected to the repatriation of heads of families who, with their dependents, number approximately 2,000. These objections are based on the contention of those agencies that the repatriation of those objected to would be inimical to the national safety in that the individuals concerned are either Japanese agents, Japanese sympathizers, or have technical qualifications or associations of possible or probable value to the Japanese war effort, such as fishermen, seamen, newspaper editors and publishers, priests, members of secret societies, etc., including Army and Navy reserve officers.

2. Of the remaining Japanese nationals designated by the Japanese Government for repatriation, a large percentage (about 75 percent according to present information) decline the opportunity of repatriation when offered. The Department of Justice and certain other agencies, such as the War Relocation Authority (which is responsible for the resettlement of all persons of Japanese origin evacuated from the West Coast), object to the repatriation of any Japanese subjects against their will.

3. The Japanese Government has itself refused to consider for repatriation those Japanese nationals not named by it who have voluntarily sought repatriation (about 5,000).

Other Difficulties Delaying the Carrying-Out of the Second Exchange

1. In addition to the foregoing fundamental difficulties in the way of the second exchange, the Department of State has recently been informed by the Swiss Government that lack of organization in the Japanese Foreign Office has delayed and complicated negotiations. This situation is expected to be improved as a result of the recent setting up of a special section in the Japanese Foreign Office to handle questions of internment and the exchange of nationals.

2. Actual slowness in the transmission of communications has consumed considerable time. For instance, the Department's communication transmitting the most recent proposed sailing list, which was sent to the Spanish Embassy on November 3 and forwarded by it to Madrid the following day, is stated not to have reached the Japanese Foreign Office until November 21. A reply is still awaited.

3. The necessity of carrying on negotiations through two protecting powers not only delays negotiations but because of language difficulties results in numerous errors which lead to misunderstandings and delay a meeting of the minds.

4. Once both Governments approve the passenger lists of their respective nationals a delay of at least two weeks must be expected to obtain the necessary safe conducts, which cannot be sought until the sailing date of each vessel is fixed.

Outlook for the Second Exchange

There is now pending before the Japanese Government this Government's suggestion for a sailing list for the second exchange. This list, as stated above, was submitted to the Spanish Embassy on November 3 and received by the Japanese Foreign Office on November 21. It is composed entirely of Japanese nationals designated by the Japanese Government for repatriation. It does not, however, include a substantial number specifically designated by the Japanese Government for the second exchange. These could not be included because their repatriation was objected to by the protective agencies. It is anticipated, therefore, that the Japanese Government's reply when received will be unfavorable. The Japanese Government will probably insist upon the inclusion in the exchange of those designated for that exchange. Failure to comply with such a request might result in one of two things:

I. The withholding from the American exchange of a number of American nationals equivalent to the number of those Japanese nationals withheld by us. If this first probable alternative is chosen by the Japanese Government, that Government will probably withhold from the exchange those Americans in whose repatriation we are most interested, such as

(a) The American Foreign Service Officers in Manila numbering with their dependents 25;

(b) Those incarcerated in Japanese prisons (including President Stuart of Yenching University, and Drs. Bowen and Houghton of the Peking Union Medical College);

(c) Other Americans recently interned, among whom are persons with important technical qualifications and knowledge of the Japanese war machine which would be useful to this country's war effort;

(d) Heads of American business concerns who in 1940 cooperated with the Department in its Far Eastern policy by sending their families to the United States and themselves remaining at their posts of duty; and

(e) Other Americans whose repatriation is considered highly desirable, including at least half a dozen to be explained orally.

II. Refusal to carry on the exchange.

GOVERNMENTAL ASSISTANCE TO PERSONS FORCED TO EMIGRATE FOR POLITICAL OR RACIAL REASONS ¹

840.48 Refugees/2984

*Memorandum by the Assistant Chief of the Visa Division
(Alexander) to the Chief of the Division (Warren)*

[WASHINGTON,] March 11, 1942.

MR. WARREN: With reference to the question of the movement of the large group of aliens (now allegedly possessing Luxemburg nationality) from Portugal to the Dominican Republic, my inclination would be to support our Minister at Ciudad Trujillo in his view that the aliens should not be permitted to proceed to the Dominican Republic.

Assuming for the purpose of discussion that there are actually no axis agents or axis sympathizers among them (which would be a risky assumption, to say the least), it seems to me that the time has come to cast aside the peacetime attitude toward immigration and adopt the realistic view that the countries of the Western Hemisphere are engaged not only in a struggle for the preservation of political ideologies but for their actual existence, and that, in the language of the Argentine immigration law, the question of immigration into the Western Hemisphere by people from the Old World should be considered not only from the standpoint of possible benefits to the immigrants but primarily from the viewpoint of any benefits to the country receiving the immigrants.

The immigrant problem in the Dominican Republic is sufficiently serious to render the question of that country's receiving more immigrants from the Old World extremely important, not only from the viewpoint of possible benefits or detriments to the Dominican Republic but from the viewpoint of hemisphere defense and existence.

If, as it appears to be possible, the West Indies become the scene of extensive military and naval operations against attempts of the axis to gain a foothold our efforts at resistance would not be facilitated by having that area congested by large groups of aliens who, while they may have little or no sympathy for the axis cause, at the same time are content to occupy a neutral position so far as any active aid to the cause of the United Nations is concerned. I believe the time may come when there will be no middle ground for aliens in this war.

¹ For previous correspondence, see *Foreign Relations*, 1941, vol. I, pp. 434 ff.

They will have to be classified either as active participants in our cause or as enemies of it.

It is my opinion, therefore, that the Government of the United States should carefully refrain from encouraging any country of the Western Hemisphere to accept large groups of European aliens at this time.

840.48 Refugees/2879

The Chargé in the Dominican Republic (Lawton) to the Secretary of State

No. 1010

CIUDAD TRUJILLO, April 3, 1942.

[Received April 16.]

SIR: I have the honor to report that an officer of the Legation² had occasion recently, on a trip to the northern section of the Republic, to visit Sosúa and obtain information concerning that settlement, which has been incorporated in the enclosed monograph.³

Mr. Anderson's conclusions, which are based on a careful analysis of what he saw and heard, are as follows: An unsatisfactory organizational set-up at Sosúa seems to be the most immediate issue. Already Mr. Leon Falk, Jr., American industrialist and President of the Dominican Republic Settlement Association, has indicated dissatisfaction with the way things are going; and it is now reported that he has resigned. The ostensible reason for this action as given out by DORSA is his inability to continue this work in addition to his new, war-time position with the Coordinator's Office in Washington. Nevertheless, there seems to be more to it than just that.

The arrival in the Dominican Republic on a visit of inspection on March 12, 1942 of Dr. Joseph H. Rosen, DORSA's Vice President and chairman of the Executive Committee, probably reflects at least to some degree the apprehensions of the parent organization in New York. Dr. Rosen's even greater disinclination than Sosúa's director, Mr. David J. Schweitzer, to answer direct questions with direct answers, however, has not contributed much toward clarifying the situation. In particular as regards finances, Dr. Rosen was reluctant to speak freely. There are strong indications that there may be an imminent shake-up in the administrative personnel at Sosúa.

As to subversive elements, there have been a number of scarehead reports. Most of these are absurd and can simply be disregarded. The possibility of a certain number of Axis agents working within the ranks of the settlers cannot, of course, be ruled out entirely. However, to date there is no concrete evidence on the subject.

² Edward Anderson.

³ Not printed.

What such agents would be able to accomplish as long as they remained in the settlement is difficult to say, apart from propaganda work such as poisoning the minds of the legitimate refugees who are unquestionably vastly in the majority. As to the latter, the German national origin group might bear particular watching.

How fertile a field for subversive propaganda Sosúa might ultimately prove to be, will be definitely demonstrated only in the event that a crisis of a political or international nature should materialize. The lack of discipline that is patent in Sosúa, however, does not help this situation. The 50-odd settlers (including families) who were discharged from Sosúa, mostly evicted because they were considered trouble makers, and who are now living principally in Ciudad Trujillo under little or no surveillance, offer an entirely different problem.

Apart from the settlers themselves, the important consideration as regards refugees and their relationship to DORSA is the fact that a number of persons have entered the Dominican Republic under DORSA auspices who have not come as settlers for Sosúa. Several classifications, other than settlers, have been given these groups (Maintenance Trust Accounts, "friends" of the Joint Distribution Committee, under the classification of "Garden City settlers," the Joint Distribution Committee's employees in Europe, etc.), virtually the only requirements for acceptance having been of a financial nature, plus somebody's recommendation. In underwriting cases such as these a situation developed which could have made the infiltration of Axis agents into the Dominican Republic under the DORSA aegis a very simple matter.

Whether or not advantage of this situation has been taken by the German Government, and, if so, the extent of that advantage, is difficult to determine at this writing. It is hoped that a clearer concept of this situation may be obtained from an analysis of the material that is being gathered by the Legation in connection with a basic refugee report now under preparation.

Respectfully yours,

EDWARD P. LAWTON

840.48 Refugees/2867 : Telegram

*The Acting Secretary of State to the Ambassador in France (Leahy)*⁴

WASHINGTON, April 4, 1942—6 p. m.

233. Belgian interests. Note from Belgian Embassy, Washington, D. C., March 27, contains following statement:

"The situation of the Belgian refugees and internees in unoccupied France becomes more and more distressing. The Belgian Offices in France, having no other financial means but those which may be made available to them by the local authorities in Brussels, do not seem to be in a position to assist efficiently these refugees and internees. On

⁴ Substance of last two paragraphs sent to the Consul General at Casablanca in telegram No. 126, April 16, 10 p. m.

the other hand, as the Department is aware, these Belgian Offices in unoccupied France are threatened to be abolished."

Note also asks this Government to authorize

"its representatives in France to take care of the Belgian refugees and internees there and to extend relief to them on behalf of the Belgian Government.

The Belgian Government furthermore suggests that the new employees, needed by the United States Consulates in unoccupied France to meet with the supplementary work resulting from this assistance, be recruited among the Belgian nationals recommended by the Belgian Government and Belgian Offices in France. The salaries of these employees will, of course, be paid by the Belgian Government.

If the Department agrees on these principles, the Belgian Government intends to instruct Mr. Cavyn, former Belgian Commercial Attaché in France and residing now in Vichy, to contact the United States Embassy there in order to work out the details of the procedure."

Belgian Embassy is being informed that, subject to the assent of the French Government, this Government will be pleased to authorize its representatives in unoccupied France to pay financial relief from Belgian funds to Belgian nationals in unoccupied France and that you are being authorized to confer with Mr. Cavyn. Department suggests that you assist him in formulating the general principles of a system of relief payments for Belgian nationals in unoccupied France, preferably modeled on the American, British, and Canadian systems. Consultation also with Consulate Marseille might be advisable.

Please report developments briefly by telegraph. Department assumes that details of plan will eventually be arranged between Mr. Cavyn and Belgian Government, London, and will be communicated to this Government through Belgian Embassy, Washington, as usual. Plan should not be put into effect until authorized by Department.

WELLES

840.48 Refugees/2884 : Telegram

*The Ambassador in France (Leahy) to the Secretary of State*⁵

(PARIS) VICHY, April 23, 1942—2 p. m.

[Received 2:41 p. m.]

603. Belgian interests. Department's 233, April 4, 6 p. m. The following is a translation of a memorandum prepared by Cavyn concerning the Belgian Embassy's proposal:

"The Belgian nationals assisted by the Belgian offices may be divided into the following categories:

⁵ Text communicated to the Belgian Ambassador by the Department in note dated May 1, 1942.

(a) 1600 refugees who are at liberty of which 23% are Jewish and 33% are refugees from the forbidden zone whose repatriation will begin in the near future. They receive from 7 to 17 francs daily depending on their family situation and on the size of the commune where they reside.

(b) 112 Belgian nationals in welfare and concentration camps. Certain of these receive five francs daily as well as linen and clothing.

(c) Approximately 60 delinquents. For some time they have been given food packages.

(d) Approximately 1,000 escaped prisoners. As soon as they are reported they are put in work camps. In principle they receive nothing.

The system of giving material aid should be altered. The allowances should be increased. Those who are interned should receive allowances. The delinquents should be helped by the systematic sending of foodstuffs. With respect to the escaped prisoners, who are being taken care of by an organization, proposals have been made to the Belgian Government. It would be advisable to wait until the decision which has been taken concerning them has been sent to us.

A plan for modifications is being considered here but I request that the Government before taking any decision wait until it has received my report which I shall forward within a week and which sets forth the whole problem this material relief to Belgians. This problem is complicated by matters involving the Belgian offices."

Mr. Cavnyn hesitates to approve the granting of relief to Belgians by American representatives on the grounds that it will endanger the existence of the Belgian offices which although threatened still exist.

LEAHY

840.48 Refugees/2946

Memorandum by the Chief of the Division of the American Republics (Bonsal) to the Under Secretary of State (Welles)

[WASHINGTON,] April 24, 1942.

MR. WELLES: I refer to the telegrams⁷ which we have recently received from Mr. James G. McDonald, Mr. Paul Baerwald, and Mr. George L. Warren⁸ concerning the status of a number of refugees (enemy alien citizens) currently on the Portuguese vessel *San Tomé* bound from Europe to Mexican and Cuban ports. The majority of these refugees are said to have Cuban visas. However a Cuban decree of April 18 prohibits the entry into Cuba of enemy aliens, even though they may possess valid visas. This decree undoubtedly works a con-

⁷ Not printed.

⁸ Mr. McDonald was Chairman of the President's Advisory Committee on Political Refugees, Mr. Baerwald was a Director, and Mr. Warren, Executive Secretary.

siderable hardship upon the 300 immigrants on the *San Tomé* who should arrive in Cuba within the next two or three days.

I have taken the matter up with Mr. Briggs⁹ in Habana in accordance with your instructions and indicated to him that we feel it desirable that the Cuban Government allow the admission of these people who were already en route when the decree was issued. I have also had a conversation with Mr. George Warren and have told him that we would do whatever we appropriately could in the matter.

However, regardless of the outcome in this case, it seems to me that a matter of major policy is involved. When I talked to Mr. Briggs he pointed out that on the one hand we are now indicating a desire to have the Cubans admit some 300 enemy aliens while, on the other hand, our recent policy as laid down, notably in the Department's telegram 158, of March 28, to Habana,¹⁰ and in a recent circular on Axis methods of introducing agents in this Hemisphere,¹¹ tends toward restriction and close scrutiny of all enemy alien movements. Mr. Briggs pointed out that the Cuban Government, acting in part at our inspiration, is still holding at Tiscornia the large number of immigrants which arrived on the S. S. *Guinee*. In connection with these cases a certain amount of information has been requested from us. To date about fifty cases have been found in which the Cuban visas would appear to be either fraudulent or unauthorized.

When Mr. George Warren came to see me he emphasized the impossibility in his opinion of any but bona fide refugees being included on these vessels under present circumstances. I frankly find it impossible to agree with his thesis.

We have been devoting a good deal of time, energy and money to the removal of Axis agents, both official and unofficial, from the other American republics. We have also been trying to secure the cooperation of the governments of those republics in carefully scrutinizing immigrant and resident aliens.

It is quite obvious that the conditions under which enemy aliens are now being brought over with the help of the Joint Distribution Committee and of the Hebrew Immigrant Aid Society do not provide for such scrutiny. It may be that all of the refugees are bona fide, as Mr. Warren apparently believes. Their documents are certainly not all in order as may be seen from the experience the Cubans are having with those from the *Guinee*.

The action of the Cuban and Mexican Governments in excluding enemy alien immigrants for the time being is perhaps more drastic than we would have wished, but if we are to suggest a modification it should only be on the basis of some arrangement in Europe whereby

⁹ Ellis O. Briggs, Counselor of Embassy in Cuba.

¹⁰ Not printed.

¹¹ Circular instruction to American diplomatic and consular officers in the Western Hemisphere, dated February 14, 1942; not printed.

the granting of documents to these people could be systematized and whereby the information available to all of the American republics might be pooled. Mr. Warren of the Visa Division could undoubtedly furnish some useful suggestions.

If this Government wishes to do something constructive in the matter, I would suggest that, instead of facilitating the indiscriminate entry of these people into the other American republics (the funds used for the purpose are almost all supplied in this country) there be established in the United States one or more "free zones" within which refugees could be concentrated for the duration of the war with a view to their repatriation if and when, or to their eventual admission as immigrants into the United States, provided they qualify at a later date.

The most recent information from Habana would seem to indicate reluctance on the part of the Cuban Government to admit the aliens on the *San Tomé*.

PHILIP W. BONSAI

840.48 Refugees/2910

*Memorandum of Conversation, by the Ambassador in Cuba (Braden),
Temporarily in the United States*

At the request of Mr. Joseph C. Hyman, Executive Vice-Chairman of the American Jewish Joint Distribution Committee on the afternoon of April 24th, 1942, I met with Mr. Baerwald, Honorary Chairman, James N. Rosenberg, Honorary Chairman, Executive Committee, Mr. George Warren, Executive Secretary of the President's Advisory Committee on Political Refugees, Mr. Charles J. Leibman, President of the Refugee Economic Corporation, Mr. Isaac Levy, Mr. Laurence Berenson, and some others of the afore-mentioned organization at their offices at 100 East 42nd Street. The conference lasted approximately two hours.

The following summarizes the information given me:

They estimate between five and six thousand Jewish refugees as now being in Cuba. Sixty per cent of these are Germans and Austrians. They believe that there are only seventy-five to a hundred Christian refugees from Germany and Austria now in Cuba.

These refugees leave approximately \$300,000 per month with the hotels and restaurants. It seems the Jewish refugees who recently have come to Cuba and who are now coming there either have money themselves or have relatives in the United States who have money.

Cuba, in effect, is merely a stopping-off point for these people en route to the United States, but under present regulations they are forced to remain in Cuba since they cannot get the visas with facility now to enter the United States.

The former head of the organization in Habana—a woman—and her associates were most competent and sometime ago were transferred to Shanghai. Now the organization is headed by Chas. Jardon.

Cuban refugee restrictions previously were onerous, especially as renewals on tourist and transit visas had to be made every thirty days, but a recent decree put out by President Batista considers these people as residents for the duration of the war.

The refugees have formed an association (Dr. Torrientes is serving as attorney therefor). Regulation dues are 40 cents a month, but for impoverished people, only 20 cents.

It is estimated that somewhere between 15,000 and 25,000 Jews have passed through Habana en route to the United States. Eliminating the present and recent flow of Jewish refugees, it is estimated that about twenty years ago 10,000 Jews came into Cuba, mostly from the Near East. These people are now well-established in business and mostly have become Cuban citizens.

Estimating at the rate of \$500 per refugee as a bond, there is about 3,000,000 dollars cash on deposit with the Cuban Government and with letters of credit required by the Cuban Government, there is outstanding a total of about 20,000,000 dollars.

The only objection raised to the presence of these people is by some of the textile interests in Cuba. However, as previously noted, they are defended by the hotels and restaurants.

The only pending problem is in the matter of the Jewish refugees on the steamship *Tomé*. The Catholics are helping in this situation.

The movement of refugees without visas to enter the United States began after the closing of our consulates in Germany and the occupied countries. Sixty per cent of these recent arrivals are people over 50 years of age. They are going to Cuba, seeking asylum from Europe, but not using Cuba as a stepping stone to enter the United States.

There is not a single case of one of these people becoming a public charge nor of violating the employment laws of Cuba.

In reply to my inquiry, I was told that they know of no case where Gestapo agents had been included amongst the refugees, nor did they know of a case where any of the refugees had been forced to act for the Nazis by reason of pressure on relatives in Europe. The refugees were under instructions to keep strictly out of all political activities of any kind whatsoever. I gave those present a brief description of the situation as I had seen it in Colombia and assured them that I would be glad to extend assistance to them in any way I appropriately could.

SPRUILL BRADEN

840.48 Refugees/2946

Memorandum by Mr. George F. Scherer of the Division of the American Republics to the Chief of the Division (Bonsal)

[WASHINGTON,] April 28, 1942.

MR. BONSALE: Mr. O'Donoghue¹³ of the Embassy at Habana telephoned during the afternoon of April 28, to bring the *San Tomé* case up-to-date. He stated that the following regulations had been issued, apparently after a conference between the Prime Minister and the Director of Immigration on April 27:

(1) Natives of countries at war with Cuba or of countries occupied by enemies who have become legally naturalized as citizens of allied or neutral countries may disembark.

(2) Natives of unoccupied countries or countries occupied in part by the Axis may disembark.

(3) All members of families, one or more of which are entitled to disembark, may also be permitted disembarkation.

(4) Persons claiming legal residence in the United States are to be interned in Tiscornia until the American Embassy has verified their residence. (Mr. O'Donoghue explained that this provision may have been made to cover the cases of one or two passengers claiming legal United States residence. He believes, however, they may be granted permission to continue to the United States.)

All persons in the above categories will be held at Tiscornia pending decision in each case.

Persons bearing German passports, whether or not Jewish race is indicated, are not to be allowed to disembark.

Mr. O'Donoghue reported a slightly more optimistic feeling that this whole matter would be adjusted on a satisfactory basis. Vice Consul Jukes inspected the vessel on arrival, reporting it to be clean and apparently well run.

840.48 Refugees/2949

The British Embassy to the Department of State

The British Government is most anxious to avoid, if possible, a repetition of the situation created recently in Cuba with regard to the refugees on the Portuguese steamship *Saint Thome*.

The reason given by the Cuban authorities for not permitting these refugees to disembark even though possessed of valid Cuban visas, is that these visas were granted prior to the new immigration decree of April 18th which annuls visas granted before that date to persons from enemy or enemy occupied countries who may not yet have entered Cuba.

¹³ Sidney Eugene O'Donoghue.

The British Government would be pleased if the American Government could see its way to instructing its representative in Havana to support His Majesty's Minister there in unofficial representations with the object of inducing the Cuban Government to refrain from the application of this decree in such a manner as to cause hardship.

WASHINGTON, May 1, 1942.

840.48 Refugees/2924

Memorandum of Conversation, by Mr. Willard F. Barber of the Division of the American Republics

[WASHINGTON,] May 23, 1942.

Minister Dennis¹⁴ called on Mr. Bonsal today to discuss several subjects, one of which was the question which had been raised with President Lescot by the Minister of Czechoslovakia, regarding the possibility of Czechoslovak political refugees receiving temporary haven in Haiti.

Mr. Bonsal informed the Minister that the Department did not have sufficient information on which to make a definite recommendation, and that, accordingly, the Department was not urging that Haiti open its doors to this kind of refugee migration. However, if Minister Dennis should obtain specific information from the representatives of the Czechoslovak Government as to the numbers and names of the individuals concerned, this Government would offer its cooperation and assistance in determining whether or not such individuals would be considered as acceptable immigrants.

840.48 Refugees/2929 : Telegram

*The Chargé in France (Tuck) to the Secretary of State*¹⁵

(PARIS) VICHY, June 8, 1942—9 p. m.

[Received June 9—3:42 p. m.]

827. Belgian interests. Embassy's 603, April 23, 2 p. m. The possible payment of relief to Belgians by American Consulates in unoccupied France was informally discussed with a competent Foreign Office official. The Germans are apparently completing an investigation of the Belgian, Dutch and other offices with particular reference to the source of their funds. They are opposed to the dis-

¹⁴ Fernand Dennis, the Haitian Minister.

¹⁵ Paraphrase communicated to the Belgian Ambassador by the Department in note dated June 22, 1942.

tribution by the offices of funds received from the governments in exile in the belief that such funds strengthen resistance to Germany. German pressure for the elimination of the offices has not yet been too strong to resist except in the case of the Polish offices where the decisive factor appears to have been the fact that Germany has already decided that in the event of an Axis victory there will be no Poland.

The problem of the continued existence of the various offices is extremely delicate. A formal request for the French Government's assent to the Belgian Government's proposal might cause or hasten the abolishing of the Belgian and other offices in the event that the French Government should decide to consult the Germans before reaching a decision.

The Foreign Office official consulted stated that the problem is further complicated by the fact that when the United States assumed the protection of Belgian interests, it was a neutral but that it is now a belligerent. He was unable to indicate what reply the French Government would make to a formal request for its assent to the Belgian Government's proposal.

He suggested that the possibility making relief payments to Belgians through a private organization such as the American Red Cross be examined.

The Department's instructions are requested as to whether the Embassy should formally ask the French Government for its assent to this proposal.

TUCK

840.48 Refugees/3011

*Memorandum by the Chief of the Division of Near Eastern Affairs
(Alling) to the Under Secretary of State (Welles)*

[WASHINGTON,] June 25, 1942.

MR. WELLES: Although it may be true that the problem of refugees in the Middle East is primarily a British responsibility, it seems clear, as Mr. Davis¹⁶ points out, that the British are unlikely to accept that responsibility. For that and other reasons it seems equally clear that the only solution is an intergovernmental commission along the lines suggested by Mr. Kirk.¹⁷ Additional reasons for entrusting

¹⁶ Norman H. Davis, Chairman of the American Red Cross.

¹⁷ Alexander C. Kirk, Minister in Egypt and Saudi Arabia.

this work to an intergovernmental committee rather than to the Red Cross may be suggested as follows:

1. The problem is too vast for the Red Cross to handle;
2. Only the Government can obtain the money cheaply. Money raised privately, as by the Near East Relief in the last war, costs more to collect and there is probably more waste in distribution than when Government accounting methods are used;
3. To raise money privately, moreover, it would be necessary to conduct a campaign which the public should be spared in these days. In addition, since the largest refugee problem in the Near East is that of the Poles, sympathy for them could be worked up only by citing mistreatment by Soviet Russia. This obviously would be undesirable at the present time.

Presumably the most urgent need of these refugees is to be cleansed of diseases and built up physically. In this work the Red Cross would be valuable, as it has been to a limited extent already, notably in the case of the Polish refugees in Iran. Once the health of the refugees is built up, the problem arises what to do with them. It is at this point that an intergovernmental commission should step in. It is our impression that there is a great demand for labor of all types in connection with the large construction projects which are under way in Iran, Iraq, and Eritrea. Presumably many refugees could be absorbed in this type of work. Moreover, there would seem to be a good opportunity to establish refugees in considerable numbers in Ethiopia. We have recently had reports that Emperor Haile Sellassie has objected to the British plan to evacuate Italian nationals from his country. His objections were based on the theory that if these Italians were removed the roads and other public works which the Italian régime had instituted in Ethiopia would be allowed to deteriorate through lack of skilled labor to keep these installations in repair. The British, however, seem to be insisting that the Italians be removed. It would seem possible to replace them by Greeks, Poles and other refugees who should be competent to carry on the projects which have been built up in Ethiopia.

Obviously the first step in this matter, if it is agreed that an intergovernmental commission is required, should be discussions with the British Government. Through such discussions it should be possible to work out an organization on which presumably would sit representatives of some or all of the United Nations. I am at your disposition if you desire further information on this subject.

PAUL H. ALLING

840.48 Refugees/3010

*Memorandum of Conversation, by Mr. Elbridge Durbrow of the
Division of European Affairs*

[WASHINGTON,] July 7, 1942.

Participants: Mr. Norman Davis, Chairman; Mr. Richard F. Allen, American Red Cross; Mr. Ralph Bain, Red Cross Representative in the Middle East; Mr. Paul H. Alling, Mr. Gordon Merriam and Mr. Elbridge Durbrow of the State Department.

In connection with the question of United Nations refugees in the Middle East, Mr. Alling, Mr. Merriam and Mr. Durbrow called on Mr. Davis to discuss with him the recommendation contained in telegram 999 of June 15, 5 p. m. from Mr. Kirk¹⁸ urging that an inter-Allied command be immediately set up in the Near East to coordinate and handle all questions involving refugees.

Mr. Davis read Mr. Alling's memorandum of June 25 to Mr. Welles which had been prepared on this question. Mr. Alling stated that on the basis of previous conferences held he believed that the Red Cross was in favor of establishing such a committee.

Mr. Davis replied that in as much as most of the United Nations refugees concentrated in the Middle East are residing in countries under the control of the British Government and are receiving aid and assistance from the British military authorities, he believed that it would be advisable to have the British authorities handle this entire matter rather than to try to set up an inter-governmental committee. Mr. Davis explained that he had the impression that the committee proposed by Mr. Kirk would be more appropriate for handling post-war problems rather than the actual problem of assistance to refugees at the present time, and, therefore, he indicated that he was not in favor of endeavoring to set up such a committee at this time.

In this connection he pointed out that there has already been established an inter-governmental committee in Washington which is at present dealing with post-war refugee problems and that if a similar committee were established in the Middle East there would be unnecessary duplication of work.

Mr. Bain, the Red Cross representative in the Middle East, who has just returned from Cairo, explained that there had recently been established in Cairo a committee known as the Middle East Relief and Refugee Administration under the Minister of State which at present was coordinating all British relief in that area. He added that he believed that this new Committee was functioning smoothly, had brought under its control all the various relief activities which had been carried on previously by various non-related organizations

¹⁸ Not printed.

and that he had discussed the matter with Mr. Kirk who is of the opinion that this new Committee could handle all relief problems in that area.

Mr. Davis stated that he preferred to have the British authorities alone handle all relief problems of the Middle East since they were the responsible authorities in these countries, but added that the American Red Cross would be pleased to cooperate in any way with the Committee and furnish such supplies as it might be able to send to the Middle East.

In this connection he stated that, although the Red Cross had certain supplies in the Middle East, it would be very difficult to increase these supplies by shipment from the United States in any great quantities due to the acute shortage of cargo space.

It was pointed out to Mr. Davis that a misunderstanding of the attitude of the Red Cross had arisen in the Department owing to the statement in Mr. Davis' letter of June 19 that he and Mr. Allen agreed "that this is primarily a governmental problem and concur in the recommendations of Alex Kirk."

In view of the statements made by Mr. Bain, and Mr. Davis' feeling that an inter-governmental committee was not needed at this time, Mr. Alling suggested that he would draft a telegram to Mr. Kirk indicating that the Department approved the handling of the refugee problem by the present Middle East Relief and Refugee Administration and that the American Red Cross would cooperate in every possible way with this Committee in assisting United Nations refugees in that area. The impression was gained, however, that the Red Cross did not feel that it could take the initiative in handling relief activities in the Middle East since it felt that the primary responsibility rested with the British and the transport problem from the United States would preclude the possibility of its taking a too active part in this work.

740.0011 European War 1939/23394 : Telegram

*The Second Secretary of Legation in Switzerland (Thompson),
Temporarily in France, to the Secretary of State*

(PARIS) VICHY, August 7, 1942—midnight.

[Received August 8—10:30 a. m.]

1160. Embassy's 1135, August 4, 5 p. m.¹⁹ Dr. Lowrie,²⁰ as president of the committee for coordination of relief work in concentration camps, saw Marshal Pétain²¹ yesterday. Jardel, Secretary General of the Chief of State, was present. He opened the interview by

¹⁹ Not printed.

²⁰ Donald Lowrie.

²¹ Philippe Pétain, French Chief of State.

explaining to the Marshal that the Germans had demanded 10,000 French Jews but that they had subsequently been persuaded to take foreign Jews in their place. Lowrie protested at some length against their deportation but Pétain replied that there was nothing that could be done to halt it. He agreed, however, to request Laval²² to examine the possibility of permitting to remain in France approximately 800 Jews whose documentation to emigrate from France was nearly complete and 300 children whose group emigration to the United States would be proposed to the American YMCA.

Noble, delegate the American Friends Service Committee (Quakers), saw Laval yesterday and protested against this measure. Laval made no mention of any German pressure but flatly stated that these foreign Jews had always been a problem in France and that the French Government was glad that a change in the German attitude towards them gave France an opportunity to get rid of them. Laval inquired why the United States did not take these Jews and concluded with a rather bitter general discussion of the Jewish problem. Noble stated that Laval gave the impression that the general policy of ridding France of foreign Jews had been definitely decided upon.

Confirmation has been received from a friendly official of the report that the Papal Nuncio protested to the Marshal about a week ago with respect to the treatment of Jews in France.

THOMPSON

840.48 Refugees/3023a : Telegram

The Secretary of State to the Ambassador in Cuba (Braden)

WASHINGTON, August 12, 1942—4 p. m.

633. From Bonsal. Mr. George Warren has just been to see me about the refugees from the *Guinee* and the *Sao Thome* who are, he says, still at Tiscornia although some of them landed in Cuba nearly 4 months ago. Mr. Warren states that the Joint Distribution Committee is being overwhelmed by appeals from the relatives of these people and by stories concerning alleged bad and discriminatory treatment.

For example, the Spanish steamer *Marques de Comillas* arrived at Habana late in July. The examination of some 200 Spanish passengers by the Cuban authorities took only 4 hours. Fees for medical examinations were only 2 or 3 dollars whereas the refugees from the aforementioned vessels were charged \$10.

I am fully aware of the limitations on any action which the Embassy might take in this matter. However, I believe it would be advisable for the Cuban authorities to be fully informed as to the interest which the situation has aroused in this country. [Bonsal.]

HULL

²² Pierre Laval, French Premier.

840.48 Refugees/3023 : Telegram

The Ambassador in Cuba (Braden) to the Secretary of State

HABANA, August 14, 1942—7 p. m.
[Received 9:38 p. m.]

704. For Bonsal. Department's 633, August 12, 4 p. m. Please see Embassy's despatches Nos. 678, 680 and 700 of August 10, [11] and 12 respectively regarding present status refugees now at Tiscornia.²³

80% of 200 Spanish citizens referred to were legal residents of Cuba, nevertheless they were subjected to unusual examination in being fingerprinted, photographed, et cetera. Spaniards entering Cuba enjoy certain preferential treatment as apart from other tourists or immigrants.

Embassy has at no time failed to keep question of *Guiné* and *Sao Thomé* refugees actively before the Cuban authorities. Within the past week representatives of the Consulate General and Embassy have separately inspected Tiscornia and have been struck by the generally good and sanitary conditions prevailing at the camp together with the liberty enjoyed by refugees within camp boundaries. For conditions prevailing 3 months ago please see despatch number 43, May 26, 1942.²⁴

It is realized that majority of these individuals have now been detained too long but I am satisfied that had it not been for the present political crisis and excepting those under suspicion most of them could have been released last week as the Prime Minister had agreed with me to do. We shall of course pursue this matter actively so soon as the new Cabinet takes office.

BRADEN

740.0011 European War 1939/23394 : Telegram

The Secretary of State to the Second Secretary of Legation in Switzerland (Thompson), Temporarily in France

WASHINGTON, August 19, 1942—9 p. m.

512. Your 1160, August 7, midnight. In your discretion, support Dr. Lowrie's application to the Marshal to extend for the present the residence permits of those Jews whose documentation to emigrate from France is nearly complete.

HULL

²³ None printed. The reason for detaining refugees was stated to be that apparently many had come with false Cuban visas. A list was given of persons who had been released and had left Cuban territory. (840.48 Refugees/3021, 3027, 3028)

²⁴ Not printed.

740.0011 European War 1939/23394 : Telegram

The Secretary of State to the Second Secretary of Legation in Switzerland (Thompson), Temporarily in France

WASHINGTON, August 26, 1942—6 p. m.

527. Your 1160 August 7, midnight and Department's 512 August 19, 9 p. m. On August 24 the Polish Ambassador²⁵ spoke to the Under Secretary concerning the reported action of the French in acceding to German demands that Polish refugees (presumably Jews) in unoccupied France be handed over for forced labor in Germany. The Under Secretary said that representations had already been made concerning the treatment of refugees of this kind and that we would continue to do everything which we considered might be useful. The Ambassador asked particularly that you keep in touch with Mr. Zabiello the "unofficial Polish Chargé d'Affaires" in Vichy.

HULL

840.48 Refugees/3045 : Airgram

The Minister in the Dominican Republic (Warren) to the Secretary of State

CIUDAD TRUJILLO, August 27, 1942—6 p. m.

[Received August 29—12:40 p. m.]

A-50. The Foreign Minister²⁶ sent for me this afternoon. I met the British Minister²⁷ leaving the building. He informed me that Despradel had asked for his reaction on a proposed gesture by the Dominican Government to offer asylum to 3,500 Jewish refugee children now in unoccupied France. The British Minister replied that he would take the matter under advisement.

When I saw Despradel he said he wished to tell me informally that the Dominican Government contemplated offering asylum to 3,500 Jewish refugee children recently arrived in unoccupied France with their parents from other parts of Europe and requested my views. I informed him that the American Government had for some years been interested in alleviating the condition of children in the war areas of Europe, but that owing to practical difficulties only a few hundreds of such children had arrived in the United States. Despradel stated that his Government did not contemplate accepting parents and that no practical arrangements had been made. I told him that any ges-

²⁵ Jan Ciechanowski.

²⁶ Arturo Despradel.

²⁷ Alexander Swinton Paterson.

ture for the relief of children was always appreciated. He repeated his Government intended to make a gesture and contemplated no practical arrangements. I then gave him the history of American efforts to offer asylum to large numbers of British children in 1940 and tried to learn the inspiration of the contemplated gesture without success; I am continuing some discreet inquiries.

It may be interesting to note there is in the capital today the manager of Sosúa seeking interview with the President²⁸ to obtain cancellation of a police order requiring immediate departure from the capital and return to Sosúa of 50 malcontent Jewish refugee settlers. These persons were encouraged to leave Sosúa because they were troublemakers and while in the capital are supported by the Joint Distribution Committee of New York.

WARREN

840.48 Refugees/3037: Telegram

The Minister in the Dominican Republic (Warren) to the Secretary of State

CIUDAD TRUJILLO, August 28, 1942—5 p. m.

[Received 6:41 p. m.]

382. Referring to my airgram number 50, August 27, 6 p. m., the Foreign Minister called me this morning to say that he had discussed with the President last night the latter's plan to offer refuge to 3,500 refugee children now in France between the ages of 3 and 14 irrespective of nationality. The President will offer personally to defray the cost of transportation of the children to the Dominican Republic and will also pay from his personal funds for their housing and care here under the most favorable conditions.

The Foreign Minister also informed me that at the request of President Trujillo the French Minister last night transmitted a personal message from Trujillo to Marshal Pétain offering refuge here to 3,500 refugee children and requesting Pétain's approval and assistance. The Foreign Minister finally stated that he wished to assure me that this was a purely humanitarian and personal gesture on the part of the President who plans to finance the venture himself without assistance from outside sources. At this time no consideration is being given to the practical problems of selection, transportation, housing and care of the children.

WARREN

²⁸ Rafael L. Trujillo Molina.

840.48 Refugees/3078

*The Secretary of State to the Consul General at Marseille (Benton)*²⁹

WASHINGTON, September 2, 1942.

SIR: The Department has been approached in a friendly and co-operative manner by representatives of the Haitian Government in Washington who sought the advice of this Government with respect to a request made by the Czechoslovak Legation in Washington that a number of Czechoslovak citizens now residing in France be afforded temporary refuge in the Republic of Haiti. In this connection there are enclosed copies of memoranda prepared by officers of the Department on April 13 and May 1, 13 and 23.³⁰ There is also enclosed a copy, in translation, of a note dated June 15, 1942³¹ from the Minister of Czechoslovakia in Washington to his colleague, the Minister of Haiti.

According to information available to the Department the Haitian Government has not yet agreed to accept any of the Czechoslovak refugees and it may be assumed that it will not do so until this Government's definitive views have been transmitted to it.

You are authorized, in your discretion, to approach the Czechoslovak representative at Marseille regarding the proposal, and submit to the Department by air mail despatch a recommendation regarding the suggested granting of Haitian visas to Czechoslovak refugees now in France, including the number of persons that might be involved, and your own views as to their political reliability.

Any further comments which you would care to make on this subject including your views as to the financial condition of the Czechoslovak refugees, the means of transportation which would be available to them and the reliability which could be placed upon the recommendation of the Czechoslovak Consul, should also be submitted to the Department.

At the present time it is contemplated, in the event that your report is favorable to the operation of this plan, to submit the applications for Haitian visas to the same procedure that is used in the cases of applicants for United States immigration visas. This matter, however, has not yet been agreed upon with the Haitian government and you may feel free to comment upon this aspect of the problem if you should care to do so.

Very truly yours,

For the Secretary of State:
SUMNER WELLES

²⁹ The Consul General at Marseille replied in despatch No. 64, October 9, not printed. In December the Haitian Minister was informed that the present was inopportune for such a transfer.

³⁰ For memorandum of May 23, see p. 459; others not printed.

³¹ Not printed.

840.48 Refugees/3070 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, September 5, 1942—4 p. m.

[Received 4:07 p. m.]

4078. As a result of anti-Jewish measures in France and German occupied countries and the expected introduction of compulsory military service in Alsace-Lorraine, there was a new wave of refugees seeking entrance into Switzerland without visas in early August. The federal police authorities reportedly determined not to return those escaping military service but issued orders to cantonal police and border guards to exert greater caution in permitting the entry of refugees who appeared to be fleeing economic and racial disabilities rather than political persecution. Several refugees out of the 300 who reported to the police after gaining entrance were sent back to the country of departure and plans were drawn up at Bern to deport the so-called non-political refugees who entered the country illegally after August 13. These police measures and plans were unfavorably received by a large and well organized section of the Swiss population and there was a storm of disapproval in the press and at public meetings by the church both Catholic and Protestant, educational and intellectual circles, liberal labor and political groups, refugee aid societies and by cantonal officials in Zurich, Basle and elsewhere on the grounds that they violated the basic principles of asylum maintained for generations by the Swiss people.

The federal authorities declared that only political refugees were entitled to asylum and that these measures were envisaged solely for foreigners in other categories. The chief of Federal Justice and Police Department insisted that thus to prevent refugees from leaving Belgium and the Netherlands was far less cruel than to refuse them admittance at the border. He indicated that "a new type of refugee might arise which in Swiss eyes would be still more worthy of asylum", and in comparing the possibilities of the United States receiving refugees with those of Switzerland he noted that only 30 of 5,200 refugees in Switzerland had left for America in 1942. He stated that since Switzerland can only admit refugees who are able to leave for another country "we cannot turn our country into a sponge for Europe and take in for example 80 or 90 per cent of the Jewish refugees."

The pressure of public opinion with the support of officials in several of the important cantons (northern cantons favor entrance of refugees, French cantons support the federal police and the eastern cantons demand exclusion and even expulsion of certain refugees) has forced the federal authorities to change their original plans for the deportation of illegal immigrants and they now agree that only those refugees

will be expelled who are found after careful investigation to be personally urged on serious grounds. However, it appears that the federal authorities are tightening up the border control with a view to stopping illegal passage of the frontier of foreigners without valid visas. Several meetings between the federal and cantonal police officials have taken place and it is stated that military units have been installed along the French border where the majority of Jewish refugees have been crossing. In this way the indignation of the Swiss public and the deportation of refugees who succeeded in entering the country will in the future be avoided by preventing entrance.

The pressure against Jews in France, Belgium and the Netherlands is expected to continue and interested political and racial circles in Switzerland are deeply concerned that those succeeding in reaching the Swiss frontier will not be admitted and thus suffer transportation by the Nazis to occupied Russia. These groups are extremely anxious that the United Nations powers assume a helpful attitude in this matter with a view to facilitating the entry of such refugees into Switzerland and their eventual emigration overseas. It appears settled at this time that the federal authorities are disinclined to admit further racial and economic refugees unless some assurances are obtained that if once admitted Switzerland will be assisted in maintaining them and in arranging without undue delay their emigration elsewhere. In this regard sympathetic opinion in Switzerland holds that the United Nations are obligated towards this category of refugees on the grounds that publicity over the radio and in the press has encouraged many of them to believe that special interest and understanding exists for them.

HARRISON

840.48 Refugees/3092 : Airgram

The Minister in the Dominican Republic (Warren) to the Secretary of State

CIUDAD TRUJILLO, September 9, 1942—11 a. m.

[Received September 10—4: 35 p. m.]

A-63. In continuation of my airgram No. A-50 of August 27, 1942, 6 p. m., there appeared in the semi-official *La Nación* yesterday an article stating that Pétain through the French Minister here had expressed his gratitude to President Trujillo for the latter's humanitarian gesture in offering asylum in the Dominican Republic to 3,500 Jewish refugee children from unoccupied France. The article also states that the Vichy Government has taken steps to determine the number of children who are in a position to accept the Dominican offer and that the Dominican Government now awaits only the details in this respect before taking the steps necessary to effect the transfer of the children.

WARREN

840.48 Refugees/3126

*Memorandum by Mr. Edward T. Wailes of the Division of
European Affairs*

[WASHINGTON,] September 16, 1942.

Mr. Chapdelaine of the Canadian Legation³² phoned me today and said that the authorities in Ottawa has been approached by some Jewish Refugee Organizations to permit the entry into Canada of a thousand Jewish children from unoccupied France. Mr. Chapdelaine said that his Government would greatly appreciate an indication of whether we had been approached on the same subject and, if so, what we expected to do about it.

After talking with Mr. Atherton,³³ who consulted Mr. Long,³⁴ I informed Mr. Chapdelaine in strict confidence that we had been approached on this subject and found that as a result of some special measures, the details of which I was not familiar with, we would be able to take temporarily up to 1,000 of these children. I emphasized strongly the fact that these refugees were children.

Mr. Chapdelaine inquired whether we were planning to waive the visa requirements or just how we were bringing them in and I said frankly that I didn't know the details but if I should learn them I would let him know.

840.48 Refugees/3108 : Telegram

*The Minister in the Dominican Republic (Warren) to the Secretary
of State*

CIUDAD TRUJILLO, September 16, 1942—7 p. m.

[Received 7:25 p. m.]

415. A Presidential order or decree has been drafted and will shortly be placed into effect requiring the DORSA officials to inform the Dominican police in advance in respect to each case of a Sosúa settler who desires to move from the settlement and take up residence elsewhere in the Republic or who wishes to change his profession from that of an agriculturalist.

The contemplated move or change of profession will not be permitted without the approval of the police, the Department of Interior and Police, and the Presidency.

WARREN

³² Jean Chapdelaine, Third Secretary.

³³ Ray Atherton, Acting Chief of the Division of European Affairs.

³⁴ Breckinridge Long, Assistant Secretary of State.

840.48 Refugees/3127

Memorandum of Conversation, by the Secretary of State

[WASHINGTON,] September 17, 1942.

The British Ambassador³⁵ called at his request and said that he was glad to be able to tell me and this Government that the British Government had made inquiries of countries in South and Central America to ascertain if they would take Polish refugees. He said that the Mexican Government had made a favorable reply to the effect that it would take an unlimited number provided they were brought in and taken care of and returned to Europe after the war without any expense to Mexico. He added that Guatemala and maybe one other Central American country had likewise agreed to receive Polish refugees. I expressed keen interest and satisfaction to hear this.

C[ORDELL] H[ULL]

840.48 Refugees/3130 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, September 26, 1942—2 p. m.

[Received 3:02 p. m.]

4405. Legation's 4384, September 25.³⁶ There are reports here of an interview which the Swiss Minister in Vichy,³⁷ acting as delegate for France of the International Red Cross Committee, had with Marshal Pétain concerning the deportation of Jewish refugees. M. Stucki is said to have gone to the limit of emphasis in trying to impress the Marshal with the tragic aspects of this situation especially as affecting children. He told a friend that it was "probably the first time in history that a Swiss Minister in order to drive home a point has pounded a table before the Chief of a Foreign State." My informant states that the Marshal "deplored" the situation and repeated that it was a matter of "internal concern"; M. Stucki informed him that he disagreed and that under the deportation measures, children were even being taken from institutions where they had been cared for by Swiss charity.

Repeated to Vichy.

HARRISON

840.48 Refugees/3175

The Czechoslovak Legation to the Department of State

The Czechoslovak Legation begs to inform the Department of State that it is greatly interested in the proposed plan of the President's Advisory Committee on Political Refugees to evacuate from unoccupied France 5000 refugee children of all nationalities.

³⁵ Lord Halifax.³⁶ Not printed.³⁷ Walter Stucki.

Although the exact number of Czechoslovak children who could be included in the above mentioned number of children now under consideration for evacuation is not yet known, the Czechoslovak Legation is authorized to assume responsibility for the return to Czechoslovakia of all Czechoslovak children who would find temporary refuge and safety in the United States for the duration of the war.

WASHINGTON, September 26, 1942.

840.48 Refugees/3428

The Minister in the Dominican Republic (Warren) to the Assistant Secretary of State (Long)

[Extract]

CIUDAD TRUJILLO, September 28, 1942.

[Received September 30.]

DEAR MR. LONG: I hate to impose on your good nature to ask you to read the enclosed, somewhat lengthy letter to George Warren,³⁸ and if you approve it to send it along to him. For the background on his letter, I am also enclosing his original letter to me³⁹ together with a copy of a letter I wrote Mr. James Rosenberg on September 10.

You may note in my letter to George Warren that after a lengthy discussion I advised against asking the Dominican Government at this time to admit any more adult refugees either from Curaçao where the Dutch are holding, in the equivalent of a concentration camp, some 26 persons, or from Europe where there are several groups of refugees mentioned by George Warren whom he wishes to bring here.

The truth of the matter is that the Dominican Government, and by that I mean President Trujillo, does not want any additional adult refugees in this country. He has instructed his Foreign Office and his Immigration Service not to admit any such persons nor to revalidate visas previously issued except on his personal instruction. . . . His objection to admitting adult refugees has no relation to his offer to Marshal Pétain to facilitate the entry of some 3,500 children between the ages of 3 and 14. That suggestion is in my opinion related to

³⁸ Copy not found in Department files.

³⁹ Dated September 14, not printed; it stated that the Netherlands authorities had continued to request a final disposition of the remaining group of passengers from the S. S. *Cabo de Hornos* who were accepted for temporary residence at Curaçao, November 1941, and that a reply indicating no objection to the application by the Dominican Republic Settlement Association to the Dominican Government for visas for this group would be appreciated. It set forth the desirability of facilitating the immigration to the Dominican Republic of close relatives of the settlers at Sosúa, and some staff members and employees of the Joint Distribution Committee and closely affiliated organizations in Europe.

current pressures now operating against you to reopen the gates in the United States.

Sincerely,

A. M. WARREN

[Enclosure]

The Minister in the Dominican Republic (Warren) to the Chairman of the Dominican Republic Settlement Association (Rosenberg)

CIUDAD TRUJILLO, September 10, 1942.

MY DEAR MR. ROSENBERG: I had yesterday your letter of September 1, 1942, with its attached clipping from the *New York Times*, dated August 29, relating to an offer made by President Trujillo to Marshal Pétain to give asylum in this Republic to 3,500 unaccompanied refugee children between the ages of 3 and 14 who are now in unoccupied France.

The Dominican government consulted with me about this proposal before the offer was made and inquired what my attitude would be. I advised the government of the various efforts that had been made in the last three years to give asylum in the United States and in Canada to children from Great Britain and from the Continent who might thus be removed from the immediate horrors of war. I ventured to suggest also that such a gesture, if made by President Trujillo, especially on a personal basis, would have world-wide repercussions.

The proposal, as you may have heard from other sources, is that President Trujillo has informed Marshal Pétain of his willingness to underwrite the cost of transportation and to provide homes in this country for 3,500 unaccompanied refugee children who may now find themselves in unoccupied France and whose departure from France to the Dominican Republic would be permitted by the French government.

A reply was received day before yesterday from the French government to the effect that Marshal Pétain welcomed President Trujillo's expression of interest in this matter and that studies would be undertaken to ascertain the situation in France with the view to determining what categories of children and how many would be in a position to accept the Dominican President's offer.

For your purely personal and confidential information I may add that some prominent Dominicans of position and means have been approached to inquire how many refugee children they are prepared to accept in their homes.

I have seen quite a little of Mr. Arons⁴⁰ in the last several days when he was in the capital negotiating on the police order that would

⁴⁰ S. Arons, Dominican Republic Settlement Association, Inc.

have required the compulsory return to Sosúa of some fifty settlers who had been encouraged to leave the colony prior to Mr. Arons' arrival on the grounds that they were unsuitable psychologically or physically for inclusion in the project.

Mr. Arons has undoubtedly written you concerning the conclusions of his negotiations. He kept me currently informed of their status and in my opinion conducted these discussions with the local authorities and with Dr. Ortega Frier ⁴¹ with considerable acumen and spirit. I have reason to believe that he inspired Dr. Ortega to make much stronger representations to the President than he had been disposed in the past.

I have not yet been to Sosúa because in the first place I want to make a surprise visit and in the second place I should like to give Mr. Arons at least three months on which to form an estimate of his accomplishments.

I think at this time the situation is generally good, but there are, I am aware, continuous difficulties and some dangers that have to be watched very closely. I have reason to believe that this is being done and that its prospect is, generally speaking, better than might be expected from the inherent situation.

Mr. Arons tells me that he hopes to fly back to the United States soon to give you an oral report and also to bring his wife down here. I think this a good idea in both directions.

With all best wishes to you, I am

Sincerely,

A. M. WARREN

811.111 Refugee Children/109

*The Belgian Ambassador (Van der Straten-Ponthoz) to the
Secretary of State* ⁴²

D. 8406

No. 5955

SIR: I understand that Your Excellency has submitted to President Roosevelt a plan concerning the transfer to the United States of four or five thousand children of different nationalities, such as Belgians, Dutch, Czechoslovaguians and etc., who would remain in this country until the end of hostilities.

However, according to my information, the American Government wishes to obtain, beforehand, from the interested governments, the assurance that these children will be permitted to return to their respective countries after the war.

As far as children sent from Belgium are concerned, I can give Your

⁴¹ Legal Counsel and Secretary of the Dominican Banco de Reservas.

⁴² Undated; received in the Department on October 5, 1942.

Excellency assurances that Belgian authorities will authorize the children of Belgian nationality to reenter Belgium at the termination of their sojourn in the United States.

I avail myself [etc.]

R. v. STRATEN

840.48 Refugees/3428 : Telegram

The Secretary of State to the Ambassador in Spain. (Hayes)

WASHINGTON, November 5, 1942—8 p. m.

1172. Reference Barcelona's 89, November 3, 3 [5] p. m.,⁴³ concerning pressure by Spanish authorities to compel male refugees return to France. You are instructed to make suitable informal representations to the Spanish Government designed to prevent or delay the expulsion or the return to France of any bona fide refugees. You may express to the Spanish Government the hope of the Government of the United States that Spain will offer further temporary refuge to these persecuted persons.

This is intended to include other refugees who may enter Spain from France in the immediate future.

Inform Barcelona confidentially, referring to that office's telegram above-mentioned.

HULL

840.48 Refugees/3448 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, November 20, 1942—10 p. m.

[Received November 20—9:52 p. m.]

6561. For the Honorable Myron Taylor⁴⁴ from Sir Herbert Emerson, Director Intergovernmental Committee on Refugees.

"Following is position of refugees in unoccupied France. Grant of exit permits even for children completely stopped and am informed by leading refugee organizations there and at Lisbon advise that for present no steps can wisely be taken. No action therefore possible for the moment at Vichy. Many refugees, however, have escaped and are escaping to Spain and some to Portugal; normally they are interned and so far few have been sent back. There is danger of deportation if arrangement elsewhere cannot be made. They include Allied subjects but are mainly German and Austrian refugees. Past experience shows there is little hope of getting considerable number

⁴³ Not printed.

⁴⁴ Chairman of the American delegation to the Intergovernmental Committee on Political Refugees.

of visas for other countries and in any case much delay involved. In these circumstances I have suggested that British Government should associate with United States Government if latter were able to open a clearance camp or camps as soon as military condition will allow in North Africa preferably near Casablanca where refugees can stay until permanent arrangements possible. Camps could be administered on humanitarian lines by voluntary workers with minimum number of officials. American and other voluntary workers hitherto working in unoccupied France would probably be available. Rough estimate is three to five thousand persons immediately involved and future outside limit ten thousand but probably far less. Clearance from camps to other countries would be gradual as visas obtainable and many would probably have to stay for duration. Full use could be made of them in war effort. I can myself see no other practical solution. May I beg your active support. Am keeping proposal confidential at present. Emerson."

WINANT

811.111 Refugee Children/113 : Telegram

The Minister in Portugal (Fish) to the Secretary of State

LISBON, November 25, 1942—8 p. m.

[Received November 26—12:16 a. m.]

1674. Department's 1450, October 30.⁴⁵ The Legation has been in close contact with the American Child Welfare Committee which arrived here November 21 to effect the removal of refugee children from France and with the representatives of the various relief organizations involved. These representatives are jointly endeavoring to find some neutral or French relief organization which could take over the responsibility for the children and for their eventual transport to the Spanish border. They would also like to enlist the aid of the Swiss Legation at Vichy in arranging for the release of these children to Spain. They have been advised that if their committee at home wishes to have the assistance of the Swiss authorities it should discuss the matter with the Department.

Since some time will probably elapse even in the best of circumstances before the release of any children from France could now be arranged, the members of the group are interested endeavoring to get certain refugee children out of Spain. They state that they have telegraphed the Department asking that these children be included in the blanket visa assurance. If the answer is favorable they hope to send representatives to Spain to discuss the matter further with our Embassy and the Spanish Government.

⁴⁵ Not printed.

The members of the newly arrived American group are naturally anxious not to remain idle in Lisbon for any length of time and the Legation is doing all in its power to assist them in finding some worth while work to which they can turn their energies.

FISH

840.48 Refugees/3479 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, December 8, 1942—8 a. m.

[Received 12:20 p. m.]

6943. Referring to my telegram 6561, November 20, 10 p. m. For the Honorable Myron Taylor from Sir Herbert Emerson, Director, Intergovernmental Committee on Refugees.

"In continuation of my cable 20th November I have been considering case of refugees already in North Africa. Assuming they have been or will be released many questions likely to arise regarding their welfare and political protection. It is clearly desirable that representatives of voluntary organizations such as Joint Distribution Committee, American Friends Service Committee and American Unitarian Committee should if they are ready to work there be given necessary facilities. Further it seems desirable that there should be a representative with official or quasi official status recognized by the Civil Administration who will watch the interests of refugees. Before the collapse of France the High Commissioner had such a representative in France who in close collaboration with French Government watched the interests of refugees. I suggest similar arrangement for North Africa or as alternatives that there should be representative or [of?] Intergovernmental Committee or a civil official of the United States Government. In latter case I hope I should be allowed to keep in close touch with him. In any case I think such representative should be American citizen. If you agree with this proposal would you kindly support it with the Department. Emerson."

WINANT

840.48 Refugees/3523

Memorandum by the Adviser on Political Relations (Duggan)

[WASHINGTON,] December 12, 1942.

After consulting Mr. Reber (Eu)^{45a} I telephoned Señor Salvador Duhart, First Secretary of the Mexican Embassy, in response to the

^{45a} Division of European Affairs.

Ambassador's request for information with regard to the status of refugees in North Africa.

I told Señor Duhart of the assurance of Darlan ⁴⁶ that there would be a progressive restoration of property to all Jewish refugees that had been seized under German pressure and that there would also be returned to Jewish refugees the right to practice professions. The situation in North Africa is not a simple one, for the reason that there are 17,000,000 Moslems who do not enjoy equal status with the 300,000 Jews. In order to prevent complications which might have an effect upon military operations the French authorities thought it desirable to release Jewish refugees progressively.

I said that there were some 40,000 refugees in all in North Africa, whether Jewish refugees or Spanish Republican refugees or others. It would clearly not be desirable to release these 40,000 people all at once, since most of them were completely destitute. Arrangements could be made to release those refugees for whom funds had been provided to take care of them or if the government of the country of which they were citizens was prepared to repatriate them. In the case of Spanish Republican refugees, in which the Mexican Government was particularly interested, it was obvious that the present Spanish Government would not provide funds for their maintenance in North Africa nor would these refugees wish to be repatriated even though offered the chance. I concluded by stating that if there was any specific information which the Mexican Government desired regarding this situation we would be glad to make an endeavor to secure it.

LAURENCE DUGGAN

840.48 Refugees/3479 : Telegram

*The Secretary of State to the Ambassador in the
United Kingdom (Winant)*

WASHINGTON, December 18, 1942.

6434. Your 6561, November 20, and 6943, December 8. From Myron Taylor for Sir Herbert Emerson. The general policy of the United States Government for the time being is that relief and refugee matters in the North African theater are subordinated to military control. The United States Government itself will see to it that relief is administered to the refugees interned in North Africa as well as to other elements of the population there in need of relief. The adminis-

⁴⁶ Adm. François Darlan, Chief of State in French Africa.

tration of relief, except for emergency relief conducted by the Army, will be in the hands of the new Director of Foreign Relief and Rehabilitation, Governor Lehman.⁴⁷ The Governor proposes to send to North Africa in the near future a representative to investigate the relief needs of that area. Until that representative has had an opportunity to submit his report, it is not desired that representatives of non-official or private organizations be admitted except as their assistance may be required by the Army.

The release of persons from internment camps in North Africa is subject to the decision of the military authority in that area. The political problems arising out of the refugee situation and existing in that region will be considered by the military authorities and their civilian advisers.

Concerning the refugees now in Spain, it is considered impractical to send any of them into North Africa, and certainly none should be sent unless the movement is approved by General Eisenhower⁴⁸ as well as by the local French authorities.

The children of refugees up to the age of 16 years are to be evacuated to the United States up to the maximum number agreed upon provided the consent of their parents is obtained. Adult refugees in Spain may be admitted to the United States if visas are approved by the regular procedure. Consideration of their cases will be expedited to the fullest extent possible.

Representatives of non-official or private American organizations may be admitted to Spain only with the consent of the Spanish Government and after the American Government has presented the request for the approval of the American Ambassador at Madrid and to American military authorities. [Taylor.]

HULL

840.48 Refugees/3557: Telegram

The Chargé in the United Kingdom (Matthews) to the Secretary of State

LONDON, December 28, 1942—10 p. m.

[Received December 28—8:36 p. m.]

7390. Reference Department's 6434, 18th. For the Honorable Myron Taylor from Sir Herbert Emerson.

"Many thanks for message received through Embassy.

Regarding refugees now in North Africa I appreciate position as stated. I hope representative of Governor Lehman will be able to

⁴⁷ Herbert H. Lehman, former Governor of New York; for correspondence concerning the establishment of a United Nations Relief and Rehabilitation Administration, see pp. 89 ff.

⁴⁸ Gen. Dwight D. Eisenhower, Allied Commander in Chief, North Africa.

report at an early date and that in general problem of relief he will pay due attention to refugee questions. I also hope he will be able to recommend entry of approved representatives of voluntary organizations. If carefully selected such persons can be of real assistance to military and civil authorities and would not embarrass them.

Second. Urgent problem is that of refugees now in Spain and Portugal. Only a portion of total are Germans and Austrians and proportion of these to total escapes is likely progressively to decrease. Problem therefore exceeds beyond mandate of Intergovernmental Committee and is general one of saving Jews and others who can still be saved. Following Declaration of United Nations of 17th December ⁴⁹ this question has aroused widespread public interest and sympathy in this country and doubtless in America. So far as Western Europe is concerned opportunities of getting persons out confined at present to Spain and Portugal. My personal views, which I have strongly expressed to British Government, are as follows: First, Declaration of United Nations if not followed by such action as practicable to save persons is a mockery; second, definite obligation rests on United Nations jointly to do what is practicable to this end; third, owing to transport difficulties and inevitable delay in normal procedure I still think refugee clearance camp in North Africa to be most promising plan. But I fully realize that it must be subject to military considerations and also to concurrence of French civil authorities. I hope it will not be dismissed as impracticable without full and sympathetic consideration; fourth, failing this plan it seems to me only alternative is for United Nations to give permanent or a temporary asylum in own territories getting such help as possible from neutral countries. But unless United Nations give lead it is useless to ask other countries to help; fifth, fully appreciate what United States purposes to do but my information obtained from Schwartz ⁵⁰ now in London is that number of children involved likely to be very small. Urgent problem is that of adults. Here practical question is how far procedure can be speeded up. Understand normally it takes from 6 to 10 months and to meet urgency of problem exceptional measures are necessary; sixth, only other practical measure for rescue in Western Europe is assurance to Switzerland regarding intention of United Nations to deal with refugees after the war. Have made detailed suggestions to the British Government which I understand have been communicated to Washington. Emerson."

MATTHEWS

⁴⁹ For text, see Department of State *Bulletin*, December 19, 1942, p. 1009.

⁵⁰ Harry H. Schwartz, Third Secretary of Legation in Morocco.

840.48 Refugees/3504 : Telegram

The Ambassador in Mexico (Messersmith) to the Secretary of State

MEXICO CITY, December 31, 1942—5 p. m.

[Received 11 : 06 p. m.]

1250. Embassy's telegram No. 1243, December 30, 7 p. m.⁵¹ The Foreign Office has issued a statement containing the text of the exchange of notes⁵² between Padilla⁵³ and Sikorski⁵⁴ regarding a limited arrangement for the admission of Polish refugees to Mexico. The number of Poles accepted will be in accordance with the capacity of the country.

Transportation to Mexico will be without expense to the Mexican Government. Expenses of their sojourn will be borne by the Polish Government. Repatriation at the expense of the Polish Government will take place at the first propitious moment after the [war]. Poles while in Mexico will be distributed where they can contribute to the economy of Mexico without [conflicting] with Mexican citizens.

Texts of the notes will be forwarded by airmail.

MESSERSMITH

⁵¹ Not printed.

⁵² Dated December 30, 1942, *Memoria de la Secretaria de Relaciones Exteriores*, 1942-1943 (Mexico, D. F., 1943), pp. 457-460.

⁵³ E. Padilla, Mexican Foreign Minister.

⁵⁴ Gen. Wladyslaw Sikorski, Polish Prime Minister.

PROTESTS OF NEUTRAL GOVERNMENTS AGAINST CERTAIN PROVISIONS OF THE SELECTIVE TRAINING AND SERVICE ACT OF 1940, AS AMENDED DECEMBER 20, 1941¹

811.2222 (1940)/449

The Swedish Minister (Boström) to the Secretary of State

No. 38

WASHINGTON, January 27, 1942.

SIR: On December 20, 1941, the President approved an Act to amend the Selective Training and Service Act of 1940 by providing i. a. for the extension of liability for military service. Under the terms of this Act every male person residing in the United States between the ages of twenty and forty-five shall be liable for training and service in the land or naval forces of the United States. The wording of the Act leaves no doubt that Congress has intended that this liability shall embrace even aliens residing in the United States. Through this stipulation the United States seem to have departed from the principle of international law to which my Government adheres, that a neutral citizen shall be exempt from all military service in the belligerent country where he resides.

Due to the special structure of the American population, in particular the unusually large proportion of aliens, the United States have since the time of the Civil War, through World War I, and up to the time of the enactment of the Selective Service Act of 1940, deemed it justifiable to subject to military conscription aliens who have declared their intention to become American citizens.

The Swedish Government during World War I instructed their Minister in Washington to bring to the knowledge of the American Government that in their opinion the pertinent legislative measures in the Act of May 18, 1917,² were not compatible with the rights and duties of neutral persons. In regard to the point of view on this subject, which my Government still maintain in principle, I beg leave to refer Your Excellency to Mr. Ekengren's note to Mr. Lansing of October 10, 1917.³

¹ 54 Stat. 885, and 55 Stat. 844, respectively. For previous protests of foreign governments, see *Foreign Relations*, 1941, vol. I, pp. 557 ff.

² 40 Stat. 77.

³ For text, see Green H. Hackworth, *Digest of International Law*, vol. III, p. 609.

The Act of December 20, 1941, now introduces a new principle by making even aliens who have not declared their intention to become American citizens liable for service. To alleviate some of the untenable consequences of such a principle the new law provides:

That any citizen or subject of a neutral country shall be relieved from liability for training and service under this Act if, prior to his induction into the land or naval forces, he has made application to be relieved from such liability in the manner prescribed by and in accordance with rules and regulations prescribed by the President, but any person who makes such application shall thereafter be debarred from becoming a citizen of the United States.

These provisions seem in most cases to offer a practical remedy of the situation in which the general stipulation places registrants of Swedish nationality. Yet, the Swedish Government consider that this possibility of exemption from service, on account of its accompanying consequences, does not bring the stipulations of the Act in full harmony with the principles of the rights and duties of neutral persons under international law.

Especially in regard to Swedish citizens on temporary sojourn in this country, I can in no way find the stipulations justifiable. Through the convention between Sweden and the United States, of January 31, 1933,⁴

"a person possessing the nationality of both the High Contracting Parties who habitually resides in the territory of one of them and who is in fact most closely connected with that Party shall be exempt from all military obligations in the territory of the other Party."

It follows as a matter of course that this rule also applies to a person who possesses only the nationality of the Party to which he is most closely connected.

Under this Convention the United States Government has no right to submit to military obligations a Swedish citizen belonging to this category. The American authorities may well prescribe the procedure under which the exemption from military obligations may be established, but it would not be in accordance with the Convention if Swedish citizens were only allowed to enjoy the privileges of the Convention if they fulfilled a material condition not mentioned in that Convention.

I note that the President, by Section 4 of the Act, has been authorized to specify certain categories of persons who shall not be required to be registered and who shall be relieved from military service. I have the honour to request that Your Excellency be good enough to take the necessary steps in order that, at least, Swedish citizens in the cate-

⁴ *Foreign Relations*, 1933, vol. II, p. 763.

gories just mentioned may be unconditionally exempted from the liability for military service.

Furthermore, I should be much obliged if Your Excellency would kindly request the proper authorities to disseminate in the widest appropriate degree information regarding the exemption clause. I have reason to believe that the changes of principles embodied in the new Act have not been noticed by a great many of the persons affected by the new stipulations. I should, therefore, very much appreciate it, if at the time of registration, every Swedish citizen might be informed of the provisions of the above-named exemption clause and at the same time be given opportunity to make the application mentioned in that clause.

A great number of Swedish citizens who have already been registered in accordance with the Selective Training and Service Act of 1940 but who have not yet been inducted into service are mistakenly yet undoubtedly under the impression that the stipulations of that Act—the Act under which they were registered—are still in force. In order to avoid possible misunderstandings I should be very much obliged if the authorities could individually, not later than at the time when his number is drafted, furnish information regarding the above mentioned changes in the new law to every Swedish citizen who has already registered but not yet been inducted.

With renewed assurances [etc.]

W. BOSTRÖM

811.2222 (1940)/449

*Memorandum by the Assistant Chief of the Division of European Affairs (Hickerson)*⁵

[WASHINGTON,] January 29, 1942.

At Mr. Atherton's⁶ request I received the Swedish Minister this morning. He handed me the attached note of January 27⁷ relating to the Selective Service Act as well as the attached personal letter also dated January 27 addressed to Mr. Atherton⁸ dealing with certain particular cases. At the Minister's request I read his note through. I told him at once that I could not agree that the Selective Service Act was either contrary to International Law or in any way infringed our treaty or other obligations to Sweden. I referred to the exemptions contained in the Act itself under which the national of a neutral country may be released from the obligation to serve in our armed forces. Mr. Boström replied that this was of course true

⁵ Addressed to Mr. L. Randolph Higgs of the Division of European Affairs and to the Office of the Legal Adviser.

⁶ Ray Atherton, Acting Chief of the Division of European Affairs.

⁷ *Supra*.

⁸ Not printed.

but he referred to the punitive action taken against the individual if he claimed exemption. I replied that the punitive action merely said that such a neutral alien would be barred from becoming an American citizen; I added that if a neutral alien lived in this country and did not consider the United States worth fighting for certainly he could not object to being denied the right to become a citizen.

As regards the particular cases referred to in the Minister's letter I told him for his confidential information that the Selective Service Administration was now revising its regulations and I felt that most of the matters which he complained about would probably be dealt with in a satisfactory way in the revised regulations. I told the Minister that we would in due course give him replies to his note and his letter.

811.2222 (1940)/559

The Finnish Minister (Procopé) to the Secretary of State

MEMORANDUM

The Finnish Minister, under instructions from his Government, brought forward the following concerning the application of the Selective Service Act to Finnish citizens in the United States.

I. As a matter of principle the Finnish Government consider that the extension of the liability for military service to citizens of foreign countries is contrary to the rules concerning rights and duties of foreign nationals and to international practice. It may be noted that in Finland, in addition to Finnish citizens, only persons without any citizenship can be liable to military service.

II. However, with regard to a) persons possessing the nationality of both Finland and the United States and b) persons who have declared their intention of becoming American citizens the Finnish Government do not make representations as far as the extension of the stipulations of the Draft Act to these persons is concerned.

III. On the other hand the extension of military service to other Finnish citizens in the United States could not be agreed to by the Finnish Government.

IV. In this connection special attention is drawn to the Convention of January 27, 1939 between Finland and the United States⁹ under which persons possessing the nationality of both countries who habitually reside in the territory of one of them and who are in fact most closely connected with that country shall be exempt from all military obligations in the territory of the other country. It is obvious that under this Convention a person possessing *both Finnish and American nationality* who does not permanently reside in the

⁹ Department of State Treaty Series No. 953; 54 Stat. (pt. 2) 1712.

United States should be exempt from the stipulations of the Selective Service Act. As this applies to persons of both Finnish and American nationality, it is only logical to conclude, a fortiori, that the same rule should be applied first of all to persons who possess only Finnish nationality and who are not permanent residents of the United States, but also to other persons of only Finnish nationality living in this country, with the exception of those mentioned above under point II.

WASHINGTON, February 18, 1942.

811.2222 (1940)/559

The Secretary of State to the Finnish Minister (Procopé)

MEMORANDUM

The Finnish Minister's memorandum of February 18, 1942 referred to the application of the Selective Training and Service Act of 1940 to the following classes of Finnish citizens in the United States:

- (1) Persons possessing the nationality of both Finland and the United States
- (2) Finnish nationals who have declared their intention of becoming American citizens
- (3) Finnish nationals who are not permanent residents of the United States
- (4) Finnish nationals permanently residing in the United States

With reference to the persons in classes (1) and (2) it was stated that the Finnish Government does not desire to make representations in so far as the extension of the provisions of the Act to such persons is concerned. Concerning the persons in classes (3) and (4) the view was expressed that such persons should be exempt from the provisions of the Act.

With respect to the persons in class (3) the Finnish Minister's attention is called to amendment no. 18 to the Selective Service regulations, second edition, which may be found on page 855 of the *Federal Register* for February 10, 1942. It will be apparent therefrom that certain aliens temporarily in the United States may make application for a determination of their residence and in the event it is found that they are not residing in the United States within the meaning of the Selective Training and Service Act they may be issued an Alien's Certificate of Non-Residence, exempting them from compliance with the provisions of section 2 or section 3 of the Act.

With respect to persons in class (4) attention is called to the following proviso in section 3 (a) of the Act, as amended:

That any citizen or subject of a neutral country shall be relieved from liability for training and service under this Act if, prior to his

induction into the land or naval forces, he has made application to be relieved from such liability in the manner prescribed by and in accordance with rules and regulations prescribed by the President, but any person who makes such application shall thereafter be debarred from becoming a citizen of the United States.

WASHINGTON, March 4, 1942.

811.2222 (1940)/571

*The Finnish Legation to the Department of State*¹⁰

MEMORANDUM

In the Department of State's memorandum of March 4, 1942, reference is made to the Finnish Minister's memorandum of February 18, 1942, with regard to the application of the Selective Training and Service Act of 1940.

In the Department's memorandum it is said i. a. that the Minister's memorandum includes a statement to the effect that the Finnish Government does not desire to make representations in so far as the extension of the provisions of the Act to "persons possessing the nationality of both Finland and the United States" is concerned.

However, in view of the fact that the Minister's memorandum also made reference in said connection to the Convention of January 27, 1939 between Finland and the United States, the Minister would highly appreciate if confirmation be received by the Minister that the Department's records have been corrected to the effect that in so far as persons in class (1) are concerned the Finnish Government does not desire to make representations regarding

(1) Persons possessing the nationality of both Finland and the United States, who habitually reside in the United States and who are in fact most closely connected with the United States.

As stated in the Department's memorandum no representations are made with regard to persons in class (2).

WASHINGTON, March 9, 1942.

811.2222 (1940)/595

The Spanish Embassy to the Department of State

[Translation]

No. 26

The Embassy of Spain at Washington has the honor to advise the Department of State that, according to statements which have appeared in the newspaper *La Prensa* of New York, all foreigners who

¹⁰ This was acknowledged by the Department by a memorandum dated March 23, 1942.

remain in the United States after May 16, 1942, or more than three months from the date of their entry into this country, whichever date is the later, will have to register and serve with the armed forces unless they have applied for and obtained a certificate of non-residence.

If such reports be correct, it is evident that such procedure, when the Selective Service Act is applied, would violate the provisions of the Treaty of Friendship which governs the relations between the United States and Spain,¹¹ Article 5 of which exempts the citizens of the two countries who reside in the territory of the other from being called to arms.

On this occasion, the Embassy of Spain takes the liberty of reminding the Department of State that, on October 14, 1940 and under No. 63, it addressed to it a note¹² relative to the said exemption from military service for Spanish citizens, which pointed out the same legal grounds referred to in the foregoing paragraph.

The Department of State replied to the said communication by means of its note No. 811.2222 (1940)/38, of October 31 of the year referred to above,¹³ agreeing to the said exception even for those Spaniards who had obtained what is known as first papers for the acquisition of American Citizenship, the only condition with respect to the latter cases being that they renounce the rights which such papers confer and therefore, their intention to change their nationality.

In view of the foregoing, the Embassy of Spain respectfully requests the Department of State to be good enough to clarify for it the apparent contradiction between the press reports mentioned and the Treaty of Friendship referred to above and the note of the Department, likewise referred to, and the Embassy likewise respectfully requests that the necessary steps be taken with the competent authorities to the end of maintaining the right of Spanish citizens residing in the United States to be exempted from military service.

WASHINGTON, March 18, 1942.

811.2222 (1940)/591

The Secretary of State to the Swedish Minister (Boström)

WASHINGTON, March 31, 1942.

SIR: Further reference is made to your note no. 38 of January 27, 1942 concerning the application of the Selective Training and Service Act of 1940, as amended, to Swedish subjects.

With respect to Swedish subjects in the United States who do not also possess American citizenship, you are informed that such persons

¹¹ Signed July 3, 1902, *Foreign Relations*, 1903, p. 721.

¹² *Ibid.*, 1941, vol. I, p. 559.

¹³ *Ibid.*, p. 560.

may, prior to induction, apply to be relieved from liability for military service. Persons making such application are thereafter debarred from becoming citizens of the United States.

Swedish subjects who are temporarily in the United States may make application for determination of their residence and in the event it is found that they are not "residing" in the United States within the meaning of the Act they may be issued an Alien's Certificate of Non-Residence which will exempt them from compliance with the provisions of the Act requiring the registration and service of aliens residing in the United States. The regulations with respect to such persons may be found on page 855 of the *Federal Register* for February 10, 1942.

The Department will be glad to give consideration to the case of any Swedish subject also possessing American citizenship who is called for military service and who claims exemption from such service under the Convention of January 31, 1933 between the United States and Sweden.¹⁴

With respect to your request that Swedish subjects liable to military service in the United States who have not yet been inducted be informed of their right to claim exemption from such service, the Department is advised by the Selective Service System as follows:

"Every effort is being made to inform registrants who are citizens or subjects of neutral countries as to the manner in which they may be relieved of liability for training and service. When Public Law 360, 77th Congress, approved December 20, 1941, was enacted, this office immediately proceeded with the preparation of the regulations and forms necessary to carry out its provisions. These regulations and forms are now being printed and distributed. They provide that each alien registrant be sent a special questionnaire, which is designated as the 'Alien's Personal History and Statement (Form 304).' In Series XI of this questionnaire, each alien must state specifically whether or not he objects to service in the land or naval forces of the United States. Each alien registrant is also informed in Series XI as to the extent of his obligation for training and service. An alien registrant who is a citizen or subject of a neutral country is informed that if he does not wish to serve in the land or naval forces of the United States, he may apply to his local board for an 'Application by Alien for Relief from Military Service (Form 301)' which, when executed by him and filed with his local board, will relieve him from the obligation to serve in the land or naval forces of the United States, but will also debar him from thereafter becoming a citizen of the United States.

Each local board has been instructed not to forward any alien registrant for induction until these regulations and forms have been distributed. Such registrants will then be forwarded only after following the procedure prescribed in the regulations.

¹⁴ *Foreign Relations*, 1933, vol. II, p. 763.

When the prescribed regulations and forms have all been printed, this Headquarters, upon request, will be pleased to send copies thereof to the Swedish Legation for their information."

Accept [etc.]

For the Secretary of State:
BRECKINRIDGE LONG

811.2222 (1940)/595

The Secretary of State to the Spanish Ambassador (Cárdenas)

WASHINGTON, March 31, 1942.

EXCELLENCY: Reference is made to your note no. 26 of March 18, 1942 concerning the status of aliens in the United States under the Selective Training and Service Act of 1940, as amended. You state that it has been reported in the press that all aliens in the United States will have to register and serve with the armed forces unless they have applied for and obtained a certificate of non-residence in this connection. You call attention to Article V of the Treaty of Friendship between the United States and Spain, concluded on July 3, 1902.

Section 3 (a) of the Selective Training and Service Act of 1940 provides in part:

That any citizen or subject of a neutral country shall be relieved from liability for training and service under this Act if, prior to his induction into the land or naval forces, he has made application to be relieved from such liability in the manner prescribed by and in accordance with rules and regulations prescribed by the President, but any person who makes such application shall thereafter be debarred from becoming a citizen of the United States.

It will thus be seen that Spanish citizens in the United States may be exempted from military service if they so desire. Moreover, Spanish citizens temporarily in the United States who obtain certificates of non-residence in accordance with regulations of the Selective Service System which can be found on page 855 of the *Federal Register* for February 10, 1942 are exempt from registration and service under the Act.

Accept [etc.]

For the Secretary of State:
BRECKINRIDGE LONG

840.51 Frozen Credits/7474

Memorandum of Conversation, by the Legal Adviser (Hackworth)

[WASHINGTON,] April 16, 1942.

The Swiss Minister ¹⁵ called today at his request and discussed at some length the following three subjects: (1) the drafting of Swiss

¹⁵ Charles Bruggmann.

nationals into the military service; (2) the freezing of Swiss funds; and (3) the request that has been made of him that the German and Italian funds left in his control, in the form of American currency, be deposited in a frozen account and that funds needed for current expenses on behalf of Germany and Italy be provided by those Governments.

As to the drafting of Swiss nationals, he invoked article II of the treaty of 1850 between the United States and Switzerland, exempting the nationals of the respective countries from military service in the territories of the other (2 *Treaties*, etc. (Malloy, 1910) 1763, 1764-1765).¹⁶ He also invoked the convention signed November 11, 1937 by our two countries regarding military obligations of persons with dual nationality (Treaty Series 943¹⁷).

He said that his Government is not so much interested in Swiss nationals who have declared their intention to become citizens of the United States as it is in non-declarant nationals. He knew that they could escape service at the time of registration by claiming exemption, but thought that the provision that they should thereafter be disqualified to become citizens placed them in an undesirable class. He said that they would even be treated worse than alien enemies, who, because they are enemies, might be excused from military service but without any inhibition regarding the future acquisition of citizenship. I told him that we recognized the treaty obligations and that we felt that the escape provision in the law was a sufficient safeguard. He said that his Government is not only interested in the treaty situation but that Switzerland has always endeavored to remain aloof from wars and to maintain a strict neutrality; that the drafting of Swiss nationals in our Army might cause other governments to do likewise and that eventually Swiss might be fighting against each other in opposing armies; also that under the laws of Switzerland Swiss nationals are penalized for service in foreign armies, and that, all in all, Swiss nationals are finding themselves in a rather precarious situation. He said that many of them did not like to be branded as undesirable residents by requesting exemption, and he wondered what the situation would be if they did make such claim; also whether there would be any relief from the prohibition regarding acquisition of citizenship. I said that I could not speak authoritatively on the subject—that I did not suppose that they would be required to leave the country if they were otherwise entitled to remain here but that I could make no statement as to whether the Congress might change its attitude regarding citizenship. I called his attention to the fact that a similar law passed in 1918¹⁸ remained on the statute books

¹⁶ Printed also in Miller (ed.), *Treaties and Other International Acts of the United States of America*, vol. 5, p. 845.

¹⁷ Also in 53 Stat. (pt. 3) 1791.

¹⁸ 40 Stat. 885.

until 1940, and that such persons should not request exemption in the hope that they might later be relieved of the disabilities resulting therefrom.

[Here follows record of discussion of other matters.]

GREEN H. HACKWORTH

811.2222 (1940)/1170

The Swiss Minister (Bruggmann) to the Secretary of State

Ad N.2.5.

WASHINGTON, June 5, 1942.

SIR: On November 25th, 1850, the United States and Switzerland concluded a Treaty of Friendship and Commerce which ever since has governed the establishment and the treatment of citizens of the two countries living in the other. In Article II of this Treaty, the contracting parties agreed that "the citizens of one of the two countries, residing or established in the other, shall be free from personal military service."

Animated by the desire of regulating the military obligation of certain individuals possessing both the American and the Swiss nationality, the two Governments complemented the aforementioned Treaty with the signing on November 11th, 1937, of a Convention, concerning the military obligations of certain persons having dual nationality. According to this Convention, a person born in the territory of one of the two Parties, of parents of the other, who possesses the nationality of the two countries and has his habitual residence in the State of his birth, shall not be held liable by the other State for military service in case of a temporary stay in the territory of the latter.

By signing the Treaty of 1850, and the Convention of 1937, the Governments of the United States and of Switzerland have recognized the existence in their respective territories of colonies of nationals of the other Party, and they have allowed them to maintain all lawful ties with the homeland. These nationals who have retained their original citizenship, and who by not applying for naturalization have clearly demonstrated their intention of remaining citizens of their Mother country, should, therefore, not only by generally recognized International Law, but also by Treaty, be exempt from any personal military service in the armed forces of the country of their residence.

Switzerland's policy has always been in complete agreement with said principle and the treaties. Although since 1850, the Swiss Government has been forced on several occasions by international circumstances to call up for total military mobilization the full man-power of the country, representing one eighth of the entire population, no American citizen had ever been enrolled for military service during

these emergencies. This was in strict observance of the military exemption clause of the Treaty of 1850, and in recognition of the rights and duties of neutral persons under International Law.

With the Act of December 20th, 1941, to amend the Selective Training and Service Act of 1940, by providing for an extension of liability for military service, the Selective Service has been empowered to enforce liability for military service upon any alien of a certain age who is a resident of the United States, irrespectively of the fact whether or not he has declared his intention to become an American citizen. The new Act provides that every male person residing in the United States between the ages of 20 and 45 shall be liable for training and service in the land and naval forces of the United States.

The enactment of this new law is evidently a departure of the United States from the general rule to conscribe for military service only "citizens of the respective country" and does not seem to be in harmony with the international usage, according to which no neutral shall be compelled to serve in the armed forces of a belligerent country. The Swiss Government esteems, therefore, that the application of the Selective Service and Training Act as amended to Swiss citizens is not reconcilable with the Treaty of 1850.

It is true that the new Selective Service Law provides for the possibility that a neutral alien may be released from all military obligations if prior to his induction in the armed forces of the United States, he has made application to be relieved from such liability, with the consequence, however, that any person who makes such an application shall thereafter be debarred from becoming a citizen of the United States. This provision, offering a possibility of exemption to a Swiss resident, may in many cases result in a practical solution, but on account of the accompanying consequences, it cannot bring the Act in harmony with the Treaty of 1850, which mentions no conditions whatsoever for the exemption from military service. Under the new Act, Swiss citizens would be allowed to enjoy the privileges established by the Treaty solely if they fulfill a material condition not mentioned and not understood in the Treaty.

The text of the Treaty of 1850 furthermore makes no discrimination between persons residing temporarily in the territory of the other party and those who are established permanently there. By inserting the military clause, the two contracting parties had the intention to exempt all their nationals from service in the armed forces of the other party. Under the terms of the Selective Training and Service Act of 1940, as amended, however, only those Swiss citizens who have been declared as "non-resident" in the United States have an opportunity to be unconditionally relieved from military service, while all those considered as residing permanently in the United States could not be exempt without at the same time being debarred

from becoming an American citizen. This procedure would indeed place Swiss nationals in a less favorable position than even enemy aliens in the United States, who, if considered by the military authorities as not acceptable for military service or upon their own request, can be exempt from military duties without any further consequences.

I further beg to bring to your attention the situation of a number of Swiss citizens who were inducted into the American Army before the regulations providing for an exemption from service have been in force. Inasmuch as the new Act provides a possibility for exemption only if application is made prior to induction, these Swiss citizens do not have an opportunity to be relieved from military service. They are put in an extremely precarious situation as the Swiss military penal code of June 13th, 1927, prohibits under severe penalties any Swiss citizen to enter the armed forces of a foreign country.

In the light of the foregoing, conscription of Swiss citizens in the United States who have not declared their intention of becoming American citizens, contradicts the text and the spirit of the Treaty of 1850, as well as the principles governing the rights and duties of neutrals under international law.

I have been, therefore, instructed by my Government to approach your Excellency and to request from you to intervene with the appropriate authorities, in order that at least the Swiss citizens who have not declared their intention to become American citizens may be unconditionally exempted from the liability for military service.

Accept [etc.]

C. BRUGGMANN

811.2222 (1940)/1170

The Secretary of State to the Swiss Minister (Bruggmann)

WASHINGTON, July 6, 1942.

SIR: I have the honor to refer to your note ad N.2.5. of June 5, 1942 concerning the liability of Swiss nationals for military service in the United States.

The note calls attention to Article II of the Convention of Friendship, Commerce and Extradition between the United States and Switzerland, concluded on November 25, 1850, under which "The citizens of one of the two countries, residing or established in the other, shall be free from personal military service", and to the Convention Regulating Military Obligations of Certain Persons Having Dual Nationality signed at Bern on November 11, 1937; and the view is expressed that under these conventions Swiss nationals in the United States are unconditionally relieved from military service.

I have taken note of your objection to the provisions of the Selective Service Act regarding the right of neutral aliens to obtain exemption by forfeiting their right thereafter to become American citizens.

All male persons within certain specified ages "residing in the United States", unless otherwise exempted, are required by Section 2 of the Selective Training and Service Act of 1940 to register and are made liable for military service by Section 3 (a) of the Act.

Swiss nationals temporarily in the United States are not considered to be "residing in the United States" within the meaning of that term as used in the Selective Training and Service Act of 1940 and therefore are not required to register or to render military service under that Act. It is, however, incumbent upon those persons whose departure from the United States is to take place more than three months after their entry to make application within such period of three months to the Local Draft Board in the place in which they are staying for a determination of their residence status. When such determination establishes that they are here temporarily, they are issued a certificate of non-residence which, during the period of its validity, exempts them from registration and military service. Such certificates are renewable upon application. Swiss nationals temporarily in the United States who have registered for military service in error may have such registration canceled by following the procedure for determination of residence.

In addition to the foregoing I may tell you that it is not the intention of this Government to deny to Swiss nationals any right or privilege conferred on them by treaty and appropriate consideration will be given to any individual requests by Swiss nationals for exemption from military service under either of the conventions referred to above whether such requests be made by the nationals themselves or by you in their behalf.

Accept [etc.]

For the Secretary of State:

A. A. BERLE, JR.

811.2222 (1940)/2556

The Spanish Embassy to the Department of State

[Translation]

MEMORANDUM

In the exclusion of Spanish citizens from United States military service constant difficulties are occurring which it would be of the greatest interest to terminate.

In applying the law of the "Selective Service System", the procedure followed is a submission to Spanish citizens by the correspond-

ing "Local Boards" of certain questionnaires in which they have to state whether they oppose or accept inclusion on the lists for induction into the armed service and, if objection is made, they are given a form of petition to apply for the said exemption.

Many Spaniards, either from ignorance or fear and even for both reasons, in view of the sharp tone of the text contained in the forms, do not dare to make any objection to their induction into military service, and they are then incorporated therein on the allegation that such is their will.

The Embassy of Spain feels it must express its lack of conformity with such a procedure since it considers that the provisions of Article V of the Treaty of Peace, Friendship and General Relations between the United States and Spain of 1902 are mandatory in excluding the citizens of both contracting parties, residing in the other, from military service. Accordingly, such exclusion should be automatic and there should not and cannot be taken into account the will of the persons concerned whom this Diplomatic Mission believes it has the obligation of releasing from the rendering of such service, whether or not they have signed the forms submitted to them and made the administrative petitions which the Local Boards require.

The Military Service Act, like any other, must be applied without contradicting existing treaties, unless the latter are denounced in the manner and with the procedures established therein and it appears obvious that with the system which is being followed at present the principles contained in the above-mentioned Convention of 1902 are disregarded.

WASHINGTON, November 28, 1942.

811.2222 (1940)/2556

The Department of State to the Spanish Embassy

MEMORANDUM

The Spanish Embassy's memorandum of November 28, 1942 raises certain questions with respect to the application of the Selective Training and Service Act of 1940, as amended, to Spanish citizens in view of the provisions of Article V of the Treaty of Friendship and General Relations concluded by the United States and Spain on July 3, 1902.

Objection is made to local draft boards requiring Spanish citizens to answer certain questionnaires in which they are asked to state whether they have any objection to military service in the United States and the view is expressed that under the treaty provisions re-

ferred to Spanish citizens are excluded from military service in the United States; that "such exclusion should be automatic"; and that the will of the persons concerned cannot be taken into account.

Section 2 of the Act referred to, as amended, makes it the duty of every male person residing in the United States within specified ages to submit to registration as shall be determined by rules and regulations prescribed thereunder. In accordance with such rules and regulations aliens required to register must fill out certain forms in which they are asked, among other things, to indicate whether they object to military service in the United States forces.

The part of Article V of the treaty referred to which is pertinent to the question under consideration provides as follows:

"The citizens or subjects of each of the High Contracting Parties shall be exempted in the territories of the other from all compulsory military service, by land or sea, and from all pecuniary contributions in lieu of such, as well as from all obligatory functions whatsoever."

The Department finds nothing in these treaty provisions which exempts Spanish citizens in the United States from the registration referred to above.

Section 3 (a) of the Selective Training and Service Act, as amended, makes every male person residing in the United States within certain specified ages liable for training and service in the land or naval forces of the United States but provides that any citizen or subject of a neutral country shall be relieved from such liability, if prior to his induction into such forces, he makes application to be relieved from such liability in the manner prescribed by rules and regulations issued thereunder. Under the provisions of Article V of the treaty referred to above Spanish citizens are exempted from all "compulsory" military service in the United States but there is nothing in the provisions referred to which excludes or prevents Spanish citizens from performing such service if they desire to do so. The Department considers such service entirely consistent with the permanent residence of such persons in this country particularly when such residence has been long continued or when the resident has declared his intention to become an American citizen.

Since it is the purpose of the questionnaires to ascertain whether the alien desires to serve in the United States forces it is not believed that upon reconsideration the Spanish Embassy will have any objection to compliance by Spanish citizens with the regulations requiring the submission of such forms.

WASHINGTON, December 18, 1942.

811.2222 (1940)/2811

The Department of State to the Spanish Embassy

MEMORANDUM

The Department of State has carefully considered the Spanish Embassy's memorandum of January 7, 1943¹⁹ with further reference to the question of the exemption of Spanish citizens from military service in the United States. The Embassy states that many cases have arisen in which such persons while not objecting to such service when required by Selective Service authorities to indicate their wishes in this regard have nevertheless appealed to the Embassy. The Embassy attributes the fact that they have made "no objection" to military service to "ignorance on the part of the Spanish citizens, who frequently belong to humble classes and who lack sufficient independence freely to take a decision, for which reason they are intimidated by the scarcely suitable manner in which the corresponding questions are asked and by their ignorance of the language".

The questionnaires in which Spanish citizens along with other aliens are asked to indicate whether they have any objection to military service are printed forms which are sent to them by mail, to be returned to their local boards in the same way. There is nothing to prevent the alien who is furnished with such forms from obtaining assistance in answering them. Since no officials of the Government are present when the forms are filled out no intimidation is possible. The Selective Service regulations specifically provide, in case the registrant requests and is granted an audience before his local board, that "if he does not speak English adequately, he may appear with a person to act as interpreter for him".

With reference to the Embassy's statement that occasions have arisen in which the exclusion of a Spanish citizen from military service has resulted in the loss of his position, it can only be stated that if such situations have arisen, they relate to private matters between the individual and his employer, over which the Department of State has no control.

The Spanish Embassy again suggests "that the precepts of the Treaty of 1902 should be automatic and that any Spanish citizen should be released from military service by virtue thereof merely because he is such citizen" adding that "unquestionably, there would then be but a few cases of voluntary enlistment for such service which should be provided for only when a direct application is made by the individuals concerned". It states that "Such a procedure is followed in Spain where any American citizen is released from his

¹⁹ Not printed.

enrollment in the military service merely by proving his status". The difference in the procedure followed by the United States and that followed by Spain is no doubt due to the fact that in the United States all aliens are potentially liable for military service unless specifically exempted by law which is not understood to be the case in Spain.

In reply to the Embassy's request for the review of certain cases which have come to its attention in which Spanish citizens who failed to object to military service before their local boards have requested its assistance in obtaining their release from such service, it may be stated that the Department of State will be glad to give careful consideration to any case brought to its attention by the Embassy.

WASHINGTON, January 26, 1943.

[Further correspondence with neutral Governments regarding their objections to the drafting of their nationals concerned individual cases.]

PARTICIPATION OF THE UNITED STATES IN THE
INTERNATIONAL WHEAT MEETING AT WASHINGTON,
JULY 1941-APRIL 1942;¹ MEMORANDUM OF AGREE-
MENT INITIALED APRIL 22, 1942

561.311F1 Advisory Committee/1070a : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, February 12, 1942—9 p. m.

547. Your 6255, December 28, midnight,² and 76, January 6, midnight.³

A. After receipt of instructions awaited since meeting of November 26, the United Kingdom Delegation stated on January 29 that their Government is unwilling to conclude a definite wheat agreement at this stage for reasons previously indicated, although the problem presented by Russia and other non-represented countries was especially stressed. The United Kingdom Delegation suggested that arrangements be made for convening later a wider conference and that the progress made at this meeting be recorded for reference to the future conference.

B. The United States Delegation, after consultation with the delegations of the other three exporting countries, accordingly proposed at the meeting of February 9 that the five countries represented adopt the following "Memorandum of Agreement" which each Delegation has agreed to submit to its Government for consideration :

"1. Representatives of Argentina, Australia, Canada, and the United States, wheat exporting countries, and of the United Kingdom, a wheat importing country, met in Washington on July 10, 1941 to resume the wheat discussions which were interrupted in London at the outbreak of war in September 1939 and to consider what steps might be taken toward a solution of the international wheat problem.

2. These discussions extended over a period of many months. They have made it clear both that a satisfactory solution of the problem requires an international wheat agreement, and, that such an agreement requires a conference of the nations willing to participate which have a substantial interest in international trade in wheat. With a view to facilitating the work of such a conference, the Washington wheat meeting has recorded the results of its deliberations in a draft

¹ Continued from *Foreign Relations*, 1941, vol. I, pp. 530-556.

² *Ibid.*, p. 554.

³ Not printed.

convention, which is attached to this memorandum, for consideration at such time as further international consideration of the subject may be possible.

3. The Washington wheat meeting has recognized that it is impracticable to convene at the present time the international wheat conference referred to above. Accordingly, they have agreed that the United States should convene a wheat conference of the nations having a substantial interest in international trade in wheat and willing to participate, as soon as, after consultation with other countries, it deems the time propitious, to which the preparatory work of the Washington meeting embodied in the attached draft will be submitted for consideration.

4. In the meantime there should be no delay in the provision of wheat for relief in war-stricken and other necessitous areas as soon as the termination of hostilities permits. Likewise it is imperative that the absence of control measures over the accumulation of stocks in the four countries now producing large quantities of wheat for markets no longer available should not create insoluble problems for a future conference. Accordingly, the five countries present at the Washington wheat meeting have agreed to regard as in effect among themselves, pending the conclusions of the conference referred to above, those arrangements described in the attached draft convention which are necessary to the administration and distribution of the relief pool of wheat and to the control of production of wheat other than those involving the control of exports.

5. If the conference contemplated above shall have met and concluded an agreement prior to the termination of hostilities, no further action is needed by the countries represented at the meeting. However, if this is not the case, it will be necessary, in order to prevent disorganization and confusion in the international wheat trade, to institute temporary controls pending the conclusions of the conference. Accordingly the five countries agree that at the termination of hostilities and pending the adoption of a wheat agreement by the conference referred to they will regard as in effect between them those arrangements in the attached draft convention which relate to the control of production, stocks, and exports of wheat and to the administration thereof.

6. Failing any other arrangement, the five countries will continue as the price of wheat the average f. o. b. prices paid by the United Kingdom for wheat imported during the 30 days prior to the cessation of hostilities from the principal country of supply, the corresponding basic prices for the other countries being calculated by taking into account appropriate quality differentials and the average rates of exchange prevailing during the 30 days in question, provided that on the request of any country having a substantial interest in international wheat trade the prices of wheat shall be determined in accordance with the price arrangements described in the attached draft convention and that so long as the United Kingdom is the only importing country participating in this arrangement the concurrence of that country in such determination shall be required.

7. The provisions of this memorandum will be superseded by any agreement adopted by the proposed wheat conference or by any arrangements which the five countries and other interested countries

may make to deal with the period pending such a conference. In any event they are to terminate at the end of 2 years from the termination of hostilities."

C. The "attached draft convention" referred to in the above Memorandum is the draft agreement which has been under consideration by the wheat meeting and which is now completed except for a few outstanding points. The price provisions thereof are different from those previously proposed by the delegations of the four exporting countries. The basic provision of the now proposed price Article (paragraph 2) under which decisions would require a two-thirds majority vote, including the vote of the United Kingdom, reads as follows:

"The Council shall fix basic minimum and basic maximum prices of wheat c. i. f., United Kingdom ports, which (a) return reasonably remunerative prices to producers in exporting countries yet are fair to consumers in importing countries, (b) are in fair relationship to prices of other commodities, and (c) give appropriate consideration to changes in exchange rates and transportation costs."

D. It is believed that postponement of a definitive agreement until such time as it might be considered by a wider conference fully meets the United Kingdom position regarding non-represented countries. Furthermore, the draft convention attached to the Memorandum would, as suggested by the United Kingdom Delegation, make available the results reached at this meeting as a point of departure for the work of a future conference. In addition the Memorandum provides for the establishment immediately of a relief pool of wheat and for general control of wheat production during the war period. It also provides upon the cessation of hostilities, pending the conclusion of a definitive agreement, for further temporary wheat controls and for the continuation of the wheat prices prevailing immediately prior to such cessation. These provisions are deemed essential by the exporting countries to prevent post-war confusion in the wheat trade which would further complicate the problems of a future conference in the event such a conference were not called until after the war. The provision for continuing the prices at the end of the war is based on a suggestion which Salter made in earlier discussions (W. W. M., Minutes, 37/41).

E. You may inform the appropriate British authorities that the President has been consulted regarding the difficulties encountered in the wheat discussions and the views of the United Kingdom Delegation and that he has indicated his support of any efforts that might be made to obtain worthwhile results at this time. It is believed that the above proposal would represent substantial progress toward a solution of the problem and fully meets the United Kingdom position.

You may also say that in view of the already prolonged discussions it is believed that the wheat meeting should be brought to a conclusion as early as possible and that the above proposal was put forward with this consideration in mind.

HULL

561.311F1 Advisory Committee/1071: Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, February 19, 1942—midnight.

[Received February 20—12:30 a. m.]

797. Your 547, February 12, 9 p. m. I transmitted your instructions personally to the Foreign Secretary and have subsequently obtained further information on the attitude of the Treasury as well as the Foreign Office. Appreciation has been generally expressed of the spirit in which the latest proposals have been made, but several points of detail have been raised.

The first point is concerned with the definition of the phrase "termination of hostilities". This phrase has caused much difficulty to the Foreign Office in connection with other documents. Henderson⁴ in the Treasury proposes to consider hostilities terminated when large-scale trading with the European continent is resumed. This is simply a question of an exact definition.

The second point is concerned with the price provisions. The British are making wartime purchases of wheat from Canada by bulk contracts and it is pointed out that either there might be no imports of wheat in the 30 days period suggested, or the imports might have to do with more than one previous contract, in which case the price might be less favorable for us than if we took the last contract price.

The Treasury therefore suggested that the last contract price with Canada be taken instead of the 30-day average. However, the Ministry of Food objected that this would prejudice their negotiations with Canada for the next wheat contract by encouraging Canadian farmers to press for higher prices which just now would be difficult to resist on account of the large gifts made by Canada to Great Britain.

To meet this, Henderson considered the idea of taking the price of the latest contract already made with Canada as the basis, and providing for adjustments along the lines of points (a), (b), (c) of the draft convention. He was, however, hesitant about putting this forward in case the naming of an exact price at present levels would antagonize American farmers who might be expecting higher prices. Conversa-

⁴ Sir Hubert D. Henderson, Economic Adviser, British Treasury.

tions with both Henderson and Keynes⁵ indicate they are confident that they can get the Ministry of Food to accept the last contract price as the basis.

A third point that raised some questioning is the provision for taking the average rates of exchange prevailing in the 30 days.

It was thought that if some time elapsed before another wheat conference took place this might cause relative prices in exporting combines to get out of line and create political difficulties. They seem to have had Argentina in mind in particular.

The Foreign Office position was noncommittal. Their economist was not personally in favor of having any fixed price arrangement of one commodity until general postwar arrangements had been settled. But I believe that subsequent informal conversations with Treasury economists and private representations from them that a speedy settlement would be highly appreciated in Washington will meet with a good response. They seem likely to result in Keynes and Henderson strongly backing a settlement on lines of the "memorandum of agreement" with a few modifications designed to make definitions more precise.

When the British reply is received will you please let me know promptly if I can assist further at this end?

Please treat this information confidentially.

WINANT

561.311F1 Advisory Committee/1072 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, February 23, 1942—8 p. m.
[Received February 23—6: 12 p. m.]

856. Further information obtained from the Foreign Office indicates acceptance of the position taken by Treasury economists described in my 797 of February 19, midnight. This provides that the last important contract price before resumption of substantial trade with the European Continent shall be continued until another agreement is reached, though not for more than 2 years. It also accepts provisions relating to the relief pool and to the control of production, stocks and exports. The Foreign Office economist, however, stated that he had not yet received a formal statement from Washington specifying the exact articles in attached draft convention which are to be included in the present agreement except that relating to the relief pool. There seems to be only one remaining point to be settled, and this has to do with the form and not the substance of the agreement.

⁵ John Maynard Keynes, Economic Adviser to the British Government.

The legal experts of the Foreign Office have objected to the present form of drafting on the ground that the memorandum of agreement is not self-contained but refers to the attached draft convention for the details of some of its most important provisions. These details would be imbedded in another long and elaborate document, large parts of which are matters for future discussion rather than matters of present agreement. The Foreign Office considers that from a political point of view the present form of drafting had important disadvantages and would complicate the task of defending the agreement in Parliament against hostile critics.

The legal experts favor drafting the agreement in the form of an interim wheat agreement the rest of which would be self-contained. Those articles in the draft convention which would be a part of the interim agreement would be given in full in the text of the interim agreement. The text would then be self-explanatory and complete and this would strengthen Ministers replying to hostile critics.

The draft convention would then be attached as constituting a basis for the discussions of the next wheat conference but it would not be necessary to refer to it in relation to the actual interim agreement.

The legal experts would also prefer that the principle of one country one vote should be adopted in the interim agreement in respect of the five signatory countries and any others that might come in before the next wheat meeting. They think the more complicated voting arrangements set out in the attached draft convention will be suitable for the more comprehensive future wheat agreement when a large number of countries are included but that they would only add unnecessary complications in the interim period.

The Foreign Office has hesitated to raise these questions because they are anxious not to be interpreted in Washington as stalling or hindering an agreement. I am convinced that there is no intention on their part of holding up agreement and that they are genuinely desirous of meeting us on the substance of our proposals. Would you let me know as soon as possible whether these modifications in the form of drafting are acceptable?

WINANT

561.311F1 Advisory Committee/1071 : Telegram

*The Acting Secretary of State to the Chargé in the United Kingdom
(Matthews)*

WASHINGTON, February 28, 1942—5 p. m.

886. Your 797, February 19, midnight, and 856, February 23, 8 p. m. Paragraph 6 of the Memorandum of Agreement has been revised in accordance with United Kingdom suggestion that the last contract price negotiated by the United Kingdom be substituted for the 30-day

average prices as the price of wheat to be continued as from the termination of hostilities (your 856).

In order to meet the problem presented by the words "termination of hostilities" in Paragraph 6 of the Memorandum (your 797), which will be defined in the Final Minutes of the Washington meeting as the signing of a general armistice, there has been added thereto in the revised draft the words "or from such earlier date as they may agree", which would permit the bringing into force the provisions of that paragraph in the event no such armistice should be signed.

As to the question of form (your 856), it may be pointed out that the function of the Memorandum of Agreement is (a) to emphasize the need of a future conference and to provide for the convening thereof; (b) to facilitate the work of that conference by making available to it the results of the Washington meeting; and (c) to provide a basis for such interim measures as may be found necessary to prevent the wheat situation from deteriorating pending the calling of the conference. The draft convention is the means for carrying out the last two objectives, and it is proposed to revise slightly paragraphs 2 and 3 of the Memorandum to make clear this two-fold purpose of the convention. The Memorandum is intended to be informal and non-legalistic to stress the temporary and provisional character of the arrangement and, it is believed, will be less objectionable from the point of view of non-represented countries than a more formal interim agreement such as is suggested by the Foreign Office.

Furthermore, a self-contained interim agreement would be the same in all essential respects as the draft convention to be submitted to the future conference. The draft of the Final Minutes of the Washington meeting, which the United Kingdom delegation has transmitted to London and which records the provisions of the draft convention which will be brought into effect under various paragraphs of the Memorandum, will make it clear that at one stage or another practically all the principal articles of the draft convention may, depending on circumstances, be brought into force before a future conference is held.

An effort is being made today to put the memorandum of agreement and minutes in final form for submission to the several governments. When we were advised this morning by the United Kingdom representative of the proposals respecting the form of the arrangement we urged him to allow the work to proceed along the present lines pending an opportunity to bring the consideration set forth above to the attention of his Government. He agreed to this and also said that he would recommend by telegraph adherence to the present form.

Please discuss the matter immediately with the appropriate authorities and strongly urge upon them the importance of concluding the agreement promptly along present lines. You should emphasize

that the form of the arrangement is important from the standpoint of the reaction of non-represented countries; that the present form was adopted because of British concern on this point, which we fully share; that a radical change in form now would mean that new proposals would have to be submitted to the other governments represented in these discussions with consequent delay and confusion which might even result in the complete failure of this effort.

WELLES

561.311F1 Advisory Committee/1073 : Telegram

The Chargé in the United Kingdom (Matthews) to the Secretary of State

LONDON, March 2, 1942—8 p. m.
[Received March 2—6 : 35 p. m.]

990. The subject of your 886, February 28, 5 p. m., was taken up with the Foreign Office economist and legal expert this morning and the reasons for concluding an agreement promptly along present lines were strongly emphasized. At a meeting of the appropriate authorities this afternoon in the Foreign Office it was decided to drop the proposal reported in my 856 February 23, 8 p. m., for a simplified self-contained agreement independent of the draft convention. We understand that instructions will be sent to the British delegation to accept the memorandum of agreement in its final form. A few points of clarification of detail will be discussed with the Foreign Office tomorrow morning at their request and if any questions arise I shall cable further tomorrow.

MATTHEWS

561.311F1 Advisory Committee/1074 : Telegram

The Chargé in the United Kingdom (Matthews) to the Secretary of State

LONDON, March 5, 1942—midnight.
[Received March 6—12 : 53 a. m.]

1061. Embassy's 990, March 2, 8 p. m. Delay in the transmission of instructions to the British Wheat Delegation has been due to reference of some points of detail to Department's detailed instructions [but?] will probably be sent today or tomorrow to the British Delegation.

The following points are based on further informal discussions with the Foreign Office and with economists in the Leith-Ross⁶ group and the Board of Trade.

⁶ Sir Frederick Leith-Ross, Director General, British Ministry of Economic Warfare.

(1) The British would prefer that the agreement should be initiated by the delegates in the capacity of experts reflecting in general the positions of their Governments, and that the Governments should then state their acceptance of the agreement.

This point originates in the legal and treaty experts of the Foreign Office. There is no reason to think that an issue will be made of it and if you have a preference for another procedure there should be no serious difficulty in obtaining agreement.

(2) The Foreign Office is raising a question about publication. It assumes that the memorandum of agreement and the draft convention will have to be published in any case and think that this will necessitate the publication also of the "final minutes". It seems to prefer no publicity until the negotiations are concluded.

(3) The British would prefer in the present agreement to leave aside paragraphs 10, 11 and 12 of article 7 of the Draft Convention and put somewhere into the Agreement a statement providing for the one country one vote principle. They think that conditions under which the more complicated voting provisions would come into operation will not arise until a considerable number of additional countries are ready to come in, and when that time comes the future wheat conference should be held without delay.

In these circumstances they do not think it worth while to run the risk of raising questions in unrepresented countries by including such provisions as those in article 7, paragraph 11.

(4) The Board of Trade expressed the view that it could not during the war undertake direct commitments to police import quotas.

They wish to leave paragraphs 9, 10 and 11 of article 14 outside the scope of the present agreement. It is regarded as certain that in the period in which the present agreement will operate all purchases will be bulk government contract purchases and there will be no question of imports that are unauthorized or contrary to the agreement. The objection to bringing in paragraphs 9, 10 and 11 of article 14 is that it would be regarded by import trading interests as containing implications on the question whether import trading under private enterprise will be resumed or government trading continued permanently after the war. The Board of Trade and the Ministry of Food are both anxious to avoid raising this question now and to keep free of commitments.

As a substitute for these paragraphs the British would be ready to agree that if the action of any country appeared to threaten the stability of the Interim Agreement, Britain would enter into discussion with the other countries with a view to devising measures that would safeguard the agreement.

There seems to be no important obstacle here to the speedy conclusion of the agreement. Point 4 discussed above is the most important point and if you are able to meet the British on that matter it will be greatly appreciated in Government circles here for internal political reasons.

MATTHEWS

561.311F1 Advisory Committee/1074e

The Secretary of State to the Ambassador in Argentina (Armour)

No. 2006

WASHINGTON, March 16, 1942.

SIR: With reference to the Department's instruction no. 1964 of March 9, 1942⁷ enclosing a copy of the "Drafts of Memorandum of Agreement, Convention, and Minutes of Final Session" as approved by the delegates to the Washington Wheat Meeting, it is desired to point out that the wheat discussions have been difficult and prolonged largely because of the difficulty of finding a price formula acceptable to the United Kingdom and because of the fear that regardless of the merits of a wheat agreement it might be regarded unfavorably by non-participating countries, especially Russia. On the other hand, all the delegates recognized that failure of the Washington Wheat Meeting to make any advance toward a solution of the wheat problem would result in deterioration of the international wheat situation. Furthermore, such failure, it is believed, would reflect unfavorably on the possibilities of international cooperation in other fields.

The delegates to the meeting finally worked out a limited provisional agreement which has been submitted to their respective governments for approval and which, it is learned from the Embassy at London, is acceptable in form and substance to the United Kingdom.

The agreement, as may be seen from an examination of the enclosures to the Department's instruction under reference, takes the form of a Memorandum of Agreement to which is attached a Draft Wheat Convention. The purpose of the Memorandum is (a) to emphasize the need for a future world wheat conference and to provide for the convening thereof by the United States as soon as the international situation permits, (b) to facilitate the work of that conference by making available to it the results of the Washington Meeting in the form of the attached Draft Convention, and (c) to provide a basis for bringing into force such measures contained in the Draft Convention as may be found necessary to prevent the wheat situation from deteriorating pending the calling of the conference. The proposed Minutes of the Final Session of the Washington Wheat Meeting refer

⁷ Not printed.

specifically to the provisions of the Draft Convention which are brought into force under various paragraphs of the Memorandum and make it clear that at one stage or another practically all of the principal articles of that Convention may, depending on circumstances, be brought into force before a future conference is held. The Memorandum is intended to be informal and non-legalistic in order to stress, for the benefit of the non-participating countries, the temporary and provisional character of the arrangement. It is believed that copies of the Memorandum, Convention, and Final Minutes which Viacava^{*} sent his Government may have arrived in Buenos Aires by this time.

Viacava has indicated that since the now proposed agreement does not offer prospects of as favorable prices for wheat as did the provisional August draft, the interest of his government in a wheat agreement is not what it formerly was. The Memorandum of Agreement provides that the four exporting countries will, upon termination of hostilities, continue as the price of wheat the last contract price paid by the United Kingdom for wheat from the principal source of supply (Canada). Should any country object to that price, the export price of wheat will then be determined by the Council under the price provisions of the Draft Convention, the vote of the United Kingdom being required for any price determination under those provisions. The Canadian Government's decision, just announced, to pay a basic price of 90 cents for the 1942 wheat crop, as against the previous price of 70 cents, greatly increases the likelihood in our view that the price of wheat which would be continued under the Memorandum upon termination of hostilities will be reasonably acceptable to the exporting countries.

Without anticipating objections by Argentina, you are requested to point out to the appropriate Argentine authorities that, although the agreement set forth in the Memorandum falls short of the objectives earlier in view, this Government nevertheless attaches great importance to it and believes that its acceptance offers substantial prospects of averting immediate development after the war of chaotic conditions in the world wheat market. It will serve through the establishment among the five countries of a Wheat Council to coordinate their production and trade policies in regard to wheat and thus facilitate international consideration of the problem later when the world will be faced with many complex post-war problems pressing for immediate attention. Without the agreement, such policies may become so divergent under the stress of war conditions and competition in international trade in wheat in the post-war period so destructive that there will be little possibility after the war to work out

^{*} Anselmo M. Viacava, Argentine Commercial Counselor at Washington; Argentine representative at the Washington Wheat Meeting.

a satisfactory solution. This Government, therefore, earnestly hopes that the agreement in question will be considered favorably by the governments concerned and that an effort will be made to expedite its conclusion.

Very truly yours,

For the Secretary of State:
DEAN ACHESON

561.311F1 Advisory Committee/1076a : Telegram

*The Acting Secretary of State to the Chargé in the United Kingdom
(Matthews)*

WASHINGTON, March 25, 1942—midnight.

1248. For Appleby⁹ from Acheson. Your 1355, March 21, 2 a. m.¹⁰ The Dutch and the Belgians will be advised as soon as the few remaining points are settled but before public announcement is made.

Viacava states that his Government approves in general the Memorandum of Agreement, provided that (a) Argentina is given a basic quota of 25 percent, (b) the total quantity of relief wheat (see Article VI, paragraph 3) is not specified, and (c) the representatives of the four exporting countries record by means of an exchange of letters the view of their governments that the prices set forth in their memorandum on prices of November 18 are, with reference to conditions prevailing in July 1939, fair and reasonable.

The Canadian representatives plan to return to Washington early next week at which time it will be possible, it is believed, to bring the Meeting to a prompt conclusion.

As proposed by the United Kingdom, the Memorandum of Agreement and the Final Minutes, after they are initialled by the delegates, will be transmitted by this Government to the other four governments for approval. As soon as the approval of the five governments has been notified to each of them, the provisions of the Memorandum will come into effect, and the Memorandum, together with the Draft Convention and Final Minutes, will be made public. Public announcement regarding the results of the Meeting might be made, however, at the conclusion of its final session or shortly thereafter. [Acheson.]

WELLES

[See Department of State Executive Agreement Series No. 384, or 57 Stat. (pt. 2) 1382, for texts of (1) memorandum of agreement between the United States, Argentina, Australia, Canada, and the United

⁹ Paul H. Appleby, Under Secretary of Agriculture.

¹⁰ Not printed; it indicated that it would be advisable to talk to the Dutch and Belgians before any announcement of the wheat agreement (840.48/5422).

Kingdom, initialed April 22, 1942, (2) draft of convention, (3) minutes of the final session of the Washington Wheat Meeting, April 22, 1942, and (4) notes regarding the approval and entry into effect of the memorandum of agreement, April 22-June 27, 1942.

On June 27, 1942, the Department of State sent notifications of approval of the wheat agreement to the participating Governments, and at the same time notified the other interested Governments in accordance with the understanding that such advice would be transmitted prior to the issuance of a press communiqué. (File No. 561.311F1 Advisory Committee/1101a.) The public announcement was released on July 1, 1942; see Department of State *Bulletin*, July 4, 1942, page 582.

The International Wheat Council, which was immediately established, held its first meeting in Washington, August 3-5, 1942; see *ibid.*, August 1, 1942, page 670, and August 8, 1942, page 688.]

PROTOCOL SIGNED JULY 22, 1942, EXTENDING THE
DURATION OF THE INTERNATIONAL SUGAR
AGREEMENT

[For text of this protocol, see Department of State Treaty Series No. 990, or 59 Stat. (pt. 2) 949. The protocol and a brief statement regarding its negotiation are printed in Department of State *Bulletin*, August 1, 1942, pages 678-679. For previous correspondence regarding the International Sugar Agreement, see *Foreign Relations*, 1939, volume I, pages 948 ff.]

INTEREST OF THE UNITED STATES IN AN AGREEMENT
CONTINUING INTERNATIONAL CONTROL OF THE
PRODUCTION AND EXPORT OF TIN, SIGNED SEP-
TEMBER 9, 1942 ¹

800.6354/353½

*Memorandum of Conversation, by the Adviser on Political Relations
(Duggan)*

[WASHINGTON,] April 8, 1942.

The Ambassador ² informed me of the receipt by him this morning of the following information from his Government with regard to the renewal of the International Tin Agreement.

The International Tin Agreement was renewed last September subject to ratification by each Government. The Bolivian Government, although it received a basic quota of 46,000 tons under this Agreement, was on the point of ratifying it by decree when war broke out in the Far East. After the outbreak of war there was little interest shown by the British officials concerned for ratification.

Very recently, however, the Bolivian Government has been pressed by the British Government to accept the agreement. The Bolivian Government is prepared to accept the agreement under two conditions.

In the first place, the Bolivian Government desires to ratify the agreement with a reservation to the effect that quotas should be reviewed at such time as the status of the Malayan Straits and the Netherland East Indies is again regularized, since only then will it be possible to determine the actual productive capacity of those territories. In the meantime Bolivia will have greatly increased its production. It would be obviously unfair if Bolivia, at the expiration of the war and prior to the termination of the agreement, were to be set back to 46,000 tons after having developed production at the request of the United Nations.

In the second place, the Bolivian Government will ratify the agreement subject to the reservation mentioned above provided that it is advised that the contract is inoperative between the Metals Reserve Company and the International Tin Committee whereby the Metals

¹ For previous correspondence, see *Foreign Relations*, 1941, vol. I, pp. 507 ff.

² Luis Guachalla, Bolivian Ambassador.

Reserve purchased 100,000 tons of tin at 50 cents subject to the existence of the International Tin Agreement. The Ambassador explained that the reason for his Government's position was that, in accordance with the contract between the Bolivian producers and the Metals Reserve Company, the Bolivian price is dependent upon the price provided for in this contract for 100,000 tons. Bolivia is to get 48½ cents. It is impossible profitably to produce tin in Bolivia today at 48½ cents.

The Ambassador concluded that his Government had just been advised that there would be a meeting on Friday, April 10, in London, of the International Tin Committee. The purpose of this meeting was to renew the International Tin Agreement. The Bolivian Government has as much as been told that if it objected to the terms agreed upon last summer, the Agreement would be renewed whether or not the Bolivian Government liked it. The Ambassador pointed out that it would be possible for the British to line up the delegates representing the Malayan Straits and the Netherland East Indies who now actually represented nothing. The Ambassador said that in his opinion the holding of this meeting was a maneuver on the part of the British to place the Bolivian Government in a difficult trading position in connection with the negotiations which he had opened under instructions from his Government for an increase in the tin price. If the agreement is renewed and the contract between the Metals Reserve and the Committee, for 100,000 tons, is deemed valid and operative then Bolivia is to receive 48½ cents. The Ambassador stated firmly that his Government would never accept any such price. He reiterated that the projected holding of this meeting was a maneuver on the part of the British. He thought this was indicated by the fact that the date of the meeting had been advanced from April 15 to April 10. He asked for the friendly assistance of this Government to prevent a situation arising which was impossible for his Government and could only result in difficulties all around. Specifically, he hoped that the date of the meeting could be postponed until time could be afforded to work the matter out and that he could be advised that the contract between Metals Reserve and the International Tin Committee for 100,000 tons had been canceled.

I told the Ambassador that I would see that his representations were given immediate consideration and that he could rely upon this Government's not permitting a situation to develop where it appeared to the Bolivian Government that it was being presented with a *fait accompli* in order to make Bolivia's trading position more difficult.

800.6354/350a : Telegram

*The Acting Secretary of State to the Chargé in the United Kingdom
(Matthews)*

WASHINGTON, April 8, 1942—midnight.

1465. We understand that the International Tin Committee is scheduled to meet on April 10. We are not advised of what matters it will consider. Please, in whatever way seems to be most effective, convey to them our sense that of course any decision or actions they may take at this time affecting supplies of tin are of greatest interest to us and we certainly would expect to be fully consulted in advance of any positive action.

We believe the British Government is already advised, through its Embassy in Washington, that Metals Reserve Company is engaged in a revision of its buying contract for Bolivian tin, particularly as regards the matter of price.

WELLES

800.6354/351 : Telegram

*The Chargé in the United Kingdom (Matthews) to the Secretary
of State*

LONDON, April 10, 1942—6 p. m.

[Received April 10—3:54 p. m.]

1746. Department's 1465 and Embassy's 1693, both April 8.³

1. Your message given to Campbell⁴ personally before meeting of I. T. C. this morning.

2. Campbell gave me definite assurance that only matters up for consideration at I. T. C. meeting are questions of keeping Committee in being and liquidation of buffer stock fund. He wants you to know Committee fully realizes importance of previous consultation with Washington before any positive action taken affecting in any way United States of America interests.

3. Patiño's⁵ reservations mentioned in my 1693, section B, revealed confidentially to Campbell by Pearce⁶ last night. Campbell tells me they are (a) I. T. C. should cancel its contract with Metals Reserve and (b) standard tonnages and voting powers should be reconsidered as soon as tin territories occupied by enemy are regained.

³ Latter telegram not printed.

⁴ Sir John Campbell, Chairman, International Tin Regulation Committee.

⁵ A. Patiño, member of the Bolivian delegation on the International Tin Regulation Committee.

⁶ E. V. Pearce, member of the Bolivian delegation on the International Tin Regulation Committee.

Campbell commented that it was obvious no action with regard to Metals Reserve contract could be taken without full consultation with and agreement by Metals Reserve and that reconsideration of matters under (b) would of course, automatically occur at that time.

4. Campbell again expressed his deep regret that his secretaries had failed to notify Embassy in advance of meeting of I. R. R. C.⁷ on March 25 and for very short notice given Embassy beforehand in respect of meeting of I. T. C. today. He ascribed it to fact that he has been moving his office during past fortnight and that negligence had been caused solely by oversight of his clerical staff. Pawson⁸ of Rubber Secretariat actually responsible for sending out notice of rubber meeting asked me to state that he hoped unfortunate remissness on his part would not be construed by Washington in any other terms than personal carelessness on his part.

We felt it opportune to intimate to Campbell and Pawson embarrassing position in which oversight placed Embassy and urgent desire of Department to be notified about all meetings and agendas well in advance in order to have ample time in which to formulate any views which it may wish to present to respective committees.

5. Reference 1693 section 1 A. Due to conditions mentioned in paragraph 4, minutes of last rubber meeting only received last night. They show that I. R. R. C. also agreed (a) that rate of release should remain at 120 percent until further notice; (b) that, so long as this decision remained in force, any annual surpluses should be covered by raising the quota retroactively, and that no deficiencies should be carried forward from one year to another; (c) that this decision should be communicated to the Governments of the "free" territories by their corresponding delegates, but that no communiqué should be published.

Copies of rubber and tin minutes being sent airmail.

MATTHEWS

800.6354/352 : Telegram

The Chargé in the United Kingdom (Matthews) to the Secretary of State

LONDON, April 10, 1942—11 p. m.

[Received April 10—6:04 p. m.]

1766. Embassy's 1746, April 10.

1. Spoke to Campbell at end of International Tin Committee meeting today. He tells me Committee voted (a) that it was prepared to recommend renewal of agreement to interested Government subject to reservations of Bolivian Government outlined in section 3 of

⁷ International Rubber Regulation Committee; see *Foreign Relations*, 1941, vol. I, pp. 492 ff.

⁸ A. G. Pawson.

number 1746; and (b) unanimously recommended liquidation of buffer stock funds amounting to about 2½ million sterling by repayment of money in proportion to respective contributions with exception of Siam which will go to the custodian of enemy property and Indochina which will probably be placed in trust.

2. With regard to Bolivian reservation about Metals Reserve contract with International Tin Committee, Campbell stated Committee felt that it had been framed for objectives now unobtainable under circumstances and conditions which have ceased to exist. Committee was therefore willing to approach Embassy to ask it to take up matter with Metals Reserve.

MATTHEWS

800.6354/353 : Telegram

*The Chargé in the United Kingdom (Matthews) to the Secretary
of State*

LONDON, April 17, 1942.

[Received April 17—3:07 p.m.]

1924. Embassy's Nos. 1746 and 1766, April 10.

(1) Embassy has today received from Sir John Campbell official minutes of International Tin Committee meeting held April 10 last. This gives *inter alia* text of Patiño's telegraphic instructions to Pearce before meeting:

"Yours April 3rd. I did not intend contract with Metals Reserve be cancelled unilaterally being understood that Committee should negotiate with Metals Reserve to that effect. Am cabling Campbell advising you will represent Bolivia next meeting Friday, 10th. Instructions my Government are that Bolivia will be pleased renew agreement with reservations articles 4 and 14 and provided Committee come to a previous understanding with Metals Reserve that the last contract for sale of tin be cancelled, being now inoperative. This condition is *sine qua non*. Wording of reservation follows:

'Bolivian Government desires to give formal notice of its reservation regarding articles 4 and 14 of this agreement to the effect that these articles shall be reconsidered as soon as the status prior to the occupation by Japanese of Malaya and Netherlands East Indies has been reestablished, when it will be possible to determine the actual productive capacity of those territories.'

I agree with liquidation buffer stock according Campbell's note dated 18th March."

(2) Following is text of decision taken by Committee with respect to agreement of October 9, 1941, between I. T. C. and Metals Reserve in connection with Bolivian statement:

"The Committee considered that the agreement of 9th October, 1941, and previous agreements concluded with the same object in view had now become inoperative owing to the march of events. These agree-

ments were made in order to provide a large surplus of tin to be taken into stock in America. The obligations of the Committee were primarily to fix quotas suitable for the attainment of that objective, and to do their best to encourage producers in these territories to be ready sellers at the 50-cent price. Now that Malaya and the Netherlands East Indies had been overrun, the whole physical basis on which these contracts were founded had ceased to exist.

It was understood also that the Metals Reserve Company and the other interested governmental authorities in America were in fact discussing with the Bolivian authorities at present the question of a price for Bolivian tin higher than the 50-cent price mentioned in the agreement of 9th October, 1941.

In these circumstances the Committee did not desire to contest the Bolivian point of view that the contract of 9th October, 1941 (which had not yet become formally operative) should be regarded as inoperative and should be cancelled.

It was decided that the American Embassy should be approached on this subject and should be requested to place the Bolivian Government's view, with the opinion of the Committee, before the Metals Reserve Company and to obtain as speedily as possible that company's decision whether the Bolivian point of view was accepted by them, and by the Reconstruction Finance Corporation."

(3) Referring to Embassy's 1766, section 2. This would probably enable the Bolivian Government to wire instructions for the signature of the renewal agreement earlier than would otherwise be possible.

(4) Following is text of Committee's decision covering renewal of agreement:

"(a) The Committee recommend to the other four Governments who have already expressed their willingness to sign the draft renewal agreement that that agreement should now be signed by them, subject to the reservation stated by the Government of Bolivia.

"(b) The Committee decided that if it should unfortunately prove to be the case that Bolivia is for any reason unable to sign the renewal agreement, then the Committee recommends to the other Governments who have already accepted the draft renewal agreement that they should sign that agreement, subject only to the excision of all references to Bolivia therefrom."

The following are comments upon (a) and (b) above as recorded by Campbell in a covering letter dated April 16, enclosing minutes, states in regard to Bolivian request:

"In view of the urgent necessity of settling the position as regards the renewal of the tin agreement at the earliest possible date, perhaps you would be good enough to communicate the substance of (preceding section 2) to the authorities in America. The Committee desire, as you will see, that the American Embassy should be requested to place the Bolivian Government's view, together with the opinion of the Committee, before the Metals Reserve Company and the other governmental authorities concerned as soon as possible; and further to learn whether the Bolivian point of view is accepted by the Metals Reserve Company and by the Reconstruction Finance Corporation. I

suggest that it might facilitate matters materially if the decision of these two American authorities could be communicated direct to the Bolivian Government by them, while at the same time informing us through the Embassy of that decision.

"This matter was very fully discussed and it was pointed out that such signatures, binding the four producing territories (Malaya, Nigeria, Netherlands East Indies and the Belgian Congo), did not appear to be in any way detrimental to their interests. The strong probability is that full production will be required during the period of currency of the proposed renewal agreement; and article 16 provides an escape clause which would always be open if circumstances should change, and if the non-adhesion of Bolivia should at any time prove embarrassing to the other Governments."

MATTHEWS

800.6354/353 : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, May 11, 1942—midnight.

2067. Your 1924 of April 17. Negotiations with the Bolivian Government and producers now nearing completion here, contemplate an increase in the price to be paid by Metals Reserve Company. No consideration has been given in these negotiations to the question of whether the contract between the International Tin Committee and Metals Reserve is or is not operative, the basis for the negotiations having been the increased costs of the Bolivian producers. The attitude of our governmental agencies in these negotiations should have made it completely clear to the Bolivian Government that Metals Reserve Company is not insisting on the maintenance of a 50 cent price. Unless there are other reasons for the desire of the Bolivian Government for the cancellation of the agreement with the Tin Committee which we do not perceive, the Department cannot see any reasonable basis for the reservation of the Bolivian Government in this respect. Metals Reserve concurs in this view.

HULL

811.20 Defense (M) Bolivia/172 : Telegram

*The Ambassador in the United Kingdom (Winant) to the Secretary
of State*

LONDON, May 12, 1942.

[Received May 12—2: 29 p. m.]

2590. Sir John Campbell would greatly appreciate knowing when a decision will be reached with regard to request by Bolivians for can-

cellation of Metals Reserve contract of October 9, 1941, with ITC. Campbell states:

"Question of renewal of tin agreement is becoming most urgent. I have no funds with which to carry on after the end of June and I must therefore obtain a definite decision prior to that date. You will recall that I have already suggested it would facilitate matters materially if the decision of the American authorities could be communicated direct to the Bolivian Government by them, while at the same time informing Committee through Embassy, London, of that decision. I shall be very grateful for anything which can be done to hasten the decision of Metals Reserve."

WINANT

811.20 Defense (M) Bolivia/172: Telegram

The Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, May 16, 1942.

2201. Your 2590 of May 12. Are your questions not answered by our 2067 of May 11? While the Department freely expresses the opinion that the contract between the International Tin Committee and Metals Reserve presents no obstacle to the renewal of the tin agreement, it does not seem appropriate for the Department to exert any pressure on the Bolivian Government to accept the view that its reservation in this respect is not a reasonable condition to the renewal of the tin agreement.

HULL

800.6354/357: Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, May 20, 1942.

[Received May 20—5:19 p. m.]

2803. Embassy's 1924, April 17 (section 2 and 3) and No. 2590, May 12. Department's 2067 and 2201, 11th and 16th, respectively.

1. There seems to be some misunderstanding with respect to Campbell's request. He has not asked that pressure be placed on Bolivians. What he states he needs in order to persuade Bolivians to renew international tin agreement is acquiescence on part of Metals Reserve and RFC⁹ and BEW¹⁰ with Bolivians' request that October 9, 1941,

⁹ Reconstruction Finance Corporation.

¹⁰ Board of Economic Warfare.

contract of Metals Reserve with ITC be considered as cancelled if and when International Tin Agreement renewed.

Difficulty is that Bolivians according to Campbell absolutely refuse acquiescence in any renewal tin agreement unless this assurance is given.

2. From this end the hub of difficulty appears to be that Patiño fears that when tin agreement renewed and Metals Reserve-ITC October 9 contract comes automatically into effect this could mean that Metals Reserve might claim that new price arrangement now being concluded with Bolivians was no longer effective. It will be recalled that October 9 contract stipulates a 50 cent price and as this contract antedates any present agreement to increase price to be paid to Bolivians, Patiño probably thinks it might possibly be utilized as a means to put pressure on Bolivians later for a reduction in price.

At moment of course October 9 contract not in effect and therefore there is no contractual barrier to present plans for increasing price for Bolivian tin.

3. Reference to Embassy's 1924 sections cited will show that ITC is agreeable to formal cancellation of October 9 contract. In fact at last meeting of ITC, April 10, Committee requested Metals Reserve to accept Bolivian point of view with respect to cancellation of October 9 contract. It is this reply from Metals Reserve that Campbell seeks and Embassy would therefore appreciate instructions as to what may be said to him.

4. Notman of Harriman Mission ¹¹ concurs with above.

WINANT

800.6354/357 : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, June 11, 1942.

2674. Your 2803 of May 20. It still seems to the Department unnecessary for Metals Reserve to take any position as to the cancellation of the October 9 contract with ITC. The proposed contract between Metals Reserve and Bolivian producers will provide for the price to be paid for the period of the contract, regardless of the status of the October 9 agreement. It is therefore difficult to see any basis, legal or otherwise, for claiming that pressure could later be placed on Bolivians for a reduction in price.

¹¹ Arthur Notman, member of the Mission of Economic Affairs, American Embassy, London, of which W. Averell Harriman was in charge as personal representative of the President with rank of Minister.

Accordingly you are requested to inform the Committee that Metals Reserve is unable to see the connection between the cancellation of the October 9 contract and the Bolivian acceptance of the international tin agreement.

The foregoing is not intended to indicate any position with respect to a further institution of the international tin scheme, but the Department is unable to see the logic of the Bolivian position as stated by you.

HULL

800.6354/367 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, June 15, 1942.

[Received June 15—3:47 p. m.]

3315. Embassy's 1924, April 17, 3142, June 5,¹² Department's 2674, June 11.

(1) At meeting International Tin Committee today representatives of Malayan, Nigerian, Dutch and Belgian Congo Governments agreed to renewal International Tin Agreement as of January 1st 1942; if necessary without Bolivian assent. No communiqué will be issued.

Your representative confined his statement to instruction given in second section of Department's 2674.

(2) At opening of meeting Pearce, representative of Bolivia, informed Committee that he had not received any instruction from the Bolivian Government and therefore was not in a position to make any statement as to Bolivian attitude concerning renewal.

Towards close of meeting Chargé d'Affaires of Bolivian Legation here personally appeared at Committee room and delivered to chairman a telegraphic message—which he said had just been received—stating that Legation would be authorized to sign new tin agreement when new price arrangements with United States of America have been formally concluded.¹³

(3) When new tin agreement is formally signed¹⁴ it will be necessary for Governments concerned to reappoint delegations. Committee will then convene to elect a chairman and to validate all actions taken since December 31 last.¹⁵

WINANT

¹² Telegram No. 3142, June 5, not printed.

¹³ See vol. v, section under Bolivia entitled "Negotiation for the Purchase by the United States of Strategic Materials from Bolivia."

¹⁴ Signed for the Governments of Belgium, Bolivia, the United Kingdom, and the Netherlands, September 9, 1942; for text, see League of Nations Treaty Series, vol. ccv, p. 137, or British Cmd. 6396, Treaty Series No. 9 (1942).

¹⁵ The new Committee met for the first time on September 28, 1942.

THE BRITISH COMMONWEALTH OF NATIONS

UNITED KINGDOM

CONFERENCES AT WASHINGTON BETWEEN PRESIDENT ROOSEVELT AND PRIME MINISTER CHURCHILL, WITH THEIR ADVISERS, DECEMBER 1941–JANUARY 1942, AND JUNE 1942

[Prime Minister Churchill came to Washington for conferences with President Roosevelt, December 22, 1941–January 14, 1942, interrupted by trips to Ottawa and Palm Beach.

The Declaration by the United Nations, signed January 1, 1942, was negotiated and issued while the Conference was in progress. For correspondence on this Declaration, see pages 1 ff.

The Free French on December 24, 1941, seized the islands of St. Pierre and Miquelon. For 1941 correspondence on this subject, see *Foreign Relations*, 1941, volume II, pages 540 ff.; for 1942 correspondence, see *ibid.*, 1942, volume II, section under France entitled "Concern of the United States Over the Seizure of St. Pierre-Miquelon Islands by Free French Forces."

Prime Minister Churchill again conferred with President Roosevelt June 19–20, 1942, at Hyde Park, New York, and June 21–25 in Washington.

These Washington Conferences dealt primarily with plans for the military and naval conduct of the war. The records of the Conferences are scheduled for publication in a subsequent volume of *Foreign Relations*.]

NEGOTIATIONS RELATING TO THE LEND-LEASE AGREEMENT BE- TWEEN THE UNITED STATES AND THE UNITED KINGDOM, SIGNED AT WASHINGTON, FEBRUARY 23, 1942¹

841.24/1093b Suppl. : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, January 30, 1942—6 p. m.

358. Department's 5789, December 9, 7 p. m., and 5790, December 9, 8 p. m.² Preoccupation with urgent military matters and with coordination of the British and American war effort in the fields of

¹ For previous correspondence, see *Foreign Relations*, 1941, vol. III, pp. 1 ff.

² *Ibid.*, pp. 46 and 47.

strategy and supply has until now prevented further progress being made with the interim Lend-Lease Agreement. The President now feels strongly, however, that an agreement ought to be concluded without further delay and hopes strongly that the present draft modified by minor verbal changes to accord with the existence of a state of war (see first whereas clause and Article II³) will be accepted promptly by the British Government. The President carefully considered whether, if the British Government continued to find difficulty with the discrimination clause in Article VII,⁴ which difficulty he believed to be unwarranted by the text, this Government should be prepared to strike out Article VII in entirety and provide only for the continuation of conversations through representatives authorized for this purpose to agree both upon matters of immediate importance arising under the agreement and upon the economic considerations, entering into the final terms and conditions. The President felt that such an agreement would not provide any indication of the general nature of the final arrangements, and would therefore be unsatisfactory to us and would leave the British in a much more uncertain and difficult future economic situation. For this reason the President strongly hopes that the present draft will be accepted. It is clear that further attempts to refine the language of Article VII would be wholly unprofitable and time-consuming. The foregoing was communicated orally to Lord Halifax⁵ yesterday and he has telegraphed London.

You are requested to discuss this matter with Mr. Eden,⁶ the Chancellor of the Exchequer⁷ and in your discretion with the Prime Minister.⁸ For your confidential information the President raised this matter with the Prime Minister but found him unprepared to discuss it and preoccupied with other matters. If necessary, in your discussions please stress the points made in our 5790 of January [December] 9, as there appears to be persistent misunderstanding of Article VII in London.

The Department has been requested to be prepared about the middle of next week to testify before the appropriation committee of the House on the status of Lend-Lease agreements. It is most important that the Department's representative be in a position to make a definite statement regarding the British negotiations.

It is also important that arrangements be made as soon as possible relating to the articles and facilities which the British Government

³ See draft, *Foreign Relations*, 1941, vol. III, p. 13.

⁴ See revised draft of article VII in telegram No. 5637, December 3, 1941, midnight, to the Ambassador in the United Kingdom, *ibid.*, p. 45.

⁵ British Ambassador in the United States.

⁶ Anthony Eden, British Secretary of State for Foreign Affairs.

⁷ Sir Kingsley Wood.

⁸ Winston Churchill.

and the Dominion Governments may furnish the United States in connection with expeditionary forces, naval forces or otherwise. Such arrangements will be subsidiary agreements within the framework of the Lend-Lease agreement.

Some confusion appears to have been created by a recent discussion in the press and elsewhere suggesting that the lend-lease basis of dealing with these matters as between the United States and Great Britain has been displaced by a new concept relating to pooling of resources, et cetera. The confusion seems to arise by not keeping clearly in mind the difference between (a) a policy which will guide the two Governments, as allies in the war, in the disposition of their resources, and (b) the actual legislative basis and terms of settlement for the transfers of materials and services made back and forth between them. The only present legislation establishing authority in this Government to furnish aid to our Allies and to carry out a policy of "pooling resources" is the Lend-Lease Act;⁹ and that Act is flexible enough to achieve our purpose and policy. It is essential that the provisions of this Act be followed and that the agreements contemplated and required by it be promptly made.

HULL

841.24/1183 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, February 3, 1942—3 p. m.

[Received February 3—12:55 p. m.]

496. Personal to Acheson¹⁰ from Winant. Thanks reply confirming postponement. Since telephoning you the War Cabinet has met and discussed reply on article 7. I had given to Eden, the Chancellor and Sir John Anderson¹¹ carefully prepared memoranda on our position as well as discussing the situation with them. Each and all of them understood it. The Foreign Office had prepared for the members of the War Cabinet a well done summary of our position attaching copies of pertinent material taken from the cables you have forwarded to me. Eden also had prepared a suggested draft statement that he wanted made simultaneously by the Dominions, Great Britain and ourselves, consent to our proposals was given. His draft was rejected as was compliance with our request for approval. The Chancellor has been asked to make a substitute proposal in writing for Thursday.¹² He led the opposition and was, of course, supported

⁹ Approved March 11, 1941; 55 Stat. 31.

¹⁰ Dean Acheson, Assistant Secretary of State.

¹¹ Lord President of the British Council.

¹² February 5.

by Amery.¹³ (Please get from Felix a copy of the statement the latter made on Manchuria at the time of the Japanese invasion which I forwarded to him by mail.)

The opposition is political. It is based on fear of a division in the Conservative Party. The idea that an agreement should be made with the United States in which the sovereignty of the unity of the Empire is questioned, even in the field of economics by the inclusion of the no discrimination clause in article 7, is opposed by Empire preference Tories who, in my opinion, are nothing more than imperialists. They represent a small but determined minority among the Conservative membership of the Parliament. Eden is the only man in the government who really fights to support our position and this in spite of the fact that Keynes¹⁴ and other economists have come to agree with our position.

The reason for failure to treat our position with sufficient seriousness is based on an assumption here that both the President and Mr. Morgenthau¹⁵ are themselves indifferent to that position and that it is rather a special position taken by Mr. Hull based on his general economic policy as expressed in the trade agreements which he has advocated so consistently for so many years.

There is a further feeling that no great difficulty will be encountered in persuading the Congress to make the necessary appropriations under Lend-Lease now that we are in the war.

There are two things that could be done that I believe would be helpful especially if they could be done prior to the preparation of the Chancellor's memorandum scheduled for completion Thursday. One would be to have the President call in Halifax and state his personal interest in this matter and restating to him the general argument in Department's message No. 358 of January 30. The other would be to get Mr. Morgenthau in some less direct fashion to let the British representative at the Treasury know that this was also a matter of concern to him.

The Chancellor is very sensitive to any situation that might affect his good relations with the Treasury and particularly with Secretary Morgenthau who for so long has been a good friend of the British cause.

In his message to the Foreign Office Halifax has completely supported the position of the United States Government.

If you think these suggestions are wise and go through with them I hope that in taking up this question my sources of information will be protected by relating action to my telephone conversation requesting postponement rather than to the contents of this message.

¹³ Leopold Amery, Conservative, Member of the House of Commons.

¹⁴ John Maynard Keynes, financial adviser to the British Government.

¹⁵ Henry Morgenthau, Jr., Secretary of the Treasury.

I feel deeply about the issue involved because I believe it is so clearly related to reconstruction in the post-war period.

Please note Embassy's 497 sent by Casaday to the Secretary of the Treasury today.¹⁶

WINANT

841.24/1184b : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, February 4, 1942—5 p. m.

418. Personal from the President to the Former Naval Person.¹⁷

"I have asked the State Department through Halifax and Winant to express to the British Government my strong hope that it promptly agree to the present draft of Interim Lend-Lease Agreement and I now ask your personal help in bringing this about.

I understand your need of maintaining unity at home in the great task of winning the war. I know you also understand how essential it is that we maintain unity of purpose between our two Governments and peoples in this and, equally important, in the unfinished tasks which will follow it.

I am convinced that further delay in concluding this agreement will be harmful to your interests and ours. I am likewise convinced that the present draft is not only fair and equitable but that it meets the apprehensions which some of your colleagues have felt and which Halifax has brought to our attention.

No one knows better than I how busy you are. I should not add this matter to the long list of your worries, if, after giving it much personal attention, I were not convinced that a failure to sign this agreement would do much mischief."

HULL

841.24/1186 : Telegram

*The Ambassador in the United Kingdom (Winant) to the Secretary
of State*

LONDON, February 6, 1942—10 p. m.

[Received February 6—8:08 p. m.]

565. Personal for the Secretary and Assistant Secretary Acheson. Department's 419, February 4, 6 p. m.¹⁸ This morning the Cabinet met to discuss again article 7. This afternoon I met with Eden

¹⁶ Telegram dated February 2, not printed.

¹⁷ Code name for Prime Minister Winston Churchill.

¹⁸ Not printed.

and he gave me a copy of the instruction sent to Halifax in which an exchange of notes is requested in accepting the agreement *in toto*. The note we are requested to sign, however, in my opinion is a negation of most we have asked for (see numbered paragraph 4) with a new reservation that acceptance of the agreement as interpreted by the British will require the Dominions' agreement to their signature, thus involving further delay and the Dominions' concurrence in the elimination of any Empire preference from the category of discrimination.

Eden explained to me that the Cabinet took the position that it is unwilling to barter Empire preference in exchange for money and goods, i. e. planes, tanks, guns, et cetera because of the political repercussion that they believe would result. He told me he hoped I would be able to say a word in explanation of this political conclusion. I did not agree to do this. In fact I told him I could not carry out his request since the document in my opinion defeated the primary objective of article 7 and further asked for an agreement on the negation by the Dominions.

In our conversation I asked if there was any reason for including paragraph 6 of his draft note. He told me he was sure there would be no objection to its elimination. You will note in paragraph 4 the phraseology employed "members of the same Commonwealth or Federation." This might be interpreted to exclude Crown Colonies and other non-Dominion possessions. Paragraph 4 of the note would not apply, as I understand it, to discriminatory treatment between Great Britain and foreign countries and therefore would eliminate discriminatory use of exchange control and other objectionable forms of bilateralism.

What I could do I have done to persuade key people here of the soundness of our point of view. Among others I saw yesterday Bruce, High Commissioner for Australia. I had previously told him that his suggested amendment¹⁹ had been rejected by the Department (my number 10, January 2, 3 p. m.²⁰). He told me he understood our position and would do everything possible to get acceptance of the article as it stood. He cabled Curtin²¹ asking that he support our views.

I believe a possible further approach to this matter in the light of this latest development would be to directly enlist the support of the Dominions. I should think agreement by them if obtained would lessen the fear of political opposition here in view of the argument of Dominion opposition employed by those opposed to our position.

¹⁹ See telegram No. 6246, December 27, 1941, 11 p. m., from the Ambassador in the United Kingdom, *Foreign Relations*, 1941, vol. III, p. 51.

²⁰ Not printed.

²¹ John Curtin, Australian Prime Minister and Minister for Defense Coordination.

You may, however, have a better approach that would be less time-taking and more direct.

I understand the Prime Minister is sending a message to the President.

The following are the texts of the draft notes suggested.

(a) Note we are requested to sign.

"I have the honor to refer to the conversations which have taken place between representatives of the Governments of the United States and the United Kingdom of Great Britain and Northern Ireland in connection with article 7 of the Lease-Lend provisional agreement signed this day.

2. During the course of these conversations representatives of the United States have indicated that their Government fully appreciate the postwar problems which will confront the Governments of the United States and the United Kingdom and of other countries which may subsequently participate in the agreed action for the attainment of the objectives stated in the said article 7.

3. The representatives of the United States Government have referred to the special position of the United Kingdom by reason of its dependence on international trade and to the severity of the problem of the balance of payments with which the Government of the United Kingdom will have to deal in the postwar period and they have recognized the necessity of taking this problem into account in formulating agreed action to attain the ends of article 7.

4. The representatives of the United Kingdom Government have stated that they do not understand the word 'discrimination' as applying to special arrangements between members of the same commonwealth or federation such as the British Commonwealth or the United States of America and its possessions and that before accepting any definite commitment involving modification of the existing system of imperial preference the Government of the United Kingdom would naturally require to consult with the Governments of the Dominions.

5. The representatives of the Government of the United Kingdom have referred to the problem which will confront the United States Government in making adjustments in the protective system of the United States in order that the United States may take their appropriate place in the system of world trade that the respective Governments are striving to attain.

6. The representatives of both contracting Governments recognized that progress in the attainment of the objects stated in article 7 must be gradual, and that nothing in article 7 makes either contracting Government to take action unilaterally without regard to action by the other, as may be agreed after discussion such as is contemplated under the above mentioned article.

7. I have the honor to inform Your Excellency that it is the understanding of the Government of the United States, in signing the agreement referred to above, that each of the contracting Governments, in concerting the measures necessary for the attainment in common accord of the objectives envisaged in article 7, will take fully into account the problems and conditions set forth in preceding paragraphs. I shall therefore be grateful if Your Excellency will furnish me with

an assurance that this is also the understanding of the Government of the United Kingdom."

(b) Lord Halifax's reply.

"I have the honor to acknowledge receipt of Your Excellency's note of this day's date in which you were so good as to recapitulate the various problems and conditions which should be taken into account in connection with article 7 of the Lease-Lend provision[al] agreement which we have signed today.

I have the honor to inform Your Excellency that His Majesty's Government in the United Kingdom entirely share the view of the United States Government as regards the desirability of taking fully into account all the problems and conditions to which allusion is made in Your Excellency's note."

WINANT

841.24/1186

*Memorandum of Conversation, by the Under Secretary of State
(Welles)*

[WASHINGTON,] February 7, 1942.

The British Ambassador called to see me this morning at his request.

I told the Ambassador of the very deep disappointment which I had experienced as a result of reading the contents of Ambassador Winant's telegram no. 565 of February 6, 10 p. m. Lord Halifax said he had received a message in a similar sense. The Ambassador argued for a considerable time that this message should be regarded as entirely satisfactory. He said that, after all, the draft sent from London was really all right although on the face of it it seemed to be all wrong. The gist of his long exposition was that the British reply had to be of this nature because of Mr. Churchill's unwillingness to alienate any part of his Conservative strength in the House of Commons and, second, that since public opinion in both Great Britain and the United States at the end of the war would be overwhelmingly in favor of a liberal trade policy it was perfectly safe for us now to agree that the British Government might merely say that "before accepting any definite commitment involving modification of the existing system of imperial preference the Government of the United Kingdom would naturally require to consult with the Governments of the Dominions."

I asked the Ambassador if the Dominions could be consulted at the end of the war why could they not be consulted now. The Ambassador replied that unofficially he understood the Dominions had already been consulted and had given a favorable answer. I then asked, if that was the case, why could this not be officially stated by the British Government and thus solve the difficulty. The Ambassador went

back to his earlier point that if this were done Mr. Churchill would have difficulties with Conservative followers in the House of Commons.

The Ambassador gave me very definitely the impression that he was attempting to argue against his own better judgment. I said that in as much as he was planning to see Mr. Acheson about this matter during the course of the day I would say no more beyond emphasizing the fact that this issue was fast becoming a very serious issue and that I feared the British did not realize how serious an issue it really was.

S[UMNER] W[ELLES]

841.24/1225

*Memorandum of Conversation, by the Assistant Secretary
of State (Acheson)*

[WASHINGTON,] February 7, 1942.

Participants: The British Ambassador, Lord Halifax;
Mr. Opie, Counselor of the British Embassy;
Mr. Feis;²²
Mr. Acheson.

Dr. Feis and Mr. Acheson called on the British Ambassador at his request. The Ambassador stated that he understood that through Mr. Winant we had received the text of the proposed exchange of notes which were intended to accompany an acceptance by the British Government of the present draft of lease-lend agreement. He then referred to his conversation of that morning with the Under Secretary, which is reported in the Under Secretary's memorandum of February 7, laying particular emphasis upon the Under Secretary's comments on paragraph 4 of the proposed note from Mr. Winant to the British Government.

We spent considerable time analyzing that paragraph. We stated to the Ambassador that it seemed to us to be the natural meaning of the words used in the paragraph that we were accepting a definition by the British Government of the word "discrimination" in Article VII which excluded from its scope the whole matter of Empire preference, and that we were further accepting the position of the British Government that the matter of Empire preference could not be considered in the discussions contemplated by Article VII except with the consent of the British Government and the Dominions. We pointed out that this had never been our understanding and we saw no likelihood that the Secretary or the President would accept it. We pointed out that we had always taken the position that Article VII did not bind either Government to unilateral action or itself make any change in any

²² Herbert Feis, Adviser on International Economic Affairs.

existing arrangements. We also stated that we had always taken the position that any modification of the Empire preference system would involve the consent of the Dominions which were parties to it. This, we said, had always been our position; but it had also been our position that all matters involving preferential arrangements were open to discussion and to future agreement in the conversations contemplated in Article VII. After considerable discussion the point seemed to be agreed that the foregoing had been our position and that the proposal made in the proposed note went materially beyond that position.

We stated to the Ambassador that it was for the Secretary and the President to decide what reply should be made to the communication through Mr. Winant. We said that, if they should decide that an exchange of notes was acceptable, we would recommend a statement in the notes of the position which we had consistently taken throughout the discussions, but that we could not recommend any departure from that position. We also pointed out that in any exchange of notes it seemed much more appropriate to have the British Government raise the point which it desired clarified rather than to have the United States Government do so. This view appeared reasonable to Lord Halifax.

Lord Halifax then suggested that the next step appeared to be a reply from this Government in which it would state its position; that the difference between the two Governments was not great and that it certainly should be possible to find a solution. We said that we would report the conversation and make every effort to let the British Government know the President's and the Secretary's views at the earliest possible moment.

DEAN ACHESON

841.24/1192: Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, February 9, 1942—4 p. m.

[Received February 9—1:45 p. m.]

596. To the President and the Secretary. This weekend I stayed with the Prime Minister. We discussed Lend-Lease as it related to article 7 and Empire preference. He told me that more than three-fourths of the Cabinet were opposed to making Empire preference a part of the Lend-Lease settlement. He said they were willing to agree to forego preference and discriminations in dealing with outside countries in the agreement but that they felt they should not barter away Empire sovereignty on a payment basis to meet a debt obligation.

On the other hand he told me that he himself and others who took this same position had no confidence in the utility of Empire preference and that separately from the Lend-Lease settlement his Government would be glad to begin discussions with us on preferences, discriminations, tariffs and other economic policy relating to internal and external post-war problems. He told me that he and others were very anxious that we should get on common ground and reach common understanding.

Either in connection with this problem or aside from it a visit here within the next 2 months by Acheson, Hawkins,²³ Viner,²⁴ White,²⁵ Ezekiel,²⁶ and Lubin²⁷ (who could also contact his opposite number here) in order to discuss informally with the men who are formulating and will shortly complete their post-war memoranda, would help immeasurably in coordinating post-war thinking and influence ultimate action. I know such a group would be welcome and conferences could be entirely informal and exploratory.

WINANT

841.24/1243a : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, February 11, 1942.

Personal for the Former Naval Person from the President. In regard to the proposed exchange of notes relating to Article 7 of the interim Lend-Lease Agreement, referred to in your message No. 25,^{27a} I want to make it perfectly clear to you that it is the furthest thing from my mind that we are attempting in any way to ask you to trade the principle of imperial preference as a consideration for Lend-Lease.

Furthermore, I understand something of the nice relationships your constitution requires of your home government in dealing with the Dominions. Obviously the Dominions must not only be consulted but I assume you must have their approval on any affirmative changes in existing arrangements which might be developed in the broad discussions which you and I both contemplate.

It seems to me the proposed note leaves a clear implication that Empire preference and, say, agreements between ourselves and the Philippines are excluded before we sit down at the table.

²³ Harry Hawkins, Chief of the Division of Commercial Policy and Agreements.

²⁴ Jacob Viner, Special Assistant to the Secretary of the Treasury.

²⁵ Harry Dexter White, Director of Monetary Research, Treasury Department.

²⁶ Mordecai Ezekiel, Economic Adviser, Office of the Secretary of Agriculture.

²⁷ Isador Lubin, Commissioner of Labor Statistics.

^{27a} Not printed.

All I am urging is an understanding with you that we are going to have a bold, forthright, and comprehensive discussion looking forward to the construction of what you so aptly call "a free, fertile economic policy for the post-war world". It seems perfectly clear to me that nothing should now be excluded from those discussions. None of us knows how those discussions will turn out, although, as I told you when you were here last, I have great confidence that we can organize a different kind of world where men shall really be free economically as well as politically.

The idea of attaching notes to this interim agreement would seem to me to give an impression to our enemies that we were overly cautious. I believe the peoples not only of our two countries but the peoples of all the world will be heartened to know that we are going to try together and with them for the organization of a democratic post-war world and I gladly accept your intimation that we might get going at once with our economic discussions.

What seems to be bothering the Cabinet is the thought that we want a commitment in advance that Empire preference will be abolished. We are asking for no such commitment, and I can say that Article 7 does not contain any such commitment. I realize that that would be a commitment which your government could not give now if it wanted to; and I am very sure that I could not, on my part, make any commitment relative to a vital revision of our tariff policy. I am equally sure that both of us are going to face in this realistic world adjustments looking forward to your "free and fertile economic policy for the post-war world", and that things which neither of us now dreams of will be subjects of the most serious consideration in the not too distant future. So nothing should be excluded from the discussions.

Can we not, therefore, avoid the exchange of notes which, as I have said, seems to dilute our statement of purpose with cautious reservations, and sign the agreement on the assurances which I here give in reference to the matter that seems to be the stumbling block.

I feel very strongly that this would demonstrate to the world the unity of the American and British people.

In regard to coming to a meeting of minds with you at an early date, I only need to say to you that there are very important considerations here which make an early understanding desirable.

In saying this, I want again to tell you that I am not unmindful of your problem. We have tried to approach the whole matter of Lend-Lease in a manner that will not lead us into the terrible pitfalls of the last war. [Roosevelt.]

[HULL]

[The preliminary agreement between the United States and the United Kingdom regarding principles applying to mutual aid in the prosecution of the war against aggression, was signed at Washington February 23, 1942; for text, see Department of State Executive Agreement Series No. 241, or 56 Stat. (pt. 2) 1433. For statement issued by the White House February 24 with explanation and text of agreement, see Department of State *Bulletin*, February 28, 1942, page 190.]

AGREEMENTS WITH THE UNITED KINGDOM, AUSTRALIA, AND NEW ZEALAND REGARDING PRINCIPLES APPLYING TO THE PROVISION OF AID TO THE ARMED FORCES OF THE UNITED STATES, EFFECTED BY EXCHANGE OF NOTES SIGNED SEPTEMBER 3, 1942

811.24/1504

Memorandum of Conversation, by the Assistant Secretary of State (Acheson)

[WASHINGTON,] March 19, 1942.

Pursuant to agreement reached at a meeting in Secretary Morgenthau's²⁸ office of the Departments and Agencies concerned that the State Department should handle negotiations regarding lend-lease and reciprocal aid to and from the British and the Dominions arising out of the presence of our troops in their areas and the Acting Secretary's direction to me to proceed with the matter, I called upon Lord Halifax.²⁹ After sketching the problem, I told him that the immediate purpose of my call was to get his views upon methods of procedure in raising the merits of the various matters with the British Government and the Dominions in accordance with British Constitutional practice and the niceties of the situation. I pointed out the possibilities of confusion from multiple discussions and our desire to proceed in a manner mutually agreeable to the British Government and to the Governments of the Dominions.

It was Lord Halifax's opinion that the matter should be taken up both with the British Government and with the Governments of the Dominions. These Governments would then confer together in an effort to determine a procedure which would keep the discussions coordinated and maintain existing arrangements until other decisions had been reached. He said that he was not himself familiar with the details of the existing arrangements as they affected the lend-lease relations between the British Government and the Dominions, nor with the details of the financial operations through the British dollar pool.

²⁸ Henry Morgenthau, Jr., Secretary of the Treasury.

²⁹ British Ambassador.

He would like to consult informally with Sir Frederick Phillips,³⁰ Sir Louis Beale,³¹ and Mr. Opie.³² He suggested that I prepare a memorandum, listing the matters to be discussed and raising the questions of procedure for presentation to him and to the Ministers of the Dominions concerned. He would like an opportunity to go over this with the members of his staff mentioned before it was formally presented in order to confirm the advice on procedure which he had given me. I said that I would wish to confer with the Acting Secretary upon this, but that at the moment I saw no objection, provided that the memorandum could be taken up promptly thereafter with the Dominions.

DEAN ACHESON

847.24/89a

*The Department of State to the British Embassy*³³

MEMORANDUM

The United States Government wishes to take up with the Australian Government and the British Government through whatever procedures are mutually agreeable to them certain questions outlined below which arise from, but are not necessarily related solely to, the presence of American military and naval forces in British and Dominion territory. The first step is to ascertain the desired procedure for these discussions. Should this be by joint discussion or by separate discussions?

THE QUESTIONS TO BE DISCUSSED

The presence of American forces in Australia and in Northern Ireland raises questions as to how these forces are to be supplied and the necessary tasks performed in connection with their operations, including the question as to how lend-lease and reciprocal lend-lease procedures can be most effectively and equitably utilized.

1. *Lend-Lease Agreement.* There is a growing necessity for the shipment of articles under lend-lease to Australia. It is assumed that the principles governing such shipment and the procedures established thereunder would be consistent with the political, military, and financial arrangements between the British and Australian Governments. It is also assumed that any procedures devised should

³⁰ British Treasury Representative in the United States.

³¹ British purchasing representative.

³² Redvers Opie, Counselor of the British Embassy.

³³ The same memorandum, *mutatis mutandis*, was delivered to the Australian Legation on March 24, 1942.

maintain the organization heretofore established in the interest of unity of command and decision. The problem here is to devise arrangements for extending to Australia in a manner mutually agreeable the principles contained in the Lend-Lease Agreement recently entered into between the United States and the United Kingdom.³⁴

2. *Aid to American Forces in the Field.* This heading involves the implementation of the broader agreement which may be reached under the preceding paragraph. It is assumed that the efficient use of tonnage requires the shipment from the United States of such articles as do not already exist in Australia or Northern Ireland and that, wherever practicable, the American forces should look to the authorities of those areas for such supplies as already exist there and for the performance of such tasks as can be performed there. A further question arises as to the financing of such arrangements. It would seem desirable as a general principle that whatever may be furnished or performed within the area should be furnished or performed as reciprocal aid, and that shipments from the United States for the American forces be limited to such goods as are necessary to supplement supplies of the area. This will leave available the maximum tonnage for Lend-Lease shipments of materials urgently needed by the local authorities. This matter will require mutual study and discussion, and it may be found that a certain degree of flexibility is necessary. So far as the payment of American forces in the field is concerned, it appears desirable that that should be undertaken by the United States through such financial arrangements as may be mutually agreeable.

3. *Shipments to the United States or upon its Order.* When the other Governments concerned may be able to provide military equipment for the use of the United States, it seems desirable that that should be provided as reciprocal aid. In respect of other imports, it would not seem wise at the present time to disturb the existing arrangements for payment in dollars.

4. *British Commonwealth Dollar and Exchange Position.* In view of the fact that decisions upon the subjects suggested above may affect or be affected by the dollar and exchange positions of the British Commonwealth, that subject will also require consideration.

Since the matters suggested above are pressing and since tentative procedures are already being inaugurated in Australia, it is hoped that mutually agreeable procedures for the inauguration of the discussions can be determined upon at the earliest possible moment and the discussions begun.

WASHINGTON, March 24, 1942.

³⁴ Signed February 23, 1942 ; for correspondence, see pp. 525 ff.

811.24/1544

*Memorandum of Conversation, by the Assistant Secretary of State
(Acheson)*

[WASHINGTON,] April 2, 1942.

Participants: Sir Frederick Phillips, Mr. Bewley,³⁵ Mr. Opie, [Lord Halifax,] Mr. Achilles³⁶ and Mr. Acheson

Mr. Achilles and I called at the British Embassy at the request of Lord Halifax to discuss the memorandum regarding Lend-Lease in reverse.

Sir Frederick Phillips opened the discussions. He stated that the memorandum had been cabled to London and that London had been in touch with Canberra. The Embassy had had one cable from London but the cable regarding the discussions with Canberra had not yet been received. He stated that the attitude of the British Government as disclosed by the cable indicated a strong preference that there should be a uniform, and, I gathered, single Lend-Lease Agreement with the United Kingdom and the Dominions; that the British Government agreed in principle with the proposal of Lend-Lease in reverse; and that the British Government felt also that the application of Lend-Lease in reverse would be greatly affected by the dollar position of the Commonwealth and hoped that we could immediately enter discussions regarding the dollar position. He then asked that I comment upon his reply.

I said that it seemed to me that in making the reply the British Government had not fully apprehended either the questions asked in the memorandum or the existing situation. I then briefly reviewed the occasion for the memorandum. I pointed out that there were American forces in Australia and Northern Ireland; that in Australia these forces were actually receiving supplies and having tasks performed for them there by the Australian Government; that at present a record was being kept of these transactions and the Allied Supply Council had been set up in Australia to facilitate it but no understanding had as yet been reached regarding the financial implications; and that although I was not fully informed as to the situation in Northern Ireland, I presumed that to some extent it was similar. The question, therefore, arose as to what arrangements should be made between the United States and the United Kingdom and Australia regarding Lend-Lease in reverse and how these arrangements should be formalized. I stated that since the memoranda had been given both to the Australian Government and to the British Government,

³⁵ Kenneth Bewley of the British Supply Council of North America.

³⁶ Theodore C. Achilles of the Division of European Affairs.

Mr. Evatt ³⁷ through Mr. MacGregor ³⁸ had inquired whether it would be agreeable to this Government to sign a Lend-Lease Agreement with Australia in the same terms as the one entered into with Great Britain. To that I had replied that as to the form the agreement took any form which was mutually agreeable to the Australian and British Governments would be acceptable and suggested that some form of procedure be established either joint or separate and discuss the matter further. To that we had no reply. Therefore, it seemed to me that we had a question of procedure and a question of form. Should the matter be discussed jointly with the Australian and British authorities or separately? When agreement was reached, how should it be recorded?

I said that these seemed to be wholly separate from the machinery of operation which had already been established by direction of the President, and that nothing in the memorandum was intended to suggest change in the procedure. The procedure, of course, was that established by the Joint Munitions Assignment Board, the Combined Raw Materials Board, et cetera.

Sir Frederick Phillips then asked whether I contemplated that the discussions would start with the British dollar position. I said that I did not contemplate this. The purpose of the memorandum was not to inaugurate discussions on that subject but to indicate that we fully realized that decisions reached in regard to Lend-Lease in reverse would obviously affect the British dollar position and would therefore have to be both flexible and tentative depending ultimately upon what decisions were reached by the President, or the Treasury, or other agencies designated by the President. In other words the course which I emphasized was to discuss Lend-Lease in reverse to determine what seemed to be the most desirable principles then ascertain to what extent if any these principles would affect the British dollar position and report the whole matter to our Governments. Sir Frederick Phillips appeared to concur in this procedure but stressed the importance of haste because he said that the British dollar position could not continue long without attention.

Then ensued a brief discussion as to whether the proposed understandings or agreements were to relate to the United Kingdom and Australia or whether they should at this time comprise all of the Dominions. To this I replied that it seemed to me a wholly practical matter. At the present time Lend-Lease in reverse was an immediate question with the United Kingdom and with Australia and it, there-

³⁷ H. V. Evatt, Australian Minister of External Affairs, at this time in the United States.

³⁸ Lewis Richard MacGregor, Director General, Australian Government Procurement in the United States.

fore, seemed better to restrict the matter to the questions at hand and not to attempt to deal with theoretical questions which had not yet arisen.

Lord Halifax then asked what the next immediate step was. I said that I suggested that we have replies to the memoranda sent to the British Government and also to the Australian Government covering briefly results of discussions between them upon these questions: First, should our discussions be joint or separate? Second, what form should be used to record the extension of the provisions in the Lease-Lend master agreement to Australia? Should this be an identical document signed by Australia and the United States? Or should the original document be amended to include Australia and be signed by Australia? Or should there be an exchange of notes between the three countries which would operate to include Australia? Or should some other form be used? With answers to these questions I thought that we could proceed. The memoranda to the Australian and British Governments were designed to produce answers to these questions and I hoped that they would be forthcoming as soon as possible.

Lord Halifax stated that from cables it appeared that the Australian and British Governments had been conferring on the subject at Canberra and they would urge that the questions be presented and the answers given.

DEAN ACHESON

847.24/88

Memorandum of Conversation, by the Assistant Secretary of State (Acheson)

[WASHINGTON,] April 7, 1942.

Participants: Messrs. Watt and Bridgen of the Australian Legation,
Mr. Robinson of Dr. Evatt's staff,
Mr. Acheson.

The above-mentioned gentlemen called at their request. They referred to the Department's memorandum of March 24 relating to reciprocal aid so far as Australia was concerned, and asked me to clarify the matters which the Department wished to discuss.

I stated to them that the presence of American forces in Australia and also in the British Isles raised questions regarding the arrangements which should be entered into for the supplying of those forces and the performance of tasks in connection with their operations. This was necessary both because our authorities here should know what materials could most effectively be sent to the points in question

from this country, and also so that some understanding could be reached upon the financial implications arising from the local supplying of our forces. I pointed out that both the Australian Government and the United Kingdom Government were interested in this matter; first, because the same problems arose in both areas and second, because according to my understanding, the British dollar pool had undertaken to care for Australian dollar requirements in this country.

I said that the questions asked in the memorandum related to the procedures to be followed in discussing these questions and to the forms to be utilized in recording the decisions which might be reached. In regard to procedures, the memorandum inquired whether the Australian and British Governments wished to discuss the questions with us in joint meetings or whether they preferred to discuss them in separate meetings. As to the forms to be utilized, questions related to what form should be used to indicate that the provisions of the Agreement of February 23—the Master Lend-Lease Agreement with the United Kingdom—were applicable to transactions between Australia and the United States. One form might be the execution of an identical agreement between Australia and the United States. Another form might be an exchange of notes between the two Governments, or possibly the three Governments recording that the provisions of the Agreement of February 23 were regarded as in effect between Australia and the United States. In regard to reciprocal aid or Lend-Lease in reverse it seemed to me likely that the forms used would have to be such as to keep the arrangements entered into extremely flexible. Experience might show that an arrangement which appeared to be workable was not in fact workable and that it should be changed. A method of meeting this situation might be to have an exchange of notes laying down certain procedures to be followed until either Government wished to have them reconsidered.

After some questions directed toward clarifying matters discussed above, Mr. Robinson said that he thought that they understood the problem very clearly and that they proposed to discuss it with Sir Frederick Phillips and then let me know Dr. Evatt's views.

DEAN ACHESON

847.24/89

*Memorandum of Conversations, by the Assistant Secretary of State
(Acheson)*

[WASHINGTON,] April 16 [17?], 1942.

I had a brief conversation with Dr. Evatt at the Canadian Legation on Thursday evening, April 16. He stated that he had been so pre-

occupied with other matters that he had had very little time to give to the matter of Lend-Lease and reciprocal aid. He said that he understood from his associates that for some reason, which was not clear to him, the British Embassy was advocating with the Australians that they record the applicability of the principles in the Master Agreement with the United Kingdom to Australia through an exchange of notes. It seemed to Dr. Evatt that the matter of form was unimportant and so far as he could see, an exchange of notes, provided it accomplished the result, was entirely adequate; however, on further thought he might wish to modify this view.

The following morning, Friday, April 17, Mr. Watt of the Australian Legation telephoned to me to inquire whether the Department's memorandum of March 24 meant that the Department regarded any formal step such as an exchange of notes or the signing of a Master Lend-Lease Agreement as a necessary preliminary to discussion with us of the principles of reciprocal aid including the financing of the supplies and other expenses of the American forces in Australia. I replied that we did not regard any such action as a necessary preliminary step and would be glad indeed to sit down with Australian representatives at any time to discuss all the matters involved or any of the matters involved.

Mr. Watt said that he had understood this to be our position but merely wished to confirm it.

DEAN ACHESON

811.24/1489½

The British Embassy to the Department of State

MEMORANDUM

His Majesty's Government are anxious to grant reciprocal Lend-Lease aid to the United States of America on the most generous scale possible and are well aware of the political importance attaching to the matter, but the extent of the assistance which they can give is necessarily affected by their financial position. The United Kingdom is already defraying war expenditure equal to sixty percent of the national income and the rates of taxation in force are the heaviest of any of the United Nations.

Progress towards a financial settlement is now urgent and H. M. G. submit that the present financial arrangements are increasingly inappropriate. Munitions supplied from our pre lend-lease contracts are now regarded as being at the disposal of Combined Boards and are allocated by these Boards in accordance with strategic needs. The move towards a pool of overseas resources is further emphasised by the reciprocal lend-lease proposals, the principle behind which we accept and warmly approve.

It seems quite inappropriate in present circumstances that we should be required to ship to the United States currently mined gold, which can surely be of little value as an addition to United States resources, to pay for munitions which will be as much at the disposal of the United States as at ours. We can only obtain such gold by increasing our overseas indebtedness and even if we had no payments to make in the United States or Canada and were acquiring no gold, we should still have to increase our overseas indebtedness by upwards of £400 millions this year to meet our growing expenses elsewhere. This point is frequently overlooked. It is not merely that we export less and import much more from the United States and Canada. The same thing happens with every other country from which we draw supplies.

The annual increase in the liabilities now being incurred by the United Kingdom to countries other than the U. S. A. and Canada, is not less than four times the total amount of the present output of gold by the sterling area, and H. M. G. are anxious that the gold output should be retained as a partial reserve against these liabilities. At the same time the possibility of holding or accumulating a reserve has been heavily reduced by the loss of tin and rubber exports, by the loss of exports, which it is impossible yet to estimate, from India, and the absence or shortage of shipping, labour and raw materials resources in the United Kingdom itself.

H. M. G. suggest as a general principle that from now on there should be no transfer of capital assets or of gold between the United States and the sterling area, and that at the same time the sterling area should not accumulate dollars over and above an adequate working balance. If this is to be done a new settlement involving the remaining pre-lend-lease contracts is urgently required.

If arrangements can be made to carry this general principle into effect, H. M. G. would hope not only to extend reciprocal lend-lease aid on the desired scale, but also to avoid difficulties and possible criticism arising out of the bringing of borderline or doubtful cases within the ambit of the lend-lease system.

WASHINGTON, April 18, 1942.

847.24/91 : Telegram

The Secretary of State to the Minister in Australia (Johnson)

WASHINGTON, May 13, 1942—6 p. m.

168. Your 249, May 4, 4 p. m.³⁹ The principle upon which we are working in reverse lend lease negotiations is that each government shall furnish whatever it most efficiently can, determined on practical grounds of availability of materials, production facilities, manpower

³⁹ Not printed.

and shipping. The British, Australians and New Zealanders have raised no objection to this principle but are preoccupied with dollar position of the Empire and its various components. Figures recently submitted by the Australians estimate that the dollar inflow into Australia for pay and allowances and special or incidental expenditures will total roughly 45 million dollars per annum and that Australian expenditures on reverse lend lease will total 160 million dollars per annum. This does not take account of the dollar value of goods furnished Australia under lend-lease which are on a rapidly ascending scale and which totaled over 37 million dollars from July 1, 1941 to March 31, 1942, the total in March alone being \$12,860,000. The Australians also estimate that dollar payments for pay of our troops and other purposes now contemplated will change the present dollar deficiency to a surplus. Even should the reverse lend-lease provided by Australia exceed the value of direct lend-lease and dollar payments to our forces, the excess of direct lend-lease to other parts of the Empire over reverse lend-lease indicates the desirability of arrangements between the United Kingdom and the Dominions and they are now discussing such arrangements.

We see no reason why transportation services should not be provided under reverse lend-lease.

Figures given are strictly confidential, balance of telegram for restricted and discreet use.

HULL

841.24/1381½

The Secretary of State to President Roosevelt ⁴⁰

WASHINGTON, May 30, 1942.

MY DEAR MR. PRESIDENT: I enclose for your consideration drafts of notes to be exchanged with the British Ambassador and the Australian Minister concerning the principles and procedures applicable to the provision of aid by the Governments of the United Kingdom and Australia to the armed forces of the United States.⁴¹

The essence of the proposed arrangement with the United Kingdom is that the war production and war resources of each contracting nation should be used by the armed forces of each, and of the other United Nations, in ways which most effectively utilize available materials, manpower, productive facilities and shipping space. With respect to financing, the general principle to be applied is to reduce to a minimum the need of each Government for the currency of the other.

⁴⁰ Returned by the President with notation "C. H. OK. FDR".

⁴¹ Drafts of notes pertaining to the British were handed by Mr. Acheson to Mr. Bewley on June 1, 1942, and on the same date drafts of notes substantially the same were handed to representatives of Australia and New Zealand.

In applying these principles the United Kingdom will furnish United States forces with all military equipment, munitions, military and naval stores, supplies, materials, facilities and services for which the United Kingdom or the British colonial empire is the most effective source of supply.

The proposed arrangement with Australia is identical.

These drafts have been approved in substance by the War and Navy Departments, the Office of Lend-Lease Administration, the Treasury and the Board of Economic Warfare as a basis for negotiation with the British and Australians. If you approve them for this purpose, negotiations will be undertaken immediately.

You have recently approved the conclusion of lend-lease agreements with a number of the other United Nations substantially identical to that with the United Kingdom. It is anticipated that such an agreement or arrangement identical in substance will be concluded with Australia before the proposed exchange of notes is carried out.

Faithfully yours,

CORDELL HULL

[Enclosure 1]

DRAFT FROM THE BRITISH AMBASSADOR TO THE SECRETARY OF STATE

With a view to supplementing Articles II and VI of the Agreement of February 23, 1942 between our two Governments for the provision of reciprocal aid, I have the honor to set forth below my understanding of the principles and procedures applicable to the provision of aid by the Government of the United Kingdom to the armed forces of the United States and the manner in which such aid will be correlated with the maintenance of those forces by the United States Government.

1. Each of our Governments pledged itself in the United Nations Declaration of January 1, 1942⁴² to employ its full resources, military or economic, against those nations with which it is at war. Each Government undertook in the Agreement of February 23, 1942 to provide the other with such articles, services, facilities or information, useful in the prosecution of their common war undertaking, as each may be in a position to supply. The general principle to be followed in providing such aid is that the war production and war resources of both nations should be used by the armed forces of each, and of the other United Nations, in ways which most effectively utilize available materials, manpower, productive facilities and shipping space.

⁴² *Ante*, p. 25.

2. Where appropriate, decisions as to the most effective use of resources shall be made in common, pursuant to common plans for winning the war.

3. As to financing the provision of such aid, within the fields mentioned below, it is my understanding that the general principle to be applied is that as large a portion as possible of the articles and services to be provided by each Government to the other shall be in the form of the reciprocal aid so that the need of each Government for the currency of the other may be reduced to a minimum. It is accordingly my understanding that the United States Government will provide, in accordance with the provisions of, and to the extent authorized under, the Act of March 11, 1941,⁴³ the share of its war production made available to the United Kingdom. The Government of the United Kingdom will provide, on the same terms and as reciprocal aid, in accordance with the Agreement of February 27 [23], 1942, the share of its war production made available to the United States.

4. The Government of the United Kingdom will provide the United States or its armed forces with the following types of assistance, as such reciprocal aid, when it is found that they can most effectively be procured in the United Kingdom or in the British colonial empire:

(a) All military equipment, munitions and military and naval stores.

(b) Other supplies, materials, facilities and services for the United States forces, except for the pay and allowances of such forces and such local purchases as its official establishments may make other than through the official establishments of the Government of the United Kingdom as specified in paragraph 5.

(c) Supplies, materials and services needed in the construction of military projects, tasks and similar capital works required for the common war effort in the United Kingdom or in the British colonial empire, except for the wages and salaries of United States citizens.

(d) Supplies, materials and services needed in the construction of such military projects, tasks and capital works in territory other than the United Kingdom or the British colonial empire or territory of the United States to the extent that the United Kingdom or the British colonial empire is a more practicable source of supply than the United States or another of the United Nations.

5. Requests by the United States Government for such aid will be presented by duly authorized authorities of the United States to official agencies of the United Kingdom which will be designated or established in London and in the areas where United States forces are located for the purpose of facilitating the provision of reciprocal aid.

6. It is my understanding that all such aid accepted by the President of the United States or his authorized representatives from the

⁴³ Lend-Lease Act, 55 Stat. 31.

Government of the United Kingdom will be received as a benefit to the United States under the Act of March 11, 1941. In so far as circumstances will permit, appropriate record of aid received under this arrangement, except for miscellaneous facilities and services, will be kept by each Government.

7. The aid to be provided each other by the signatory Governments under the Agreement of February 23, 1942, and as indicated above, will be provided on the same terms by each Government to the forces of such of the other United Nations as shall enter into similar arrangements with them.

If the Government of the United States concurs in the foregoing, I would suggest that the present note and your reply to that effect be regarded as placing on record the understanding of our two Governments in this matter.

I have [etc.]

[Enclosure 2]

DRAFT FROM THE SECRETARY OF STATE TO THE BRITISH AMBASSADOR

I have the honor to acknowledge the receipt of your note of today's date concerning the principles and procedures applicable to the provision of aid by the Government of the United Kingdom to the armed forces of the United States, the terms of which are as follows:

(The British Ambassador's note is here quoted)

In reply I have the honor to inform you that the Government of the United States agrees with your understanding as expressed in that note and that, in accordance with the suggestion contained therein, your note and this reply will be regarded as placing on record the understanding between our two Governments in this matter.

Accept [etc.]

841.24/1502

*Memorandum of Conversation, by Mr. Theodore C. Achilles of the
Division of European Affairs*

[WASHINGTON,] June 1, 1942.

Mr. Bewley called at Mr. Acheson's request to receive the draft exchange of notes concerning Reverse Lend-Lease from the United Kingdom.

Mr. Bewley made little comment on the draft but said that he would give a copy to Sir Frederick Phillips who is leaving tonight for London. He noticed the reference in the draft Australian note to "an agreement of May . . . , 1942"⁴⁴ and said he believed London would

⁴⁴ Whereas the British draft read: "With a view to supplementing Articles II and VI of the Agreement of February 23, 1942 . . ." the Australian draft substituted "an agreement of May . . . , 1942".

still prefer to blanket the Dominions into the United Kingdom agreement. Mr. Acheson explained that any fears London might have that separate agreements with the Dominions would alter the existing procurement procedure were entirely unfounded.

847.24/79½

Memorandum of Conversation, Prepared in the Division of European Affairs

[WASHINGTON,] June 1, 1942.

Participants: Mr. J. B. Brigden, Financial Counselor, Australian Legation;
Mr. McCarthy, Australian War Supplies Procurement Organization;
Mr. Stewart;⁴⁵
Mr. Achilles.

Mr. Brigden and Mr. McCarthy were asked to call this morning to receive the draft exchange of notes on Australian Reverse Lend-Lease.

After reading the draft Mr. Brigden remarked that it was general in terms and did not mention certain matters such as shipping. He was advised that the question of shipping had been deliberately omitted for the present and that it was desired to keep the agreement in simple and broad terms. The general reaction of Mr. Brigden and Mr. McCarthy to the draft as a whole was that it contained specific and sweeping obligations which Australia might with difficulty fulfill or, if she did fulfill them, it would involve a greater proportionate sacrifice than that being made by the United States, the United Kingdom or New Zealand. Mr. McCarthy said that under this agreement Australia would be compelled to provide food for a million men, if we should have that number in Australia and adjacent areas, as Australia could as a matter of fact provide food for that number of men. That, however, would mean a reduction in exports to the United Kingdom and a worsening of Australia's sterling exchange position. In other words, they believed that some arrangement should be made to safeguard Australia's external balance position. Mr. Brigden said that Australia did not wish to undertake commitments which it might not be able to fulfill. He inquired as to whether his Government would have the ultimate decision as to

⁴⁵ Robert B. Stewart of the Division of European Affairs.

what should be furnished and was advised that this was, of course, the intention.

Mr. Brigden said that Sir Frederick Phillips' reaction to the draft relating to Australia would probably be that Australia was being generous at the expense of the United Kingdom, which was obligated to maintain Australia's sterling position. He was advised that this Government was also interested in the foreign exchange position of both the United Kingdom and Australia and that it had no thought of asking either to undertake obligations which could not be fulfilled without imperiling their exchange or budgetary position. The idea was that each Government should contribute its maximum and make roughly a proportionately equal contribution.

In response to questioning Mr. Brigden and Mr. McCarthy said that roughly 40 percent of Australia's national income was now devoted to the war effort (specifically 360 million Australian pounds out of the total national income of one billion Australian pounds). He was advised that the British estimated they were now expending on the war 60 per cent of their national income and we estimated that we would be expending roughly 60 per cent on it in the impending fiscal year. Mr. Brigden referred to the difficulty of calculating accurately what expenditures were directly or indirectly related to the war effort and also suggested that the severity of restrictions on civilian consumption was an indication of proportionate sacrifice. He thought that restrictions on civilian consumption in the United States would have to be carried considerably further in order to equal those now in effect in Australia.

It was noted that the draft exchange of notes was based on the assumption that a Lend-Lease agreement similar to the United Kingdom agreement would be concluded prior to the signature to the exchange of notes on Reverse Lend-Lease. Mr. Brigden inquired as to our wishes on the form which such an agreement should take. He was advised that we were proposing to conclude substantially identical Lend-Lease agreements with most of the United Nations and accordingly thought that Australia might prefer such a separate agreement rather than to be blanketed in to the United Kingdom Agreement. He asked whether we wished to make a specific request that the agreement be in that form. He was advised that while there appeared to be certain advantages in that form we did not wish to make such a specific request. It appeared to be basically a matter for Australia's preference to govern, provided that whatever form Australia wished was agreeable to the United Kingdom and to this Government.

847.24/159 : Telegram

The Secretary of State to the Minister in Australia (Johnson)

WASHINGTON, June 30, 1942—6 p. m.

220. Your 322, June 27, 1 p. m.⁴⁶ On June 22 Dixon⁴⁷ left with Acheson a counter draft which he had made and telegraphed to Canberra for approval. It accepts practically the whole of our draft, adding a statement at the beginning, in lieu of a separate Lend-Lease Agreement, that the Australian Government considers the principles of the Agreement of February 23 between the United States and the United Kingdom as applicable to the relations between the United States and Australia and adding certain qualifying paragraphs at the end which have not yet been fully studied here.

While the British have not yet given us a counter draft they have received instructions from London which they say accept our draft although with certain minor qualifications. They are waiting until Dixon and Nash⁴⁸ receive instructions before starting the final negotiations.

As the purpose of these agreements is basically to provide that each government shall contribute whatever it is in a position on purely practical grounds most effectively to contribute and as in the main the agreements merely put on paper what is already being done no reason is seen why the Australian Government should find any great difficulty in accepting them.

HULL

811.24/1633

Memorandum of Conversation, by Mr. Theodore C. Achilles of the Division of European Affairs

[WASHINGTON,] July 14, 1942.

Participants: The Australian Minister and Mr. Brigden;
The New Zealand Minister and Mr. Cox;⁴⁹
Sir Frederick Phillips and Mr. Bewley, British
Treasury;
Mr. F. W. Ecker, O. L. L. A.;⁵⁰
Mr. Acheson;
Mr. Achilles.

The British, Australian and New Zealand representatives came in at their request to discuss reciprocal lend-lease and to present revi-

⁴⁶ Not printed.⁴⁷ Sir Owen Dixon, Australian Minister.⁴⁸ Walter Nash, New Zealand Minister.⁴⁹ Oscar Cox, General Counsel of the Lend-Lease Administration.⁵⁰ Office of Lend-Lease Administration.

sions, based on instructions from London and Canberra, of the draft British and Australian notes.

Sir Frederick said that the revised British draft contained only minor amendments which he thought were principally of a drafting nature. He said that London attached great importance to the exchange of notes from the point of view of publicity.

Sir Owen Dixon said that the revised Australian draft had been prepared as the result of conferences between the Prime Minister, Treasurer, and Attorney General. He said that his Government attached considerable importance to provision for the protection of the Australian foreign exchange position but believed that this should be dealt with separately from the exchange of notes on reciprocal lend-lease. He said his Government did not like paragraph 7 of the American draft, providing that aid would be provided on the same terms to the forces of such of the other United Nations as might enter into similar arrangements.

Sir Frederick said that London also suggested the omission of this paragraph as it would conflict with United Kingdom's existing arrangements with Canada and the U.S.S.R.

Sir Owen said that Canberra also wished to omit paragraph 4 (*d*) (covering territory neither Australian nor American) and to qualify paragraph 3 (financing).

Mr. Nash said that his Government had obtained assurances from London that it would be released from such contracts to supply commodities to the United Kingdom as might prevent New Zealand from extending reciprocal aid to American forces. His Government was still seeking a triangular Anglo-American-New Zealand Lend-Lease arrangement. As he would be leaving for London at the beginning of next week his Government wished signature on the New Zealand exchange of notes to await the outcome of his talks in London. He said that his instructions contained five principal points:

1. That New Zealand would continue to supply anything desired by our forces in New Zealand from New Zealand production after civilian needs had been met;

2. Anything provided to our forces outside New Zealand in the South Pacific (Ghormley⁵¹ command) would be sold to us;

3. Articles imported by New Zealand from any source, including Australia, would be sold to us;

4. Articles made available to our forces in Australia or other areas in the South West Pacific (MacArthur⁵² command) would be made available against a "tentative United States liability for dollars";

5. All facilities already built by New Zealand outside New Zealand and turned over to our forces would be made available on reciprocal lend-lease.

⁵¹ Adm. Robert L. Ghormley, in charge of U.S. Navy in Solomons area.

⁵² Gen. Douglas MacArthur, Commander in Chief of Southwest Pacific Area.

He said his Government also wished the question of the application to New Zealand of the Agreement of February 23 left in abeyance pending his talks in London.

Sir Frederick said that wheat might represent a special case. The Canadian Government had given the United Kingdom a billion dollars, much of which had been used for the purchase of Canadian wheat. If this wheat were given to American forces he thought the Canadian Government might raise a question. Mr. Acheson did not think so.

Mr. Brigden raised the question as to articles, parts of which were imported, citing the case of trucks where the chassis were bought in Canada for dollars and the bodies put on in Australia. He said his Government would like reimbursement in dollars for such components that had been paid for in dollars. Mr. Acheson thought that bridge might be crossed when we came to it. He suggested that this exchange be kept as simple as possible and that such components might later be replaced under direct lend-lease or other measures taken to help the Australian exchange position.

Sir Owen said that reciprocal lend-lease might curtail Australian exports, although the effect in this respect would probably be small due to the shortage of shipping.

Mr. Nash also feared that a reduction in New Zealand exports would result in a shortage of sterling. He said that New Zealand at present had better sterling position than at any time since 1937. Its imports from the United Kingdom in 1941 being 50 million pounds and its exports to the United Kingdom 68 million pounds.

Sir Owen inquired as to the status of the Curtin-MacArthur-Wasserman Agreement on Lend-Lease procedure.⁵³

Mr. Nash said that New Zealand would like to conclude a similar procedural arrangement. He referred to the fact that he had recently signed a check for \$522,000 to close a United Kingdom contract for ammunition for New Zealand which would now probably be substantially used by American troops. He hoped and understood that no more such contracts were outstanding. Sir Frederick understood that this was the case.

The question of exchange of notes with South Africa was raised and it was agreed that such an exchange should be left in abeyance pending consummation of the British, Australian and New Zealand exchange.

⁵³ Procedure for requisitioning finished munitions and war materials for all United Nations forces in Australia agreed to by Australian Prime Minister Curtin, General MacArthur, and Mr. W. S. Wasserman, Chief of U.S. Lend-Lease Mission to Australia.

845.24/221

*Memorandum by Mr. Theodore C. Achilles of the Division of
European Affairs*

[WASHINGTON,] August 6, 1942.

On August 4 Sir Frederick Phillips told Mr. Acheson that he had received a telegram from London expressing the hope that this Government would not raise the question of an agreement concerning reverse lend-lease in India. Either an agreement between this Government and the United Kingdom concerning reverse lend-lease in India or an agreement between this Government and the Government of India would be open to serious political objections. He said that reverse lend-lease was in fact being furnished our forces in India by British forces there and that present informal arrangements were expected to continue and to be expanded as necessary.

Mr. Acheson said that he realized the political complications which would be involved in any sort of a formal agreement and that he saw no reason at this time why we should raise the question. He thought it would be sufficient for the War Department to advise the Commanding General at Karachi that the absence of any mention of India in the Lend-Lease agreement with the United Kingdom should not interfere with the existing arrangements for his obtaining reverse lend-lease. Mr. Acheson also made clear that we were not committing ourselves not to raise the matter at some time in the future should events make it appear desirable.

Mr. Bewley telephoned me today of the receipt of a further telegram from London expressing appreciation for Mr. Acheson's attitude and concurrence that existing arrangements for the furnishing by the British forces in India of materials and supplies to the United States forces there should continue.

847.24/79½

The Secretary of State to President Roosevelt ⁵⁴

WASHINGTON, August 20, 1942.

MY DEAR MR. PRESIDENT: On May 30, 1942 you approved, as a basis for negotiation, draft exchanges of notes with the British Ambassador and the Australian Minister concerning the principles and procedures applicable to the provision of aid by the Governments of the United Kingdom and Australia to the armed forces of the United States.

⁵⁴ Returned by the President with the notation "CH OK FDR."

I enclose revised drafts of the British and Australian notes ⁵⁶ which have been approved by the British and Australian Governments. The changes, other than purely verbal ones, which have been made in the British note from the draft which you approved have been indicated. I believe them to be more of form than of substance and to be unobjectionable from our point of view.

The places in which the Australian note differs from the British one have also been indicated. You will notice that the second paragraph of the Australian note accepts the principles contained in the agreement of February 23, 1942 between the Governments of the United States and the United Kingdom as governing the provision of mutual aid between the Australian and United States Governments. You will also notice that in paragraph 3 the theaters in which Australia will furnish reciprocal aid to our forces are limited to "Australia or its territories and in such other cases as may be determined by common agreement in the light of the development of the war". The Australian Government, in view of its limited resources and of the unpredictable development of the war in the Pacific, is not willing to give a blanket commitment to furnish reciprocal aid to our forces anywhere. The Australian Minister, nevertheless, assures me that his Government will be more generous in practice in this respect than it is willing to bind itself in advance to be. I believe the language on this point to be satisfactory.

There are also enclosed drafts of a note from the New Zealand Minister ⁵⁶ and of a letter from the Fighting French National Committee to General Bolte,⁵⁷ Military Attaché accredited to the Committee. The language of these two documents has not been finally agreed, but I do not think that it will be substantially changed.

Paragraph 3 of the New Zealand note may possibly be changed to the form used in the Australian note. You will notice that the first two numbered paragraphs of the Fighting French National Committee's letter incorporate the first two paragraphs of the basic lend-lease agreements. The letter otherwise follows the form of the British and Dominion notes. If the New Zealand and French documents should be changed in any substantial way, I shall again refer them to you.

These drafts have the approval of the War, Navy and Treasury Departments, the Office of Lend-Lease Administration and the Board

⁵⁶ Not printed.

⁵⁷ Not printed. For the agreement with the Fighting French National Committee, September 3, 1942, see Department of State Executive Agreement Series No. 273, or 56 Stat. (pt. 2) 1614.

of Economic Warfare. I also enclose copies of the proposed replies to the respective notes.⁵⁸

If you approve, it is hoped to effect these exchanges in the immediate future, possibly on Friday. I believe that these exchanges of notes, which formally record the action of the British, Australian and New Zealand Governments and the Fighting French National Committee in furnishing the reciprocal aid to which you have already referred in your reports to Congress, will further strengthen the support which the country has given to the lend-lease program.

Faithfully yours,

CORDELL HULL

[Agreements specifying the principles and procedures applicable to the provision of aid to the United States and its Armed Forces by the Governments of the United Kingdom, Australia, and New Zealand were concluded on September 3, 1942, by exchange of notes between the Secretary of State and the British Ambassador, the Australian Minister, and the New Zealand Minister. For texts of these respective agreements, see Department of State Executive Agreement Series Nos. 270, 271, and 272, or 56 Stat. (pt. 2) 1605, 1608, and 1611.]

**PERMISSION BY THE UNITED KINGDOM FOR THE UNITED STATES
TO CONSTRUCT AN AIR BASE ON ASCENSION ISLAND TO FACILITATE
FLIGHTS ACROSS THE SOUTH ATLANTIC**

811.248/320 : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, January 26, 1942—10 p. m.

304. As you know, the United States Army Air Corps Ferrying Command is operating delivery service across the South Atlantic, both with its own personnel and through the medium of a contract with Pan American Airways. These activities are carried out under a directive from the President, dated November 19, last.

In view of the impending delivery to the Middle East of large quantities of short-range bombers, which cannot safely cross the South Atlantic in one hop, and the need for an alternative or secondary route across the South Atlantic from Brazil to West Africa, the Government of the United States feels that it is necessary to construct an intermediate airport on Ascension Island. It feels that the

⁵⁸ Not printed.

delivery service of all aircraft will be expedited and that of shorter range aircraft made possible over this alternative route, and it is therefore desired that the necessary permission from the British Government be obtained to build an airport and establish all the necessary operating facilities on what is known as the southwest plain of Ascension Island.

The United States proposes to construct a complete airdrome having a surfaced runway of approximately 6,000 feet by 1000 feet on Ascension Island. The United States will require, therefore, the necessary consent and cooperation of the British Government in the matter of importing machinery, personnel and equipment, the establishment of a water supply with the necessary tankage, gas storage and handling facilities, and the construction of the necessary buildings, power plants and other equipment. The United States will desire to load and unload this equipment at whatever point is most advantageous and to use the most convenient means of transport over any available route to or from Ascension Island. The United States will, of course, take the necessary steps to prevent damage to existing cable lines.

The proposed installations on Ascension Island are in the opinion of this Government necessary, even though the expense and construction problems will be considerable. The United States is prepared to undertake the necessary construction at once and to provide all of the funds necessary for that purpose. Since the facilities and installations will be of a permanent character, the Government of the United States feels that American commercial aircraft should have the right to utilize these facilities on Ascension Island in the post-war period on such terms as the American Government might prescribe. We are confident that the British Government will agree to this at once in view of our willingness to construct this airport at the expense of the United States Government. Details in connection with the use of this airport by commercial planes in the post-war period can be discussed between the two governments at their convenience and settled in an exchange of notes. Arrangements for the local defense of the airport during the present emergency will be made by the combined chiefs of Staff (British-United States).

Please take up this question with the British Government at the earliest possible moment and endeavor to obtain a favorable reply. You are authorized to take up the matter in the first instance with the Prime Minister ⁵⁹ if you consider it desirable.

HULL

⁵⁹ Winston Churchill.

811.248/325 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, January 30, 1942—8 p. m.

[Received January 30—4:20 p. m.]

445. Department's 304, January 26. The Prime Minister is himself handling this matter. It has been passed by Eden⁶⁰ and considered by the Chiefs of Staff. I have again pressed for an answer but because of the debates in Parliament the Prime Minister has not had a free minute until late today. There may be some difficulty because of the reference in the next to the last paragraph (304, January 26) to commercial aircraft utilization in the postwar period "on such terms as the American Government might prescribe". This makes it a matter for consideration by the Board of Trade. Excepting for some reservation on this point I hope to be able to transmit a favorable and prompt reply.

WINANT

811.248/326 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, January 31, 1942—2 p. m.

[Received January 31—10 a. m.]

463. Department's 304, January 26. My 445, January 30. The Foreign Office has notified me of agreement by the British Government to the request and the conditions relating to construction on and use of Ascension Island as laid down in Department's message 304 January 26, with the single reservation that "The use of this airport by commercial planes in the post-war period can be discussed between the two Governments at their convenience and settled in an exchange of notes".

I will transmit the formal written signed agreement the first of the week. The above was given to me orally but officially.

WINANT

811.248/326 : Telegram

The Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, February 2, 1942—9 p.m.

398. Your 463, January 31, 2 p.m. In view of the military urgency of establishing large scale air facilities on Ascension Island we have

⁶⁰ Anthony Eden, British Secretary of State for Foreign Affairs.

no intention of delaying work pending agreement on a question of postwar rights. Construction will accordingly be pressed as rapidly as possible.

At the same time we are confident that the British will recognize the justice and moderation of our request for future civil aviation rights in return for the very large expenditure which we are incurring for the project and that they will approach the discussions, which we propose to initiate shortly, in that spirit. They will understand, I am sure, that not only have we no plans for the postwar use of the field but that we do not even know whether we shall ever desire to exercise the commercial rights we wish to obtain. We do, however, expect the British to grant those rights without delay. Please also make clear to them the advantage to Great Britain from the point of view of American public opinion of meeting such requests promptly and in a broad spirit.

HULL

811.248/339 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, February 7, 1942—5 a. m.

[Received 8:20 a. m.]

568. Department's 304 January 26, 10 p. m.; my 463, January 31, 2 p. m.; Department's 398, February 2, 9 p. m. I have just received the following letter signed by Mr. Eden.

"On the 27th January, Your Excellency left with me a copy of a telegram from the State Department⁶¹ requesting that the permission of His Majesty's Government in the United Kingdom might be obtained to enable the United States Government to establish an air base in Ascension Island for the purpose of using this island as a staging point for the delivery of short range bombers across the South Atlantic Ocean. The hope was also expressed that His Majesty's Government would be prepared to cooperate with the United States Government in the matter of importing the machinery, personnel, equipment and other facilities for this purpose.

2. It was further suggested that American commercial aircraft should in the postwar period have the right to utilize the airport and that discussions should proceed between the United States and British Governments for the purpose of settling the details of this question. The State Department's telegram concluded by stating that it was proposed that arrangements for the local defence of the airport during the present emergency should be made by the Combined Chiefs of Staff.

⁶¹ See telegram No. 304, January 26, 10 p. m., to the Ambassador in the United Kingdom, p. 557.

3. I now have the honor to inform you that His Majesty's Government in the United Kingdom welcome the proposals of the United States Government and are in full agreement as to the importance of Ascension Island for the purposes described above in connection with the war. They agree, therefore, to accord all facilities to enable the United States Government to establish the proposal staging point as quickly as possible. His Majesty's Government note that the United States authorities will take the necessary steps to prevent damage to existing cable lines. They would point out, however, that the landing and other facilities on the island are under the control of Cable and Wireless Limited, who, apart from the military garrison, are the only other occupiers of Ascension. His Majesty's Government expect, therefore, that the occupational rights of Cable and Wireless Limited will be safeguarded as far as possible and the company's local manager Rupert consulted by the officer in charge of the construction party. His Majesty's Government would wish to be informed as soon as possible of the date on which the construction party will leave for Ascension Island.

4. His Majesty's Government in the United Kingdom further recognize that the United States Government will desire to share in the post-war use of the island for commercial aviation and are ready to join in discussions with the United States Government with a view to reaching a reasonable settlement of the question of the commercial uses of the airport in the post-war period. In view of the importance of completing the airport with a minimum of delay, His Majesty's Government would not wish discussion of the question of commercial user to delay the constructional and other necessary work on the airport and they are willing to agree to this being started immediately leaving the discussions on the question of post-war user to be undertaken as soon as is mutually convenient. His Majesty's Government feel, however, that the airport should not be used by commercial aircraft during the war save in emergency or for purely military purposes otherwise than by agreement between His Majesty's Government and the United States Government.

5. His Majesty's Government in the United Kingdom agree that arrangements for the local defense of the airport during the present emergency should be made by the Combined Chiefs of Staff. ["]

WINANT

**ESTABLISHMENT BY THE UNITED STATES OF A CONSULATE IN
BRITISH-OCCUPIED ERITREA**

125.146P/1a : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, December 26, 1941—7 p. m.

6031. Please inform Foreign Office that we consider it desirable to establish American Consulate at Asmara, Eritrea in connection with American maintenance and supply project in East Africa. Request

Foreign Office to inform appropriate British authorities of proposed establishment of this office in order that usual facilities may be extended to Consul. Explain that it will of course be understood that the request for these facilities has no bearing on question of territorial sovereignty. Neither provisional recognition nor exequatur being requested. E. Talbot Smith, now in United States on leave, being assigned as Consul at Asmara.

HULL

125.146P/4 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, January 25, 1942—5 p. m.
[Received January 25—1:50 p. m.]

352. Your 6031, December 26. Foreign Office note states that the British military authorities have been notified of the Department's proposal and will be happy to afford E. Talbot Smith all appropriate facilities in the accomplishment of his duties in the militarily administered enemy territory of Eritrea.

Foreign Office would like to know when Smith expects to arrive in Asmara.⁶²

WINANT

**MILITARY SERVICE AGREEMENT BETWEEN THE UNITED STATES
AND THE UNITED KINGDOM**

[Effected by exchange of notes signed at Washington March 30, April 29, June 9, and September 30, 1942. For texts of notes, see Department of State Executive Agreement Series No. 307, or 56 Stat. (pt. 2) 1906.]

AGREEMENT BETWEEN THE UNITED STATES AND THE UNITED KINGDOM REGARDING JURISDICTION OVER CRIMINAL OFFENSES COMMITTED BY MEMBERS OF THE AMERICAN FORCES IN THE UNITED KINGDOM, EFFECTED BY EXCHANGE OF NOTES SIGNED JULY 27, 1942

[For texts of notes, see Department of State Executive Agreement Series No. 355, or 57 Stat. (pt. 2) 1193.]

⁶² The Consulate at Asmara was opened on July 1, 1942. After American military activities and interest in this area subsided, the Consulate was closed on June 1, 1943.

AGREEMENT BETWEEN THE UNITED STATES AND THE UNITED KINGDOM REGARDING JURISDICTION OVER PRIZES, EFFECTED BY EXCHANGE OF NOTES SIGNED OCTOBER 1 AND NOVEMBER 3, 1942

[For texts of notes, see Department of State Executive Agreement Series No. 393, or 58 Stat. (pt. 2) 1207.]

AGREEMENT BETWEEN THE UNITED STATES AND THE UNITED KINGDOM REGARDING THE INTERCHANGE OF PATENT RIGHTS, INFORMATION, INVENTIONS, DESIGNS OR PROCESSES, SIGNED AUGUST 24, 1942

[For text of Agreement, see Department of State Executive Agreement Series No. 268, or 56 Stat. (pt. 2) 1594.]

AGREEMENT BETWEEN THE UNITED STATES AND THE UNITED KINGDOM CONCERNING PROBLEMS OF MARINE TRANSPORTATION AND LITIGATION, SIGNED DECEMBER 4, 1942

[For text of Agreement and exchange of notes, see Department of State Executive Agreement Series No. 282, or 56 Stat. (pt. 2) 1780.]

AGREEMENTS BETWEEN THE RUBBER RESERVE COMPANY AND THE COLONIAL GOVERNMENTS OF TRINIDAD, BRITISH GUIANA, AND BRITISH HONDURAS FOR THE PURCHASE OF EXPORTABLE RUBBER

[Agreement with Trinidad was signed on August 5, 1942, by the Colonial Secretary and the Rubber Reserve Company, an agency of the United States Government. The agreements with British Guiana and British Honduras were signed on August 10, 1942, by their respective Governors and the Rubber Reserve Company. The texts of these agreements are not printed. They were of the same general nature as agreements made with a number of American Republics.]

AUSTRALIA

MILITARY SERVICE AGREEMENT BETWEEN THE UNITED STATES AND AUSTRALIA

[Effected by exchanges of notes signed at Washington March 31, July 17, and September 16 and 30, 1942. For texts of notes, see Department of State Executive Agreement Series No. 303, or 56 Stat. (pt. 2) 1884.]

AGREEMENT BETWEEN THE UNITED STATES AND AUSTRALIA RE- GARDING PRINCIPLES APPLYING TO THE PROVISION OF AID TO THE ARMED FORCES OF THE UNITED STATES, EFFECTED BY EX- CHANGE OF NOTES SIGNED SEPTEMBER 3, 1942

[For texts of notes, see Department of State Executive Agreement Series No. 271, or 56 Stat. (pt. 2) 1608. For correspondence regarding the agreement, see pages 537 ff.]

CANADA

EFFORTS OF THE UNITED STATES TO SECURE FAIR PARTICIPATION WITH BRAZIL IN THE CANADIAN COTTON MARKET¹

561.321D1 Advisory Committee/1-142

*The Counselor of the Canadian Legation (Mahoney) to the Chief of
the Division of Commercial Policy and Agreements (Hawkins)*

WASHINGTON, January 1, 1942.

DEAR MR. HAWKINS: With reference to a meeting held in your office on December 12, 1941,² at which time you handed to me a copy of the proposed agreement on Upland cotton between Canada, the United States and Brazil, I may now inform you that this proposed agreement has been studied carefully by the competent authorities of the Canadian Government, which shares with the Government of the United States the desire to stabilize the market for Upland cotton in Canada to the mutual benefit of both producing and consuming interests.

Apparently the problem of participation in the Canadian market has been under consideration by the United States Government since September of this year. On September 18th, when the United States Minister to Ottawa wrote to the Under-Secretary of State for External Affairs³ about the new cotton export programme of the United States Department of Agriculture, he said that the United States Government was "prepared to discuss with representatives of the Brazilian Government the immediate problem of fair participation by both countries in one of the few cotton markets still open to them (i. e., Canada)."

Since September conditions have, however, changed considerably. The export position has altered because of the outbreak of war between Japan and the United States. The import position, so far as Canada is concerned, has also altered. On October 19th the Prime Minister announced that all goods and services sold in Canada were to be placed under a price ceiling. This price ceiling came into effect on December 1.

¹ Continued from *Foreign Relations*, 1941, vol. III, pp. 136-149.

² No memorandum of this conversation found in Department files.

³ See instruction No. 629, September 16, 1941, to the Minister in Canada, *Foreign Relations*, 1941, vol. III, p. 139.

As part of the machinery to maintain prices, a Commodity Prices Stabilization Corporation has been set up. This Corporation will buy essential raw materials from abroad and will resell them in Canada at a price which will enable manufacturers to continue to supply goods to retailers at prices which are reasonable in relation to the retailers' ceiling prices for sales to consumers. The probable result will be that the Corporation will become the sole Canadian buyer of cotton and other essential raw materials purchased from abroad.

As a government monopoly it will be bound by the provisions of paragraph 1 of Article IV of the Trade Agreement between Canada and the United States of America, signed at Washington on November 17, 1938.⁴

This paragraph reads as follows:

"If either country establishes or maintains a monopoly for the importation, production or sale of a particular commodity or grants exclusive privileges, formally or in effect, to one or more agencies to import, produce or sell a particular commodity, the Government of the country establishing or maintaining such monopoly, or granting such monopoly privileges, agrees that in respect of the foreign purchases of such monopoly or agency the commerce of the other country shall receive fair and equitable treatment. To this end it is agreed that in making its foreign purchases of any product such monopoly or agency will be influenced solely by those considerations, such as price, quality, marketability, and terms of sale, which would ordinarily be taken into account by a private commercial enterprise interested solely in purchasing such product on the most favourable terms."

The same paragraph is included as Article IV in the Trade Agreement between Canada and Brazil, signed at Rio de Janeiro on October 17, 1941.⁵ It is also included as Article IV in the Trade Agreement between Canada and Haiti, signed at Port-au-Prince on April 23, 1937,⁶ and Haiti is a possible source of supply of cotton to Canada.

Furthermore, Canada is obliged to grant to the Belgian Congo, which is a possible source of supply of Upland cotton, treatment not less favourable than that granted to the United States and Brazil, since Article 4 of the Trade Convention between Canada and Belgium, signed at Ottawa on July 3, 1924,⁷ reads as follows:

"It is understood that in all matters governing the import, export and transit of merchandise, the Economic Union of Belgium and

⁴ Department of State Executive Agreement Series No. 149; 53 Stat. (pt. 3) 2348.

⁵ Canadian Treaty Series No. 18 (1941); reprinted as British Treaty Series No. 52 (1946).

⁶ League of Nations Treaty Series, vol. cxciv, p. 59.

⁷ *Ibid.*, vol. xxxii, p. 36.

Luxembourg grants to Canada and Canada grants to the Economic Union of Belgium and Luxembourg the treatment of the most favoured nation."

Thus the Commodity Prices Stabilization Corporation when purchasing cotton from foreign countries must accord the United States, Brazil, Haiti and the Belgian Congo "fair and equitable treatment"; it must

"be influenced solely by those considerations such as price, quality, marketability, and terms of sale, which would ordinarily be taken into account by a private commercial enterprise interested solely in purchasing such product on the most favourable terms."

Canada has proposed to Peru the conclusion of a most-favoured-nation trade agreement similar to that recently concluded between Canada and Brazil. If Peru agrees to Canada's proposal, Peru, another alternative source of supply of Upland cotton, will also be entitled to claim "fair and equitable treatment" as defined in Article IV of the Trade Agreement with the United States.

In the light of these considerations the Legation has been instructed to request that the authorities of the United States Government concerned be good enough to reconsider the proposals which you handed to me on December 12th.

Yours sincerely,

M. M. MAHONEY

561.321D1 Advisory Committee/1-142

The Department of State to the Canadian Legation

MEMORANDUM

It is pointed out in Mr. Mahoney's letter to Mr. Hawkins of January 1, 1942, concerning the proposed Cotton Agreement between the Governments of Brazil, Canada, and the United States that the Commodity Prices Stabilization Corporation recently established in Canada in connection with government control of prices will probably become the sole Canadian buyer of cotton from abroad.

In that connection, it is further noted in the letter that paragraph 1, Article IV of the Trade Agreement between Canada and the United States of November 17, 1938 provides in effect that should either Government establish a foreign purchasing monopoly in respect of any commodity the purchases thereof shall be influenced solely by considerations of fair and equitable treatment, namely, considerations such as price, quality, marketability and terms of sale which would ordinarily be taken into account by a private commercial enterprise interested solely in purchasing such commodity on the most favorable terms. It is stated in the letter that the same provision is contained

in Canada's trade agreements with Brazil and Haiti and that, in accordance with most-favored-nation obligations, it is applicable also to the Belgian Congo and may be applicable to Peru, in view of a proposed most-favored-nation agreement with that country.

In so far as Canada's obligations to Brazil and the United States in respect of the monopoly provisions under reference are concerned, attention is called to the fact that the proposed cotton agreement is intended to preclude competition in the Canadian market between United States and Brazilian cotton and that, therefore, considerations determining the most favorable terms on which cotton might be obtained, which are required under the monopoly provisions to be taken into account, will not in practice be applicable under conditions of the proposed agreement. Furthermore, since it may be presumed that the basis on which the United States and Brazil agree to share the Canadian market for their cotton is considered by them fair and equitable, no question arises concerning Canada's obligations under the monopoly provisions included in Canada's trade agreements with those two countries.

As to Canada's obligations to Haiti under the monopoly provisions in question and to other countries by reason of most-favored-nation commitments, it may be pointed out that the proposed cotton agreement imposes no restrictions whatever on Canadian purchases of cotton from sources other than the United States and Brazil nor does it reserve any part of the Canadian cotton market to these two countries. It provides in this connection under paragraph 1 merely the basis upon which the United States and Brazil shall participate in supplying Canada's requirements for their cotton. The extent to which each of them may participate in supplying such requirements is determined with reference to a basic estimate thereof of 540,000 bales. Provision is made for such changes from time to time in the estimate as may be necessary. In the present circumstances, the estimate may possibly be determined by the purchasing program of the Canadian Commodity Prices Stabilization Corporation. In view of this possibility, the operation of the agreement may be considerably facilitated.

The considerations set forth above would seem to indicate clearly that the proposed agreement would not conflict with the monopoly provisions in question. In order, however, that there might be no basis for possible misinterpretation of the agreement in this regard, the following changes therein might be desirable:

(a) Paragraph 1: For the proviso in the last sentence substitute, "provided that Brazil's share shall not be greater than the amount by which such estimate exceeds 250,000 bales of 478 pounds net weight".

(b) Paragraph 2: For the phrase, "the quantity of cotton which it is permitted to supply in accordance with the provisions of the foregoing paragraph", substitute, "its agreed share".

One of the advantages to Canada of the proposed cotton agreement arises in connection with the price provisions of paragraph 4 thereof and the possibility taken into account in paragraph 3, of a shortage of shipping. It may be noted that even though Brazil should not be able to supply Canada with cotton because of such a shortage, the United States would nevertheless be obligated under the agreement to maintain the prices of cotton exported to Canada at the Brazilian level.

WASHINGTON, January 3, 1942.

561.321D1 Advisory Committee/97

The Secretary of State to the Ambassador in Brazil (Caffery)

No. 2026

WASHINGTON, January 14, 1942.

The Secretary of State transmits, with reference to the Ambassador's telegram No. 84, January 8, 1942,^a the latest draft of the proposed agreement for sharing the Canadian cotton market. No word has yet been received from the Canadian Government regarding its attitude toward this draft.

[Enclosure]

Draft Agreement for Sharing the Canadian Cotton Market

The Governments of the United States of America, the United States of Brazil and Canada agree as follows:

(1) The Governments of the United States and Brazil shall regulate the annual exports of raw Upland cotton from their respective countries to Canada on the basis of estimated annual requirements by Canada of 540,000 bales of 478 pounds net weight of such cotton, of which the United States and Brazil may each supply not more than 270,000 bales of 478 pounds net weight. At least twice during each agreement year the Joint Cotton Committee, established pursuant to paragraph 7 of this agreement, shall review the estimate of such requirements and make such revision therein as it deems necessary. In the event the revised estimate exceeds 540,000 bales of 478 pounds net, the additional quantity to be supplied shall be shared equally between the United States and Brazil. In the event

^a Not printed.

the estimate is less than 540,000 bales of 478 pounds net weight, the share of each of the exporting countries shall be reduced equally, provided that Brazil's share shall not be greater than the amount by which such estimate exceeds 250,000 bales of 478 pounds net weight.

(2) If it should appear that either of the exporting countries may be unable to export to Canada its agreed share the Joint Cotton Committee shall investigate the situation and report its findings and recommendations to the participating governments.

(3) If the Joint Cotton Committee finds that one of the exporting countries may not be able to export its agreed share because of inadequate shipping facilities, the other country shall be permitted to supply the deficiency, provided that the quantity so supplied shall, in the following year, be deducted from the share of the latter and added to the share of the former. If the deficiency should be supplied in this manner in the first year of the agreement, the agreement shall not be subject to termination at the end of that year as provided in paragraph (12).

(4) The Government of the United States shall adjust its export payment on cotton exported to Canada so that when such payment is deducted from the spot market price of middling 15/16-inch cotton at Memphis, Tennessee, or from the price at which the Commodity Credit Corporation releases middling 15/16-inch cotton at Memphis, Tennessee for export, whichever is lower, plus the cost of delivery including handling charges to Montreal, the resulting figure shall be a price at least $\frac{1}{2}$ cent but not more than 1 cent per pound higher than the spot price of Brazilian (São Paulo official type 5 28/29 mm.) cotton at São Paulo plus the cost of delivery and handling charges to Montreal.

(5) The Governments of the United States and Brazil shall not maintain prices of raw Upland cotton for export to Canada from the United States and Brazil, respectively, higher than the price at which Upland cotton of the same quality is offered for sale from that country to any other export market.

(6) In converting the price of Brazilian cotton to United States currency, the rate of exchange shall be the official export rate of exchange established by the Bank of Brazil.

(7) A Joint Cotton Committee composed of two representatives of each participating government shall be established for the purpose of supervising and administering the operation of this agreement. The Committee shall make all necessary provision for carrying out its duties.

(8) Meetings of the Committee shall be held in Washington, D. C., unless otherwise agreed.

(9) The Committee shall promptly notify the participating governments of any revisions made in the estimate of Canadian requirements of cotton. Each participating government shall supply to the Committee upon request any information which may be available regarding the sale, arrival, movement and consumption of cotton. All such data shall be held in strict confidence and shall not be released without the permission of the government supplying the information.

(10) The Committee shall submit an annual report to the participating governments not later than one month after the end of each agreement year.

(11) The expenses of the members of the Committee shall be borne by the government which they represent.

(12) This agreement shall become effective on and remain in effect for two years thereafter, unless one of the participating governments gives the others at least 90 days written notice of its intention to terminate the agreement at the end of the first year. This agreement may be extended for additional periods by mutual agreement of the participating governments.

(13) The term "annual exports to Canada", as used in this agreement, shall include all Upland cotton originating in the United States and in Brazil entering Canada during the agreement year, but shall not include linters, waste cotton, or raw cotton returned to countries of origin because of rejection under sale contract. The "agreement year" shall include the 12-month period from to The term "Upland cotton" refers to the varieties of *Gossypium hirsutum* species commonly grown as annual crops in the United States and Brazil. The term "annual Canadian requirements" refers to the Joint Cotton Committee's estimate of the quantity of raw Upland cotton which will be imported into Canada from the United States and Brazil during the agreement year.

811.61321/172

*Memorandum of Conversation, by Mrs. Jean H. Mulliken of the
Division of Commercial Policy and Agreements*

[WASHINGTON,] January 19, 1942.

Participants: Mr. S. R. Noble, Canadian Price Stabilization Board
Mr. Blair Gordon, " " " "
Mr. Horton, " " " "
Mr. A.F.W. Plumptre, Canadian Legation
Mr. Merchant Mahoney, Canadian Legation

Mr. H. A. Scott, Canadian Legation
Mr. Gouthier, Brazilian Embassy
Mr. Norris, Department of Agriculture
Mr. Wyckoff, Department of Agriculture
Mr. Hawkins, State Department
Mr. Stinebower, State Department
Mr. Carr, State Department
Mrs. Mulliken, State Department

Mr. Noble, of the Canadian Price Stabilization Commission, opened the discussion by stating that the Commission was interested in maintaining the existing price situation in so far as possible. It appeared to them that the proposed agreement for sharing the Canadian cotton market would operate to change that situation. He added that the Canadian Commission was prepared to enter into negotiations immediately for the purchase of future supplies of cotton at an agreed price.

Mr. Norris stated that negotiations for purchasing cotton in large quantities could be carried on under the terms of the agreement.

Mr. Noble replied that the Commission would prefer to make its price contract simultaneously with the signing of the agreement in order to know what to expect as to future prices.

Mr. Gordon suggested that a basic price might be agreed upon which could be adjusted for changes in the domestic price structure resulting from the war if that proved necessary.

Mr. Wyckoff expressed a belief that the prices which Canada would obtain under the terms of the agreement would be lower than any price obtainable outside that agreement for the reason that the Commodity Credit Corporation could not make an offer at less than its "release price", about 13¼ cents, whereas the agreement provided, in addition, for the payment of whatever subsidy was required to bring the price of American cotton in Canadian markets to within one cent of the Brazilian price. It was pointed out that, under the agreement, the price of Brazilian cotton exported to Canada could not exceed the price of such cotton exported to any other country.

Mr. Noble commented that there was nothing in the agreement, however, to prevent the price of Brazilian cotton from rising to or above the present Commodity Credit Corporation release price.

Mr. Wyckoff agreed that Brazilian prices would probably rise somewhat, since they had fallen to a sacrifice figure after imposition of the United States' subsidy, and expressed his belief that in the long run it would be to Canada's interest, as well as to the interest of the producing countries, to provide for the orderly marketing of cotton at a price which would be fair to all concerned.

Mr. Noble replied that the term "fair price" was somewhat vague in its meaning, and that he believed it would be helpful to limit the range of fluctuation by means of a price ceiling. He inquired whether or not a clause might be inserted in the agreement which would provide that if the price of Brazilian cotton rose above the Commodity Credit Corporation's release price, Canada would have the option of purchasing her requirements in the United States at the release price.

Mr. Wyckoff pointed out that this would infringe the agreement, since the United States would be selling more than one-half of the market.

Mr. Norris expressed the belief that Brazil would agree to the inclusion of such a clause, since the Commodity Credit Corporation's release price is higher than any price that had been envisaged in the course of the discussions. He emphasized the fact that the price aspects of the cotton agreement were of minor importance compared with the long range potentialities of such an agreement as an instrument for cooperative action.

Mr. Noble returned to the point that the Canadian representatives would be glad to see written into the agreement some stipulation that cotton should continue to be available to Canadian buyers at a price not to exceed the Commodity Credit Corporation's release price, and that they would be interested in knowing at what price they might now engage a supply for future use.

Mr. Gouthier stated that he would be obliged to get a commitment from the Bank of Brazil as to what minimum price might be expected, since the Bank handles all foreign exchange transactions.

Mr. Wyckoff said that the Commodity Credit Corporation would have to be approached for a price on American cotton.

Mr. Stinebower called attention to the fact that if a clause should be inserted in the cotton agreement giving Canada the option to purchase American cotton at the Commodity Credit Corporation's release price if Brazilian prices should rise above that level, two questions should be settled:

(1) whether or not the Commodity Credit Corporation would be bound by the agreement to release its cotton.

(2) if the Commodity Credit Corporation were not so bound, would the United States be obliged to increase its subsidy to such a figure as to make commercial cotton available to Canada at the Commodity Credit Corporation's release price.

At the suggestion of Mr. Hawkins the meeting adjourned with the understanding that the representatives of the Canadian Price Stabilization Commission, Mr. Gouthier, and representatives of the Department of Agriculture would meet on the following day for further discussion of the questions raised.⁹

⁹ No memorandum of this January 20 meeting found in Department files.

561.321D1 Advisory Committee/104

*Memorandum of Conversation, by Mrs. Jean H. Mulliken of the
Division of Commercial Policy and Agreements*

[WASHINGTON,] February 13, 1942.

Participants: Mr. Wheeler, Dept. of Agriculture, F. A. R.¹⁰
Mr. Dantas, Cotton Classification Service, Brazil
Mr. Gouthier, Brazilian Embassy
Mr. Norris, Dept. of Agriculture, F.A.R.
Mr. Wyckoff, Department of Agriculture, S.M.A.¹¹
Mr. Bohart, Department of Agriculture, S. M. A.
Mr. Farrington, Department of Agriculture, C. C. C.¹²
Mrs. Mulliken, Department of State

A meeting was held in Mr. Wheeler's office to discuss the steps to be taken in obtaining Canada's consent to the proposed cotton agreement. It is becoming imperative that the question be settled, since the Commodity Credit Corporation is approaching its legal limitation on sales for this year. The Corporation is limited to sales of 1.5 million bales in any one year, of which no more than 300,000 bales may be sold in any one month, and whatever amount is reserved for Canada must be deducted from this total.

The Canadian Government has had the agreement under consideration for almost two months and has not yet indicated what its attitude will be, but the delay would seem to indicate that the reply may be unfavorable. Under the circumstances the Brazilian representatives are pressing for the conclusion of a two-party agreement, to be signed by the United States and Brazil. They asked whether the State Department would have any objection to such an agreement and I replied that since the question had never been raised I was not in a position to say, but that I believed our view would depend on the attitude of the Canadian Government. If Canada had no real objection to the arrangement, but preferred not to be a signatory, I thought a two-party agreement was a possibility. I suggested, however, that the next step was to press Canada for a reply, and added that I believed, judging from our conversation with representatives of the Canadian Price Control Board, that Canada might find the present agreement acceptable if a maximum price clause were added.

Mr. Gouthier replied that the Brazilian Embassy had wired the Canadian Government nine days ago to ask what they would consider a fair price, and had received no reply.

I inquired whether the Brazilian Government was willing to indicate what their maximum offering price might be. Mr. Dantas replied

¹⁰ Foreign Agricultural Relations.

¹¹ Surplus Marketing Administration.

¹² Commodity Credit Corporation.

that since the Brazilian cotton loan is established at 8.13 cents a pound for the current year his Government, he believed, could establish a minimum export price of 10.5 cents, and that this could also be made a maximum price for sales to Canada, but that he would prefer an agreement which did not contain a maximum price clause.

If the Brazilian price should be established at 10.5 cents for São Paulo type 5, the landed price in Canada would be in the neighborhood of 13 cents. This is 1.5 cents above the price which Canada was paying for Brazilian cotton in December, but the Brazilian price was then depressed somewhat by our subsidy. The Commodity Credit Corporation's release price for exports of cotton this year will be about 13.75 cents per pound, Memphis. Freight charges added, the delivered price in Montreal would be near 14.75 cents, and to obtain our share of the Canadian market we would, therefore, have to maintain a subsidy of between 1 and 1.5 cents per pound. The existing subsidy is 2.5 cents, so there would be a definite advantage to the United States in having the Brazilian export price set as high as 10.5 cents. And since the average price of São Paulo type 5 in São Paulo over the past ten years is 10.6 cents, Canada could scarcely object that this price is too high.

It was agreed that we should first ask the Canadian Government for a statement of its attitude toward the agreement in its present form, and, if the reply is unfavorable, ask Mr. Mahoney, of the Canadian Legation, to convey to his Government the willingness of the Brazilian Government to guarantee a maximum price for the first year of the agreement of 10.5 cents f. o. b. São Paulo. Should the Canadian Government still prefer not to sign, the State Department was asked to consider the possibility of making the agreement effective between the United States and Brazil.

561.321D1 Advisory Committee/101

The Counselor of the Canadian Legation (Mahoney) to the Chief of the Division of Commercial Policy and Agreements (Hawkins)

WASHINGTON, February 23, 1942.

DEAR MR. HAWKINS: With reference to the meetings on January 19th and January 20th, concerning the proposed tripartite Cotton Agreement, I enclose herewith a copy of a revised text of the Agreement, dated Ottawa, February 16th. This text contains revisions agreed upon at an interdepartmental meeting, held on February 16th, and the new draft is being hastened to you informally as a basis for future discussion.

The reason that we cannot at the moment give your Department a formal reply to your original text is that our technical advisers have within the past few days raised doubts about the workability of the Agreement, as at present drafted. The Department of External Affairs want to have these doubts resolved before seeking Cabinet approval and giving a formal reply to your Department.

In order to deal with the matter as quickly as possible the Department have requested their technical adviser, Mr. Blair Gordon, to come to Ottawa this week to take part in discussions with members of the interdepartmental committee and Mr. Clifford Taylor, Agricultural Attaché of your Legation.

In the meantime I may tell you informally that the following are some of the difficulties of administration which it is intended will be discussed with Mr. Taylor:

(a) Canadian importers have made firm contracts for a considerable amount of cotton which has not yet entered Canada. The final paragraph of the agreement refers to cotton "entering" or "imported into Canada." Thus, this paragraph as at present drafted, applies to existing contracts. Is this the intention of the drafters and have all the implications been considered?

(b) Similarly, paragraph 4 of the agreement, which is concerned with the spread between the price of Brazilian and of United States cotton, might be interpreted to apply to existing contracts.

(c) The question arises, therefore, whether it might not be desirable to add to the agreement a paragraph along the following lines:—

"Nothing in this agreement shall be construed as affecting in any way the fulfilment of contracts outstanding on the date on which the agreement comes into effect."

(d) What procedure do the United States and Brazil contemplate using in order to ensure that their exports to Canada are regulated in accordance with the terms of the agreement? While the United States might be able to control the export of United States cotton to Canada by the use of its subsidy, it is difficult to envisage the method which Brazil would use to control the export of Brazilian cotton to Canada since presumably Brazil has today no government control over cotton exports. The Brazilian problem also seems complicated by the existence of stocks of Brazilian cotton in the United States. Suppose, for example, that at the end of nine months of an "agreement year" Brazil has exhausted its share of the year's exports to Canada, how is control going to be exercised over the movement to Canada of the stocks of Brazilian cotton in the United States?

Following the discussions on the above points, I hope to be able to communicate with you further without delay.

Yours sincerely,

M. M. MAHONEY

[Enclosure]

OTTAWA, February 16, 1942.

*Draft Tripartite Cotton Agreement, Canada-Brazil-United States
of America*

The Governments of the United States of America, the United States of Brazil and Canada agree as follows:—

(1) The Governments of the United States and Brazil shall regulate the annual exports of raw Upland cotton from their respective countries to Canada on the basis of estimated annual requirements by Canada of 540,000 bales of 478 pounds net weight of such cotton, of which the United States and Brazil may each supply not more than 270,000 bales of 478 pounds net weight. At least twice during each agreement year the Joint Cotton Committee, established pursuant to paragraph 7 of this agreement, shall review the estimate of such requirements and make such revision therein as it deems necessary. In the event that the revised estimate exceeds 540,000 bales of 478 pounds net weight, the Governments of the United States and Brazil agree so to regulate their exports that the increase in the amounts of raw Upland cotton supplied to the Canadian market by the two countries shall be shared equally by each one of them. In the event that the estimate is less than 540,000 bales of 478 pounds net weight, the Governments of the United States and Brazil agree so to regulate their exports of raw Upland cotton to Canada that the share of each of the two exporting countries shall be reduced equally, provided that Brazil's share shall not be greater than the amount by which such estimate exceeds 250,000 bales of 478 pounds net weight.

(2) If it should appear that either of the exporting countries may be unable to export to Canada such quantities of raw Upland cotton as were jointly agreed upon with the other exporting country pursuant to the provisions of the preceding paragraph, the Joint Cotton Committee shall investigate the situation and report its findings and recommendations to the signatory governments.

(3) If the Joint Cotton Committee finds that one of the exporting countries may not be able to export to Canada the quantity of raw Upland cotton agreed upon with the other exporting country pursuant to the provisions of paragraph (1) above because of inadequate shipping facilities, the said exporting country agrees to permit the other exporting country to supply the deficiency, provided that the quantity so supplied shall in the following year be deducted from the share of the latter and added to the share of the former. If the deficiency should be supplied in this manner in the first year of the agreement, the agreement shall not be subject to termination at the end of that year as provided in paragraph 13.

(4) The Government of the United States shall adjust its export

payment on cotton exported to Canada so that when such payment is deducted from the spot market price of Middling 15/16-inch cotton at Memphis, Tennessee, or from the price at which the Commodity Credit Corporation releases Middling 15/16-inch cotton at Memphis, Tennessee for export, whichever is lower, plus the cost of delivery including handling charges to Montreal, the resulting figure shall be a price at least $\frac{1}{2}$ cent but not more than 1 cent per pound higher than the spot price of Brazilian (São Paulo official type 5 28/29 mm.) cotton at São Paulo plus the cost of delivery and handling charges to Montreal.

(5) The Governments of the United States and Brazil shall not maintain prices of raw Upland cotton for export to Canada from the United States and Brazil, respectively, higher than the price at which Upland cotton of the same quality is offered for sale from that country to any other export market.

(6) In converting the price of Brazilian cotton to United States currency, the rate of exchange shall be the official export rate of exchange established by the Bank of Brazil.

(7) A Joint Cotton Committee composed of two representatives of each participating government shall be established for the purpose of supervising and administering the operation of this agreement. The Committee shall make all necessary provisions for carrying out its duties.

(8) Meetings of the Committee shall be held in Washington, D. C., unless otherwise agreed.

(9) The Committee shall promptly notify the participating governments of any revisions made in the estimate of Canadian requirements of cotton. The Governments of the United States and Brazil shall furnish the Committee quarterly with a statement showing the average monthly price at which cotton has been exported to each country of export. Each participating government shall supply to the Committee upon request any information which may be available regarding the sale, arrival, movement and consumption of cotton. All such data shall be held in strict confidence and shall not be released without the permission of the government supplying the information.

(10) The Committee shall submit an annual report to the signatory governments not later than one month after the end of each marketing year.

(11) The expenses of the members of the Committee shall be borne by the Government which they represent.

(12) Nothing in this agreement shall be construed as imposing any obligation on the Canadian Government to purchase or cause to be purchased any specified quantities of cotton from either the United States or Brazil, nor shall anything in this agreement be construed as requiring the Canadian Government to take any action regarding the importation of raw cotton which is inconsistent with its treaty obli-

gations to countries not party to this agreement, nor shall anything in this agreement be construed as imposing any obligation on the Canadian Government or any agency of the Canadian Government to be guided in regulating the importation of raw cotton, whether by direct purchase or otherwise, by considerations other than price, quality, marketability and terms of sale which would ordinarily be taken into account by a private commercial enterprise interested solely in purchasing any product on the most favourable terms.

(13) This agreement shall become effective on and remain in effect for two years thereafter, unless one of the participating governments gives at least 90 days written notice of its intention to terminate the agreement at the end of the first year. Such notice must be received by the other countries not later than 90 days prior to the end of the agreement year. This agreement may be extended for additional periods by mutual agreement of the participating governments.

(14) The term "annual exports to Canada", as used in this agreement, shall include all Upland cotton originating in the United States and in Brazil entering Canada during the agreement year, but shall not include linters, waste cotton, or raw cotton returned to countries of origin because of rejection under sale contract. The "marketing year" shall include the 12-month period from to The term "Upland cotton" refers to the varieties of *gossypium hirsutum* species commonly grown as annual crops in the United States and Brazil. The term "annual Canadian requirements" refers to the Joint Cotton Committee's estimate of the quantity of raw Upland cotton which will be imported into Canada from the United States and Brazil during the marketing year.

561.321D1 Advisory Committee/102

*Memorandum of Conversation, by the Agricultural Attaché in
Canada (Taylor)*¹³

OTTAWA, February 23, 1942.

Present: Mr. Escott Reid
Mr. Dana Wilgress
Mr. Angus
Mr. Blair Gordon
Mr. S. R. Noble
Mr. Mackintosh

At the request of Mr. Reid I joined a meeting at 4:30 p. m. which had been in session since 4 p. m. for the purpose of discussing certain

¹³ Copy transmitted to the Department by the Agricultural Attaché in his letter of February 24, 1942; received February 28.

aspects of the tripartite cotton agreement. I stated that I had received a telephone call from Mr. P. K. Norris of the Office of Foreign Agricultural Relations, Department of Agriculture, in Washington, with respect to the questions which had been raised at the conference on the previous Friday.¹⁴ Mr. Norris had stated that it was not administratively possible nor acceptable to our Government to exempt from the agreement sales made prior to its effective date. To do so would postpone the practical usefulness of the agreement for a year if the existing contracts were so great as to conflict with the terms of the agreement. However, there was nothing to indicate that the existing contracts covered quantities so great as to cause difficulties in which case there was no need for exempting them. Under the agreement the export subsidy rates mentioned in paragraph 4 will relate to the date of sale (not the date of exportation) in such a way as to bring the landed cost in Canada for the basic grades and staples of Brazilian and American cotton within the prescribed range of $\frac{1}{2}$ cent to 1 cent premium for American cotton. For other grades and staples of cotton commercial premiums and discounts are to prevail, it being believed that differences in favor of Brazilian or American cotton will average out. With respect to the possibility that Canadian mills will be required to change their machinery in mid-season to handle cotton from a different source, I repeated that this had not been found difficult to do in changing from American to Brazilian, that the mills customarily carried stocks at their mills for three or four months' requirements and that Canadian mills were accustomed to exchanging supplies of cotton to meet their individual requirements. I also confirmed the understanding that the price of American loan stocks would inevitably rise as storage and interest charges accumulated and as the supply of low-priced loan stocks became exhausted. I quoted Mr. Norris to the effect that Brazil expected to enforce its quota limitation by means of exchange control and export licensing. Finally, Mr. Norris had stated that the Committee would estimate Canadian annual requirements in the light of information supplied by Canadian members of the Committee and that this was an important reason for Canadian participation in the agreement.

In the discussion which followed, Mr. Blair Gordon and Mr. S. R. Noble made it clear that they were convinced that the Canadian mills would consider Brazilian cotton to be undervalued according to the terms of paragraph 4 and hence Canada would be confronted with the necessity of creating administrative machinery for allocating the Brazilian cotton to the various mills. The necessity of so doing would be highly probable if Canadian annual requirements dropped to a point only slightly in excess of the 250,000 bales mentioned at the end of paragraph 1. They thought that the $\frac{1}{2}$ to 1 cent provision in

¹⁴ See memorandum of conversation, February 13, p. 574.

paragraph 4 should be made subject to revision if experience proved that it did not equalize the attractiveness of Brazilian and American cotton in terms of price.

Mr. Blair Gordon emphasized the greater attractiveness of Brazilian cotton in terms of price by pointing out that the price charged by the Commodity Credit Corporation did not truly represent the price paid by Canadian mills for American cotton. He said the loan stocks did not contain the qualities desired by Canadian mill buyers and that when such cotton was "swapped" for the desired qualities of cotton on the open market a substantial loss was incurred. For example, he cited a recent purchase of American cotton at 12.66 less 2-cent subsidy plus 85 points for transportation which, after being exchanged on the open market for cotton of the desired qualities, cost 13.50. He said these two figures were strictly comparable, both representing middling white 15/16 in U. S. currency before adding war exchange tax or incidental charges.

There was also a little discussion of the difficulty of controlling Brazilian cotton exported to the United States when not all such shipments were finally forwarded to Canada.

I reminded those present that the negotiations had been conducted in Washington and that the technical information which I was in a position to give them was obviously insufficient to answer fully the questions raised in connection with the intended methods of implementing the agreement. Several persons said they realized that to be the case and thanked me for the help I had been able to give. Mr. Noble then suggested that it would be desirable for a Canadian delegation to return to Washington for another conference with the negotiators of the agreement. I asked if such a conference could be held soon because Mr. Norris had indicated a hope that the agreement might be concluded soon and made effective as from March 1. Mr. Reid said he could not understand why the State Department was in such a hurry to conclude the agreement. I suggested that it was probably because the Brazilians had been kept in Washington for so long a time that they wanted to conclude the agreement and get back home.

The conference was still in session when I left at 5:15 p. m.

CLIFFORD C. TAYLOR

561.321D1 Advisory Committee/103

*Memorandum of Conversation, by the Chief of the Division of
Commercial Policy and Agreements (Hawkins)*

[WASHINGTON,] February 27, 1942.

Mr. Mahoney called today to clarify certain formal and procedural questions connected with the proposed cotton agreement between the

United States, Brazil and Canada. These questions are set forth in the attached telegram which he had received from Ottawa.¹⁵ I undertook to give him a definite answer to these questions before the end of the day.

Mr. Mahoney said that the Canadian Government had indicated its willingness to enter into the agreement, but that before signature officials would be sent to Washington, it would be necessary to clear up certain questions in regard to the manner in which the agreement would be administered.

I took the occasion to emphasize to Mr. Mahoney the attitude of this Government in regard to the proposed agreement along the lines which I discussed with Mr. Wheeler of the Department of Agriculture yesterday and with which he agreed; namely, that it is not our purpose to urge the Canadian Government to enter into this agreement unless the Canadian Government is perfectly clear in its mind that to do so would be in the Canadian interest; that if responsible Canadian officials felt any doubts or had any mental reservations in regard to the manner in which Canadian interests would be affected, we hoped that they would say so, and that unless these could be cleared up we would not urge them to sign the agreement. Mr. Mahoney replied that he had understood this to be our attitude but that he would inform his Government again explicitly to this effect.

561.321D1 Advisory Committee/102a

The Chief of the Division of Commercial Policy and Agreements (Hawkins) to the Counselor of the Canadian Legation (Mahoney)

WASHINGTON, February 28, 1942.

MY DEAR MR. MAHONEY: With reference to our conversation of February 27, I enclose two copies of the latest draft of the tripartite cotton agreement. In response to your request that the agreement be made as informal as possible, it has been redrafted in a form suitable for exchanges of notes between the United States and Brazil, Brazil and Canada, and Canada and the United States. As Mr. Carr informed you by telephone, neither full powers nor ratification will be required for signing the agreement in the United States. All changes suggested by the Canadian Government have been incorporated, with minor changes of wording.

¹⁵ Telegram No. 66, February 26, not printed; it contained inquiries regarding necessity for full powers for signature and provisions for ratification and coming into force of the agreement.

The current draft has been accepted by the United States Department of Agriculture, and has been submitted to the Brazilian representatives, but their reply has not yet been received.

If the Canadian Government contemplates sending a representative to Washington to conclude the negotiations, it would be appreciated if he could plan to be here on Monday or Tuesday of next week, since it is understood that Mr. Dantas, of the Brazilian delegation, is to be out of the city during the latter part of the week.

Sincerely yours,

HARRY C. HAWKINS

[Enclosure]

EXCELLENCY: I have the honor to make the following statement of my understanding of the agreement reached through recent conversations held at Washington between representatives of the interested agencies of the Governments of Brazil, Canada and the United States regarding exports to Canada of Upland cotton from Brazil and the United States.

Annual exports to Canada of raw Upland cotton from the United States and Brazil will be regulated on the basis of estimated annual requirements by Canada of 540,000 bales of such cotton, of which the United States and Brazil may each supply not more than 270,000 bales. At least twice during each agreement year the Joint Cotton Committee provided for hereinafter will review the estimate of such requirements and make such revision therein as it deems necessary. In the event that the revised estimate exceeds 540,000 bales, the exports from Brazil and the United States will be regulated so that the quantity supplied by each of them to the Canadian market will be increased by the same amount. In the event that the estimate is less than 540,000 bales, exports from Brazil and the United States will be regulated so that the quantity supplied by each of them to the Canadian market will be reduced by the same amount, provided that the quantity supplied by Brazil will not be greater than the amount by which such estimate exceeds 250,000 bales.

If it should appear that either of the exporting countries may be unable to export to Canada such quantities of raw Upland cotton as are agreed to between them pursuant to the provisions of the preceding paragraph, the Joint Cotton Committee shall investigate the situation and make recommendations.

However, if the Joint Cotton Committee finds that one of the exporting countries may not be able to export to Canada the quantity of raw Upland cotton agreed upon with the other exporting country pursuant to the above provisions because of inadequate shipping facilities, the country unable to export such quantity will permit the

other exporting country to supply the deficiency provided that the quantity so supplied is in the following year deducted from the share of the latter and added to the share of the former. If the deficiency should be supplied in this manner in the first year of the agreement, the agreement shall not be subject to termination at the end of that year as hereinafter provided.

The export payment on cotton originating in the United States and sold for export to Canada will be so adjusted that when such payment is deducted from the spot market price of Middling 15/16 inch cotton at Memphis, Tennessee, or from the price at which the Commodity Credit Corporation releases Middling 15/16 inch cotton at Memphis, Tennessee for export, whichever is lower, plus the cost of delivery, including handling charges to Montreal, the resulting figure will be a price at least one-half cent but not more than one cent per pound higher than the spot price of Brazilian (São Paulo official type 5, 28/29 mm.) cotton at São Paulo plus the cost of delivery and handling charges to Montreal.

No higher prices will be maintained for raw Upland cotton exported to Canada from the United States or Brazil than the prices at which Upland cotton of the same quality is offered for sale in that country to any other export market.

In converting the price of Brazilian cotton to United States currency, the rate of exchange will be the official export rate of exchange established by the Bank of Brazil.

A joint Cotton Committee composed of two representatives from each country will be established for the purpose of supervising and administering the operation of this agreement. The Committee will make all necessary provision for carrying out its duties.

Meetings of the Committee will be held in Washington, D. C., unless otherwise agreed.

The Committee will promptly notify the interested agencies of the Governments of Brazil, Canada and the United States of any revisions made in the estimate of Canadian requirements of cotton. The Committee will be furnished quarterly official statements showing the average monthly prices at which raw Upland cotton has been exported from the United States and from Brazil to each country of destination. The Committee will also be furnished upon request any information from official government sources in Canada, Brazil and the United States which may be available regarding the sale, arrival, movement and consumption of cotton. All such data will be held in strict confidence and will not be released without the permission of the agency supplying the information.

The Committee will make an annual report not later than one month after the end of the agreement year.

Nothing in this agreement should be construed as imposing any obligation on the Canadian Government to purchase or cause to be purchased any specified quantities of cotton from either the United States or Brazil, nor should anything in this agreement be construed as requiring the Canadian Government to take any action regarding the importation of raw cotton which is inconsistent with its treaty obligations to countries not party to this agreement, nor should anything in this agreement be construed as imposing any obligation on the Canadian Government or any agency of the Canadian Government to be guided in regulating the importation of raw cotton, whether by direct purchase or otherwise, by considerations other than price, quality, marketability and terms of sale which would ordinarily be taken into account by a private commercial enterprise interested solely in purchasing any product on the most favorable terms.

This agreement will become effective on March 1, 1942 and remain in effect for two years thereafter unless one of the participants gives the others at least 90 days' written notice of its intention to terminate the agreement at the end of the first year.

The term "annual exports to Canada", as used in this agreement, means all Upland cotton originating in the United States and in Brazil, entering Canada during the agreement year, but does not include linters, waste cotton, or raw cotton returned to countries of origin because of rejection under sale contract. The term "agreement year" means the 12-month period from March 1 to February 28. The term "Upland cotton" means the variety of *gossypium hirsutum* species commonly grown as annual crops in the United States and Brazil. The term "annual Canadian requirements" means the estimate made by the Joint Cotton Committee of the quantity of raw Upland cotton which will be imported into Canada from the United States and Brazil during the agreement year. The term "bales" means bales of 478 pounds net weight, and the prices of both Brazilian and United States cotton shall be calculated on a net-weight basis.

If the foregoing is acceptable to the Government of Brazil, this note and your reply thereto will be regarded as placing on record our agreement concerning this matter.

Accept, Excellency, the renewed assurances of my highest consideration.

Very truly yours,

561.321D1 Advisory Committee/109

The Secretary of Agriculture (Wickard) to the Secretary of State

WASHINGTON, April 17, 1942.

DEAR MR. SECRETARY: Reference is made to Mr. Acheson's letter of March 5,¹⁶ with which was enclosed a copy of a proposed agreement between Brazil, Canada, and the United States in respect to the marketing of Brazilian and American cotton in Canada. You asked whether your Department is correct in understanding that this Department will be able, under existing legislation, to carry out the provisions of the proposed agreement and will have funds for meeting expenses, if any, which may be incurred by this Government under the agreement. You also asked whether the agreement as it now stands has the approval of this Department.

Since the date of the letter under reference, further discussions have been carried on with representatives of the Canadian and Brazilian Governments in which representatives of your Department participated. As a result of these discussions, it appears that the Brazilian and Canadian Governments are prepared to accept, with minor verbal modifications, the text as submitted with Mr. Acheson's letter of March 5.

This Department found it necessary to indicate at the last meeting on this subject with the Canadians and Brazilians that it was not in a position to go ahead at that moment with the agreement for the reason that the House of Representatives had just included in the Department of Agriculture Appropriation Bill an amendment which has the effect of prohibiting this Department from releasing Commodity Credit Corporation cotton for export at a price lower than parity. This would mean, in effect, a difference of around eight cents per pound between the price of Brazilian cotton and the price of United States cotton in that country, a gap which we feel is too large to be bridged by direct subsidy payments to exporters. The Department of Agriculture Appropriation Bill is now pending in the Senate Appropriations Committee. It may be that the Senate will reverse the House action in this respect and that such change would be agreed to by the House in conference. In the meantime, it is our feeling that the question of going forward with the agreement should be left in abeyance.¹⁷

Sincerely yours,

CLAUDE R. WICKARD

¹⁶ Not printed.¹⁷ There were no further negotiations. For text of the Department of Agriculture Appropriation Act of 1943, approved July 22, 1942, see 56 Stat. 664.

MILITARY SERVICE AGREEMENT BETWEEN THE UNITED STATES
AND CANADA

[Effected by exchange of notes signed March 30 and April 6 and 8, 1942. For texts of notes, see Department of State Executive Agreement Series No. 249, or 56 Stat. (pt. 2) 1477.]

AGREEMENT REGARDING SERVICE IN UNITED STATES ARMED FORCES
OF AMERICAN CITIZENS RESIDING IN CANADA IN LIEU OF SERVICE
IN CANADIAN FORCES, EFFECTED BY EXCHANGE OF NOTES SIGNED
SEPTEMBER 30, 1942

811.2222 (1940)/1725

The Canadian Minister (McCarthy) to the Secretary of State

No. 638

WASHINGTON, September 30, 1942.

SIR: I have the honour to refer to your note of April 8, 1942, in reply to my note No. 222 of April 6¹⁸ concerning the application of the United States Selective Training and Service Act of 1940,¹⁹ as amended, to Canadian nationals residing in the United States, and stating that the Government of the United States assures the Government of Canada full reciprocity with respect to the regime outlined in your note of March 30 under which Canadian nationals in the United States who have not declared their intention of becoming United States citizens may elect to serve in the naval, military or air forces of Canada in lieu of service in the armed forces of the United States. In your note you further state that the Government of the United States agrees to the understandings, limitations and assumptions set forth in numbered paragraphs 4 to 9 inclusive of my note.

2. One of these understandings is that the Government of the United States is agreeable to the Canadian Government imposing a liability to compulsory military service on United States citizens residing in Canada. A second understanding is that while non-declarant United States citizens in Canada will, prior to their induction into the naval, military or air forces of Canada, be granted an opportunity of electing to serve in the armed forces of the United States, this opportunity will not be granted to declarant United States citizens in Canada.

3. In accordance with these understandings the Canadian Government has recently imposed on United States citizens residing in Canada a liability to compulsory military service identical with that imposed on British subjects ordinarily resident in Canada, and the Canadian Government now desires to initiate a procedure satisfactory to the

¹⁸ These notes and the note of March 30, referred to below, are printed in Department of State Executive Agreement Series No. 249, and 56 Stat. (pt. 2) 1477.

¹⁹ 54 Stat. 885.

Government of the United States under which United States citizens in Canada who have not declared their intention of applying for naturalization in Canada may elect to serve in the armed forces of the United States, in lieu of service in the armed forces of Canada, at any time prior to enrolment in the Canadian Army.

4. The following proposals are made by the Canadian Government:

“(a) Individuals who elect for service with the armed forces of the United States will be physically examined by the Canadian Army. The results of the examination will be forwarded to the proper authorities of the United States. On receipt from these authorities of notification that an individual is acceptable the competent Canadian authority will send the individual to a designated reception point for induction into the armed forces of the United States. If, on arrival at the reception point, the individual is found to be not acceptable to the armed forces of the United States, he shall be liable to be enrolled immediately in the Canadian Army.

“(b) In order that non-declarant United States citizens in Canada may be informed of the conditions of service in the armed forces of the United States, the Canadian Government suggests that the United States authorities give the Canadian authorities copies of a pamphlet setting forth the conditions of service so that the pamphlets may be made available to non-declarant United States citizens who are called up for military service by Canada.

“(c) United States citizens in Canada who elect to serve in the armed forces of the United States and are accepted by one of those forces and who return to Canada for permanent residence within six months after the termination of their service with the United States armed forces will not lose any rights they may have previously acquired under the Immigration and Naturalization Acts of Canada.”

5. Acceptance by the United States of these proposals will not be construed by the Canadian Government as imposing any obligation on the United States Government to return to Canada United States citizens who may be deemed to be defaulters under the National War Services (Recruits) Regulations of Canada.

6. If these proposals are acceptable to the Government of the United States, this note and your reply thereto accepting the proposals shall be regarded as placing on record the understanding arrived at between the two Governments concerning this matter. The practical details may then be arranged directly between the appropriate governmental agencies.

Accept [etc.]

LEIGHTON MCCARTHY

811.2222 (1940)/1725

The Secretary of State to the Canadian Minister (McCarthy)

WASHINGTON, September 30, 1942.

SIR: I have the honor to acknowledge the receipt of your note no. 638 of September 30, 1942 proposing an arrangement under which

American citizens residing in Canada, who have not declared their intention of applying for naturalization in Canada, and who may become subject to enrolment in the armed forces of Canada will, prior to such enrolment, be given an opportunity of electing to serve in the armed forces of the United States. You also state that acceptance of the proposals will not be construed by your Government as imposing any obligation on the Government of the United States to return to Canada any citizens of the United States who may be deemed to be defaulters under the National War Services (Recruits) Regulations of Canada. Your proposals are made on the understanding that the United States Government is agreeable to the Canadian Government imposing a liability to compulsory military service on United States citizens residing in Canada, and that the opportunity of electing to serve in the armed forces of the United States will be granted only to American citizens residing in Canada who have not declared their intention of applying for naturalization in Canada.

I am pleased to inform you that the Government of the United States agrees to the Canadian Government imposing a liability to military service on United States citizens residing in Canada, and that the proposed arrangement as outlined in your note under acknowledgment is satisfactory to this Government.

Accept [etc.]

For the Secretary of State:
A. A. BERLE, JR.

AGREEMENT BETWEEN THE UNITED STATES AND CANADA REGARDING THE APPLICATION OF THE RUSH-BAGOT AGREEMENT OF APRIL 28 AND 29, 1817, AS TO THE NAVAL READINESS OF VESSELS CONSTRUCTED ON THE GREAT LAKES FOR COMBAT UPON ARRIVAL ON OPEN SEA

[For text of agreement effected by exchange of notes signed February 26 and March 9, 1942, see Department of State Treaties and Other International Acts Series No. 1836.]

AGREEMENT BETWEEN THE UNITED STATES AND CANADA REGARDING TRANSFERS OF CITIZENS AND FORMER CITIZENS BETWEEN ARMED FORCES, EFFECTED BY EXCHANGE OF NOTES SIGNED MARCH 18 AND 20, 1942

[For texts of notes, see Department of State Executive Agreement Series No. 245, or 56 Stat. (pt. 2) 1455.]

AGREEMENT BETWEEN THE UNITED STATES AND CANADA REGARDING THE CONSTRUCTION OF A MILITARY HIGHWAY TO ALASKA, EFFECTED BY EXCHANGE OF NOTES SIGNED MARCH 17 AND 18, 1942

[For texts of notes, see Department of State Executive Agreement Series No. 246, or 56 Stat. (pt. 2) 1458.]

AGREEMENT BETWEEN THE UNITED STATES AND CANADA REGARDING THE SOUTHERN TERMINUS OF THE ALASKA HIGHWAY, EFFECTED BY EXCHANGE OF NOTES SIGNED MAY 4 AND 9, 1942

[For texts of notes, see Department of State Executive Agreement Series No. 380, or 57 Stat. (pt. 2) 1373.]

AGREEMENT BETWEEN THE UNITED STATES AND CANADA REGARDING THE CONSTRUCTION OF FLIGHT STRIPS ALONG THE ALASKA HIGHWAY, EFFECTED BY EXCHANGE OF NOTES SIGNED AUGUST 26 AND SEPTEMBER 10, 1942

[For texts of notes, see Department of State Executive Agreement Series No. 381, or 57 Stat. (pt. 2) 1375.]

AGREEMENT BETWEEN THE UNITED STATES AND CANADA REGARDING THE CONSTRUCTION OF THE HAINES-CHAMPAGNE SECTION OF THE ALASKA HIGHWAY, EFFECTED BY EXCHANGE OF NOTES SIGNED NOVEMBER 28 AND DECEMBER 7, 1942

[For texts of notes, see Department of State Executive Agreement Series No. 382, or 57 Stat. (pt. 2) 1377.]

AGREEMENT BETWEEN THE UNITED STATES AND CANADA REGARDING THE DRILLING OF EXPLORATORY OIL WELLS IN CANADA, EFFECTED BY EXCHANGE OF NOTES SIGNED DECEMBER 28, 1942, AND JANUARY 13, 1943

[For texts of notes, see Department of State Executive Agreement Series No. 388, or 57 Stat. (pt. 2) 1418.]

AGREEMENT BETWEEN THE UNITED STATES AND CANADA REGARDING CANOL PROJECT PIPELINE, EFFECTED BY EXCHANGE OF NOTES SIGNED JUNE 27 AND 29, 1942

[For texts of notes, see Department of State Executive Agreement Series No. 386, or 57 Stat. (pt. 2) 1413.]

AGREEMENT BETWEEN THE UNITED STATES AND CANADA REGARDING CANOL PROJECT PIPELINE, EFFECTED BY EXCHANGE OF NOTES SIGNED AUGUST 14 AND 15, 1942

[For texts of notes, see Department of State Executive Agreement Series No. 387, or 57 Stat. (pt. 2) 1416.]

AGREEMENT BETWEEN THE UNITED STATES AND CANADA REGARDING UNEMPLOYMENT INSURANCE BENEFITS, EFFECTED BY EXCHANGE OF NOTES SIGNED MARCH 6 AND 12, 1942

[For texts of notes, see Department of State Executive Agreement Series No. 244, or 56 Stat. (pt. 2) 1451.]

AGREEMENT BETWEEN THE UNITED STATES AND CANADA REGARDING WORKMEN'S COMPENSATION AND UNEMPLOYMENT INSURANCE IN CONNECTION WITH CONSTRUCTION PROJECTS IN CANADA, EFFECTED BY EXCHANGE OF NOTES SIGNED NOVEMBER 2 AND 4, 1942

[For texts of notes, see Department of State Executive Agreement Series No. 279, or 56 Stat. (pt. 2) 1770.]

CONVENTION AND PROTOCOL BETWEEN THE UNITED STATES AND CANADA REGARDING DOUBLE TAXATION, SIGNED AT WASHINGTON MARCH 4, 1942

[For text of convention and protocol, see Department of State Treaty Series No. 983, or 56 Stat. (pt. 2) 1399.]

AGREEMENT BETWEEN THE UNITED STATES AND CANADA REGARDING IMPORTATION PRIVILEGES FOR GOVERNMENT OFFICIALS AND EMPLOYEES, EFFECTED BY EXCHANGE OF NOTES SIGNED JULY 21, OCTOBER 29, AND NOVEMBER 9, 1942

[For texts of notes, see Department of State Executive Agreement Series No. 383, or 57 Stat. (pt. 2) 1379.]

EXCHANGE OF NOTES BETWEEN THE UNITED STATES AND CANADA REGARDING POSTWAR ECONOMIC SETTLEMENTS, SIGNED NOVEMBER 30, 1942

[For texts of notes, see Department of State Executive Agreement Series No. 287, or 56 Stat. (pt. 2) 1815.]

AGREEMENT BETWEEN THE UNITED STATES AND CANADA REGARDING FUR SEALS, EFFECTED BY EXCHANGE OF NOTES SIGNED DECEMBER 8 AND 19, 1942

[For texts of notes, see Department of State Executive Agreement Series No. 415, or 58 Stat. (pt. 2) 1379.]

UNPERFECTED TREATY BETWEEN THE UNITED STATES AND CANADA FOR THE EXTRADITION OF CRIMINALS, SIGNED AT WASHINGTON APRIL 29, 1942²⁰

211.42/207

Press Release Issued by the Department of State, April 29, 1942

EXTRADITION TREATY BETWEEN THE UNITED STATES AND CANADA

The Secretary of State, Mr. Cordell Hull, and the Canadian Minister, Mr. Leighton McCarthy, signed an extradition treaty between the United States and Canada on April 29, 1942.

The extradition treaty entered into by the United States and Great Britain in 1931²¹ does not apply to Canada and provisions in regard to extradition in several treaties and conventions concluded between the United States and Great Britain from 1842 to 1905 which were superseded in the relations between the United States and Great Britain by the treaty of 1931 have continued to apply between the United States and Canada. The provisions in these older treaties and conventions will be superseded by the new treaty in the relations between the United States and Canada when it is brought into force by ratification by the two countries and exchange of ratifications.

²⁰ The treaty never became effective as the Canadian Government did not ratify it. For text, see *Congressional Record*, vol. 88, pt. 3, p. 4053.

²¹ *Foreign Relations*, 1931, vol. II, p. 353.

INDIA

MILITARY SERVICE AGREEMENT BETWEEN THE UNITED STATES AND INDIA

[Effected by exchange of notes signed March 30, May 25, July 3, and September 30, 1942. For texts of notes, see Department of State Executive Agreement Series No. 308, or 56 Stat. (pt. 2) 1912.]

AGREEMENT BETWEEN THE UNITED STATES AND INDIA REGARDING JURISDICTION OVER CRIMINAL OFFENSES COMMITTED BY MEM- BERS OF THE AMERICAN ARMED FORCES IN INDIA

[Effected by exchange of notes signed September 29 and October 10, 1942. For texts of notes, see Department of State Executive Agreement Series No. 392, or 58 Stat. (pt. 2) 1199.]

INTEREST OF THE UNITED STATES IN THE SITUATION IN INDIA¹

I. Decision To Send American Technical Mission to India; Appointment of Colonel Louis Johnson as Personal Representative of the President

845.00/1263½

*Memorandum by the Assistant Secretary of State (Berle) to
the Secretary of State*

[WASHINGTON,] December 20, 1941.

MR. SECRETARY: The Diplomatic Agent of the Indian Empire² has taken up with me the Report on India's War Effort, recently issued by the Indian Government.

This report traces the steps taken by India to increase her fighting forces and her services of supply; but it forecasts steps needed to increase still further and in greater volume her actual ability to resist the enemy and to supply forces for fighting the common enemy in the Near Eastern and Far Eastern areas.

The report makes it plain that any considerable increase of India's war effort is dependent in considerable degree upon the United States;

¹ For previous correspondence concerning India, see *Foreign Relations*, 1941, vol. III, pp. 170 ff.

² Sir Girja Shankar Bajpai, Agent General for India.

and the object of Sir Girja in taking it up was to ascertain whether the Government of the United States could be of active assistance in developing the added fighting resources of India.

The report says, among other things, that "she (India) relies and will continue to rely upon the United Kingdom and the United States of America for some key items of supply, but she has modernized and expanded her ordnance factories."

It is also stated "she (India) looks first and always to her sisters of the eastern group—South Africa, Australia, New Zealand and the smaller countries of the group, but they too are, for the main part, countries in which industrial enterprise is still young, and the whole group must go further afield for many of its needs. There is now a steady flow of the more modern types of equipment from the United Kingdom, but the releases have never been and cannot be equalled to India's needs; which can, in fact, only be met by participation in the generous flow of help from the United States of America."

The program set out in the report contemplates raising 124 Indian infantry battalions, raising the total strength of the Indian Army to approximately one and one-half million men. It is suggested that this might be increased. The potential effect of an army of that size in the Far East is obvious; and the value of Indian fighting troops is attested both by the history of the last war, and by the very great part which Indian troops have played in the fighting in the Middle East in the present war.

The limiting factors are stated as being:

- (1) A shortage of officer material—which is, of course, a strictly Indian and British problem;
- (2) A shortage of medical officers—and the report adds that it is very doubtful whether this shortage can be made up from the United Kingdom or British Empire resources;
- (3) A shortage of matériel listed in Appendix III of the report;
- (4) A shortage of instructional staff and trainer equipment for the air force; and
- (5) Shortages of non-ferrous metals, notably, tin, lead, zinc, tungsten and of aluminum manufactures.

She likewise needs certain general engineering stores, notably, generating sets and motors and machine tools. Her motor vehicles have been procured entirely from the United States.

It seems obvious that for a considerable period of time transport from the United States to the Far East will be limited, difficult and dangerous. Anything which can be produced in the Far East is, therefore, far more advantageous to the common effort than material manufactured here which must abide the hazards of transport.

If, by technical assistance in India, plus limited quantities of machine tools and parts, the strength of the Indian Army can be con-

siderably increased, we will effect a considerable economy in the war effort, will make more effective use of Indian man power, and will be building up a defensive and offensive striking power in a region where it is vitally necessary.

I propose accordingly:

(1) That we send a capable representative to India, preferably someone chosen by OPM^a and Lend Lease, qualified to make a rapid survey of the possibility of increasing Indian supply along the lines indicated in the report on India's War Effort;

(2) That he be directed to report by cable through our diplomatic agent as to the type of assistance which would best contribute to India's ability to equip herself and the best method of localizing and planning the work;

(3) That through OPM, Lend Lease and ourselves we thereupon facilitate the execution of any plan agreed on between the British and ourselves as a result of the survey.

It would be advisable to take the matter up in London prior to attempting any steps in this direction.

A[DOLF] A. B[ERLE], JR.

845.24/314

*Memorandum of Conversation, by the Assistant Chief of the Division
of Near Eastern Affairs (Alling)*

[WASHINGTON,] January 23, 1942.

While calling on another matter, the Agent General of India, inquired whether any further thought had been given to the informal proposal that a small American mission consisting of two or three experts be sent to India to investigate and report on the economic situation and India's part in the war. I said that there had been some informal discussions of the matter in the Department and that these discussions were still going forward although no definite decision had been reached.

The Agent General said that he would like to point out certain aspects of the situation in India and the Far East which he thought merited the most serious consideration at this time. He stated that China had undoubtedly put up splendid resistance to Japanese aggression and that the Chinese soldiers were brave and effective fighters as individuals. It was obvious, however, that they were not well equipped and that with communications as they were at present it would be very difficult if not impossible to furnish them with equipment which would enable them to cope with the Japanese menace. In this connection he wished to stress particularly the lack of outside

^a Office of Production Management.

communications with China and the poorly developed system of communications within the country.

On the other hand, the Agent General said he wished to stress the accessibility of India as compared to China and the highly developed system of communications within the country. I believe he mentioned that India had approximately 64,000 miles of railways. He said that at the present time India had under arms approximately one million men of whom a quarter were serving outside the borders of India, in Libya, Iraq, Iran, and Malay. It was his definite feeling that there was almost unlimited manpower in India which could be used provided proper equipment was forthcoming. At this point he mentioned that he had just had a communication from his old friend Sir Claude Auchinleck⁴ stating that in the recent Libyan campaign Indian troops had done splendid work in the tank corps. The Agent General cited this as a proof of the ability of the Indians to handle the modern weapons.

Sir Girja Shankar said that he thought it impossible to overestimate the importance of the attempt being made to develop the military power of India. Obviously in existing circumstances such assistance as could be given would have to come in large part from the United States. He explained that India already has a steel production well over a million tons a year and that this could be considerably increased. Of the 60,000 items required in modern warfare India itself was now producing 85 percent of the individual items. What they lacked was production in the heavier armament such as tanks and airplanes. They could pretty well take care of themselves in small arms, machine-guns and small arms ammunition.

In these circumstances Sir Girja Shankar urged the desirability of sending a small mission to India to investigate and report upon the possibility of American help being given toward increasing and strengthening Indian armed forces. He said that he had already discussed the matter quite informally at a meeting of the British Supply Council here in Washington and that he had had no unfavorable reaction although he could not go so far as to say that the proposal met with the approval of the British. However, he could not see why the British would object as long as such proposal, if adopted, could only strengthen their position in the Far East.

Sir Girja Shankar also said that he had sounded out informally the head of the Department concerned in the Indian Government and he could assure us of the approval of that official although that did not of course indicate final approval by the Indian Government.

The Agent General went on to say that he had observed in this morning's newspaper that a Dutch representative had recently been

⁴ British Commander in Chief in the Middle East.

appointed to the Eastern Group Supply Council. This Council, whose seat was in New Delhi (and during the summer months at Simla) had formerly been composed only of representatives from British territories in the Pacific area. Sir Girja Shankar thought that one of the possibilities which any American mission to India might explore would be the possibility of having an American representative sit on the Eastern Group Supply Council. I asked the Agent General what he had in mind as to the composition of such a mission as he had suggested. Did he have in mind as the head of such a mission some person of economic and foreign experience, such, for example, as Mr. Henry Grady? ⁵ He said that he knew Mr. Grady, who had recently visited India, and that he was certainly the type of person whom he would have in mind to head such a mission. He thought, however, that Mr. Grady should be assisted by an Army officer and by one Air Force officer.

I told the Agent General that I would be very glad to bring his observations to the attention of the interested officials in the Department. On his part he said he would be happy to furnish any additional information which we might require.

845.24/18

*Memorandum of Conversation, by the Assistant Secretary
of State (Berle)*

[WASHINGTON,] January 28, 1942.

The Indian Diplomatic Agent came in to see me today at his request. He made three observations, all of them of considerable interest.

(1) He adverted to the formation of the British-American Materials Supply Boards and noted that Clive Baillieu was chairman of one of them. Sir Girja suggested that Clive Baillieu might not be able to act as the sole channel of communication with all the material producing agencies and presumably would want a consultative committee of some kind which would include a competent Indian representative. Since the United States was largely involved as supplier, he had rather assumed the United States would want reciprocal treatment from the British material producing agencies, including India.

I said that naturally we did not intervene in the British side of the organization but I noted his suggestion, which was interesting.

(2) He said that he considered that the entire problem of the Indian supply organization ought now to come to the fore with very great speed. Confidentially, the Chinese had already been inquiring of him whether an alternative route could not be worked out through Calcutta or elsewhere now that Rangoon was closed—the closing, he said, had occurred two days ago through the operation of enemy sub-

⁵ President of American President Lines; former Assistant Secretary of State.

marines. He had pointed out that if Burma was in danger Calcutta was too, and that probably the only way to work this out would be through Bombay or Madras. He pointed out that the British were under considerable pressure. The Australians had been saying in no uncertain tones that they were being betrayed; that their troops were defending other posts and were not defending those posts which made for the defense of Australia. He said he stated this personally because there was no point in increasing the area of the discussions; but it was said that there would be a very great push for greater regional representation in respect of economic and military operations arrangements out of those regions.

He observed that it was obvious even from a casual scrutiny of the matter, that India was squarely in line as a crucial region and he personally had been urging that they get to work on it. In this respect he said that he had written the Viceroy saying he thought that an American mission there would be very useful, though he had had no reply.

I said that I had noted his earlier suggestion looking towards this which was made to Mr. Wallace Murray;⁶ and that while I could not speak for the Government, my personal view was that some such measure might be of considerable use. I said I would look about a little and see what could be done if the Government were to take up his suggestion; we had some men here, like Henry Grady, who were more or less familiar with the subject matter. Naturally, I could not say what the Government would ultimately do.

(3) Sir Girja then said that there had been consideration of military matters. He fully approved of the principle of the single high command. But he thought such a command would have to maintain the closest contact with the representatives of all regions, especially those providing and equipping military contingents so as to get the maximum effect. For this reason he had written recommending that a high military officer be sent to Washington, attached to his mission, available to give and to obtain technical information, and generally to represent the Indian point of view. He said that this, of course, was primarily an internal matter for India to determine but he thought we might be interested. I confined myself to saying I thought this might prove useful.

Sir Girja concluded by pushing his idea of an American mission to assist Indian production.

I said that particularly in view of the Report of India's War Effort which he had been good enough to leave with me, it seemed to me there were distinct possibilities in the idea.

A[DOLF] A. B[ERLE], JR.

⁶ Chief of the Division of Near Eastern Affairs.

845.24/18

*Memorandum by the Assistant Secretary of State (Berle) to
President Roosevelt*

WASHINGTON, January 29, 1942.

MR. PRESIDENT: The attached memorandum of conversation ⁷ may interest you. Provided the British were willing, I think an American production mission in India might prove of considerable usefulness.⁸ The Indian plan was to have a million men in the field by the latter part of 1942; they have upwards of 275,000 men and perhaps, should things go badly in Singapore and Burma, completion of this plan might be of crucial importance.

ADOLF BERLE

845.24/411

*Memorandum of Conversation, by Mr. W. Leonard Parker of the
Division of Near Eastern Affairs*

[WASHINGTON,] February 3, 1942.

Participants: Mr. Milo Perkins, Executive Director, Board of Economic Warfare
Mr. William T. Stone, Chief, British Empire Division,
Board of Economic Warfare
Louis H. Bean, British Empire Division, Board of
Economic Warfare
Mr. Finletter ⁹
Mr. Murray
Mr. Alling
Mr. Parker

In accordance with a directive of the President dated February 2, 1942, a meeting was held in the office of Mr. Milo Perkins, Executive Director of the Board of Economic Warfare, to consider what steps might be taken to send an American production mission to India to ascertain in what way India's war production might be stimulated and to find out what is needed to enable India to attain self-sufficiency in the production of war materials.

⁷ *Supra.*

⁸ On February 2, 1942, President Roosevelt sent the following memorandum to Mr. Berle: "I think this worthy of pursuing. Please do so and take up also with the Vice President's economic committee". (845.24/411½)

⁹ Thomas K. Finletter, Special Assistant to the Secretary of State and Acting Chief of the Division of Defense Materials.

Mr. Murray commenced the discussion by referring to the recent exchange of representatives between this Government and the Government of India. He stated that, from time to time, the Indian Agent General in Washington had furnished the Department with information regarding India's war effort and deficiencies. He referred to a conversation with Mr. Berle, who had discussed with the President the matter of production in India in its relation to American production and shipping space on American ships. The point was made that, with sufficient equipment and materials, India could equip the manpower which it has and which is sorely needed. Mr. Murray gave Mr. Perkins copies of the file on the subject, which were left with him for examination there. Mr. Murray mentioned Mr. Henry Grady as a possible choice to head such a mission and stated that Mr. Grady had indicated that he would be available for this kind of a mission. There are impressive figures, Mr. Murray continued, given in statistics about Indian production. Apparently India is doing more than is realized. However, out of approximately 60,000 articles of use in the war, India can manufacture 85%. It would be desirable to find out a way to assist India in equipping itself to manufacture the remaining 15%. Mr. Murray stated that, of course, it may not be easy to convince the British Government that India should be made self-sufficient in war production because of British fears of losing Indian markets after the war. However, the Department is going to endeavor to convince the British authorities.

Mr. Perkins inquired whether the Agent General has indicated the kind of help that India wants. Mr. Alling replied that the Agent General has stated that the chief need is for heavy machinery and machine tools.

Mr. Murray pointed out that making India self-sufficient would result in conservation of shipping space in that it would no longer be necessary to import raw materials from the Orient, process them in the United States and then re-export them to the Orient.

Mr. Perkins stated that he is sympathetic with the proposition. However, he was somewhat doubtful that it will be possible to accomplish all that has been suggested because the two big bottlenecks are machine tools and ships. He pointed out that when ships are launched they are not completed and ready for service. He continued by stating that we ought to get some more information from the Agent General and should (1) find out just exactly what India wants and needs, and (2) the extent of cooperation an American mission would receive from the authorities in India.

Mr. Finletter suggested that we should look into the shipping situation and eliminate duplication in the carriage of goods. This study should be concerned with the relation of raw materials to

finished materials. Mr. Perkins replied that such a study would appear to be one for his own organization.

Mr. Perkins pointed out that the United States needs all the machinery it can get in order to produce in accordance with the schedule recently announced by the President. In planning for such production, it must be considered whether this is going to be a long war or a short war, in order to determine whether to plan for long-range production or short-range production. This involves, of course, the use to which available equipment is to be put in the near future.

Mr. Alling suggested that the United States could assist by sending experts out to India to increase Indian efficiency in producing what India is already able to produce. In this connection, Mr. Perkins referred to gold mining in South Africa and said a comparable situation existed out there, where it would be desirable to switch from gold mining to the mining of copper and other metals essential to war production. The Indian situation, therefore, is just a part of the larger question. Mr. Perkins repeated that we should get more detailed information from the Agent General and he stated again that he is interested in the proposition of aiding India.

Mr. Perkins suggested that the technical side of the matter might be discussed with Mr. Alex Taub,¹⁰ who is chief engineer of the consulting organization of the Economic War Planning Board (Telephone: Commerce (87), Extension 2248).

845.00/1274

*Memorandum by the Chief of the Division of Near Eastern Affairs
(Murray) to the Under Secretary of State (Welles)*

[WASHINGTON,] February 5, 1942.

MR. WELLES: Reference is made to telegrams nos. 1, 6, and 13 from New Delhi¹¹ concerning recent political developments in India and attitudes adopted by nationalist groups. Before discussing the information reported in these telegrams, however, it may prove helpful to consider briefly the political background of these recent political developments.

It may be recalled that Gandhi¹² broke with the Congress shortly after the fall of France, when the Congress offered to cooperate with the Government in the defense of India, provided its demands were met for a responsible government at New Delhi. Gandhi's attitude

¹⁰ A conference on technical aspects of aid to India was held on February 6 in the Department of State, attended by the Indian Agent General, A. C. B. Symon of the Indian Purchasing Commission, Mr. Taub, and Mr. Alling and Mr. Parker of the Division of Near Eastern Affairs. Memorandum of conversation not printed.

¹¹ None printed.

¹² Mohandas K. Gandhi, leader of civil disobedience movement in India.

was that such cooperation would involve being a party to violence in the conduct of the war. The Government rejected these demands for a responsible government. Then, in a meeting at Bombay in September 1940, the Congress Working Committee passed the "Bombay Resolution" withdrawing the Poona Offer. As a result, Congress found itself in the dilemma of not being able to go forward or backward and turned to Gandhi for help. Gandhi then organized the individual non-violence movement, whereby individuals selected by him made anti-war speeches and were promptly jailed by the Government. Shortly before Christmas, 1941, these prisoners were released by the Government of India.

On December 30, 1941, the Congress Working Committee, in the Bardoli resolution referred to in New Delhi's telegram no. 1 of January 2, 4 p. m., signified its willingness to cooperate in the prosecution of the war, provided the British Government makes some concessions in return. Early in January 1942, the All-India Congress Committee ratified the Bardoli resolution.

Gandhi endorsed the Bardoli resolution but at the same time asked to be relieved of Congress leadership. For quite some time prior to the adoption of the resolution there had been considerable dissatisfaction within the party regarding *satyagraha* (the individual non-violence movement). Many party members considered the movement unrealistic and ineffective, and opposition to it was growing. Furthermore, Gandhi found that he was receiving only half-hearted cooperation from some of those he had selected to participate in the movement. Apparently, he realized that he could not prevent the adoption of the resolution but felt that his non-violent principles would not permit him to participate in a policy of cooperation with the war effort. He therefore renounced his active leadership in the party but, in endorsing it, Gandhi retains a nominal leadership and was able to nominate Nehru as his "legal heir".

Mr. Wilson¹³ points out that it is difficult, at this early date, to interpret the full meaning of the Bardoli resolution or to gauge its significance accurately.

WALLACE MURRAY

845.00/1288%

Memorandum by the Assistant Secretary of State (Berle) to the Under Secretary of State (Welles)

[WASHINGTON,] February 17, 1942.

Mr. WELLES: It seems to me that the State Department must immediately get to work on the changed situation in the Far East arising

¹³ Thomas M. Wilson, American Commissioner at New Delhi.

ing out of the fall of Singapore. The first item on the list ought to be to tackle the Indian problem in a large way.

Pursuant to the President's directive there is now being organized an economic and war supply mission to India. Tentatively, it is contemplated that this will be composed of Henry Grady, Louis Johnson and two other men to be selected by the War Production Board. It is contemplated this mission will get under way at once and will endeavor to step up the very considerable production which now exists, looking towards completion of the Indian program to put a million men into the field by the end of 1942.

But, under existing conditions, any such program is not likely to get very far unless the political situation is handled with extreme vigor.

Secretary Hull has twice taken up with the British Government the possibility of a prompt recognition of India's aspiration to a freer existence and a full membership in the British family of nations.¹⁴ The President has indicated his sympathy with this general line. Winant has indicated there is wide division in the British Cabinet and has urged that we lend assistance. The Near Eastern Division is in full accord, and so am I.

I suggest, accordingly, that we once more take up with the British, preferably through Winant in London, the necessity of making a statement of policy with respect to India; and I suggest that the United States associate herself with Great Britain in stating that policy. It would seem that the logical thing to do was to have Churchill¹⁵ announce in London that the British plans contemplated the introduction of India as a full partner in the United Nations, and that by prearrangement, the United States—perhaps through the President—promptly and vigorously welcome the step.

As an immediate implementation of this policy, India should grant to the United States full recognition of our Diplomatic Agent there in a raised diplomatic status, preferably that of ambassador, though I suppose we could compromise on minister, if need be. Equally, the Indian Agent General here should be similarly raised to equivalent rank.

At the same time, the Viceroy¹⁶ could be directed to hold a constitutional conference of some kind in New Delhi looking towards the evolution of ways and means of recognizing the growing political importance of Indian sentiment as such.

¹⁴ For one of these approaches to the British Government, see memorandum of conversation by the Secretary of State, May 7, 1941, *Foreign Relations*, 1941, vol. III, p. 178. There is no indication in the Department's files of a second approach to the British Government on this subject.

¹⁵ Winston Churchill, British Prime Minister.

¹⁶ Marquess of Linlithgow.

I do not have any confidence as to the immediate ability of the Indian Congress group to do much except talk at this stage of the game, but I believe the nature of their talk probably will determine whether there is a general acquiescence and cooperation in war organization in India, or whether there is a more or less passive resistance, which will be exploited by the Japanese to the limit. We should have to put up the methods, for the time being, to the British—our own rôle at this stage would have to be as observers and potential suppliers.

A[DOLF] A. B[ERLE], JR.

740.0011 Pacific War/1976a : Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, February 25, 1942—midnight.

843. For the Ambassador from the President. "As you may guess, I am somewhat concerned over the situation in India, especially in view of the possibility of the necessity of a slow retirement through Burma into India itself. From all I can gather the British defense will not have sufficiently enthusiastic support from the people of India themselves.

In the greatest confidence could you or Harriman¹⁷ or both let me have a slant on what the Prime Minister thinks about new relationships between Britain and India? I hesitate to send him a direct message because, in a strict sense, it is not our business. It is, however, of great interest to us from the point of view of the conduct of the war. (Signed) Roosevelt."

WELLES

*The Chinese Minister for Foreign Affairs (Soong) to President Roosevelt*¹⁸

[WASHINGTON,] February 25, 1942.

MY DEAR MR. PRESIDENT: General Chiang Kai-shek has sent me a message from Kunming which he asked me to deliver to you in person, and which I am enclosing herewith. As you have been so generous to me in giving me your time in the past, I forbear to impose myself further on you unless you desire to discuss the message with me.

¹⁷ W. Averell Harriman, the President's Special Representative in London, with the rank of Minister, to deal with all matters relating to Lend-Lease for the British Empire.

¹⁸ Copy obtained from the Franklin D. Roosevelt Library, Hyde Park, N. Y.

The Canadian Government is making arrangements for me to make a short visit to Canada, leaving tomorrow afternoon at 3 p. m. and returning in about three days. If necessary, however, I would of course postpone my departure.

With high regard, I am,

Yours sincerely,

TSE-VEN SOONG

[Enclosure]

TELEGRAM FROM GENERAL CHIANG KAI-SHEK TO DR. T. V. SOONG,
DATED KUNMING, FEBRUARY 24TH

'I have conveyed to Wellington Koo¹⁹ the following instructions:

"I presume you have seen my farewell message to India.²⁰ Please take this opportunity to tell Churchill that I am personally shocked by the Indian military and political situation which are in such a state that I could never conceive of before I arrived in India. I am afraid Churchill himself does not know the real situation. It may be best to talk to Cripps²¹ first and for him to inform Churchill.

"I have tried to view the colonial problem most objectively. I could not but speak frankly of what I thought. But I feel strongly that if the Indian political problem is not immediately and urgently solved, the danger will be daily increasing. If the British Government should wait until Japanese planes begin to bomb India and the Indian morale collapses, it would already be too late. If the solution is postponed until after the Japanese armies enter India, then it will be certainly too late. If the Japanese should know of the real situation and attack India, they would be virtually unopposed.

"If the political situation in India were to change for the better, this may prevent the enemy from having any ambitions to enter India.

"Please convey the above to Cripps. Also point out that, in my opinion, if the British Government should voluntarily give the Indians real power and do not allow different parties in India to cause confusion, the Indians would change their attitude toward England, forget their hard feelings and become loyal to the British Empire. Only such a policy could halt the Indian trend to part from the British Empire and make it obvious that it is unpolitic and disadvantageous to secede from the Empire."

Please convey my views to the President. In a word the danger is extreme. If the British Government does not fundamentally change their policy toward India, it would be like presenting India to the

¹⁹ Chinese Ambassador in the United Kingdom.

²⁰ This was issued through the Associated Press, following a visit to India in February by Generalissimo and Madame Chiang. Reports on this visit from the Commissioner in India (Wilson) not printed. In telegram No. 51, February 25, 1 p. m. (740.0011 European War/19723), Commissioner Wilson reported: "Nothing of value has yet been disclosed of Chiang's intimate talks with the prominent leaders."

²¹ Sir Stafford Cripps, British Lord Privy Seal, about to head a mission to India in an effort to arrange a settlement of issues.

enemy and inviting them to quickly occupy India. When I think of it I am both worried and alarmed. Besides deluding themselves and deluding the people with the belief that there is no immediate danger, there is no realization that war is on and there is no determined spirit to fight. The defeat in Malaya was so rapid, probably for similar reasons, and as for military preparations, the present Indian military preparedness is very much behind even of that the British had in Malaya.'

845.00/1288%

Memorandum by the Assistant Secretary of State (Long) to the Under Secretary of State (Welles)

[WASHINGTON,] February 25, 1942.

MR. WELLES: At the Foreign Relations Committee this morning there appeared a serious undercurrent of anti-British feeling, though it was not so labelled and possibly would not be so admitted by the Senators concerned.

The Far East was in the forefront of their thoughts. The manpower of China and of India as sources of military strength were the bases on which the arguments rested. To use them as soldiers it was necessary to get them equipment at great cost of money and of life. But even if they had equipment in their hands and capable American officers to direct them, the Indians would not have the desire to fight just in order to prolong England's mastery over them. The Chinese should be encouraged by renunciation of extraterritorial privileges on the part of the United States and England.

Concerning India, the argument was that we are participating on such a large scale and had done so much for England in Lend-Lease that we had now arrived at a position of importance to justify our participation in Empire councils and such as to authorize us to require England to make adjustments of a political nature within the framework of her Empire. We should demand that India be given a status of autonomy. The only way to get the people of India to fight was to get them to fight for India. Gandhi's leadership in India became part of America's military equipment and it was necessary for the United States to participate in guiding the British Empire in such a way as would result in the realization to the Allied cause of the manpower of India, which could only be obtained by accepting the thesis of Gandhi's political objective. They ascribed to the authority and position of the United States a power to dictate to England what she should do in arranging her Empire not only in India but in Australia and in New Zealand, coupled with the statements to the effect that otherwise the United States would be just fighting to

preserve the British Empire and that the American people would expect this Government to do everything within its power to obtain military participation by India and to the fullest extent by China, as well as from Australia, even though we had to go to the extent of dictating to England what she should do with regards to India and Australia and directing her policies as regards her political rights in China.

This unusual manifestation of submerged opposition to England was not confined to any category or group of members of the Committee. Senators Connally, Vandenberg, Green, White and La Follette were particularly outspoken but other members of the Committee all seemed to be of the same frame of mind. The basis upon which it was all laid was the interest of the United States; its worldwide military and naval participation; the necessity of gathering strength wherever we should. Consequently the basis of it is patriotic. However the immediate consequence of it became a prospective interference in the internal affairs of the British Empire and there were occasional interjections which indicated an anti-British attitude, highly critical in nature and liable to become explosive if the manpower and wealth of the Empire in the Far East was not made tangible and given expression in the form of large-scale military activity.

The unanimity of opinion among the members of the Committee present and the length to which their arguments led them is a matter which might well be taken note of because it looks as if it might flare up and be used by some members of the Committee not as an attack against Great Britain but as an attack against the administration for its alleged failure to take advantage of the position of power in which it finds itself and for having failed to use the force of its authority in arranging for large-scale military support of the manpower which the United States is now putting into the Far East.

On my side, I was very guarded in my remarks and said very little. In response to pointed questions as to the attitude of the Department of State and as to what the Department was doing in conversations with Great Britain to implement the interest the United States had in the coordination of the British colonies to the war effort, I was very reserved. My only response was to point to the newspaper accounts of the meeting in India between Gandhi and Chiang Kai-shek and to the appointment of Sir Stafford Cripps to the British cabinet, and mentioning his reported friendship and personal contact with those two leaders in India and China.

I think the practically unanimous voice of the members of the Senate Foreign Relations Committee in this matter might well be taken note of.

B[RECKINRIDGE] L[ONG]

845.00/1290 : Telegram

The Chargé in the United Kingdom (Matthews) to the Secretary of State

LONDON, February 26, 1942—7 p. m.

[Received February 26—5:45 p. m.]

919. Personal for the President from Harriman. As your cable number 843 of February 25, 12 midnight²² inquiring about India came in just before Gil's²³ departure he had no opportunity to deal with it.

I have seen the Prime Minister this morning. He told me of the status of the political discussions now going on in London and in India for immediate action and for the future. He showed every desire to keep you informed but thought it would be better to wait a day or two, expecting that the picture would then be clarified and more definite. It will be discussed at the Cabinet today and additional advice will be obtained from India. He intends to cable you himself, probably over the week-end.

In the meantime you may be interested to have the following information which he gave me.

1. Approximately 75% of the Indian troops and volunteers are Moslems. Of the balance less than half, or perhaps only 12% of the total are sympathetic with the Congress group.

The Moslem population exceeds 100 millions. The fighting people of India are from the northern provinces largely antagonistic to the Congress movement. The big populations of the low-lying center and south have not the vigor to fight anybody. The Prime Minister will not therefore take any political step which would alienate the Moslems.

2. There is ample manpower in India willing to fight. The problem is training and equipping.

3. He told me he had explained to you his appraisal of the background of the political situation in India while he was in Washington and therefore I will not attempt to repeat it.

4. It is not known whether it is the Japanese ultimate objective to attempt to drive north into China or west into India.

5. Just what happened at Singapore is still obscure.

6. Now that the political scene is quieted the Prime Minister is turning his energies to the new problems arising from the unexpected strength of the Japs.

[Harriman]

MATTHEWS

²² Not printed.

²³ John Gilbert Winant.

845.24/324

*Memorandum of Conversation, by the Assistant Secretary of State
(Berle)*

[WASHINGTON,] February 28, 1942.

The Agent General for India came in to see me at his request.

He stated that he had received a telegram from Delhi regarding the proposed economic and production mission to India. The Government of India would, he said, enthusiastically welcome such a mission; and further, that it wished the mission, while in India, would be guests of the Indian Government. This meant that the Indian Government would assume the expense of transportation and accommodations while the mission was in India. He said he was particularly gratified with the prompt response since not more than 72 hours had elapsed between the time when Clive Baillieu made his recommendation to London and the acquiescence both of the British and Indian authorities.

He then said that his Government hoped announcement of the mission could be made very soon. It was thought that this might be of assistance in the general political atmosphere prevailing in India. He therefore hoped that on Monday he could submit to us a draft communiqué, and might make arrangements for simultaneous release in the United States and India.

He then went on to express the hope that the head of the mission would be "a man of the world". He said that the mission would arrive at a time of constitutional development in India and that it might very well be that the head of the mission could be of some assistance in appraising the various elements involved.

I thanked him. I said that we had not considered the mission as having any political objectives; in fact, while we followed the constitutional developments in regard to India with great interest and sympathy, this Government could not possibly consider interfering in a development which was primarily of concern to India and to Great Britain.

Sir Girja then brought up another matter which he said was somewhat allied. He said that the question of his own status had been under some discussion between himself and Lord Halifax. He held a commission from the King, making him virtually plenipotentiary. Despite this, he was listed here as one of the staff of the British Embassy. He wondered what opinion we had of his actual status. He pointed out that by virtue of his powers and his functions, he was plainly in a quite different category say from Sir Ronald Campbell,

who spoke merely as an officer of the Embassy and looked to Lord Halifax for his instructions, whereas Sir Girja acted on instructions from the Indian Government.

I said that I could understand his point of view perfectly. We had not entered into the determination of his status on the Embassy list though we had, in practice, dealt with Sir Girja as the representative of India and not as representative of the British Ambassador. Sir Girja had in fact signed the Declaration by United Nations²⁴ as the representative of India. But I thought that the clarification of his status was a matter between him and the British Government. I was very sure that this Government would be glad to recognize any status which they worked out between them. Again, we did not wish, in the time of Britain's trial, to seem to be interfering in constitutional changes occurring within the Empire. Meantime, and quite irrespective of protocol, the fact that Sir Girja represented the Indian Government had been, to my mind, thoroughly established by his appearing as a signatory of the Declaration by United Nations.

Sir Girja thanked me.

He then reviewed briefly the constitutional changes taking place in India; he said that they were still expecting a statement from the British Government, which was under debate. He had telegraphed the Viceroy a summary of American opinion, saying that there was very considerable increase of American interest in India; that part of it came from partisans who wished to criticize the British, but another and very considerable part came from people who were thoroughly friendly to Britain but entirely friendly to the cause of Indian development. He had reported the interest shown by the Senate committee, pointing out that this represented an outside opinion rather than the sentiment of the Government which had thus far scrupulously declined to intervene.

I gathered that he had implied that American public opinion would welcome a lifting of Indian status. He said that if he were advising the British Government, he would suggest that they turn over the remaining posts in the Viceroy's Council to Indians, except that the commander-in-chief would, of course, remain possibly with an associate; and that having announced this, he would suggest calling in the Mohammedan and Hindu political parties, asking them to agree on the division of the Cabinet posts, the understanding being that if they were unable to agree upon the division, then the Viceroy would choose as best he could.

A[DOLF] A. B[ERLE], JR.

²⁴ *Ante*, p. 25.

845.24/327

*Memorandum of Conversation, by the Assistant Secretary of State
(Berle)*

[WASHINGTON,] March 4, 1942.

The British Minister ²⁵ came in to see me at my request.

I asked him if he would be courteous enough to inform the British Embassy of the status of the proposed Indian Supply Mission. I said that the matter had been first raised informally by Sir Girja Shankar Bajpai; that we had considered the matter and brought it to the point where the proposal seemed to be in order; that we had then taken the matter up with the Supply Council, headed by Sir Clive Baillieu and Mr. Batt; that Sir Clive Baillieu had cabled to London; and that the answer had come to us in the form of a message from the Government of India to Sir Girja Shankar Bajpai, formally inviting this Government to send such a mission. It had thus apparently been fully discussed in London, and I gathered that no further formalization was needed. Indeed, I said, I presumed that Sir Girja had probably kept Lord Halifax fully informed.

The Minister said that he was not sure on the point but he assumed that this had been done. He seemed to think it was an excellent idea to have taken it up through Sir Clive Baillieu. He said that, in any case, Sir Girja was of course a Minister on the staff of the British Ambassador, and therefore when he spoke he spoke for the Ambassador.

I said that as to this last, I hoped the Minister would guide me in the complexities of the British constitution. We were, frankly, a little unclear on the point. Sir Girja had come here with letters accrediting him to this Government, directly from the King. When he spoke to us he spoke by instructions of the Government of India, apparently transmitted through the Viceroy. Further, he had signed the Declaration by United Nations as a representative of India and under instructions of that Government. This appeared to be a line of authority extending, of course, from the British Empire, but distinct from the line of authority of the British Embassy.

I said we had not the slightest desire to enter into a matter which was plainly an internal British matter; but it was obvious that a constitutional development in India was now going forward with some rapidity, and I should be glad to have some guidance on the subject from the British Minister.

Mr. Hall said that, speaking frankly, he was not too clear about the

²⁵ Noel Hall.

situation himself. They had a kind of compromise arrangement by which despatches in respect of India came to Sir Girja, but he understood that they came to Lord Halifax for the guidance of Sir Girja. He said the status of India was obviously changing pretty rapidly and that the present arrangement was one of those compromises which settled nothing but which worked for the time being.

I said that Sir Girja had raised the question, which, of course, we were unable to answer. In practice, we were dealing with Sir Girja on Indian affairs much as we should deal with a representative of any of the dominions, and on the same basis as that maintained between our own diplomatic agent and the authorities in India. Mr. Hall said that was entirely right and proper.

I asked whether the newspaper accounts of possible clarification of the status of India were accurate, and he said that they were in the sense that some step clarifying the situation was expected. He seemed entirely sympathetic to a liberalization of the position of India.

A[DOLF] A. B[ERLE], JR.

*The British Prime Minister (Churchill) to President Roosevelt*²⁶

XXXC Number 13 March 4, 1942.²⁷ From Former Naval Person^{27a} to the President. Number 34.

We are earnestly considering whether a declaration of Dominion status after the war carrying with it if desired the right to secede should be made at this critical juncture. We must not on any account break with the Moslems who represent a hundred million people and the main army elements on which we must rely for the immediate fighting. We have also to consider our duty towards 30 to 40 million untouchables and our treaties with the princes states of India, perhaps 80 millions. Naturally we do not want to throw India into chaos on the eve of invasion.

2. Meanwhile I send you in my immediately following telegram two representative messages I have received and a summary of a memorandum by the Military Secretary, India office.²⁸

3. I will keep you informed.

PRIME

²⁶ Copy obtained from the Franklin D. Roosevelt Library, Hyde Park, N. Y.

²⁷ Cablegram from London received at the War Department Message Center, March 4, 1942, 7:08 a. m.

^{27a} Code name for Prime Minister Churchill.

²⁸ See Winston S. Churchill, *The Hinge of Fate*, pp. 209-211.

845.24/25

Press Release Issued by the Department of State, March 6, 1942

The military situation in southeastern Asia emphasizes the need to develop fully, and as rapidly as feasible, the industrial resources of India as a supply base for the armed forces of the United Nations in the Near East and the Far East. The Government of the United States, accordingly, inquired whether the Government of India would agree to the despatch to India of a technical mission which could examine and report on the possibilities of American assistance in such development. The Government of India has expressed its readiness to receive such a mission and has invited it to be its guests during the mission's stay in India. Accordingly it has been decided that the mission should proceed to India as soon as possible.

It is hoped to announce the personnel of the mission shortly. The Government of the United States and the Government of India earnestly hope that this step in American-Indian collaboration may serve to make an effective contribution to the success of the United Nations in the war against aggression.

845.24/36

Press Release Issued by the Department of State, March 9, 1942

The Department of State announced today the personnel of the Advisory Mission of the United States to assist the war effort in India. The personnel of the mission is as follows:

- Chairman, Colonel Louis Johnson, former Assistant Secretary of War
- Honorable Henry Grady, former Assistant Secretary of State—General economic surveys
- Honorable Arthur W. Herrington, President, Society of Automotive Engineers—production of armored vehicles and automotive equipment
- Honorable Harry E. Beyster, President, Beyster Engineering Company—organization of plants for production
- Honorable Dirk Dekker, Director of Personnel and Training, Illinois Steel Corporation—specialist in training unskilled workers into semi- and skilled workers

It is understood that, should it appear advantageous, additional members may be added to the Commission to assist in solving specific technical problems.

740.0011 Pacific War/2101: Telegram

The Ambassador in China (Gauss) to the Secretary of State

CHUNGKING, March 10, 1942—1 p. m.

[Received 8:11 p. m.]

211. Reference my 144, February 23 [22], 1 p.m.²⁹ In an informal conversation last evening with the Generalissimo³⁰ I inquired whether he could tell me anything of his estimate of the situation as he found it in India. He replied in effect that he is greatly worried over that situation, that the British Government is blind to the realities, and that he feels that the outcome may be serious for Britain in India and at the same time for China. He added later that a radical change of British policy toward India might possibly solve the situation but repeated that the British Government is blind to the seriousness of the situation. He commented that it was significant that the last remark made by former Ambassador Clark Kerr as Chiang left Delhi was: "Do you think we are about to collapse" (in India). Without saying so, Chiang inferred to me that he fears a collapse. Chiang says he intends to write to the President on the India situation. He asked that what he had told me be considered strictly confidential and not be made known to others. I so request. He said that he had not realized the true situation in India before his visit there.

Earlier in the evening he made two remarks with a considerable show of irritation: (1) The British do not inform their allies when they withdraw or surrender, and (2) the British will not receive his Chinese staff officers. I do not fully understand the last remark unless it relates to Burma where Chinese forces have been sent to co-operate with the British. Madame Chiang in translating made the remark that British strategy is always "super secret."

I have never previously seen the Generalissimo as depressed as I found him last evening.

During conversation with Madame Chiang who freely discussed her impressions of the visit to India she made the remark that the Indians would not be satisfied with dominion status, that unlike other dominions the Indians have no feeling of racial affinity or common destiny with respect to the English and that although realizing that perhaps independence cannot come immediately they seek and should be given real political power and responsibility. She stated her opin-

²⁹ Not printed.

³⁰ Chiang Kai-shek.

ion that the Indians are prepared to discharge such responsibility to the benefit of the United Nation[s] Front.

There is open anger owing [*in?*] criticism of Britain in Chinese official and other circles here.

GAUSS

*President Roosevelt to the British Prime Minister (Churchill)*³¹

WASHINGTON, March 10, 1942.

No. 116. I have given much thought to the problem of India and I am grateful that you have kept me in touch with it.

As you can well realize, I have felt much diffidence in making any suggestions, and it is a subject which, of course, all of you good people know far more about than I do.

I have tried to approach the problem from the point of view of history and with a hope that the injection of a new thought to be used in India might be of assistance to you.

That is why I go back to the inception of the Government of the United States. During the Revolution, from 1775 to 1783, the British Colonies set themselves up as Thirteen States, each one under a different form of government, although each one assumed individual sovereignty. While the war lasted there was great confusion between these separate sovereignties, and the only two connecting links were the Continental Congress (a body of ill-defined powers and large inefficiencies) and second the Continental Army which was rather badly maintained by the Thirteen States. In 1783, at the end of the war, it was clear that the new responsibilities of the thirteen sovereignties could not be welded into a Federal Union because the experiment was still in the making and any effort to arrive at a final framework would have come to naught.

Therefore, the thirteen sovereignties joined in the Articles of Confederation, an obvious stop-gap government, to remain in effect only until such time as experience and trial and error could bring about a permanent union. The thirteen sovereignties, from 1783 to 1789, proved, through lack of a Federal power, that they would soon fly apart into separate nations. In 1787 a Constitutional Convention was held with only twenty-five or thirty active participants, representing all of the States. They met, not as a Parliament, but as a small group

³¹ Copy obtained from the Franklin D. Roosevelt Library, Hyde Park, N. Y.

of sincere patriots, with the sole objective of establishing a Federal Government. The discussion was recorded but the meetings were not held before an audience. The present Constitution of the United States resulted and soon received the assent of two-thirds of the States.

It is merely a thought of mine to suggest the setting up of what might be called a temporary government in India, headed by a small representative group, covering different castes, occupations, religions and geographies—this group to be recognized as a temporary Dominion Government. It would, of course, represent existing governments of the British Provinces and would also represent the Council of Princes.

But my principal thought is that it would be charged with setting up a body to consider a more permanent government for the whole country—this consideration to be extended over a period of five or six years or at least until a year after the end of the war.

I suppose that this Central Temporary governing group, speaking for the new Dominion, would have certain executive and administrative powers over public services, such as finances, railways, telegraphs and other things which we call public services.

Perhaps the analogy of some such method to the travails and problems of the United States from 1783 to 1789 might give a new slant in India itself, and it might cause the people there to forget hard feelings, to become more loyal to the British Empire, and to stress the danger of Japanese domination, together with the advantage of peaceful evolution as against chaotic revolution.

Such a move is strictly in line with the world changes of the past half century and with the democratic processes of all who are fighting Nazism.

I hope that whatever you do the move will be made from London and that there should be no criticism in India that it is being made grudgingly or by compulsion.

For the love of Heaven don't bring me into this, though I do want to be of help. It is, strictly speaking, none of my business, except insofar as it is a part and parcel of the successful fight that you and I are making.

ROOSEVELT

123 Johnson, Louis A./1

*Memorandum by the Assistant Secretary of State (Shaw) of a
Conversation With Colonel Louis A. Johnson*

[WASHINGTON,] March 11, 1942.

We discussed various aspects of his mission to India. The first and most important thing that developed was a very strong objection

on his part to the title of "Commissioner". He said that he was head of the largest law office south of Philadelphia and that in both of the Virginias the title "Commissioner" meant one thing and one thing only: a conspicuously unsuccessful lawyer. Such being the case he could under no circumstances accept a position with the title of "Commissioner" attached to it. I suggested that we might use the title of Special Representative of the President. This, he said, would be altogether agreeable to him. He thought it would be a good plan for there to be a certain amount of overlapping between himself and Mr. Wilson. He said that he was prepared to leave at any time after the expiration of ten days and that he wanted at least to cross the Atlantic on a Pan American Clipper. I told him that I understood he would assume his duties as Special Representative at New Delhi immediately upon his arrival and that this would take precedence over his work as Chairman of the Mission. He said this was the first precise information he had had on this point. He asked me whether I thought he could do much with the Nationalists in India. I said I thought that in view of the present situation in India he probably could but that it must be done with the utmost care. He seemed to feel that he had not been given any very positive information about anything.

In the afternoon, after consulting with Mr. Welles, I telephoned Colonel Johnson and asked him whether the title of Personal Representative of the President would fill the bill so far as he was concerned. He said it most certainly would.³²

G. HOWLAND SHAW

123 Johnson, Louis A./1: Telegram

*The Acting Secretary of State to the Commissioner at New Delhi
(Wilson)*

WASHINGTON, March 11, 1942—6 p. m.

49. In view of the radically changed conditions in the Middle East and particularly in India brought about by the war, the President feels that it is essential to have in India one who has had close recent contact with military affairs and who is well known to the leaders of our Armed forces. Without in any way therefore bringing into question the value of the services which you have rendered both in Cal-

³² In a Department press release of March 24 it was stated: "In view of the appointment of Col. Louis Johnson as Personal Representative of the President in India it will be necessary for him to devote his full time to his duties near the Government of India at New Delhi. It has therefore been decided that Dr. Henry F. Grady, former Assistant Secretary of State and a member of the Advisory Mission to India, will assume the active chairmanship of that Mission." (Department of State *Bulletin*, March 28, 1942, p. 260.)

cutta and New Delhi and while fully realizing the inconveniences to which you will be put, he is appointing the Honorable Louis A. Johnson, formerly Assistant Secretary of War, to be his Personal Representative at New Delhi with the rank of Minister Plenipotentiary. Notification of Colonel Johnson's appointment is being effected through the British Ambassador in Washington today. Colonel Johnson will reach India in about 3 weeks' time. You are instructed to report to the Department en route to a new post and you should depart as soon as you conveniently can after Colonel Johnson's arrival. Inasmuch as you will not return to New Delhi, you are authorized to pack and ship your effects to the nearest United States port. Traveling expenses and per diem are authorized subject to the travel regulations. Travel by air authorized. Report date of departure.

WELLES

124.45/48

Memorandum of Conversation, by the Acting Secretary of State

[WASHINGTON,] April 1, 1942.

The British Ambassador called to see me this evening at my request.

The Ambassador left with me a memorandum concerning the mission of Colonel Louis Johnson to India, which reads as follows:

"On March 16th the Acting Secretary of State informed Sir Ronald Campbell that the President had decided to send Col. Louis Johnson to India as his personal representative. Mr. Welles explained that Mr. Wilson, the present U.S. Commissioner in India, was to be transferred and that the office of Commissioner would remain in abeyance as long as Col. Johnson was in India. Mr. Welles asked that his statement to Sir Ronald Campbell should be regarded as the official intimation of the President's wishes and enquired whether any further formal steps, such as an application for an *agrément*, would be necessary. Sir Ronald Campbell promised to make enquiries on this point.

"The British Embassy has now been instructed to inform the State Department that His Majesty's Government in the United Kingdom and the Government of India will be glad to receive Colonel Louis Johnson as the personal representative of the President of the United States in India with the personal rank of Minister. They note that it is intended that the post of Commissioner shall remain in abeyance as long as Colonel Johnson remains in India.

"It is understood that Col. Johnson will not present any actual Letters of Credence but that—as was done when Mr. Wilson was appointed Commissioner—he will be furnished with an informal letter of introduction to the Viceroy from the President. In this connection the State Department will be aware that the present constitutional position of India makes it impossible for direct diplomatic relations between India and other countries to be established."

S[UMNER] W[ELLES]

II. Efforts by the United States To Prevent Failure of the Cripps Mission to India; Return of Colonel Johnson and American Technical Mission to the United States

845.01/126a : Telegram

The Acting Secretary of State to the Commissioner at New Delhi (Wilson)

WASHINGTON, March 14, 1942—9 p. m.

52. The Department is of course extremely interested in the purpose of Sir Stafford Cripps' proposed visit to India³³ and in the reception accorded his offer. You are requested therefore to transmit by telegraph with the least possible delay all information which you may be in a position to obtain regarding the proposed formula and the Hindu and Moslem reaction thereto.

WELLES

845.01/127 : Telegram

The Commissioner at New Delhi (Wilson) to the Secretary of State

NEW DELHI, March 17, 1942—6 p. m.

[Received March 18—4:09 p. m.]

90. Reference Department's number 52 of March 14, 9 p. m.

1. During the past 2 weeks office has been called upon to function almost exclusively as a transmitter of lengthy messages in our own secret cipher to the State Department for transmission in turn to the War Department on matters dealing with the war effort which I felt had to be given priority because of their stated urgency and because political matters are being fairly well carried by the press and will be of small value or interest if the war is lost. Unless and until my own staff receives the promised increase in clerical help or General Brereton³⁴ in his turn receives cipher in which he has more confidence than the one now at his disposal, it is going to be a physical impossibility to send timely reports of the nature I know is desired.

2. If further justification of my decision to give priority to war effort messages is desired it is to be found in the fact that absolutely nothing is being let out as to any proposal "formula" which Cripps is working to [apparent omission]. Nothing concrete along these lines may be expected until he arrives, the date for which is tentatively given as early next week. I am told that not even members

³³ On March 11, 1942, Prime Minister Churchill made a statement in the House of Commons announcing that Sir Stafford Cripps would go to India. See British Cmd. 6350: *India (Lord Privy Seal's Mission)* . . . April, 1942, p. 3.

³⁴ Brig. Gen. Lewis Brereton, in command of U. S. Air Forces in India.

of the Viceroy's ³⁵ Executive Council on enquiring have succeeded in learning from the Viceroy what these proposals consist of. So far as known no invitations have been sent to political leaders to meet Cripps, indicating that he will be allowed perhaps to set his own pace and make his own plans.

3. The only reason why Mr. Churchill's announcement on India was not met with very serious criticism may be found in the selection of Cripps as the one to bring proposals to India. Certain it is that feelings of keen disappointment were general because of further delay. There was some divergence of view between British and Indian press opinion regarding Government's decision not to publish the proposals immediately; but there was no divergence of opinion on the appointment of Cripps and satisfaction expressed over his selection has in some measure tempered the disappointment felt at first and the tone of the opposition press appeals to await patiently the arrival of Cripps come from nearly every section of both the Hindu and the Muslim worlds together even with efforts made by some leaders here and there to bring about closer agreement between the two but with both Jinnah ³⁶ and Gandhi ³⁷ saying little.

4. The Muslim position put in a few words is that their leaders say that they can afford to wait. *Dawn*, the publication of the Muslim League, stated recently that the League will accept an interim arrangement providing nothing is done to "torpedo or prejudice the Muslim claim for a national homeland" and that regardless of numbers the major political parties are given equal say in the government of the country. All of which in my personal view is . . . put forward for trading purposes.

5. The annual two-day meeting of the Chamber of Princes was opened yesterday by the Viceroy. Archaic and innocuous better describe these performances than any other terms. I know although it will undoubtedly receive a full share of publicity in the American press. The points covered by the Viceroy in his speech relate naturally to the India of the Princes which although it contrasts strangely with present-day realism has substantial values of contributions to the war fund both in money and in men, in both of which there is small reason to doubt Britain will receive from the Princes what she asks for and can equip. Requests for reform and the relinquishment of privileges and princely prerogatives will not be welcomed and will not receive the same generous response from the Princes. In his address to the Princes the Viceroy made a short reference to the visit of Cripps and described him as a "trusted friend" and a "statesman" on which the country can rely. The *Hin-*

³⁵ Marquess of Linlithgow.

³⁶ Mohamed Ali Jinnah, President of the Muslim League.

³⁷ Mohandas K. Gandhi, leader of civil disobedience movement in India.

dustan Times of today regards this reference as "greatly appreciated as showing identity of purpose" whatever that may mean.

6. As time goes on some impatience is discernible which may be expected to increase until the arrival of Cripps the success or failure of whose mission definitely depends upon: (1) the nature of the proposals themselves and, (2) the speed with which they are taken up and placed before the country. Proposals which do not give to India the complete freedom she asks within a stated time coupled with effective guarantees for their fulfillment will certainly not have anything but the most deleterious effect now.

WILSON

845.01/128 : Telegram

The Commissioner at New Delhi (Wilson) to the Secretary of State

NEW DELHI, March 20, 1942—5 p. m.

[Received 5:14 p. m.]

97. Reference paragraph 2, section 1 of my 90, March 17, 6 p. m. According to press reports His Excellency the Viceroy has, at the request of Sir Stafford Cripps, issued invitation to various Indian political leaders to meet Sir Stafford in New Delhi on or about March 26. Among those who are reported to have received invitations thus far are representatives of the Congress, the Muslim League, the Hindu Mahasabha, the Sapru group, the Azad Muslim conference, and the depressed classes. Unconfirmed reports here suggest that Gandhi may arrive in New Delhi about March 24.

I am told that the invitation received by the Congress was addressed to Maulana Azad as its President and that of the Muslim League was addressed to Mr. Jinnah in a like capacity. The Congress and the League were each requested to nominate not less than 4 nor more than 6 representatives. Both Azad and Jinnah are reported to have accepted the invitations on the condition that they first be acquainted with the Cripps' proposals after which it would then be ascertained whether the nomination of representatives would be worth while.

WILSON

845.01/145

The British Ambassador (Halifax) to the Acting Secretary of State

WASHINGTON, March 28, 1942.

MY DEAR WELLES: On instructions from London I send you herewith a copy of the text of the British Government's proposals regard-

ing India.³⁸ These proposals are to be published simultaneously in India and in London at 3 a. m. British Summer Time on Monday, March 30th, and arrangements are being made by the British Information Services for its simultaneous release in this country.

Please treat these proposals as confidential until such time as they are published.

Yours very sincerely,

HALIFAX

P. S. I enclose an additional copy and if you can get it, or the gist of it, to the President before publication, I would be grateful if you would. H.

845.01/138 : Telegram

The Officer in Charge at New Delhi (Haselton) to the Secretary of State

NEW DELHI, March 31, 1942—1 p. m.

[Received 5:22 p. m.]

129. Reference my 124, March 28, 1 p. m.³⁹ It is presumed that the Department now in receipt through London of the full text of Cripps' proposals. In a broadcast from New Delhi last night, Sir Stafford explained the proposals to the country and appealed for their acceptance. The following is a résumé of his broadcast:

He began by explaining that the object of the proposals was "to make it quite clear and beyond any possibility of doubt or question that the British Government and the British people desire the Indian peoples to have full self-government with a constitution as free in every respect as our own in Great Britain or of any of the great Dominion members of the British Commonwealth of Nations". In explaining the interim arrangement, Sir Stafford stated that clause E lays down the broad outline and that "the Governor General whose task it is to form the Central Government of India has done his utmost to assist me with my mission and I am certain that the Indian leaders can rely on him to find the best way in consultation with them for carrying out the general principle laid down" in clause E. He went on to say that His Majesty's Government must take full responsibility for the conduct of the defense of India as part of the World War effort and that the direction of that defense must rest in the hands of the Commander in Chief under the War Cabinet. The

³⁸ For text, see British Cmd. 6350: *India (Lord Privy Seal's Mission)* . . . April, 1942, p. 4.

³⁹ Not printed.

Commander in Chief he said must retain his position as a member of the Viceroy's Executive Council. He claimed, however, that India would have full opportunity of sharing in the control of strategy by accepting the invitation to appoint a representative Indian to the War Cabinet and the Pacific Council of the United Nations. In discussing the principal postwar provisions, Sir Stafford justified provincial option (I) on the principle of self-determination and carefully avoided using the term Pakistan. He expressed the conviction that the Constituent Assembly would make just provision for the minorities. However, "in view of the undertakings given to these the minorities by His Majesty's Government in the past, we propose that in the treaty which under the draft declaration will be concluded between His Majesty's Government and the Constitution-making body, the new Indian Union should undertake to protect the rights of these the minorities". Sir Stafford concluded with an appeal to the Indian people to bury the past and march side by side with Britain to a new era of liberty for all peoples.

HASELTON

845.01/161

Memorandum of Conversation, by the Acting Secretary of State

[WASHINGTON,] April 1, 1942.

The British Ambassador called to see me this evening at my request.

I asked the Ambassador if he had any information today from India. He said that he had no direct word but that the situation seemed to be turning out about as he had envisaged it. He said that it had seemed inconceivable to him that the Congress would accept any plan, since the Congress was perfectly well aware that they could not, themselves, reach any direct agreement with the Moslem League, and that they thus avoided the responsibility for failure which otherwise would certainly have been placed upon them. They reasoned, he believed, that if the worst came to the worst the present plan would merely be placed upon the shelf and would be available later if nothing better transpired in the meantime.

I asked the Ambassador what he thought would happen, now that this negotiation had broken down. His reply was, "Nothing." He said he did not anticipate any major disorders, and that the general situation would remain tranquil on account of the favorable economic situation in India and the realization of the Japanese menace.

S[UMNER] W[ELLES]

845.01/143 : Telegram

The Officer in Charge at New Delhi (Merrell) to the Secretary of State

NEW DELHI, April 2, 1942—noon.

[Received 4:26 p. m.]

132. Reference this office's 130, March 31, 2 p. m.⁴⁰ It is reported that the Congress Working Committee reached a unanimous decision on the Cripps proposal yesterday afternoon. The decision is now being drafted in the form of a memorandum which it is believed will be presented to Cripps by Maulana Azad at an interview arranged for 4:30 this afternoon. Objection to the scheme will it is reported rest principally on nontransfer of defense to an Indian defense member and Cripps' intransigence on this point has caused even Rajagopalachari⁴¹ to fall in line with the majority view. An unconfirmed rumor suggests that Cripps has telegraphed Churchill for authorization to compromise on defense issue. It is also reported that the Congress will oppose the scheme on the ground that it unnecessarily presupposes vivisection of the country whereas the first part of the declaration should only promise dominion status and a Constituent Assembly after the war leaving details to be worked out by the Indian leaders themselves.

The Muslim Malapert [*League?*] which in effect means Mister Jinnah has remained very quiet of late. This may mean that he anticipates Congress rejection of the scheme in which event he would be in a position to say that the question of the League defining its attitude to the proposals does not arise.

The Hindu Mahasabha in an official memorandum has definitely rejected the proposals, chiefly because of the Pakistan provision.

Even Sapru⁴² is dissatisfied with the defense provision. In a joint statement issued yesterday, Sapru and Jayakar⁴³ stated that "we regret that more emphasis has been laid on the constitution of the future than on the immediate needs. We think therefore that if a satisfactory formula could be devised in respect of the defense portfolio, the mission of Sir Stafford Cripps might still succeed. It is not probably realized in England and Allied countries that Indian opinion cannot look upon any transfer of power as real unless the Government of India is so constituted as to give an effective share

⁴⁰ Not printed.

⁴¹ Chakravarti Rajagopalachari, former Premier of Madras and a leading Indian Nationalist but who favored active resistance to the Japanese and a settlement with the Muslim League.

⁴² Sir Tej Bahadur Sapru, President of the Non-Party Conference.

⁴³ Mu Kund Ramrao Jayakar, Member of Judicial Committee of the Privy Council.

to the country in the management of its defence. We would therefore urge you that immediate attention be concentrated on this question".

MERRELL

845.01/147 : Telegram

The Officer in Charge at New Delhi (Haselton) to the Secretary of State

NEW DELHI, April 3, 1942—11 a. m.

[Received 2:46 p. m.]

140. Reference my 141, noon.⁴⁴ I am reliably informed that General Wavell⁴⁵ and Nehru⁴⁶ will meet tomorrow or Sunday for the purpose of discussing and arriving at a clear division between the spheres of activity of an Indian defence member and the Commander in Chief. The chances of them reaching a satisfactory solution are considered good in informed quarters. It is also reported that should a solution be reached Nehru will be defence member.

There is a persistent rumor in informed quarters that behind the Congress objections to the proposals there lurks a fundamental distrust of any promise that Britain may make for a post-war arrangement. It is thought quite probable therefore that Congress has or will request Cripps to obtain a guarantee of fulfillment from some third power preferably the United States.

HASELTON

845.01/148 : Telegram

The Officer in Charge at New Delhi (Merrell) to the Secretary of State

NEW DELHI, April 3, 1942—noon.

[Received 11:51 p. m.]

141. Reference my 132, April 2, noon. The Congress reply to the proposals was officially handed to Cripps yesterday afternoon by Azad and Nehru. The question of publication of the Congress resolution will be decided by Congress Working Committee in consultation with Cripps. The reply, however, is believed to be substantially that forecast in my telegram referred to above with the addition of an

⁴⁴ *Infra.*

⁴⁵ Gen. Sir Archibald P. Wavell, British Commander in Chief in India.

⁴⁶ Pandit Jawaharlal Nehru, Congress Party leader; associated with Gandhi in opposition to British rule in India.

expression of dissatisfaction with the provision for appointment instead of the election of delegates from Indian States to Constituent Assembly. The situation is more hopeful today in view of reliable reports that British are prepared to compromise on defense issue (reference my No. 140, April 3, 11 a. m.).

MERRELL

845.01/149 : Telegram

The Personal Representative of the President in India (Johnson) to the Secretary of State

NEW DELHI, April 4, 1942—8 p. m.

[Received April 4—7:44 p. m.]

145. For the President and Acting Secretary. I have had two long sessions with Stafford Cripps today. He is advising London that the hour has arrived for a final effort to settle the differences here.

1. Despite Nehru's insistence Cripps is unwilling to modify the provision in the draft declaration regarding non-acceding provinces. Situation in Muslim Provinces, particularly Bengal, appears to justify Cripps in this position.

2. Cripps recognizes principle of self-determination generally but in states where succession to rulership is guaranteed by treaty he insists that in the first instance treaty rights must be respected and negotiations carried on through treaty recognized rulers. Nehru as president of the All India States Peoples Conference is desperately insistent that treaties be disregarded and peoples, not rulers, be represented in Constituent Assembly.

3. Muslims and Sikhs fear that any outright agreement to give India Defense Minister as demanded by Congress would result in a Hindu Minister of Defense. Cripps and Wavell (with whom I have also conferred today) believe that the appointment of an Indian Minister of Defense would lead to chaos and loss of all army morale.

Cripps has already offered India a seat in the War Cabinet and in the Pacific War Council and has promised a place at the Peace Conference. He regards himself solely as a mediator to set up a plan whereby Indians may solve their problems after the British withdraw so that one group may not play the British against others.

Cripps is today advising the Prime Minister that the final decision must be based on one of three possible courses: (a) No further changes or concessions; (b) modify draft declaration by granting India Defense Minister if protected by agreement in writing that the Minister could take no action contrary to Empire war policy as exercised by the Commander-in-Chief who would remain; (c) convert

the present Defense Ministry into War Ministry which would be left under the Commander in Chief and then create a new office of Minister of Coordinator of Defense placing in it relatively innocuous matters such as defense, public relations and appointing an Indian thereto.

Cripps violently opposes (a), prefers (b) but believes that War Cabinet, Commander in Chief, and Viceroy will all oppose both (b) and (c). Unless the President feels that he can intercede with Churchill, it would seem that Cripps' efforts are doomed to failure. Cripps so believes too. Such failure will adversely affect war effort. I respectfully urge therefore that the President, without disclosing he is advised of Cripps' cable, consider further effort with Churchill.

There is a small group in Congress which is pro-Japanese. The majority is anti-British and will not support the present draft declaration or any scheme that does not avoid placing Indians in the position of being mercenaries of the British. Nehru sought and had a conference with General Brereton before my arrival and expressed the view that there can be no improvement in essential production as long as production is regarded as for the British. Nehru felt that improvement could only be accomplished if requested by the United States for the United States, China, and India.

Industrial, military and political situation here much more serious than I was advised before arrival. Calcutta being partially evacuated and this has occasioned fear and large scale immigration by necessary industrial labor. The Advisory Mission already here is devoting its efforts to establishing necessary priority suggestions to be forwarded in next few days. Long term planning and studies must give way to urgencies [apparent omission] sought without more planes immediately but that somehow he⁴⁷ will get through. We shall probably forward in next few days a direct appeal from him to the President for planes he regards as required immediately.⁴⁸

JOHNSON

845.01/149 : Telegram

*The Acting Secretary of State to the Officer in Charge at New Delhi
(Merrell)*

WASHINGTON, April 5, 1942—1 p. m.

101. Personal for the President's personal representative. I have discussed personally with the President your telegram no. 145, April 4, 8 p. m.

⁴⁷ Apparently General Wavell.

⁴⁸ General Wavell's letter was transmitted by Colonel Johnson to the Department for the President and the Acting Secretary in telegram No. 155, April 6, 5 p. m., not printed (841.248/1199).

The information you send is particularly interesting.

The President asked me to let you know, however, that he does not consider it desirable or expedient for him, at least at this juncture, to undertake any further personal participation in the discussion. You know how earnestly the President has already tried to be of help. It is feared that if at this moment he interposed his own views, the result would complicate further an already overcomplicated situation.

In view of the already increasingly critical military situation, do you not believe that there is increasing likelihood of the responsible leaders adopting a more constructive attitude? Please continue to telegraph fully all developments.

WELLES

841.248/12014: Telegram

*The Personal Representative of the President in India (Johnson)
to the Secretary of State*

NEW DELHI, April 7, 1942—11 a. m.

[Received April 7—10:06 a. m.]

156. For the President and Acting Secretary. Sir Stafford Cripps tells me that last night the Japanese Navy consisting of three battle-ships and supporting elements sank all shipping between Madras and Calcutta and in the harbors thereof, estimated at 100,000 tons; that the Japanese Fleet is between the inferior British Fleet and its base, and that in a few hours engagement is certain with British in most critical situation. He adds that in his opinion there will then be nothing left to protect route from Persia to India. Requisition for heavy bombers has been made on our own Air Force, which according to Sir Stafford has replied that men we have here are insufficiently trained to make day time attack on Japanese Fleet. Sir Stafford says "if we had 30 heavy bombers in Ceylon the British Fleet could be saved. Nothing else can save it. The bombers are not available."

Sir Stafford says there is only one bomber in the Near East which could fly to Tripoli; that heavy bombers in unjustified numbers are being held in England; that his efforts with Churchill to have some of the "surplus" bombers sent to the Far East have been unavailing but he is today strenuously renewing his efforts. Sir Stafford further says we have reached the military crisis here and implores our aid in getting heavy bombers from England to this area without delay.

At request of Cripps and of Nehru, both absolutely on their own initiative, I have been acting as go-between since last Sunday. Sir Stafford indicates this morning as did Nehru yesterday that the fact that they have not already failed has been due to the efforts of your

personal representative. After long session with Nehru last night, the fourth of the day, and a conference with Sir Stafford from which I have just returned, I am for the first time hopeful that negotiations will not be a complete washout providing the military situation does not overwhelm us.

Sir Stafford is presenting the final proposals at 10 a. m. today. They are based substantially on proposal (c) in my 145 of April 4, 8 p. m. I have commitments of Nehru and President of Congress not to throw them out completely until after a half day has been reserved for discussion between Nehru and myself.

Further cables follow.

JOHNSON

845.01/158 : Telegram

The Chargé in the United Kingdom (Matthews) to the Secretary of State

LONDON, April 9, 1942—5 p. m.
[Received April 9—2:30 p. m.]

1721. Personal for the President from Hopkins.⁴⁹ There is an unfortunate impression here that Louis Johnson is acting as your personal representative and under your instructions mediating between the British and the Indian Congress. Within the past few hours Cripps apparently in cooperation with Johnson has submitted a new proposal relative to the control of defenses in India. This proposal was made to the Indian Congress without consultation with the Governor General or with Wavell and with no knowledge of the British Government here. I have a feeling that Cripps very naturally is using Johnson who in turn uses your name very freely. I have told the Prime Minister and Eden⁵⁰ that Johnson is not acting as a mediator on your behalf but whatever he is doing he is doing at the specific request of Cripps.

The Governor General of India has the distinct feeling that all of Johnson's moves are being directed by you. I believe it important that Johnson's part in this be played down because of the danger of a proposal being made to the British Government which they might reject and which the public might think comes from you. I lunched with Eden today and he is not too encouraged about the outcome in India but it may break favorably before the day is over. I am seeing the Prime Minister again at 6 o'clock and will cable you the latest

⁴⁹ Harry L. Hopkins, Special Assistant to the President, on special mission at this time in the United Kingdom.

⁵⁰ Anthony Eden, British Secretary of State for Foreign Affairs.

news at once. I have found Eden and Lyttelton ⁵¹ very sympathetic today to our main proposal. [Hopkins.]

MATTHEWS

845.01/153 : Telegram

*The Personal Representative of the President in India (Johnson)
to the Secretary of State*

NEW DELHI, April 9, 1942—6 p. m.

[Received April 9—1:09 p. m.]

168. Congress decided unanimously Tuesday ⁵² to reject Cripps' proposals. Keeping his promise to me Nehru advised me of result and I asked the promised time and secrecy before he and Congress President advised Cripps (reference my 156, April 7, 11 a. m.). After conference with Cripps and with his approval, if not quite at his suggestion, I went alone to see Wavell who with Viceroy had blocked Churchill approval of (b) in my 145, April 4, 8 p. m. Wavell at first arbitrarily refused to consider any change in Cripps' amended proposal, in my opinion because he is tired, discouraged and depressed and hates and distrusts Nehru. With the greatest simplicity and, I hope with tact, I explained setup of our own defense establishment of today and convinced him that His Majesty's Government had nothing to lose by reversing form of approach. After he got off his high horse Wavell's approval and cooperation were complete. He phoned Viceroy for appointment and went with me to see him. On Wavell's recommendation, Viceroy approved and sent for Cripps. Cripps met with three of us and of course heartily approved.

At 7:20 a. m. Tuesday I presented to Nehru personally and not officially my proposed substitute amendment. Later conferred with Congress President. Congress Working Committee has been in almost continuous session since and Wednesday afternoon Nehru wrote and brought to me a letter suggesting a slight rewrite. Cripps made minor suggestions and I presented them to Nehru last night. At Nehru's request I have asked Cripps to call the Congress President and the engagement is now set for 5:30 today. Both Nehru and Cripps have expressed their appreciation for the revival of the negotiations.

The magic name over here is Roosevelt; the land, the people would follow and love, America.

JOHNSON

⁵¹ Sir Oliver Lyttelton, British Minister of Production.

⁵² April 7.

845.01/163 : Telegram

*The Personal Representative of the President in India (Johnson)
to the Secretary of State*

NEW DELHI, April 11, 1942—9 a. m.

[Received April 11—7:10 a. m.]

170. For the President and Acting Secretary. The Congress delivered its rejection of Cripps' proposals at 7:00 o'clock Friday night, Nehru sending me a copy. The rejection is a masterpiece and will appeal to free men everywhere.

My substitute defense amendment was informally agreed to at conference between Cripps, Nehru, and Congress President Thursday night but then after they disagreed on giving any authority to new Nationalist Government proposed by Cripps, Cripps said my formula meant same thing as his original amendment which was quite untrue and denied his earlier press remarks that Nationalist Government any more real self government now.

Cripps is sincere, knows this matter should be solved. He and Nehru could solve it in 5 minutes if Cripps had any freedom or authority. To my amazement when satisfactory solution seemed certain, with unimportant concession, Cripps with embarrassment told me that he could not change original draft declaration without Churchill's approval and that Churchill has cabled him that he will give no approval unless Wavell and Viceroy separately send their own code cables unqualifiedly endorsing any change Cripps wants.

I never lost confidence until then. London wanted a Congress refusal. Why? Cripps' original offer contained little more than the unkept promise of the First World War. Does England prefer to lose India to enemy retaining claim of title at peace table rather than lose it by giving freedom now? I have my own opinion about it.

The Indian Ocean is controlled by enemy; British shipping from India has been suspended; according to plan determined many days ago, British are retiring from Burma going north while fighting Chinese go south; Wavell is worn out and defeated; the hour has arrived when we should consider a replotting of our policy in this section of the world. Association with British here is bound to adversely affect morale of our own officers. Only the best should be sent and those who have failed elsewhere should not be dumped here as many have been in recent past. . . .

Nehru has been magnificent in his cooperation with me. The President would like him and on most things they agree. I have his personal promise to proceed to Calcutta immediately in effort to allay fear, settle General Motors and steel strikes, and keep industry operating there. I shall have his complete help; he is our hope here. I trust him.

Of the 1,350,000 kilowatts of installed electric generator capacity in all India, 1,100,000 kilowatts is located east of the line Bombay-Cawnpore. In the area west of this line, the only area in which additional industrial capacity may be located with reasonable safety, electric power supply is limited to 250,000 kilowatts of which no surplus is available. Therefore landing or bombing in present industrial area will mean the end of India's ability to aid herself materially industrialwise. America's effort therefore must be toward direct aid. There is little opportunity for India to aid herself—particularly since Cripps, through no fault of his own, has failed.

Halifax's speech ⁵³ added the finishing touch to the sabotaging of Cripps. It is believed here it was so intended and timed and I am told pleased Wavell and the Viceroy greatly.

JOHNSON

The British Prime Minister (Churchill) to President Roosevelt ⁵⁴

No. XXXC 48, April 11, 1942.⁵⁵ To President personal No. 67. Have just received following from Cripps:

I have tonight received long letter from Congress President stating that Congress is unable to accept proposals. Rejection on widest grounds and not solely on defense issue although it indicates that while Congress would agree that Commander-in-Chief should have freedom to control conduct of the war and connected activities as Commander-in-Chief and war member proposed formula left functions of defense member unduly restricted. Main ground of rejection is however that in the view of Congress there should be immediately a national government and that without constitutional changes there should be "definite assurances in conventions which would indicate that new government would function as a free government and members of which would act as members of a Cabinet in a constitutional government." Letter also states that picture of proposed immediate arrangements is not essentially different from old ones "the whole object which we have in view that is to create a new psychological approach to the people to make them feel that their own national freedom had come, that they were defending their new won freedom, would be completely frustrated when they saw this old picture again which is such that Congress cannot fit into it."

There is clearly no hope of agreement and I shall start home on Sunday.

⁵³ Apparently a reference to Lord Halifax's radio address before Town Hall in New York on April 7; text printed in *New York Times*, April 8, 1942, p. 4.

⁵⁴ Copy obtained from the Franklin D. Roosevelt Library, Hyde Park, N. Y.

⁵⁵ Cablegram from London received at the War Department Message Center, April 10, 1942, 9:28 p. m.

He is broadcasting at 2030 I. S. T. today Saturday. I feel absolutely satisfied we have done our utmost and have sent Cripps the following telegram:

You have done everything in human power and your tenacity, perseverance and resourcefulness have proved how great was the British desire to reach a settlement. You must not feel unduly discouraged or disappointed by the results. The effect throughout Britain and in the United States has been wholly beneficial. The fact that the break comes on the broadest issues and not on tangled formulas about defense is a great advantage. I am very glad you are coming home at once, where a most cordial welcome awaits you. Even though your hopes have not been fulfilled, you have rendered a very important service to the common cause and the foundations have been laid for the future progress of the peoples of India.

From Former Naval Person ⁵⁶ No. 67.

PRIME

740.0011 PW/2313a : Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, April 11, 1942—2 p. m.

1528. For Harry Hopkins from the President. Please give immediately the following message to the former naval person. We must make every effort to prevent a breakdown.

"I most earnestly hope that you may find it possible to postpone Cripps's departure from India until one more final effort has been made to prevent a breakdown in the negotiations.

I am sorry to say that I cannot agree with the point of view set forth in your message to me that public opinion in the United States believes that the negotiations have failed on broad general issues. The general impression here is quite the contrary. The feeling is almost universally held that the deadlock has been caused by the unwillingness of the British Government to concede to the Indians the right of self-government, notwithstanding the willingness of the Indians to entrust technical, military and naval defense control to the competent British authorities. American public opinion cannot understand why, if the British Government is willing to permit the component parts of India to secede from the British Empire after the war, it is not willing to permit them to enjoy what is tantamount to self-government during the war.

I feel I must place this issue before you very frankly and I know you will understand my reasons for so doing. If the present negotiations are allowed to collapse because of the issues as presented to

⁵⁶ Code name for Prime Minister Winston Churchill.

the American people and India should subsequently be successfully invaded by Japan with attendant serious military or naval defeats for our side, the prejudicial reaction on American public opinion can hardly be over-estimated.

Consequently, would it not be possible for you to have Cripps postpone his departure on the ground that you personally have sent him instructions to make a final effort to find a common ground of understanding. I read that an agreement seemed very near last Thursday night.⁵⁷ If he could be authorized by you to state that he was empowered by you personally to resume negotiations as at that point with the understanding that minor concessions would be made by both sides, it seems to me that an agreement might yet be found.

I still feel, as I expressed to you in an earlier message,⁵⁸ that if the component groups in India could now be given the opportunity to set up a nationalist government similar in essence to our own form of government under the Articles of Confederation with the understanding that upon the termination of a period of trial and error they would then be enabled to determine upon their own form of constitution and, as you have already promised them, to determine their future relationship with the British Empire, a solution could probably be found. If you made such an effort and Cripps were then still unable to find an agreement, you would at least on that issue have public opinion in the United States satisfied that a real offer and a fair offer had been made by the British Government to the peoples of India and that the responsibility for such failure must clearly be placed upon the Indian people and not upon the British Government."

Roosevelt
WELLES

*The British Prime Minister (Churchill) to President Roosevelt*⁵⁹

No. 50, April 12th, 1942.⁶⁰ Former Naval Person to President personal No. 68. I have read with earnest attention your masterly document about future of the war and the great operations proposed. I am in entire agreement in principle with all you propose, and so are the Chiefs of Staff. We must of course meet day to day emergencies in the East and Far East while preparing for the main stroke. All the details are being rapidly examined and preparations where action is clear have already begun. The whole matter will be discussed on evening of Tuesday, the 14th, by Defense Committee, to which Harry⁶¹ and Marshall⁶² are coming, and I have no doubt that I shall be able to send you our complete agreement.

⁵⁷ April 9.

⁵⁸ Dated March 10, p. 615.

⁵⁹ Copy obtained from the Franklin D. Roosevelt Library, Hyde Park, N. Y.

⁶⁰ Cablegram from London received at the War Department Message Center, April 12, 1942, 10:17 a. m.

⁶¹ Harry L. Hopkins.

⁶² Gen. George C. Marshall, Chief of Staff, U. S. Army.

I may say that I thought the proposals made for an interim operation in certain contingencies this year met the difficulties and uncertainties in an absolutely sound manner. If, as our experts believe, we can carry this whole plan through successfully, it will be one of the grand events in all the history of war.

About 3 AM this morning, the 12th, when contrary to your instructions Harry and I were still talking, the text of your message to me about India came through from London. I could not decide such a matter without convening the Cabinet, which was not physically possible till Monday. Meanwhile Cripps had already left and all the explanations have been published by both sides. In these circumstances, Harry undertook to telephone to you explaining the position, but owing to atmospherics he could not get through. He is going to telephone you this afternoon and also cable you a report.

You know the weight which I attach to everything you say to me, but I did not feel I could take responsibility for the defence of India if everything has again to be thrown into the melting pot at this critical juncture. That I am sure would be the view of Cabinet and of Parliament. As your telegram was addressed to Former Naval Person I am keeping it as purely private, and I do not propose to bring it before the Cabinet officially unless you tell me you wish this done. Anything like a serious difference between you and me would break my heart and surely deeply injure both our countries at the height of this terrible struggle.

PRIME

845.01/163½ : Telegram

*The Personal Representative of the President in India (Johnson)
to the Acting Secretary of State*

NEW DELHI, April 13, 1942—6 p. m.

[Received 10:40 p. m.]

180. For the President and Acting Secretary Welles. The following is the text of a letter dated New Delhi, April 12, 1942, addressed to the President by Jawaharlal Nehru:

“Dear Mr. President, I am venturing to write to you as I know that you are deeply interested in the Indian situation today and its reactions on the war. The failure of Sir Stafford Cripps’ mission to bring about a settlement between the British Government and the Indian people must have distressed you, as it has distressed us. As you know we have struggled for long years for the independence of India, but the peril of today made us desire above everything else that an opportunity should be given to us to organize a real national and popular

resistance to the aggressor and invader. We were convinced that the right way to do this would have been to give freedom and independence to our people and ask them to defend it. That would have lighted a spark in millions of hearts which would have developed into a blazing fire of resistance which no aggressor could have faced successfully.

If that was not to be as we wished it and considered necessary for the purposes of the war, the least that we considered essential was the formation of a truly national government today with power and responsibility to organize resistance on a popular basis. Unfortunately even that was not considered feasible or desirable by the British Government. I do not wish to trouble you with the details of what took place during the negotiations that have unfortunately failed for the present. You have no doubt been kept informed about them by your representatives here. I only wish to say how anxious and eager we were, and still are, to do our utmost for the defence of India and to associate ourselves with the larger causes of freedom and democracy. To us it is a tragedy that we cannot do so in the way and in the measure we would like to. We would have liked to stake everything in the defence of our country, to fight with all the strength and vitality that we possess, to count no cost and no sacrifice as too great for repelling the invader and securing freedom and independence for our country.

Our present resources may be limited for the industrialization of our country has been hindered by the policy pursued in the past by the British Government in India. We are an unarmed people. But our war potential is very great, our man power vast and our great spaces as in China would have helped us. Our production can be speeded up greatly with the cooperation of capital and labor. But all this war potential can only be utilized fully when the government of the country is intimately associated with and representative of the people. A government divorced from the people cannot get a popular response which is so essential; much less can a foreign government which is inevitably disliked and distrusted do so.

Danger and peril envelop United States [*us*] and the immediate future is darkened by the shadows of possible invasion and the horrors that would follow, as they have followed Japanese aggression in China. The failure of Sir Stafford Cripps' mission has added to the difficulties of the situation and reacted unfavorably on our people. But whatever the difficulties we shall face them with all our courage and will to resist. Though the way of our choice may be closed to us, and we are unable to associate ourselves with the activities of the British authorities in India, still we shall do our utmost not to submit to Japanese or any other aggression and invasion. We, who have struggled for so long for freedom and against an old aggression, would prefer to perish rather than submit to a new invader.

Our sympathies, as we have so often declared, are with the forces fighting against fascism and for democracy and freedom. With freedom in our own country those sympathies could have been translated into dynamic action.

To your great country, of which you are the honored head, we send greetings and good wishes for success. And to you, Mr. President, on whom so many all over the world look for leadership in the cause of

freedom we would add our assurances of our high regard and esteem. Sincerely yours (signed) Jawaharlal Nehru.[""]

JOHNSON

845.01/163½ : Telegram

The Acting Secretary of State to the Personal Representative of the President in India (Johnson)

WASHINGTON, April 15, 1942—9 p. m.

124. Your 180, April 13, 6 p. m. Please communicate to Pandit Nehru the substance of the following message from the President:

"The President greatly appreciates your letter dated April 12 which he has received through Colonel Johnson. He has been deeply gratified by the message which it contains. He feels sure that all of the people of India will make every possible effective effort to resist Japanese aggression in every part of India. To the utmost extent of its ability the Government of the United States will contribute towards that common cause."

WELLES

845.01/167a : Telegram

The Acting Secretary of State to the Personal Representative of the President in India (Johnson)

WASHINGTON, April 15, 1942—11 p. m.

125. Personal for Colonel Johnson. I think you should know that prior to Cripps' departure and up to the last moment, the President made every possible personal effort with the British Prime Minister to prevent the breakdown of negotiations and to have delayed for that purpose the departure of Cripps.

WELLES

841.248/1201¾ : Telegram

The Personal Representative of the President in India (Johnson), to the Acting Secretary of State

NEW DELHI, April 17, 1942—8 p. m.

[Received April 18—8:53 a. m.]

190. For the President and Acting Secretary. I summarize a two and a half hour conference with General Wavell today as follows:

1. All the troops are in the northeast of India and must be used "for a card of reentry into Burma whenever we are able to make an offensive."

2. "Calcutta can be defended only through adequate bomber and fighting plane force." Please see my 155 April 6, 5 p. m.,⁶³ to which as optimistic and definite an answer as possible ought to be given at the earliest possible day. Presence large number planes Calcutta area probably steady population and enable continuation industrial operations now severely curtailed. Estimate 700,000 people already evacuated Calcutta. If Calcutta goes, India goes.

3. Wavell asked that preceding a radio talk seeking to allay fear to be made by him middle of next week, I hold press conference asserting confidence that India will not fall and our cause will prevail. Have refused to communicate with press since arrival, but because of this request am arranging to meet with the press Tuesday, April 28, at 4:30 p. m. Will quote figures given by President at opening session of Congress⁶⁴ and would appreciate any further messages or suggestions.

Understand that Welles made a statement to people of India. It has not been released or published here, nor has it been received by us. Censorship terrible and certainly not pro-American or pro-United Nations.

JOHNSON

841.248/1201¾ : Telegram

The Secretary of State to the Personal Representative of the President in India (Johnson)

WASHINGTON, April 20, 1942—11 p. m.

139. Your 190, April 17, 8 p. m. The Under Secretary has not issued any statement to the people of India. In addition to information contained in the President's message to Congress it is suggested that you may find some useful material in recent issues of the Radio Bulletin, particularly a statement made a few days ago by Mr. Donald Nelson.⁶⁵

HULL

845.01/170 : Telegram

The Personal Representative of the President in India (Johnson) to the Secretary of State

NEW DELHI, April 21, 1942—6 p. m.

[Received April 22—2:32 a. m.]

208. For the President and Secretary of State. All India Congress meets Allahabad on April 28. Nehru probably make strong bid to

⁶³ Not printed; but see last paragraph of telegram No. 145, April 4, 8 p. m., from the Personal Representative of the President in India, p. 626, and footnote 48, p. 627.

⁶⁴ Address delivered before a joint session, January 6, 1942; for text, see Department of State *Bulletin*, January 10, 1942, p. 39.

⁶⁵ Director, Priorities Division, Office of Production Management.

capture party outright on defense issue, driving Gandhist non-resisters out of picture. Nehru's hand would be immensely strengthened if Britain, China and United States could issue joint statement Pacific war aims, specifically including freedom, self-determination for India and resolution defend India at all costs. Absolutely necessary to add weight of America, China to British promises to overcome Indian distrust of British which even stronger since Cripps' failure. If to be done should just precede opening Congress.

JOHNSON

740.0011 Pacific War/2461

*Madame Chiang Kai-shek to President Roosevelt*⁶⁶

[CHUNGKING,] April 23, 1942.

Some British newspapers are conveying the impression that the Cripps mission did not fail but rather prepared the ground for better relations in the future. This view is not shared by the Indian leaders. According to information received from Nehru the mission's failure has resulted in a deterioration of the position and increased Indian hostile feeling toward Britain. This hostility has been further increased by the inconsiderate handling of Indian refugees in Burma and Malaya. Further, according to Nehru, no real shift in authority was offered and no possibility existed for the establishment of a people's army for defense purposes. Therefore, there was no basis for compromise. Defense to be truly effective requires the closest relations between the government and its citizens and this is feasible only when there is a real identity between the state and the people. However, real efforts are being made to arouse a fighting spirit to meet the probable attack. Too much cannot be expected of this, however, without the government's support.

845.00/1341

Memorandum of Conversation, by the Adviser on Political Relations (Murray)

[WASHINGTON,] April 24, 1942.

Sir Girja Shankar Bajpai, Indian Agent General, called on me this morning and said that he had purposely refrained from visiting the Department during the period of Sir Stafford Cripps' negotiations in

⁶⁶ Copy forwarded on April 24 by Lauchlin Currie, Administrative Assistant to President Roosevelt, to the Under Secretary of State (Welles).

India in order to avoid any possible impression that he was endeavoring to influence in any way the course of those negotiations.

To my question as to whether he believed the full reasons had been set forth by the various Indian groups for their rejection of the British offer, Sir Girja replied most emphatically in the negative. He said that he felt the reasons given were "complete window-dressing" and that the real reasons were unstated. He had no doubt that Jawaharlal Nehru and Rajagopalachari, former Premier of Madras and an outstanding Rightist Congress leader, had every desire to negotiate a successful settlement with Sir Stafford. The working committee of the Congress Party, however, had other ideas and successfully blocked the negotiations with that Party. Once the Congress Party was unwilling to fall in line, it was a foregone conclusion that the proposals would be turned down by the other parties.

I asked the Agent General frankly whether he thought it was a case of "cold feet" on the part of the Indian negotiators and he replied that, while Gandhi could undoubtedly be classed in that category, he felt sure that such was not the case with either Nehru or Rajagopalachari, both of whom had courage and realized that India must resist aggression by force and not by passive resistance.

As for the Congress Party's working committee which finally defeated the negotiations, he said he was certain that the idea in the back of their minds was the following: With the Cripps proposals on record, they can never be withdrawn by the British Government. Therefore, why accept them now in the present grave situation of India and run the risk of failure which ought to rest on the shoulders of the British rulers. If Britain wins, the offer can always be taken up and tried out, with better chances of success. Sir Girja said he was sorry to say that some members of the Party reasoned that if Britain loses and the Japanese succeed in occupying India the Indians would be in a better position to negotiate a satisfactory settlement with the Japanese than they would have been if they had fallen in with the British proposals.

Sir Girja went on to say that he was not one of those who regarded India under British rule as the best of possible worlds. In this he differed sharply from Lord Halifax and had been responsible for the omission of a number of passages from Lord Halifax' radio address on April 7 before the Town Hall in New York. He informed me incidentally that Halifax had communicated directly with Cripps before deciding to deliver his address on India and had requested directives from Cripps, particularly as to what he should not say. In his reply, which was sent four days before the breakdown of negotiations, Sir Stafford already at that time expressed his pessimism over the outcome and stated that if his efforts were unsuccessful it would be on account of the defense problem and the question of appointed representation by the Princes to any Constituent Assembly.

Sir Girja also attributed part of the responsibility for the failure of Sir Stafford's mission to the Indian industrialists. This group, so he said, was extremely reactionary and self-seeking and it was they who had spread the first rumors designed to discredit our technical mission before its arrival in India. They expressed the view that American imperialism was endeavoring to replace British imperialism in India and that as far as they were concerned one was just as bad as the other. These industrialists, while realizing that the economic policies of the Congress Party are contrary to their interests, have nevertheless supported the Party in the hope that, in case it came to power, they would be better able to influence it to maintain if not to increase the protective tariff in India.

In answer to the question "What now in India?", Sir Girja said he felt very definitely that there could be no complete return to the *status ante quo*. The proposal once made had set up such a fermentation in India that further efforts must necessarily be made to pick up the negotiations where Sir Stafford Cripps had left off and bring them to a successful conclusion. Of this he did not despair and he felt particularly gratified, so he said, that this Government had a representative at New Delhi in times like these and in a position to encourage a satisfactory settlement between the British and the Indians. He said it was not for him to judge whether any particular American representative was fully qualified to deal with the complexities and difficulties of the Indian problem but that the mere fact that a personal representative of the President has been sent to India and is in a position to come in direct contact with Indian leaders is of enormous importance. At this point I asked him what he thought might be the reason for certain critical comments of the Indian Press regarding American "intervention" in the Cripps negotiations. He said he felt sure that was merely internal politics and that while undoubtedly Nehru and other Congress leaders welcomed the presence and assistance of Colonel Johnson during the negotiations, they nevertheless would be careful to avoid any charge by the Opposition that the course of the negotiations was being dictated or even influenced by this Government or its local representative. It was for that reason that Nehru could never have considered requesting American "mediation" between the Indians and the British.

I asked Sir Girja whether he thought any of the groups who finally rejected the British proposal did so on the grounds that their acceptance would have entailed grave military responsibilities with inadequate means of defense at their disposal. Or, in other words, would they be inclined to argue that Great Britain should long ago have taken adequate steps to build up and equip the Indian Army and prepare it for such a task as it now faces? Sir Girja replied that the Indian political parties, while they might be tempted to take such a line, could not consistently do so for the reason that they have for

years been criticizing the Government for spending so large a portion of the exchequer on the defense forces of India based largely on the Northwest Frontier. Furthermore, any complaints about excessive military expenditures are no longer valid since the visit to India in 1938 of the Expert Committee on Indian Defense under Admiral Lord Chatfield, First Sea Lord and Chief of the Naval Staff. As a result of the investigations of the Chatfield Committee, India was relieved entirely of her contributions to naval protection and was relieved of three-fourths of the expenditure for equipment of the Indian Army used for internal defense of the country. Also, the British Government undertook to meet the entire expense of the Indian Army when serving abroad. Sir Girja observed in this connection that India had sent more troops abroad than all the other parts of the British Empire put together.

845.01/171 : Telegram

The Personal Representative of the President in India (Johnson) to the Secretary of State

NEW DELHI, April 25, 1942—11 a. m.

[Received April 25—10:55 a. m.]

219. For the President and the Secretary. For some days I have been negotiating to get a formula within the scope of convictions Cripps expressed to me which would be acceptable to the Congress. I expect to have this formula in the shape of a Declaration of Policy which the Congress would approve back to me from Nehru Monday morning. It will be cabled so as to be in Washington at an early hour Monday. I have not dealt with Moslem League represented by Jinnah because I know from Cripps' talk and actions and otherwise that the Moslem League has been used by the British as a counter force to the Congress and that approval or rejection of any program along this line by Jinnah will be as desired by His Majesty's Government. If the President can get Churchill to agree to this new Declaration, there should also be an understanding that the first advice to the Congress must be through me to Nehru to avoid embarrassment to Nehru. In other words, in the first instance the Viceroy should not make the sole announcement in India.

I am confident that the final draft approved by Nehru will be such that Cripps will support it and that the best interests of America will be served by insisting upon its acceptance by the British. It should be taken up with Churchill Monday before debate begins in Parliament Tuesday or else debate should be postponed.

JOHNSON

845.24/55 : Telegram

*The Personal Representative of the President in India (Johnson) to
the Secretary of State*

NEW DELHI, April 25, 1942—5 p. m.

[Received April 26—9:30 a. m.]

224. To the President and the Secretary. For 2 weeks have been having conferences with leading industrialists in India and representatives of the Government. Fully convinced India war production can be increased $2\frac{1}{2}$ times provided war production board can be established here. Indian Civil Service absolutely dead and supply member of Executive Council does not favor any change from present peace time production. General Hu, Ordnance Chief of Production, China, is now here desiring to place orders in India for millions of dollars of supplies for China, which would serve to build up Indian industrial production and tremendously aid China defense. Indian Civil Service not interested in accepting these orders.

Am sending Herrington and Griffith ⁶⁷ to Chungking with Shaughnessy of China Supply Corporation and General Hu's aide to verify on the ground the contribution General Hu says can be made by Indian industry. This group will return to Delhi next Thursday. We should be in a position to place China's orders if you can persuade London to order Government of India to cooperate, accept and expedite. There will be no increased war production in India unless a war production board fashioned after the American board is established here with its personnel fairly representing the industrialists (who are now in America's corner and are strongest personal supporters), English industrialists, and without domination by Indian Civil Service or His Majesty's Government here.

I suggest and urge without delay you secure direction from England to the Government of India that a production board of this type be set up with an Indian chairman subject to the general direction of either the Pacific War Council or the British Supply Director in England. If power of veto is left in India, production will remain static. Those charged with the responsibility in the Indian Government and the Indian Civil Service lack imagination and are dominated by the 10 or 12 companies in England which dominate Indian Government. Only direction from England can accomplish this purpose. If you will get this directive from England then, as a result of conferences just concluded here between Indian Chamber of Commerce representatives and the leading industrialists of Indian corporations, ship space can be saved and a grand job can be done for China and for India.

⁶⁷ Arthur W. Herrington and Lt. Col. Paul H. Griffith of the American Technical Mission.

I think it vital because of distrust of English here that the board must be established after conferences with myself, Indian Government and the leading Indian industrialists. I cannot express it too strongly that the press conference and the radio speech have brought these industrialists, and even today Pandit Nehru's paper, the *National Herald*, into America's corner and the establishment of a board without my participation therein will meet with the same distrust and lack of support, but if done by the Government of India with American participation and participation by the industrialists, the results we can report to America will astound you.

Herrington and Beyster, the industrialists of the American Technical Mission, have been through these discussions and were here this morning in consultation with the President of the Indian Chamber of Commerce and the Tatarian representatives, and they all agree that this is the only possible program for India and a necessary and urgently vital program to aid China.

I urge earliest possible action in support of this program. I repeat, it cannot be accomplished here without direction from London.

The establishment of such a board will give confidence to those whose support we must have both industrialwise and politicalwise if the people of India are to resist the Japanese.

JOHNSON

841.248/1201½ : Telegram

The Secretary of State to the Personal Representative of the President in India (Johnson)

WASHINGTON, April 25, 1942—11 p. m.

161. With reference to your no. 190, April 17, 8 p. m. The President desires that the following message from him be conveyed to Colonel Johnson:

"General Brereton has been fully informed of the reinforcements in airplanes he is to expect in the near future and has been directed to operate under the operational control of the appropriate British commander operating in defense of the eastern coast of India. Roosevelt."

HULL

845.01/170: Telegram

The Secretary of State to the Personal Representative of the President in India (Johnson)

WASHINGTON, April 27, 1942—9 p. m.

162. Your no. 208, April 21, 6 p. m. Aside from the time element involved in consulting with the British and Chinese Governments, a

joint statement of Pacific war aims at this time would raise a number of complex problems relating to the future of many Oriental peoples. Such problems, of course, would require the careful consideration of all the United Nations with interests in the Pacific area and a mutual understanding among them as to the solution of these problems.

There is, furthermore, inherent danger in the adoption by this Government of measures which might appear to favor unduly a particular faction in India. It is our view that this Government will continue to retain the confidence of all Indian groups only if it continues to adhere to a policy of strict impartiality among them.

In this connection you will, of course, wish to be careful not to identify yourself too closely with any particular group or groups in Indian national life.

HULL

845.01/173 : Telegram

*The Personal Representative of the President in India (Johnson)
to the Secretary of State*

NEW DELHI, April 28, 1942—8 p. m.

[Received April 29—8:25 a. m.]

239. For the President and the Secretary. Formula referred to in my 219 of April 25, 11 a. m. not yet received. Cripps' London press comments as reported here have decreased chances for formula for the moment and the action of the Government of India herein below reported has further greatly complicated matters.

Government has just prohibited by Executive decree the printing or publishing of the following resolution passed today by the Congress Working Committee and recommended by it to All India Congress Committee.

"The Committee has noted the recent extraordinary happenings in Lower Burma and notably in the city of Rangoon, when though actual military operations were still some distance away, the whole civil administration suddenly collapsed and those in charge of it sought their own safety and abandoned their posts just when their presence was most needed. Private motor cars were commandeered for the evacuation of high officials and Europeans, leaving their owners stranded and unprovided for. The police force discharged or withdrawn to other places, habitual and other criminals were released from prisons, and the lunatics allowed to go out of their asylums. The city of Rangoon was thus left not only without any civil administration but at the mercy of lunatics, hardened criminals, and other anti-social elements. Even previously at the time of the air raids, it had been evident that the ARP organization did not function and no thought had been given to the problem of organized evacuation, food supply or shelter. A situation was thus created which involved the citizens of

Rangoon in utmost misery and desolation, and which was discreditable in the extreme to the Government and its high officials.

As war approaches India, the lessons of Rangoon and Lower Burma are full of meaning for this country, for the same type of official wilds authority here and the recent astonishing exhibition of panic and incompetence in Madras demonstrates the dangers arising from inefficient and irresponsible officials who have in addition no contacts with the people of the country. Recent orders passed and circulars issued on behalf of various provincial governments indicate that they are obsessed with making provision for the safety of the higher civil officials and their removal from places of immediate danger. Little thought appears to have been given to the drawing up of well prepared schemes for possible evacuation of a particular area and the arrangement of transport, housing and food supply in a time of emergency. It is the misfortune of India at this crisis in her history not only to have a foreign government, but a government which is incompetent and incapable of organizing her defence properly or of providing for the safety and essential needs of her people.

As no reliance can be placed on the central or provincial government's functioning in India now to act effectively and intelligently in times of emergency, it becomes the especial duty of the people to rely upon and organize themselves for this purpose. The Congress programme of self-sufficiency and self-protection is the essential foundation for self-reliance and the avoidance as far as possible of many of the evils that follow in the train of war. On this programme, therefore, the people must concentrate themselves. In the larger cities where special problems arise, schemes should be worked out with the help of experts in regard to food supply and the other measures that may be necessary in time of emergency. In particular all panic should be avoided even though those in authority give way to it."

Of course, prohibiting publication will cause it to have widest underground circulation. Tension will increase by the hour particularly if Government bans other Congress resolutions. When news of Japanese continuing successes in Burma as reported to the War Department from here today (but not told India) reaches public, we will be sitting on the powder keg.

JOHNSON

845.01/172 : Telegram

The Chargé in the United Kingdom (Matthews) to the Secretary of State

LONDON, April 28, 1942.

[Received April 28—12:30 p. m.]

2217. Speaking before a house which was between three-quarters and one-half full, Cripps opened the debate in the Commons today with a speech lasting a little over one hour. The Prime Minister did not attend the session. The speech was delivered without any personal ostentation or animus and seemed to make a good impression on the

House. Cripps described at length the various stages through which his negotiations with the Indians passed and made the following reference to the part played by Colonel Johnson :

“There is perhaps one other person to whom I should make reference so as to avoid any misunderstanding since his name has been bandied about in the press. It so happens by coincidence that, while I was in New Delhi, an economic mission arrived from the United States of America headed by Colonel Louis Johnson, representing directly in that matter the President. He was entertained by the Viceroy at his house on his first arrival, and, while he was there, one of the Congress leaders asked to see him. After consulting the Viceroy and in accordance with the latter’s advice he saw the Pandit Nehru, and in a most helpful conversation ascertained what at that time seemed to be the difficulties in the way of a settlement. I also called upon Colonel Louis Johnson by way of courtesy on his arrival and gave him as accurate a picture of the situation as I could. Thereafter at my suggestion and in accordance with his own personal desire to be of any assistance that he could, he had other interviews which were a great help in clarifying the situation. At no time did he act otherwise than in a purely personal capacity and he, like two or three of my Indian friends, merely did his best to give what help he could to the parties. I am personally most grateful to him, and I am sure the leaders of Congress are similarly so, but I wish to make it abundantly clear that there was no question of any American intervention but only the personal help of a very able and pleasant American citizen.”

In outlining the reasons for the break-down of the negotiations, Cripps’ speech seemed to add little to what has already been made public or to the information presumably received by the Department direct from our representatives in India, and consequently it will be reported on by mail.

MATTHEWS

845.24/57 : Telegram

The Consul General at Calcutta (Schnare) to the Secretary of State

CALCUTTA, April 30, 1942—4 p. m.

[Received 6 : 20 p. m.]

311. Number 1 from Grady: “Mission arrived Calcutta April 29 after 10 days’ conference, investigation and study at New Delhi. Will remain here till May 9 thence week in Bombay following same procedure and in addition visiting and studying war industries both cities and environs. Will wire from here and Bombay series of recommendations involving immediate action. Expect return New Delhi May 17 whence will wire recommendations involving longer term action. Will leave New Delhi for Washington about June 1. Herrington has rejoined Mission but will depart for home May 15. Understand Johnson also plans to return about June 1. Mission getting

full cooperation India Government and Indian industrialists. Advise our families."

SCHNARE

845.24/55 : Telegram

The Secretary of State to the Personal Representative of the President in India (Johnson)

WASHINGTON, May 1, 1942—9 p. m.

173. Your no. 224, April 25, 5 p. m. In giving consideration to questions involved in taking action you propose in connection with the suggested creation of a war production board in India, it would prove extremely helpful if the Department might be furnished with more detailed factual information regarding conditions which appear to necessitate the creation of such a board. It is suggested, therefore, that you request Dr. Grady, in his capacity as Chairman of the Advisory Mission, to undertake an investigation of this subject and to submit a preliminary telegraphic report thereon to the Department as soon as practicable.

HULL

845.01/176 : Telegram

The Personal Representative of the President in India (Johnson) to the Secretary of State

NEW DELHI, May 4, 1942—8 p. m.

[Received May 4—6: 09 p. m.]

263. For the President and Secretary. Congress resolutions followed Gandhi lead of non-resistance even to Japs. Defense of India will be most difficult, if not impossible, unless there is some agreement between Nehru elements in Congress, Jinnah of Muslim League and Rajagopalachari who resigned from Congress Working Committee but who favors resisting Japs. Rajagopalachari and Nehru really feel very much the same although Nehru remains in Congress to fight from within. I feel strongly that in our own interests one more effort should be made.

The following program would fit into Cripps' remarks to me and come within the scope of his broadcasts:

The Congress has not accepted the view that major changes in the constitution are not possible during the war. Nevertheless in order to facilitate a settlement, it is prepared to agree to a declaration by the British Cabinet on the following lines:

Indian leaders attach the greatest importance to arrangements for the administration of India in the immediate future. The British Cabinet is willing to go to the farthest limits possible within the framework of the existing constitution to convert the Executive Council into a national government in practice.

For this purpose, the Viceroy is being authorized to invite small number of representative leaders to examine the constitution from this standpoint. The Cabinet accepts the view that minor changes in the act, alterations in the methods of functioning of the Executive Council and in the central legislature by resort to rule making powers, and the establishment of suitable conventions are permissible within the meaning of the formula contained in the last paragraph.

The Cabinet will accept the decisions of such a body and ask the Viceroy to proceed to the formation of a national government to replace the present Executive Council. He will discuss with that body the composition and personnel of the National Government which must necessarily include in adequate proportions representatives of the two main political organizations, namely the Congress and the Muslim League.

There have been apprehensions expressed in India about the Viceroy's powers of veto. Under the constitution, he is bound by the decisions of the majority of the Executive Council, unless the adoption of such a course is likely, in his opinion, to imperil the safety or tranquillity of India or any part of India.

It is inconceivable that the Viceroy, to borrow the language in which he conveyed a similar assurance to the Congress Party in 1937, before it agreed to take office in the provinces, "will act against the advice of the Executive Council, until he has exhausted all methods of convincing the Council that his decision is the right one". He will "do his utmost, before taking a final decision, to persuade his Council of the soundness of the reasons for which he is unable to accept its view".

In the sphere of defence, it has already been agreed that the Indian defence member will take over all such functions as are not assigned to the Commander in Chief who as war member will continue to be a member of the Viceroy's Executive Council. There will naturally be the closest consultation and collaboration between the two. Moreover, the Commander in Chief as a member of the Executive Council will be responsible to the Executive Council for all measures and policies originating from his department. The precise allocation of subjects for administration by the defence and war members respectively will also be left to the Viceroy and the conference of leaders for settlement with the Commander in Chief invited to take part in the discussions. In the event of disagreement, the matter will be referred to the War Cabinet in London, whose decision will be final.

If Churchill and Cripps would approve above generally, then through Viceroy, at London's direction, Nehru, Jinnah, and Rajago-

palachari could be brought together here and if necessary taken to London for final agreement. I can persuade Nehru and Rajagopalachari to attend meeting. Viceroy can get Jinnah. Before meeting I would have G. D. Birla, most prominent industrialist and backer of Gandhi, talk with Gandhi.

Both Congress and Cripps have stated there will be no further approach by either; therefore outside move must be made if India is to defend herself and not be another France. At this distance, I believe no one but President can move successfully. Nehru writes me today of "fierce feeling against Britain". America alone can save India for the United Nations cause and my suggestion ought not be disposed of on basis of meddling in internal affairs of a subject nation. I respectfully urge that saving India concerns America as much as Great Britain. The effort can not harm. It may be the miracle. I urge immediate consideration and being on the ground, pray for President's aid. Time of essence.

JOHNSON

845.01/186a : Telegram

The Secretary of State to the Personal Representative of the President in India (Johnson)

WASHINGTON, May 8, 1942—4 p. m.

186. Your 263, May 4, 8 p. m. From the President for Colonel Johnson: "I want you to know how much I appreciate your efforts to solve the difficult problems involved in the Indian situation. The position in India today is largely military. Therefore any proposal for settlement has to be weighed from the viewpoint whether if successful, it would aid the military effort to an important extent and whether, if unsuccessful, it is likely to hamper that effort. As far as we can judge there is little chance that the formula which you propose would be acceptable to an important element in the Congress Party, even if it were accepted by some elements in the party, by other Indian groups and by the British. An unsuccessful attempt to solve the problem along the lines which you suggest would, if we are to judge by the results of the Cripps mission, further alienate the Indian leaders and parties from the British and possibly cause disturbances among the various communities. On balance, therefore, I incline to the view that at the present moment the risks involved in an unsuccessful effort to solve the problem outweigh the advantages that might be obtained if a satisfactory solution could be found."

HULL

845.01/187 : Telegram

The Personal Representative of the President in India (Johnson) to the Secretary of State

NEW DELHI, May 9, 1942—9 p. m.

[Received May 10—1 : 25 a. m.]

276. For the President and Secretary. Department's 186, May 8, 4 p. m., received today. Nehru visited me at Irwin Hospital yesterday and again today and will continue his efforts to calm Indians, speed production and make them hate Japs.

Suffering nasal dust infection 2 weeks. Irwin Hospital last 4 days, minor operation. Sulfanilamide. Doctors insist must take at least month rest away from India dust. Plan to take first stratoliner home after I am able to travel. Please arrange top priority Ferry Command next stratoliner. Will leave Merrell in charge.

JOHNSON

845.01/189

Memorandum of Conversation, by the Chief of the Division of Near Eastern Affairs (Alling)

[WASHINGTON,] May 13, 1942.

I had a lengthy conversation today with Mr. Graham Spry, who acted as Special Assistant to Sir Stafford Cripps on the latter's mission to India. Mr. Spry, who is well known to Mr. Max Thornburg,⁶⁸ is a Canadian national and, as I understand it, was associated with Sir Stafford for only a short period before the latter's trip to India.

Mr. Spry corrected several stories which have been current regarding Sir Stafford's relationship with Mr. Churchill. He said that both men had been unanimous in their opposition to Mr. Chamberlain and that, although they approached problems from a different point of view, he did not feel that there were any fundamental differences between them. Moreover, they had long been close, personal friends. Accordingly, he was quite sure that there was nothing in the story that Mr. Churchill had sent Sir Stafford to India in the hope of terminating the latter's political career. On the contrary, Mr. Spry said that he knew definitely that Sir Stafford had volunteered for this mission, which was very close to his heart.

From the beginning Sir Stafford Cripps had felt that there were only three chances out of seven of a successful outcome of his mission. Although he was naturally disappointed at the unsuccessful outcome, he was not greatly surprised. I asked Mr. Spry to what he attributed the failure of the mission. He replied that it was almost entirely

⁶⁸ Petroleum Adviser.

due to the efforts of Mr. Gandhi and four or five members of the Congress Working Committee who, although not particularly sympathetic with Gandhi, were quite willing to go along with him in their opposition to the Cripps plan since it coincided with their own narrow political views. Mr. Spry said that, surprising as it might seem, he was convinced that Gandhi had been successful in opposing a plan which would have gone far toward uniting the peoples of India with those of China and the United Nations. I asked him why this small group of four or five Indians on the Congress Working Committee was willing to go along with Gandhi, and he replied that it was entirely due to their unwillingness to accept political responsibility during wartime. These men reasoned that the British Government had got India into the war and that there was no political gain for the Indians to take over at this time. In other words, their ends were entirely selfish. Mr. Spry felt that Nehru, if he had had sole control, could have been dealt with without undue difficulty.

I asked Mr. Spry why Mr. Jinnah, head of the Moslem League, had disagreed to the Cripps proposal since it seemed to me that the proposal would have been quite acceptable to him and his associates. He said that as a matter of fact the plan was acceptable to Jinnah and the Moslem League and that Sir Stafford Cripps had had informal assurances from them on that point. However, the Moslem League did not wish to take a public stand in the matter until the All-India Congress had made a decision. Once that decision was unfavorable the Moslem League felt that for political reasons it, too, had to turn down the plan. Mr. Spry went on to say that at the time Sir Stafford Cripps left India he felt there was still a good chance of coming to some working arrangement with the Indian leaders. At the present time, however, in view of the attitude of the All-India Congress, which had now by a large vote adopted Mr. Gandhi's viewpoint of non-violent resistance, Mr. Spry felt there was little likelihood or possibility of a solution in the near future. I asked Mr. Spry whether he felt that if the Indian leaders had accepted Sir Stafford's proposal it would have contributed greatly toward the defense of India. He was not inclined to believe that the question of Indian independence had much to do with the defense of India, which was largely, if not entirely, a military matter. He went on to say that most people fail to realize that the recent Congress declaration was not entirely negative so far as the British were concerned. After all, Congress leaders do not propose to use non-violent resistance as against the British but only as against the Japanese. In other words, the Indian leaders did not propose to hamper the British war effort in India. Perhaps that was all that could be expected of them. In any case, volunteers were coming forward in India at the satisfactory rate of 50,000 a

month, and that number was all that could be equipped with India's present production.

Mr. Spry volunteered the information that Colonel Johnson had been helpful in many ways, that he and Sir Stafford Cripps had got along famously, and that, although Colonel Johnson was something of an enigma to the old-time Indian civil servants, he believed that Colonel Johnson's activities had been advantageous to all concerned. Mr. Spry did not seem to feel that there were any further steps that could be taken either here in Washington or in India that would be helpful to the existing situation.

In closing the conversation Mr. Spry referred to the influence of the Indian industrialists who apparently had influence not only with Mr. Gandhi and the Congress Party but also with the Hindu Mahasabha, both of which organizations these industrialists apparently helped support. Apparently the sole aim of these industrialists was to continue to make profits and for that reason they strongly disapproved of the scorched earth policy. They also endeavored through their influence with the Congress Party and other political organizations to feather their own nests by advocating higher protective tariffs for their products.

Mr. Spry impressed me as a very intelligent and liberal minded person who, as a Canadian national, saw both the British and the American point of view and who wished to do all he could to be helpful in making the views of each understood by the other. I gained the very definite impression, however, that he felt that for the time being at any rate the best way to handle the Indian problem was to let well enough alone.

123 Johnson, Louis A./33 : Telegram

The Secretary of State to the Personal Representative of the President in India (Johnson)

WASHINGTON, May 13, 1942—3 p. m.

197. Personal for Colonel Johnson. Your 276, May 9, 9 p. m. The President, who has been consulted regarding your proposed return to the United States, did not recall that such a time table had been agreed upon. The President feels that your return to this country at the time proposed would be subject to misinterpretation both here and abroad and he hopes your plans can be adjusted accordingly.

I am sorry to learn of your illness and I hope you are now well on the road to recovery.

HULL

123 Johnson, Louis A./32 : Telegram

*The Personal Representative of the President in India (Johnson) to
the Secretary of State*

NEW DELHI, May 14, 1942—10 a. m.

[Received May 14—4:30 a. m.]

282. For the President and Secretary. Operated on at Irwin Hospital last Monday and physical condition causes English, Indian, and American Army doctors all [to] agree highly imperative I should leave India at once for urgent additional medical attention in United States. Papers here have given report of operation and indicated I would return to America temporarily. Will issue statement saying I am returning for consultations and I am sure there will be no misinterpretation here (Department's 197, May 13, 3 p. m.). I am personally convinced that results may be fatal if after this illness I do not follow uniform medical advice and get away from the dust and to American hospital at earliest date. This is more imperative than first cable would indicate. Have tentative arrangement transportation tomorrow Friday and will appreciate confirming cable in light of the above explanation.

JOHNSON

123 Johnson, Louis A./35 : Telegram

The Officer in Charge at New Delhi (Merrell) to the Secretary of State

NEW DELHI, May 16, 1942—1 p. m.

[Received 1:23 p. m.]

293. For the President and Secretary from Colonel Johnson: "Leaving Karachi for Cairo today. Saw Foreign Secretary Thursday who assures my going will not be misinterpreted and who recommends seek further medical treatment immediately."

MERRELL

845.24/98 : Telegram

The Consul at Bombay (Donovan) to the Secretary of State

BOMBAY, May 20, 1942.

[Received May 21—8:45 a. m.]

385. Following is text of press release to be released in India morning of May 22 by American Technical Mission:

"The American Technical Mission spent about 5 weeks in India investigating India's war production and has visited representative plants in and around Calcutta, Jamshedpur, and Bombay that are producing munitions and equipment for the armed force. It has also had many conferences in New Delhi, Calcutta, and Jamshedpur, and

Bombay with Indian Government officials, and industrialists. On the basis of its investigation and studies, the Mission has prepared a preliminary report which it submitted today to His Excellency the Viceroy.

The Mission on its return to the United States will confer with the President, the Department of State, and the Board of Economic Warfare and give a report of its survey and the recommendations it has made to the Government of India. It will have a number of recommendations to make to the United States Government in addition to the 35 specific recommendations which it cabled from Calcutta and Bombay.⁶⁹ The Mission will then promptly prepare a comprehensive report of its work in India for the Government of India and the Government of the United States.

The function of the Mission was to make recommendations after investigation concerning ways and means by which the United States Government could assist in augmenting India's war production. The work of the Mission, therefore, has been directly related to the common war effort of the United Nations and has been in no way connected with the postwar industrial and commercial problems of India.

In transmitting the preliminary report of the Mission to His Excellency the Viceroy, the Chairman, Doctor Henry Grady, stated that the Government of India would probably not wish to publish the preliminary or final report for general distribution because it contains a great deal of confidential information which should not be made available to the enemy. The Mission would have felt very much more restricted in its statements with regard to war needs if it had believed that the report would be published. In his letter of transmittal Doctor Grady added that if His Excellency the Viceroy wished to publish a summary of the report, this might not be undesirable if confidential information pertaining to the war effort was not included.

The preliminary report which the Mission has submitted to His Excellency the Viceroy covers 25 pages of typed material and contains a number of recommendations. The recommendations made to the Government of India are based on a sympathetic and constructive approach to India's war production problems. War production has a fairly good start in India but must be developed very much further if India is to become the arsenal of the Middle and Near East.

The Mission's recommendations cover the problem of establishing a governmental and industrial organization for war, adequate to secure the effective coordination of India's production. Various suggestions have been made by the Mission as to how India might adapt its governmental organization to effect the purpose of maximizing war output. The Mission recommends no particular organization, but gives to the Government of India the various suggestions which have been made to it in this regard.

With the strengthening of the Government organization and the mobilization of industry so that the full conversion of peace time production to war time production may be brought about with the shipment of the tools and materials which the Mission has requested by cable, and with the improvement of transport communications and the handling of cargo at ports, the groundwork will be laid for national war production on a considerably augmented scale. The Mission is

⁶⁹ The extensive correspondence of the American Technical Mission concerning specific items is not printed.

asking the Government of India to review the plans of the military authorities with regard to quantities and types of war production in this area, not only for India, but also for the other United Nations in this sector of the war front.

With the determination of objectives based on current military planning the Mission will then recommend to the United States Government the sending of equipment for plant extensions and for the establishment of such new plants as the carrying out of the program will require.

The Mission will maintain for the time being its organization in Washington in order to carry on there its work of securing for India those things needed to make the country increasingly effective in producing materials essential to the winning of the war. There will also be sent to India on the basis of the Mission's recommendations a number of technicians and production executives who under the direction of the Government of India will work in the various plants, and thus assist in achieving those objectives for which the Mission was sent to India.

The Mission has received the fullest cooperation from the Government and industrialists of India. It has received many courtesies from the people of India and is deeply grateful for these manifestations of genuine friendliness. The Mission's purpose has been to attempt to inaugurate a period of closer collaboration between India and the United States in their common aim to destroy the aggressors. The Mission feels that, in general, it has been able to accomplish the things for which it came. [Apparent omission] the Government and industrialists of India, the Mission believes that its efforts will bear genuine fruit."

DONOVAN

845.24/99 : Telegram

The Consul at Bombay (Donovan) to the Secretary of State

BOMBAY, May 21, 1942—11 p. m.

[Received May 21—2 p. m.]

387. Grady's 35. "Mission is flying to Karachi today and will leave there for Cairo May 22. Expect to arrive Washington about June 1st and to have available shortly thereafter preliminary report covering points raised by Economic Warfare as basis for early conference. Complete detailed report will become available after Mission's return. Mission greatly appreciates McCabe's ⁷⁰ prompt action on recommendation covering ferro molybdenum. His cable ⁷¹ was most helpful here as evidence of governmental support.

During Mission's stay in India it conferred with interested Government departments including Supply, Commerce, Communications and Defense in Delhi, Calcutta and Bombay. It met with country's leading businessmen especially those engaged in production and transportation and visited representative plants of concerns working on war orders. Cabled recommendations deal chiefly with materials and per-

⁷⁰ Thomas McCabe, Deputy Administrator, Office of Lend-Lease Administration.

⁷¹ Telegram No. 230, May 12, 4 p. m., not printed.

sonnel immediately and urgently required to assist in Indian war effort. Some orders for materials supported by Mission were made prior to its arrival but were reendorsed after careful investigation because of special importance to essential production. Other orders originated in my Mission conference with Government officials and business leaders. When satisfied that materials would substantially assist war effort Mission support was given to orders placed by Supply Department. In many instances investigation included special visit to plants where materials were to be used.

Mission's recommendations are divided into two general categories: Those designed immediately to assist the war effort and those requiring a longer time to become effective. Cabled recommendations covering materials and personnel are of first type and have been specific. Long term recommendations have necessarily been more general in as much future requirements of army, navy and air force are not available. Marked expansion in production of munitions and other war materials can be accomplished only by detailed planning because of close inter-relationship between such production and steel, railway power and port capacities now fully employed and availability of essential raw materials. Shipping and the utilization of productive capacities in the United States and the United Kingdom are also factors. The Mission has recommended to Indian Government that detailed plans be made as soon as possible providing for coordinated expansion of productive facilities. Such plans can best be studied and approved in Washington or London as a part of broader problem of Allied strategy.

Cabling *en clair* Mission's press release⁷² issued today giving summary of recommendations contained in preliminary report to Indian Government.

Should Department wish to send cables in reply to those sent by Mission, please address Merrell, New Delhi."

DONOVAN

845.00/1351

Memorandum of Conversation, by Mr. Calvin H. Oakes of the Division of Near Eastern Affairs

[WASHINGTON,] May 26, 1942.

Participants: Colonel Johnson
Colonel Herrington
Mr. Murray
Mr. Alling
Mr. Oakes
Mr. Parker

⁷² See telegram *supra*.

This memorandum may be prefaced by Colonel Johnson's remark that in his opinion the situation in India has deteriorated in the last two months to such an extent that unless the United States Government is prepared to send in the near future to India several divisions and 500 airplanes the Government would be wise to withdraw entirely from that theater of operations and to consider the country lost.

According to both Colonel Johnson and Colonel Herrington, distrust and dislike of the British has increased to such an extent that many Indians there view the Japanese in a friendly light. In this connection Colonel Johnson stated that the Inspector General of Police at Calcutta had informed him that in his opinion should the Japanese attempt to enter Calcutta they would be received with garlands by the civilian population, and that in fact many of the native policemen would assist in the welcome. The Inspector General was further of the opinion that at such time a massacre of the Europeans might easily take place, and it was that official's opinion that all Americans would be well advised to leave while an opportunity existed.

Colonel Herrington stated that 800,000 Indians had already left Calcutta and that the remainder of the population is ready to flee. It was said that the British have a considerable concentration of troops some miles up the only road leading to or from Calcutta with a view to rushing them into the city should an attack take place. That this road would at such a time become blocked with refugees appears certain, but Colonel Johnson and Colonel Herrington stated that the British military authorities were apparently untroubled by this problem.

Nehru, Rajagopalachari and others could at one time have formed a coalition which would have been able to act as a bulwark to the British in the present crisis had the necessary concessions been made. Jinnah and the industrialists were then prepared to cooperate with such a nationalist government as the British might have been able to create. In so far as Jinnah and the Moslem League are concerned, Colonel Johnson and Colonel Herrington think that their support for the British or for any scheme propounded by the British is pretty well assured under almost any circumstances. The industrialists, however, are becoming less amenable to British persuasion, and Birla—who is politically the most influential of the industrialists—had, in a conversation with Colonel Johnson, shortly before the latter's departure, definitely indicated that he was in growing agreement with Gandhi's contention that the British must go. On every side the feeling is increasing that the British must be gotten out of the country at all costs. Whether any solution is now possible is therefore problematical.

The Viceroy and others in authority were determined at the time of the Cripps Mission that necessary concessions should not be made and are still of the same opinion. In this connection Colonel Johnson and Colonel Herrington both expressed the firm conviction that the British are prepared to lose India, as they lost Burma, rather than make any concessions to the Indians in the belief that India will be returned to them after the war with the *status quo ante* prevailing. Colonel Johnson stated further that he had been reliably informed that the authorities did not propose to attempt any serious defense of India in the event of Japanese attack, and that he had so stated to Cripps. Cripps naturally refused to believe this, but was prevailed upon by Colonel Johnson to confront General Wavell with the allegation. Cripps is reported to have told Colonel Johnson later that Wavell had admitted that this was the case. It is Colonel Johnson's opinion that with the exception of such components of the Indian Army as may have been able to withdraw from Burma, there are only about 50,000 properly equipped soldiers of the Indian Army in India at the present time, and these badly trained. The size of the British garrison is said to be very small.

Lack of troops is aggravated by the poor quality of the British officer in India, and Colonel Johnson and Colonel Herrington stated that it was obvious that India had been used as a dumping ground for the least capable of the officer personnel. Wavell himself, however excellent a general he may once have been, is viewed as exhausted physically and nervously, and is considered to be not only incompetent himself but to possess an incompetent staff. In this connection it was stated that Wavell and the latter's G-2 had insisted that Lashio was still being held several days after it had fallen. Their knowledge even of the terrain in Assam is said to be faulty. Further incompetence is indicated by the wasteful manner in which American Lend-Lease material is being handled, sufficient storage space never having been provided, and inefficient disposal being made of the material upon its arrival. Complete indifference appears to prevail regarding the resultant deterioration of the material.

The seriousness of the political situation in India is further aggravated by the lack of means of defense in Ceylon. While the English were successful in beating off the first Japanese attack, they lost all but about 50 of their planes. The planes lost have never been replaced; the naval base at Trincomalee has been abandoned; and the ground forces are inadequate. It is Colonel Johnson's and Colonel Herrington's opinion that should the Japanese make another attack on Ceylon there is at the present time nothing to prevent them from occupying the island.

845.01/206

*Memorandum of Conversation, by Mr. Calvin H. Oakes of the
Division of Near Eastern Affairs*

[WASHINGTON,] May 26, 1942.

Participants: Colonel Johnson
Colonel Herrington
Mr. Murray
Mr. Alling
Mr. Parker
Mr. Oakes

In the course of their conversation today in Mr. Murray's office, Colonel Johnson and Colonel Herrington both reported, without using the word, that in their opinion the British Government had deliberately sabotaged the Cripps Mission and indicated that likewise in their opinion the Government in London had never desired that the Mission be other than a failure. It appears to be their firm conviction that, had it not been for certain actions of the British Government, Cripps would have secured a settlement.

There follows the recountal given by Colonel Johnson and Colonel Herrington.

Upon Cripps' arrival in India, he set forth orally four points by which agreement on the part of the Congress and the Moslem League would have been assured. These four points were: 1. the India Office would be abolished; 2. the Viceroy's veto power would be rescinded; 3. dominion status would be granted immediately after the war; 4. the Indians would have immediate participation in the Government of India. According to Colonel Johnson and Colonel Herrington, the Indian National Congress and the Moslem League were prepared to accept the proposals on these grounds and had so stated, whereby collaboration with the British, in so far as the war effort is concerned, would have been assured. Settlement of differences of opinion regarding the manner in which the long-range provisions of the proposals were to be implemented would take place after the war.

That the essential political parties in India were prepared to come to an agreement was published in India and abroad. The Viceroy and/or Wavell apparently immediately notified London of the terms advanced by Cripps and warned London that agreement could be expected. London was likewise informed through press reports. London is then reported to have cabled Cripps that he had no authority to go beyond the draft proposals as prepared in London. Cripps was then obliged to inform Nehru that his offer could not vary from the written text. Nehru then came in great despair to see Colonel Johnson, explaining that no agreement was possible unless Cripps was

empowered to amplify the written proposals in the manner previously indicated. Colonel Johnson immediately called upon Cripps, pointing out that Nehru had informed him that he, Cripps, had withdrawn his previous terms, and asked for an explanation. Cripps is reported to have been extremely embarrassed and after some hesitation to have admitted that he had that afternoon received cabled instructions from London rescinding the authority which he had believed himself to possess.

Mr. Murray asked whether Cripps had willfully exceeded his authority in the first instance or, if not, what had occasioned the contretemps. Colonel Johnson replied that Cripps had been misled by a speech made by Churchill while Cripps was en route to India, in which the British Prime Minister expressed great hope for a successful settlement and intimated, in Cripps' opinion, that he, Cripps, could make such concessions as might in his discretion be necessary in order to effect a settlement.

Colonel Johnson continued that the British Government desired that the world believe that the proposals had failed of acceptance on the question of defense. This, according to Colonel Johnson and Colonel Herrington, is not the case. Colonel Johnson had advanced a plan whereby the Commander in Chief would have a position similar to that of General Marshall⁷³ in the United States with the added safeguard that no restrictions should be placed on the Commander in Chief's decisions in matters which he considered essential for the defense of the country. To satisfy the Indian demand for a voice in defense matters, there would be created a Defense Minister corresponding somewhat to our Secretary of War. Colonel Johnson had eventually convinced General Wavell that this was a satisfactory solution; the solution was satisfactory to the Congress and to Cripps; and hence agreement on this point was actually reached.

Colonel Johnson and Colonel Herrington both maintained that in their opinion neither Churchill, the Viceroy nor Wavell desired that the Cripps Mission be a success and that in fact they were determined that it should not be. They stated that they believed the telegraphic instructions previously mentioned to have been sent solely to prevent the success which Cripps was on the point of attaining. Cripps is said to have admitted that he considered it possible that Churchill had sent him to India with the deliberate intention of destroying his political future.

Colonel Johnson emphasized that he had injected himself into the discussions at the written request of Sir Stafford. This he said had never been made clear despite Sir Stafford's promise that it would be.

⁷³ Gen. George C. Marshall, Chief of Staff, U. S. Army.

Colonel Johnson's and Colonel Herrington's remarks as set forth above have explained the statement previously heard from several sources that the British wilfully sabotaged the Cripps proposals. It is not thought, however, that this claim has been proved. With regard to the four points made orally by Sir Stafford, the latter two as listed earlier in this memorandum are contained in the draft proposals. Abolition of the India Office would appear to have only administrative significance in so far as London is concerned and as a factor in the outcome of the discussions may be disregarded. However, the remaining point, namely, agreement to rescind the veto power of the Viceroy, is of supreme importance, and is probably the point on which the discussions collapsed. Unwillingness on the part of the British Government in London to make any such concession, or insistence on the part of the Viceroy and Wavell that no such concession should be made, does not in itself indicate that Churchill, the Viceroy or Wavell were in any way intent upon "sabotaging" the proposals. To have deprived the Viceroy of this power would have been to make supreme for the duration of the war the majority group in the Viceroy's Executive Council. This group would have been responsible to no authority or to no person other than themselves. The Congress, as the leading party in India, would presumably have had a definite majority in the Executive Council, and the Hindus certainly would have had one. Thus there would have been established for the duration of the war an irresponsible Congress-Hindu Government and this the British have always insisted could not be permitted. Sir Stafford himself, in discussing the failure of the Mission, is reported repeatedly in the press to have maintained that an Executive Council responsible to nothing but itself was unthinkable if any consideration was to be given to fairness and justice. The question arises in this connection as to whether Colonel Johnson and Colonel Herrington are correct in believing that Jinnah was willing to acquiesce to any such arrangement. If, for reasons best known to himself, he did not protest publicly, it would appear that he could not have failed to protest privately to the Viceroy. Both Colonel Johnson and Colonel Herrington dismiss Jinnah and the Moslem League as creatures of the British. While the latter have unquestionably used both for their own ends, it is felt that the Moslem League is a force in India which the British can by no means ignore. It happens often to be in their own interests not to ignore it, but that does not signify that the force is fictitious.

While Colonel Johnson and Colonel Herrington may be correct in believing that Churchill, the Viceroy and Wavell were pleased to see the Cripps Mission result in failure, it is not considered that a sound basis has been set forth for the belief that Cripps was denied necessary discretionary powers in order that the Mission should fail.

III. Concern of the United States Regarding the Threat of a Civil Disobedience Campaign in India Against the British

845.01/191 : Telegram

The Officer in Charge at New Delhi (Merrell) to the Secretary of State

NEW DELHI, May 21, 1942—4 p. m.

[Received May 21—2 : 45 p. m.]

304. For the President, Secretary and Colonel Louis Johnson.⁷⁴ Information received from extremely reliable private sources in Bombay and Wardha is to the effect that Gandhi ⁷⁵ is planning to launch mass civil disobedience in near future in contrast to his Satyagraha Program instituted 2 years ago which was civil disobedience only by selected individuals. Gandhi went to Bombay last week to consult with his most trusted lieutenants and the latter (Patel, Prasad, and Gopich and among others) are now touring the provinces to ascertain what measure of support mass civil disobedience would receive. Gandhi has been warned that such a program would result in civil war in this country, cause absolute chaos, and make India an easy prey for the Japanese. He is reliably reported to be unmoved by such warnings.

It is anticipated that the movement, aside from the usual disobedience of the law, will take the form of agitation against recruitment, war production and the general war effort. It is estimated that Gandhi will require from 4 to 6 weeks to organize the movement properly. I am firmly convinced that if this program is launched India is lost as far as being of any further use to the United Nations is concerned.

Recent developments indicate that the Gandhi element in the Congress is now in the saddle.

The only possible means of thwarting Gandhi's new move would appear to be an agreement by Nehru,⁷⁶ Rajagopalachari ⁷⁷ and Jinnah ⁷⁸ to form a National Government at the center. Gandhi could then hardly launch civil disobedience against his own people.

As far as I can ascertain, Gandhi has not consulted Nehru and it is almost certain that he has not consulted Rajagopalachari.

⁷⁴ Personal Representative of the President in India ; at this time in the United States.

⁷⁵ Mohandas K. Gandhi, leader of civil disobedience movement in India.

⁷⁶ Pandit Jawaharlal Nehru, Congress Party leader ; associated with Gandhi in opposition to British rule in India.

⁷⁷ C. Rajagopalachari, former Premier of Madras ; Nationalist leader.

⁷⁸ Mohamed Ali Jinnah, President of the Muslim League.

Nehru returns to Delhi from a brief holiday on Saturday morning and Berry ⁷⁹ proposes to see him soon after his arrival. A report of the interview will be telegraphed to you.

MERRELL

845.01/192 : Telegram

The Officer in Charge at New Delhi (Merrell) to the Secretary of State

NEW DELHI, May 25, 1942—10 a. m.

[Received 1:51 p. m.]

312. For the President, Secretary and Colonel Louis Johnson. Berry saw Nehru yesterday morning shortly after the latter's arrival from Lahore. The following is Berry's summary of the interview:

"I informed Nehru that I was very much disturbed by a report received by me from what I considered an unimpeachable source to the effect that Gandhi was planning to launch mass civil disobedience in the near future (reference this office's 304, May 21, 4 p. m.). I pointed out that my Government would naturally be intensely interested in knowing his reaction to such a program. He replied that he had been away at an isolated place and consequently out of touch with developments for several days. He accordingly found it very difficult to give me his reaction without first having an opportunity of 'ascertaining Mr. Gandhi's present position'. This was precisely the non-committal type of reply that I had anticipated and I proceeded to give him details of the form which Gandhi's program would take as reported to me in order to give him another opportunity of stating his reaction. He was not to be drawn, however, and replied that while he had, of course, heard various rumors he had not before been supplied with such detail. I explained my own views of the very serious consequences that might be expected of a mass civil disobedience program and suggested that perhaps I was exaggerating the seriousness of such a movement. He answered in a flash that 'No, the result of such a program might be very serious indeed'. He stated that he had proposed to go to Allahabad Sunday night but that on the basis of our interview he would now proceed to Wardha. He promised that, after learning Gandhi's position, he would, if at all possible, let me have a preliminary statement of his own position."

The fact that Nehru finds himself unable or unwilling to state his position on a question likely to have such catastrophic consequences as mass civil disobedience without consultation with Gandhi, leads me to suspect that he is veering to his master's point of view. This suspicion is supported by Nehru's statement in a speech at Lahore on Thursday night that the Congress could never accept coalition ministries (with the Moslem League) in the provinces because to do so would mean that Congress accepted a compromise with the British.

⁷⁹ James Lampton Berry, Secretary of the American Mission at New Delhi.

This is only another way of saying what Gandhi has been writing in his weekly paper, namely, that the British must withdraw from India at once. Nehru also stated at a press conference in Lahore on Friday that Hindu-Moslem unity could not be secured as long as the British are in India. This is precisely Gandhi's own view.

Since this message was begun Nehru has handed Berry the following message with the request that it be cabled to Colonel Johnson:

"On my return after 10 days' absence in the mountains, I find considerable deterioration in situation and events seem to be marching towards internal crisis. The Government of India's attitude and policies as well as London pronouncements on India exceedingly irritating to Indians. Gandhi's recent writings betray great bitterness and do something to put an end to intolerable situation in which Indians treated contemptuously as pawns. He feels unable to remain passive spectator and demands British withdrawal from India. In effect this means recognition of Indian independence. While Congress demand same, it is uncertain what attitude Congress will take up in regard to any new action suggested by Gandhi. But Gandhi by himself can powerfully affect mass opinion and any step he may take will have far-reaching consequences, though it may be limited in scope and area to begin with. For him at this age, it is his final struggle for Indian freedom and he is bent on carrying it to end. While declaring his desire to resist Japanese aggression in India, he emphasizes that present government in India is not only a continuing insult to Indians but is also incapable of defending India effectively and every risk should be taken to end it. While there is widespread sympathy with this nationalist approach, there is also among many an apprehension that this may have adverse reactions on international and war situations. No clear programme outlined so far or decisions taken, but Gandhi appears resolved to persevere. Congress executive will meet soon to consider situation. I am much perturbed at some of these developments and am proceeding immediately to Wardha to see Gandhi for personal talks to clarify situation."

Nehru has now definitely promised to furnish Berry with a statement of his position after seeing Gandhi.

MERRELL

845.01/193 : Telegram

The Consul at Bombay (Donovan) to the Secretary of State

BOMBAY, May 29, 1942—1 p. m.
[Received May 29—6:02 a. m.]

400. The Maharaja of Indore has addressed in the form of an open letter to President Roosevelt a strongly worded appeal for the direct intervention of the United States in the present impasse between India and Great Britain. This letter was delivered to Reuter's and appeared in the Indian press today and it has probably had publicity in the

United States. Does the Department wish me to telegraph either a summary or the full text?

My comments on this letter are as follows: It is my opinion that the Maharaja's attitude as expressed in this telegram has very little support among other ruling Princes. It is also my opinion that the Maharaja's letter to the President has been prompted by his very real concern over the critical political situation now developing in India which some experienced observers believe may result in mass civil disobedience within the next few months. See my despatch number 517, May 19.⁸⁰

The Maharaja of Indore has an American wife now in the United States. See my telegram number 319.⁸¹

DONOVAN

845.01/199

*Memorandum of Conversation, by the Under Secretary of State
(Welles)*

[WASHINGTON,] June 1, 1942.

Sir Ronald Campbell⁸² called this afternoon to see me in the absence from Washington of Lord Halifax.⁸³

The Minister handed me a message from his Foreign Office which was to the following effect. The Maharajah Holkar of Indore has addressed a letter to the President urging intervention by the United States, China, and the Soviet Union in order that these three powers might undertake the immediate arbitration of the disputes between India and Great Britain. The message further stated that the United States Consul in Bombay had handed a copy of this letter to Reuters press agency and that consequently at least a portion of the communication has been published in the press. The message continued by stating that the Maharanee of Indore, who is an American woman, is on her way to the United States with the original letter addressed to the President.

The British Government complained that this action on the part of the Maharajah was a violation of his treaty obligations, and stated that the Maharajah was a psychopathic case to whom no importance should be attributed. The British Government consequently requested that in the event that the President thought it necessary to send any reply to such a communication when he received it, the reply be limited to a curt acknowledgment "to be sent through official channels".

⁸⁰ Not printed.

⁸¹ Dated May 5, 6 p. m., not printed.

⁸² British Minister.

⁸³ British Ambassador.

I asked the Minister if he would let me know what "official channels" the British Government had in mind. Did it refer to the Indian Agent General in Washington or to the British Ambassador? Sir Ronald replied that in this case the British Ambassador was intended. I also inquired why the United States Consul in Bombay should have intervened in this question in the manner indicated. Sir Ronald Campbell said he had no information on that point.

S[UMNER] W[ELLES]

740.0011 Pacific War/2513

Memorandum of Conversation, by the Secretary of State

[WASHINGTON,] June 3, 1942.

The British Ambassador called at my request. I said that, while I would not undertake to go into the problems of India and other countries, including Great Britain, during the past twenty-four hours I had received disquieting news from both China and India in regard to the possibility of a slowing up of Chinese resistance arising out of a spirit of discouragement on the part of Chiang Kai-shek. Furthermore, my reports referred to possible explosive conditions making their appearance in India during coming weeks and months. I added that I had nothing to offer in any way, but merely desired to make inquiry of the Ambassador regarding the above after bringing this information to his attention. The Ambassador said he knew very little about the situation. He then asked if, in my opinion, an impartial commission should be sent to India to investigate and report on conditions. I replied that I was not sufficiently informed about all of the complex problems and conditions in the Indian situation to enable me to discuss the matter fully or definitely with him. The Ambassador knew nothing in particular about the Chinese situation but said that he was interested in getting the information which had come to me regarding both China and India.

C[ORDELL] H[ULL]

845.01/196 : Telegram

The Officer in Charge at New Delhi (Merrell) to the Secretary of State

[Extract]

NEW DELHI, June 4, 1942—7 p. m.

[Received June 5—9 : 42 a. m.]

333. For the President, Secretary, and Colonel Louis Johnson. Berry has just received from Nehru the following message with the request that it be telegraphed to Colonel Johnson. Nehru also requests that Colonel Johnson kindly acknowledge receipt of the message (reference last paragraph of my 312, May 25, 10 a. m.).

"I have visited Mr. Gandhi and discussed the situation with him and have also had occasion to judge public feeling at an important meeting of the Congressmen of our Province (the United Provinces) which is a key Province in India. I propose to return to Gandhi soon for fuller conversations.

Gandhi has no desire to precipitate matters or to embarrass present war effort. He is also firm in his decision that Japanese aggression in India must be resisted. He warmly repudiated suggestion that his recent writings encouraged Japanese. But he was definite that recognition independence India essential now from every point of view, including that of defence, and no problem can be solved except on that basis. Every attempt to postpone this worsens situation and every possible risk involved in independence preferable and safer than certain deterioration otherwise. Present defense artificial and isolated from people and British policy antagonizing every group including Indian officers and army. Only on basis of independence can reality and firmness be introduced in defense and other matters, otherwise likelihood of cracking up as in Burma. Gandhi prepared that India should treat this matter on equal basis as ally of Britain and others but not as a subordinate in any shape. No arrangement possible on basis of India's subordination or subjection.

Gandhi also agitated both that growing repressive policy of Government and continuing differential treatment of Indian evacuees from Burma and [apparent omission] in India. Official policy greatly resented all over country and adding to bitterness. My closest colleague in my province, well known anti-fascist, recently interned without trial and my request for jail interview with him rejected. Newspapers being suppressed. Large populations in rural areas suddenly ordered leave homes without adequate notice or compensation or provision for transport, housing or land. Gandhi feels that where patently unreasonable and unjust orders passed they may have to be disobeyed by people concerned.

In both these matters public opinion is strongly with Gandhi and Congress supports him. Rajagopalachari likely to make no difference except to stiffen Congress attitude which is one of extreme sentiment against British policy. Future developments uncertain but continuing governmental repression may lead to relatively small local conflicts. Gandhi does not intend starting any big movement unless he is forced to do so by British policy. He feels he cannot remain passive spectator of what is happening and any risks preferable to submission to repression of people and consequent spiritual degradation. While both Gandhi and Congress declared inability to associate themselves with British war effort in present circumstances no intention of impeding military operations in any way. But popular feeling against British Government and policy undoubtedly isolates that effort. Congress' advice to civil population which is unarmed and untrained is to non cooperate with aggressor in every way and obstruct him. No other method of resistance open to them. This does not refer to military defense which will continue.

Gandhi anxious to help China but says British Government and policy stand in way of effective help given by Indian people. With freedom India will do her utmost to help. Gandhi also anxious that American opinion should not misunderstand him. He has emphasized Indian independence as this is only way both for India and for progressive nations to utilize India's great resources in cause of world

freedom. And he cannot submit to treatment of India as a chattel by others. This treatment demonstrates that Britain determined to obstruct Indian and Asiatic freedom. The larger cause demands completely new outlook towards Asiatic nations and as evidence of this recognition of India's independence.

My greetings and good wishes to Colonel Johnson. I hope he is rapidly recovering from his illness."

MERRELL

845.01/193 : Telegram

The Secretary of State to the Consul at Bombay (Donovan)

WASHINGTON, June 6, 1942—6 p. m.

216. Your 400, May 29, 1 p. m. For your strictly confidential information, representations regarding your office have been made to the Department by the British Government in connection with the letter to the President from the Maharaja of Indore. It is requested, therefore, that you inform the Department telegraphically of the manner in which the letter in question came to your attention, stating whether there was direct correspondence between your office and the Maharaja of Indore or his government on the subject and whether your office was in any way instrumental in delivering the letter or a copy thereof to the press.

HULL

845.01/198 : Telegram

The Consul at Bombay (Donovan) to the Secretary of State

BOMBAY, June 8, 1942—3 p. m.

[Received June 8—2:26 p. m.]

424. This office had no correspondence whatever either direct or indirect with the Maharaja of Indore on this subject. Your 216.⁸⁵ Neither I nor any member of my staff were associated in any way with the preparation of this letter.

At the request of a friend who is a press correspondent, I delivered to Reuters a sealed cover which unknown to me contained text of Maharaja's letter. I did this as a personal favor to save time for my friend since I happened to be passing by Reuters office. Later that day I was informed by my friend of contents of cover. See my airmail despatch 567, June 3.⁸⁶ This despatch and my 400⁸⁷ were written after full text of letter had appeared Bombay *Times of India* May 29.

DONOVAN

⁸⁵ *Supra.*

⁸⁶ Not printed.

⁸⁷ Telegram dated May 29, 1 p. m., p. 665.

845.24/117: Telegram

The Officer in Charge at New Delhi (Merrell) to the Secretary of State

NEW DELHI, June 10, 1942—6 p. m.

[Received June 11—3: 54 a. m.]

354. The following self explanatory announcement was made this afternoon:

"The Governor General in Council has considered the report of the American Technical Mission and has decided to implement its recommendations to the maximum extent possible. In pursuance of one of the most important of these recommendations a committee of the Executive Council has been set up to deal with and coordinate problems of war production, transportation, communications, finance, rationing of goods and materials, and all connected matters. This committee will be known as the 'War Resources Committee of Council' and will consist of His Excellency the Governor General, President, His Excellency the Defence Member, the Supply Member, Vice President and the Finance, Commerce and Communications Members.

The committee will have a whole time secretary. It will meet from day to day and one of its first tasks will be to push on with the action already taken on the report. The committee will when necessary coopt other [apparent omission] of India and its decisions will be binding on all authorities in India."

There is no news as to changes in the composition of the Council.

It is also separately announced that a new office has been created under the Supply Department to be known as the Directors General of Ship Repairs and Ship Construction. This office is apparently to coordinate efforts of existing agencies and will be responsible to the Government of India and in appropriate cases through the Government of India to His Majesty's Government.

MERRELL

845.00/1363

Memorandum of Conversation, by the Secretary of State

[WASHINGTON,] June 15, 1942.

The Agent General for India, Sir Girja Shankar Bajpai, called at his request. I inquired about the general trend of world affairs as they affected his country. He replied that the United States' victories in the Coral Sea and at Midway had very much heartened the people of his country and that the morale had definitely improved. I then proceeded to make several inquiries of him. First, I asked him the size of the Indian Army. He replied that there were 750,000 men in the Army, of which 250,000 were well trained and good fighting troops. He added that they were without airplanes and sufficient

tanks, et cetera, et cetera, leaving the impression that they were not in a state of military preparedness to fight effectively. I then inquired as to how soon they could get ready to make a real fight if they were so disposed. He parried the question by falling back on the 250,000 men who he said could fight almost any time and by referring also to the fact that his country had sent some twenty odd divisions abroad to fight in Africa, Syria, Iran, Iraq and one division to defend Singapore.

I asked him pointblank as to what were the real points on which Cripps and the Indian officials and leaders clashed with the resultant collapse of the Mission.⁸⁸ He said that one point was that political leaders said that since Great Britain had assumed responsibility for the protection of India and since they were looking forward to freedom at no distant date, they felt that it was Britain's responsibility to furnish protection. The second point that governed the situation was that the British, while proposing at the end of the war to place India on all fours with other self-governing dominions in the British Empire, insisted that all treaties existing between States in India and the Central Government should not be breached unilaterally. This was understood to be in deference to the Indian Princes who had supported the British Government in carrying on the war. He said this latter was the biggest cause of the breakdown of the Cripps Mission. I inquired whether a difference of opinion about who should dominate the military operations of India against the Axis nations was not another controlling factor. He replied that in his judgment it was not; that the British agreed that the Indian officials could have complete control of all military forces and supplies, et cetera, so far as the internal situation was concerned, but that when it came to directing military forces externally against the Axis powers the British were to have supreme command in the person of General Wavell. To the objection of the Indian leaders that India should have a greater voice in the conduct of the war the British reply was that an Indian official was on their Supreme War Council exactly as were an Australian, a Canadian and a South African official.

I inquired about the future situation and stated that Gandhi is evidently doing all in his power to play into the hands of the Japanese by preaching non-resistance and that no practical steps of resistance were being advocated by the other leaders, including Nehru. He said that the first step would be to supply India with tanks and airplanes and that this would take care of the situation against a possible Japanese attack which he did not anticipate within the next few months. I inquired as to what strength and influence Gandhi is ex-

⁸⁸ For correspondence on the Cripps Mission to India, see pp. 619 ff.

ercising to lead the Indian people on the wrong course at this stage. He said that Gandhi did not have great influence in spreading his doctrines but it was only when he would go to a given city, such as Calcutta, and Bombay, and call on the people to adopt his policy of non-resistance that his influence would be heavy. To this I replied that he could within a short time go to the center of many of the most populous areas and get in deadly results by his preachments. To this nothing was said in reply.

C[ORDELL] H[ULL]

845.01/203 : Telegram

The Officer in Charge at New Delhi (Merrell) to the Secretary of State

NEW DELHI, June 15, 1942—6 p. m.

[Received June 15—4: 08 p. m.]

374. Conversations between Gandhi, Nehru and Azad^{88a} at Wardha are drawing to a close. The impression given by Gandhi's statements in *Harijan* and to American correspondents is that he had definitely decided to launch a movement designed to implement his recommendation that the British withdraw from India but what form the movement would take is not made clear and may not yet have been defined. In June 7 *Harijan* Gandhi wrote "I feel that I cannot afford to wait, I have decided that even at certain risks which are obviously involved I must ask the people to resist;" to the Associated Press correspondent, he stated that he was going to start a movement which would be felt all over the world and that it would occupy British attention. He would not or could not tell the American journalists what specific action he was planning.

The telegram which follows quotes excerpts from the June 14 *Harijan* on this subject.

Nehru . . . seems . . . to act somewhat as a moderating influence on Gandhi notwithstanding his endorsement of Gandhi's demand for British withdrawal and the statement attributed to him that "we would not like the American Army landing in India and overrunning this country". It may be significant that since talking with Nehru the Mahatma has several times protested that (his) program did not constitute a virtual invitation to the Japanese to enter India.

MERRELL

^{88a} Maulana Azad, President of the Congress Party.

845.00/1359a : Telegram

The Secretary of State to the Officer in Charge at New Delhi (Merrell)

WASHINGTON, June 16, 1942—3 p. m.

279. It is imperative that the Department be kept as fully informed as possible regarding all factors affecting the internal security situation in India. A telegraphic report outlining the situation as perceived at present by you should be submitted. Your appraisal of the situation should be cabled at weekly intervals thereafter, with particular reference to such developments as may be occurring in connection with Gandhi's threatened mass civil disobedience. Any information of special significance should of course be reported immediately.

HULL

845.01/211

Memorandum of Conversation, by the Secretary of State

[WASHINGTON,] June 18, 1942.

The British Ambassador called at his request.

I inquired as to just what he had meant some days ago in his conversation with me⁸⁹ when he raised the question of whether an impartial mission to India might be feasible and advisable. The Ambassador replied that after my mention of India in our conversation and his mention of a possible mission, he had communicated with the Secretary of State for India^{89a} and asked his opinion. The Ambassador said that that official had replied that a mission of one or more individuals sent by some American university to India to investigate and report on India's constitutional future, with suggestions as to a solution, might be beneficial in an educational way to America and might also have some advantageous effect on the Indian situation.

In any event, the Ambassador said that such a proposed mission could have no effect on the immediate situation in India, especially since Gandhi is almost daily threatening some new and far-reaching development. The Ambassador did not undertake to minimize these possibilities of trouble which Gandhi is threatening to create. Instead he seemed to prefer just to say nothing on the question. The Ambassador, in answer to a question as to what Gandhi's methods and purposes primarily would be, said that he supposed they would be to have the people disregard the law and to refuse any cooperation with the military forces and authorities.

C[ORDELL] H[ULL]

⁸⁹ See memorandum of conversation, June 3, p. 667.

^{89a} Leopold S. Amery.

845.01/196 : Telegram

The Secretary of State to the Officer in Charge at New Delhi (Merrell)

WASHINGTON, June 18, 1942—6 p. m.

286. Your 333, June 4, 7 p. m. Mr. Nehru's message was communicated to Colonel Johnson who is still at the Mayo Clinic, but expected to return to Washington next week since he is showing improvement. Colonel Johnson has requested by telephone that a message in the following sense be given to Mr. Nehru from him :

"I have the greatest sympathy for you in your position. I am very happy over the speeches that you have made advocating continued opposition to Japanese aggression. I want you to know that I have in no way changed my personal opinion and I shall act in accordance therewith on my return to Washington.

I believe you should know that Mr. Gandhi's statements are being misunderstood in the United States and are being construed as opposing our war aims. I hope you have seen Mr. Welles' recent speech.⁹⁰ If you have not you can obtain a copy from Berry.

My warmest regards."

HULL

845.01/210 : Telegram

The Officer in Charge at New Delhi (Merrell) to the Secretary of State

NEW DELHI, June 21, 1942—1 p. m.

[Received 1: 20 p. m.]

405. Following is full text which will not be published of Gandhi letter to Chiang Kai-shek as requested in your number 292 of June 19, 6 p. m.⁹¹

"Sevagram, Wardha C. P. June 14, 1942.

Dear Generalissimo, I can never forget the 5 hours' close contact I had with you and your noble wife in Calcutta. I had always felt drawn towards you in your fight for freedom, and that contact and our conversation brought China and her problems still nearer to me. Long ago, between 1905 and 1913, when I was in South Africa, I was in constant touch with the small Chinese colony in Johannesburg. I knew them first as clients and then as comrades in the Indian passive resistance struggle in South Africa. I came in touch with them in Mauritius also. I learnt then to admire their thrift, industry, resourcefulness and internal unity. Later in India I had a very fine Chinese friend living with me for a few years and we all learnt to like him.

I have thus felt greatly attracted towards your great country and, in common with my countrymen, our sympathy has gone out to you

⁹⁰ Presumably Mr. Welles' address of June 18, 1942, Department of State Bulletin, June 20, 1942, p. 548.

⁹¹ Not printed.

in your terrible struggle. Our mutual friend Jawaharlal Nehru, whose love of China is only excelled if at all by his love of his own country, has kept us in intimate touch with the developments of the Chinese struggle.

Because of this feeling I have towards China and my earnest desire that our two great countries should come closer to one another and cooperate to their mutual advantage, I am anxious to explain to you that my appeal to the British power to withdraw from India is not meant in any shape or form to weaken India's defence against the Japanese or embarrass you in your struggle. India must not submit to any aggressor or invader and must resist him. I would not be guilty of purchasing the freedom of my country at the cost of your country's freedom. That problem does not arise before me as I am clear that India cannot gain her freedom in this way, and a Japanese domination of either India or China would be equally injurious to the other country and to world peace. That domination must therefore be prevented and I should like India to play her natural and rightful part in this.

I feel India cannot do so while she is in bondage. India has been a helpless witness of the withdrawals from Malay, Singapore and Burma. We must learn the lesson from these tragic events and prevent by all means at our disposal a repetition of what befell these unfortunate countries. But unless we are free, we can do nothing to prevent it, and the same process might well occur again, crippling India and China disastrously. I do not want a repetition of this tragic tale of woe.

Our proffered help has repeatedly been rejected by the British Government and the recent failure of the Cripps Mission has left a deep wound which is still running. Out of that anguish has come the cry for immediate withdrawal of British power so that India can look after herself and help China to the best of her ability.

I have told you of my faith in non-violence and of my belief in the effectiveness of this method if the whole nation could turn to it. That faith in it is as firm as ever. But I realize that India today as a whole has not that faith and belief, and the Government in Free India would be formed from the various elements composing the nation.

Today the whole of India is impotent and feels frustrated (the Indian Army consists largely of people who have joined up because of economic pressure). They have no feeling of a cause to fight for, and in no sense are they a national army. Those of us who would fight for a cause, for India and China, with armed forces or with non-violence, cannot, under the foreign heel, function as they want to. And yet our people know for certain that India free can play even a decisive part not only on her own behalf, but also on behalf of China and world peace. Many, like me, feel that it is not proper or manly to remain in this helpless state and allow events to overwhelm us when a way to effective action can be opened to us. They feel, therefore, that every possible effort should be made to ensure independence and that freedom of action which is so urgently needed. This is the origin of my appeal to the British power to end immediately the unnatural connection between Britain and India.

Unless we make that effort there is grave danger of public feeling in India going into wrong and harmful channels. There is every

likelihood of subterranean sympathy for Japan growing simply in order to weaken and oust British authority in India. This feeling may take the place of robust confidence in our ability never to look to outsiders for help in winning our freedom. We have to learn self-reliance and develop the strength to work out our own salvation. This is only possible if we make a determined effort to free ourselves from bondage. That freedom has become a present necessity to enable us to take our due place among the free nations of the world.

To make it perfectly clear that we want to prevent in every way Japanese aggression, I would personally agree, and I am sure the Government of Free India would agree, that the Allied powers might, under treaty with us, keep their armed forces in India and use the country as a base for operations against the threatened Japanese attack.

I need hardly give you my assurance that, as the author of the new move in India, I shall take no hasty action. And whatever action I may recommend will be governed by the consideration that it should not injure China, or encourage Japanese aggression in India or China. I am trying to enlist world opinion in favor of a proposition which to me appears self-proved and which must lead to the strengthening of India's and China's defence. I am also educating public opinion in India and conferring with my colleagues. Needless to say any movement against the British Government with which I may be connected will be essentially non-violent. I am straining every nerve to avoid a conflict with British authority. But if in the vindication of the freedom which has become an immediate desideratum, this becomes inevitable, I shall not hesitate to run any risk however great.

Very soon you will have completed 5 years of war against Japanese aggression and invasion and all the sorrow and misery that these have brought to China. My heart goes out to the people of China in deep sympathy and in admiration for their heroic struggle and endless sacrifices in the cause of their country's freedom and integrity against tremendous odds. I am convinced that this heroism and sacrifice cannot be in vain; they must bear fruit. To you, to Madam Chiang and to the great people of China, I send my earnest and sincere wishes for your success. I look forward to the day when a free India and a free China will cooperate together in friendship and brotherhood for their own good and for the good of Asia and the world.

In anticipation of your permission, I am taking the liberty of publishing this letter in *Harijan*.

Yours sincerely, M. K. Gandhi."

MERRELL

845.24/168b : Telegram

The Secretary of State to the Officer in Charge at New Delhi
(Merrell)

WASHINGTON, June 22, 1942—11 p. m.

299. Please convey to Sir Homi Mody ⁹² the following message from Dr. Grady: ⁹³

⁹² Supply member of the Viceroy's Executive Council.

⁹³ Henry F. Grady, Chairman of American Technical Mission to India.

"Congratulations on the establishment of the War Resources Committee of Council. I believe this to be a long step forward in your program for the intensification of industrial production. In as much as this program is to be based in part on the procurement of Lend-Lease material from the United States and upon the advice of American technicians, whose services have been requested by your Government, it seems desirable to me that an American representative be appointed to coordinate and direct these efforts to assist the Government of India, and I am so recommending to the Department of State. It has further occurred to me that, although the members of the War Resources Committee are undoubtedly the appropriate officials to consider questions of major policies, their other duties may preclude them from devoting their full time and energy to the important task with which they are faced. May I be bold enough to suggest, therefore, that, to perform the actual administrative work involved, a subcommittee be formed to consist of the Secretaries of the five governmental departments represented on your Committee, and that a man be selected as Chairman of that subcommittee who has marked executive ability and broad economic experience such as Jenkins. May I further suggest that if a representative of the United States (as mentioned above) is appointed, he also be made a member of this subcommittee so that the work of the two Governments might be fully coordinated. If you think well of this suggestion, I shall do all that I can to implement it here."

HULL

*Mr. Mohandas K. Gandhi to President Roosevelt*⁹⁴

SEVAGRAM, VIA WARDHA (India),
1 July, 1942.

DEAR FRIEND: I twice missed coming to your great country. I have the privilege of having numerous friends there both known and unknown to me. Many of my countrymen have received and are still receiving higher education in America. I know too that several have taken shelter there. I have profited greatly by the writings of Thoreau and Emerson. I say this to tell you how much I am connected with your country. Of Great Britain I need say nothing beyond mentioning that in spite of my intense dislike of British Rule, I have numerous personal friends in England whom I love as dearly as my own people. I had my legal education there. I have therefore nothing but good wishes for your country and Great Britain. You will therefore accept my word that my present proposal, that the British should unreservedly and without reference to the wishes of the people of India immediately withdraw their rule, is prompted by the friendliest intention. I would like to turn into

⁹⁴ Copy obtained from the Franklin D. Roosevelt Library, Hyde Park, N. Y.
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good will the ill will which, whatever may be said to the contrary, exists in India towards Great Britain and thus enable the millions of India to play their part in the present war.

My personal position is clear. I hate all war. If, therefore, I could persuade my countrymen, they would make a most effective and decisive contribution in favour of an honourable peace. But I know that all of us have not a living faith in non-violence. Under foreign rule however we can make no effective contribution of any kind in this war, except as helots.

The policy of the Indian National Congress, largely guided by me, has been one of non-embarrassment to Britain, consistently with the honourable working of the Congress, admittedly the largest political organisation, of the longest standing in India. The British policy as exposed by the Cripps mission and rejected by almost all parties has opened our eyes and has driven me to the proposal I have made. I hold that the full acceptance of my proposal and that alone can put the Allied cause on an unassailable basis. I venture to think that the Allied declaration that the Allies are fighting to make the world safe for freedom of the individual and for democracy sounds hollow, so long as India and, for that matter, Africa are exploited by Great Britain, and America has the Negro problem in her own home. But in order to avoid all complications, in my proposal I have confined myself only to India. If India becomes free, the rest must follow, if it does not happen simultaneously.

In order to make my proposal fool-proof I have suggested that, if the Allies think it necessary, they may keep their troops, at their own expense in India, not for keeping internal order but for preventing Japanese aggression and defending China. So far as India is concerned, she must become free even as America and Great Britain are. The Allied troops will remain in India during the war under treaty with the Free India Government that may be formed by the people of India without any outside interference, direct or indirect.

It is on behalf of this proposal that I write this to enlist your active sympathy.

I hope that it would commend itself to you.

Mr. Louis Fischer is carrying this letter to you.

If there is any obscurity in my letter, you have but to send me word and I shall try to clear it.

I hope finally that you will not resent this letter as an intrusion but take it as an approach from a friend and well wisher of the Allies.

I remain,

Yours sincerely,

M. K. GANDHI

845.00/1593

*Memorandum of Conversation, by the Assistant Secretary of State
(Berle)*

[WASHINGTON,] July 10, 1942.

Sir Girja Bajpai came in to see me, at his request.

He said he wanted to review certain matters which had gone on regarding the possible change in status of India. He then gave me a verbal summary of the documents which he had already presented to Wallace Murray.⁹⁵

The gist of this was that Lord Halifax had been working on a possible plan for India. He had submitted this plan (it is indicated in the memorandum handed by Sir Girja to Mr. Murray⁹⁶) to Sir Girja, who had told him, rather bluntly, that he did not think it would work. Being asked for an alternative plan, Sir Girja had said that he thought that the only way now of handling matters was to announce to India that she would be given independence on a date certain; that if by that time, they had achieved a full unity of the Empire, independence would be substantially complete, subject to the Empire's joining whatever cooperative international organization was then operative; but if unity had not been achieved, then the British Empire, or a cooperative group of nations, as the case might be, would undertake the defense of the Indian Empire, and the component parts of it would be allowed to maintain forces for police purposes only. He said Lord Halifax had agreed to consider the matter further and talk about it in London.

A[DOLF] A. B[ERLE], JR.

845.00/1378 : Telegram

*The Officer in Charge at New Delhi (Merrell) to the Secretary
of State*

NEW DELHI, July 14, 1942—11 p. m.

[Received July 15—7:31 a. m.]

489. The resolution of the Working Committee⁹⁷ (reference my 488, July 14, 3 p. m.⁹⁸) is considered comparatively moderate and bears witness to the efforts of Nehru and Azad (reference my 476, July 9, 7 p. m. and 484, July 11, 2 p. m.).⁹⁹ It will be apparent to the Department that the resolution is remarkably similar, in some

⁹⁵ Adviser on Political Relations.

⁹⁶ Dated July 3, not printed.

⁹⁷ For text, see British Cmd. 6430: *India, Statement published by the Government of India on the Congress Party's responsibility for the Disturbances in India, 1942-43*, p. 42.

⁹⁸ Not printed.

⁹⁹ Neither printed.

places the wording is identical, to Gandhi's letter to Chiang Kai-shek (the really pertinent parts of which bear the indelible imprint of Nehru's style rather than Gandhi's) and to Nehru's various messages to Colonel Johnson which were telegraphed to Department by this office. It will be noted that resolution abandons Gandhi's untenable position that Allied forces could remain in India for sole purpose of resisting Japanese aggression (reference my 480, July 10, 3 p. m.¹).

While the resolution states Congress' grievances and demand for complete transfer of power in no uncertain terms, it is nonetheless replete with conciliatory passages and gestures. That Government was surprised by relative mildness of resolution is evidenced by fact that home member has canceled press conference he planned to hold immediately after release of resolution (reference my 484, July 11, 2 p. m.) and that Government is permitting publication of full text of resolution. It is accordingly unlikely that Government will take action against Congress unless latter launches movement after meeting on August 7 of All India Congress Committee to which resolution has been referred (reference section 2 of 476, July 9, 7 p. m.). In addition, Gandhi, if he follows his past practise will, after approval by All India Congress Committee, formally refer resolution to Viceroy with request that it be forwarded to London. This will further delay matters and no important developments are therefore anticipated until latter half of August.

Reference is made to that part of the resolution which provides for the convening of a constituent assembly "in order to prepare a constitution for the Government of India acceptable to all sections of the people". This is interpreted by a Congressman very close to Gandhi and Nehru as a veiled gesture to Muslim League since by implication it recognizes the right of self-determination of the Muslims should the new constitution prove unacceptable to them.

It is anticipated that overwhelming majority of press opinion will approve of substantive parts of resolutions but there will be opposition, even among sections of nationalist press, to launching civil disobedience at this time. Some Congress minded papers notably the *Bombay Chronicle* and the *Lahore Tribune*, have already in recent weeks expressed opposition to Gandhi's threatened campaign.

In a statement to the press this afternoon Gandhi said: "There is no room left, in the proposal for withdrawal, for negotiation; either they recognize India's independence or they don't". I interpret this as pure bombast as I am convinced Congress would accept compromise in line with its demands during Cripps' negotiations and form national gov-

¹ Not printed.

ernment under present constitution provided certain conventions were agreed upon.

Nehru is passing through Delhi Thursday and Berry is dining with him that evening. Any significant statements made by Nehru will be cabled to Department immediately.

Reactions to and developments in connection with resolution will be telegraphed as they occur.

MERRELL

845.01/220 : Telegram

The Officer in Charge at New Delhi (Merrell) to the Secretary of State

NEW DELHI, July 16, 1942—11 a. m.

[Received July 17—5:19 a. m.]

492. In the *Harijan* of July 12 Gandhi answers a question which he says has been put to him by numerous Muslim correspondents, namely, how he can contemplate a mass movement for liberation without first reaching a settlement with Muslims. He replies that he at one time also considered settlement with Muslims a prerequisite to freedom. "But I see that for the moment I cannot reach the Muslim mind. The Muslim League blocks my way. In their opinion I am thoroughly untrustworthy. I do not know how to get rid of the distrust." To the Muslim answer, "Give Pakistan" he replies, "It is not in my giving". He goes on to say that "If I felt convinced of the rightness of the demand, I should certainly work for it side by side with the League. But I do not. I would like to be convinced. Nobody has yet told me all its implications. Only the protagonists know what they want and mean. I plead for such an exposition. Surely Pakistanis want to convert the opposition, not to force them? Has an attempt been ever made to meet the opposition in a friendly manner and to convert them? I am sure the Congress is willing to be converted, let alone one." It may be pointed out parenthetically that Gandhi himself in another place in this same issue broadly defines Pakistan as "a demand for carving out of India a portion to be treated as a wholly independent sovereign state".

Gandhi then asks, "But what am I to do meanwhile". He answers the question by stating that "now is the time for India to play an effective part in the fortunes of the war, if she becomes free of British servitude". In other words, there can be no Congress-Muslim League Settlement as long as ruling power is here to keep them apart and he must act now without waiting longer for a pretext agreeable to Pakistan.

He states that the conception of his movement "is not that of a settlement with the British Government. That could happen only

if there is a settlement between the principal parties, and as a preliminary the Congress and the League. But that so far as I can see is not to be. Therefore the only settlement with the British Government can be that their rule should end leaving India to her fate." What would happen after complete transfer of power to India? "Militarily the most powerful party may set up its rule and impose it on India, if the people submit. Muslims may declare Pakistan and nobody may resist them. Hindus may do likewise, Sikhs may set up their rule in territories inhabited by them. There is no end to the possibilities. And to all this idle speculation let me suggest one more addition. The Congress and the League being best organized parties in the country may come to terms and set up a provisional government acceptable to all."

Gandhi concludes the article by declaring that "the movement has only one aim—that is of displacing the British power. Why should not Muslims who believe in Pakistan but also believe in independent India join such a struggle? If on the other hand they believe in Pakistan through British aid and under British aegis, it is a different story. I have no place in it."

Jinnah in a statement to the press on July 14 brands Gandhi's claim that he and the Congress are open to conversion on Pakistan issue as the Mahatma's "latest bait". In support of his charge he refers to April resolution of All India Congress Committee at Allahabad condemning Pakistan and to Gandhi's characterization of Pakistan provision of Cripps' proposals as "wicked". He also refers to Gandhi's statement in *Harijan*, in discussing Rajagopalachari's campaign, to the effect that Pakistan is a sin (Gandhi's actual words in *Harijan* of May 24 were that "I consider the vivisection of India to be a sin"). Jinnah further points out that Rajagopalachari has been virtually expelled from the Congress for his unreasonable terms to accept principle of Pakistan in order to reach settlement with Muslim League (referring to section 3 my 480, July 10, 3 p. m.³). As for Gandhi's request for exposition of Pakistan, Jinnah says that "surely Mr. Gandhi does not need a better exposition than his own. He has himself put the Moslem demand in a nut-shell" (reference first paragraph of section 1 of this message).

Jinnah has following to say in connection with possibilities envisaged by Gandhi after withdrawal of British power prior to agreement between major parties: "The picture that he draws of the result of his movement, his one aim and object being to remove British power from India, means, on his own showing, that there will ensue a rule of the jungle. But he knows that he does not mean that. It is merely a ruse to coerce and embarrass the British Government to surrender

³ Not printed.

to the establishment of Hindu Raj in this sub continent. I suppose he means to set up Hindudom."

Replying to Gandhi's question as to why Muslims do not join his struggle, Jinnah says "Mr. Gandhi's conception of 'independent India' is basically different from ours. What we want is the independence of Hindus and Moslems and others. Mr. Gandhi by independence means Congress Raj. We do not believe in Pakistan through Britannia aid or under the British aegis. Pakistan is an article of faith with Moslem India and we depend upon nobody except ourselves for the achievement of our goal and Moslem India is ready and willing to face from whatever quarter the opposition and obstacles that may concert."

Jinnah concludes by asking Gandhi "to give up the game of fooling the Moslems by insinuating that we depend upon the British for the achievement of our goal of Pakistan and as one of the foremost leaders of Hindu India and as a realist to show his sincerity and frankness for an honorable settlement".

MERRELL

845.01/221 : Telegram

The Officer in Charge at New Delhi (Merrell) to the Secretary of State

NEW DELHI, July 16, 1942—3 p. m.

[Received July 17—7:18 a. m.]

494. The statements of Gandhi and Jinnah are significant in that they are the latest authoritative manifestation of the cleavage that exists between Congress and League (reference my 492, July 16, 11 a. m.). Gandhi's claim that League has neither disclosed implications of Pakistan nor made attempt to convert Congress to it is quite correct. Congress could scarcely be expected to give blanket endorsement to a vague scheme pregnant with so many possibilities without first knowing details. Jinnah's facetious reply that Gandhi has himself defined the scheme in a nutshell is no answer at all but pure sophistry. There is, however, no mystery behind Jinnah's reticence. Pakistan is the greatest, if not the only, bargaining point the League has and Jinnah refuses to elucidate until time comes for him to throw it on bargaining counter, probably bristling with exaggerated claims in order to extract greatest possible concessions from Congress. To define now would be to limit and Jinnah declines to be drawn. To do so would immediately attract a barrage of criticism from Congressmen and others who would not find it difficult to point out the innumerable impracticalities which the scheme must of necessity contain. In addition, I suggest Jinnah knows that many of his own followers who are fascinated by rosy prospect of "a national home" would be less

enamored of Pakistan were the economic difficulties to be encountered after its establishment made known. In addition, there are members of his own working committee who do not believe in scheme. The Pakistan areas of Sind, northwest frontier province, and Baluchistan have between them an annual deficit of $3\frac{1}{2}$ crores of rupees which is at present made up by central government. The railways operating in these areas do so under a deficit of $2\frac{1}{2}$ crores of rupees annually which is likewise supplied by central government. The Punjab, another Pakistan area, benefits to the extent of 30 crores of rupees annually because of presence of great military establishments there and payment of military salaries and pensions. Is it to be supposed that, after withdrawal of British power, Hindu India would continue to maintain military establishments and do its recruiting in Pakistan? Who will supply these deficits after establishment of Pakistan? Jinnah says in private that Pakistan will benefit enormously by customs duties levied on goods imported through Pakistan ports of Calcutta and Karachi and destined for Hindu India. A more reasonable assumption is that Hindu India would, from spite if nothing else, import its goods through its own ports of Bombay, Madras, and Vizagapatam. The foregoing are only a few of the reasons which make Jinnah disinclined to define his scheme at this time and thus subject it to a plethora of criticism which would produce defections in his own ranks. It will be produced in all its glory when the time is ripe for extracting all the traffic will bear.

Gandhi for more than 20 years held view that a Hindu-Muslim settlement was an essential preliminary to independence. Unity, he said, must precede freedom. However, he is now "firmly of opinion that there is no unity whilst the third party is there to prevent it. It created the artificial division and it keeps it up. In its presence both Hindus and Muslims will look to it for support and will get it." Let British power be withdrawn and "then the whole unreality disappears like mist before the morning sun".

Gandhi holds Muslims to be a minority in ordinary sense of the word; Jinnah denies this, claiming that Muslims are a nation and entitled to self-determination. Being a separate nation with a religion, culture, social system, et cetera, different from the Hindus, there can never, according to Jinnah, be unity between Hindus and Muslims in a United India. Jinnah desires independence no less strongly than Gandhi but the former demands it for two separate States Pakistan and Hindustan, while the latter demands it for a United India which does not exist. This is significance of Jinnah's statement that Gandhi's conception of independence is different from his. Jinnah will not join hands with Congress in demanding complete withdrawal of British power such as envisaged by Gandhi in *Harijan* unless Congress first

comes terms with him on question of Pakistan and recognition of Muslim League as only organization entitled to speak for Muslim India. He believes, possibly quite rightly, that complete withdrawal of British power prior to a settlement between him and Congress would result in the Muslims being crushed under heel of Hindu majority. This significance of Jinnah's request to Gandhi to show his sincerity by seeking an honorable settlement.

Jinnah would be willing to form interim national Government with Congress for duration of war under present constitution without conditions mentioned above but he is absolutely opposed to final settlement and withdrawal of British power without prior agreement on those points.

It is significant that nowhere in his statement mentioned in my 492, July 16, 11 a. m. does Jinnah oppose complete transfer of power. He has stated repeatedly that he bows to no one in the demand for withdrawal of British power but he believes that in the interest of his own people he must lay down the conditions outlined above.

It will be seen that the Congress demands contained in recent resolution of Working Committee (reference my 488, July 14, 3 p. m.⁴), quite aside from the utter impossibility of their being granted by Great Britain in midst of greatest war world has ever seen, will be wholly unacceptable to Muslim League, based as they are on complete withdrawal of British power without prior agreement between communities.

MERRELL

845.00/1381 : Telegram

The Officer in Charge at New Delhi (Merrell) to the Secretary of State

NEW DELHI, July 17, 1942—10 a. m.

[Received July 18—1:15 a. m.]

495. Nehru held a press conference here yesterday afternoon but as everything he said there, plus additional details, was [repeated?] during Berry's visit with him last night this message will be confined to the latter (reference section 3⁵ my 489, July 14, 11 p. m.). The following is Berry's summary of interview:

"The only guests beside myself were the Chinese Commissioner and the Chinese Minister Designate to Panama. This was not the most satisfactory setting for developing the points I wished to raise with Nehru and the disinclination of the Chinese Commissioner, who despite the good contact of his office appears to know practically nothing about political situation here, to discuss anything except the difference

⁴ Not printed.

⁵ Third paragraph and remainder of telegram.

between Buddhism and Hinduism did nothing to help matters. Nehru was obviously in a mood to discuss the resolution and my first question was whether the resolution ruled out negotiations based on a formula providing for something less than absolute independence now. He replied that there could be no further negotiations except on basis of immediate independence to India, that is, negotiation to arrange details of transfer of complete power to Indian hands now. I inquired whether acceptance by British of Congress demands put forward during Cripps' Mission would prove acceptable as an interim arrangement. His reply was an unqualified 'no'. He explained that during Cripps' negotiations invasion by Japanese appeared imminent and Congress lowered its demands in order to meet danger with a National Government; that at best the Congress formula provided only a makeshift arrangement involving a divided responsibility which was never successful. I then inquired whether he considered the danger of invasion any less now than in April to which he replied 'Probably not but the restlessness and anti-British feeling of Indian people is immeasurably greater.'

He went on to say that two results followed from failure of Cripps' Mission: (1) A greater conviction that it is quite impossible to carry on Government in cooperation with the British Government, and (2) there was a very big reaction of relief that the negotiations did not succeed on the basis offered as the people felt that the terms which the Congress had proposed were not good enough. He declared that even had Cripps agreed to the Congress demands, it would have been extremely difficult for it to have 'delivered the goods' under such a scheme; to do so now would be 'quite impossible'. He concluded this part of the discussion by saying that British acceptance of Congress demands made to Cripps coupled with absolute promise of independence on cessation of hostilities and unqualified by any mention of Pakistan would likewise be unsatisfactory at this stage. The Indian people he said are now intensely anti-British and cannot trust any promise of British Government. The underwriting of such a British promise by United Nations or by President Roosevelt might do some good in helping to reassure Indian people but 'it is not enough'. I returned again and again during the discussion to the possibility of compromise on a formula such as that mentioned above in an attempt to find some loophole or hint in his replies that such a possibility exists. I found none. For one now to believe that a compromise is possible on any formula short of the Wardha resolution, he must also subscribe to one of the two following possibilities: (a) Nehru was lying to me last night. I dismiss this possibility because if a compromise is possible Nehru would hope to obtain assistance from United States in bringing it about to advantage of Indian people. For him categorically to deny possibility of such a compromise, knowing full well that we would communicate such denials to Washington and thus possibly rule out American assistance, seems to me untenable; or (b) he was unwilling to talk to me in presence of others as frankly as he otherwise might have done. I propose to put this possibility to test tomorrow morning when Nehru returns to Delhi. I expect to see him privately and, remote as I now think the chances are, I shall not be wholly convinced that the Congress has shut its doors to compromise until Nehru persists in his intransigent attitude if [*in*] private.

Having disposed of question of compromise, I then asked Nehru what chance he thought there was for British acceptance of Congress demand. He replied 'very little at present but perhaps later they will recognize desirability of it'. I interpret that to mean that Japanese infiltration into eastern sections of India, followed by breakdown of civil administration, passive acceptance of and even co-operation with Japanese by Indian population in those areas, may convince British that Congress demand must be met in order to imbue civilian population with spirit of resistance and prevent spread of pro-Japanese feeling, thus avoiding Burma experience. I inquired why, if he did not expect Congress demands to be met, he felt it necessary, while repeatedly professing in resolution disinclination to interfere with war effort, to launch a movement which must inevitably hinder that effort. He said that he had been watching the growth of a spirit of passivity and bitter anti-British feeling among Indian people for several months; that he was firmly convinced this spirit likely to develop rapidly into pro-Japanese feeling, not from any love of Japanese but because of intense hatred of British; that he as a patriot refused to stand idly by and watch this development without making an effort, remote though its chances of success were, to supply the only antidote (Indian freedom); and that nothing could be more repugnant to him than to see his country become another Burma. He added that any interference with war effort would be as brief as movement itself would be short, thus implying that he expects Government to jail important Congress leaders and ban Congress organization.

Nehru declared that under Wardha resolution Viceroy would be expected to depart immediately. I asked who would assume British obligations to Indian States. He replied that Government of Free India would undertake these obligations, thus subscribing to a unilateral theory of transference of treaty rights and duties quite unknown, so far as I am aware, to international practice. He added that while the States would be invited to accede to the Government of Free India, no immediate attempt would be made to force them to do so. He claimed that the fire of freedom which would spread through India would so imbue peoples of most India States with like feeling their rulers would be forced to come into the union. He explained that resolution does not contemplate immediate removal of all British officials but would at first only involve removal of a comparatively few 'useless individuals' at the top. The remainder would be permitted to remain, if they so desired, until arrangements could be made, by process of negotiation with British, for their disposition. They could not, however, expect to receive 'the fat salaries' to which they have been accustomed at the expense of the Indian people. The governors of the provinces would, like the Viceroy, have to go at once as there would be no place for them in Free India. The slow removal of lower British officials would avoid the confusion and delay to war effort which might otherwise be caused by complete independence now.

I inquired Nehru was absolutely convinced that Jinnah and Congress could come to terms immediately upon withdrawal of British

power. His answer was a categorical affirmative. He repeated the well known argument that there can be no settlement between League and Congress as long as British are here to keep them apart and outbid either party. He claimed that once full responsibility is entrusted to Indian leaders, with no third party from whom they may expect bargains, they will reach an honorable settlement at once. Nehru stated that Congress and League were on verge of a settlement just prior to visit of Cripps. But Cripps' proposals showed that British were prepared to grant Pakistan so that, from Jinnah's point of view, further negotiation with Congress was without purpose (in connection with this paragraph, reference my 492, July 16, 11 a. m. and 494, July 16, 3 p. m.).

While supplying answers to many questions, the interview, due to lack of time and the necessity of covering such a wide field, left others untouched. In addition, some of the replies could not be pursued for the purpose of developing their full implications. I hope to fill in at least some of these gaps when I see Nehru again tomorrow morning. ["]

MERRELL

845.00/1382 : Telegram

The Officer in Charge at New Delhi (Merrell) to the Secretary of State

NEW DELHI, July 18, 1942—1 p. m.

[Received 7:34 p. m.]

497. The following is a summary of Berry's interview with Nehru this morning (reference my 495, July 17, 10 a. m.) :

"I saw Nehru this morning for just over one hour. The main purpose of this interview was to ascertain, if I could, that there was really no basis of negotiation with the British Government under the Wardha resolution. After among series of questions Nehru finally stated that negotiations could be opened along the following lines. Let the British Government make a declaration acknowledging the independence of India here and now and requesting all the various parties in India to get together and form a Provisional Government. This Provisional Government would for practical reasons involve only the immediate displacement of high British officials at the top. The Provisional Government after its formation would then negotiate with the British Government in the best of good will as to how together they could best organize and promote the war effort to the greatest possible extent. Nehru emphasized that the proposed declaration should be brief and in general terms suggested above in order that the chances of its success should not be jeopardized by details at the very beginning. He added that the declaration should not concern itself with communal questions as these by their very nature must of necessity be settled by the Indian leaders themselves. I inquired whether he thought such a declaration would be acceptable to Jinnah. He replied that Jinnah's interests were fully protected in the proposed declaration inasmuch as if the Indian leaders themselves failed to

form a Provisional Government to take over from the British that would be an end of the matter. Accordingly if Jinnah were not satisfied he could decline to join such a government and the British would then be fully justified in saying that the Indian leaders themselves could not agree on a government to displace the present one. Nehru informed me in the most earnest and categorical manner imaginable that the Congress could come to terms with Jinnah within 2 days after the promulgation of the declaration mentioned above provided the British Government kept hands off.

It went without saying, Nehru said, that the United Nations would receive the very fullest cooperation from the Provisional Government and that the Commander-in-Chief would be left full discretion as to military strategy and dispositions. The Commander-in-Chief according to Nehru would be surprised at the complete support he would receive. From my two recent interviews with Nehru it would appear, if he is to be believed, that the foregoing is the minimum formula under which a settlement with the Congress can be effected and civil disobedience movement thwarted.

I reopened the question of the anticipated briefness of the movement (reference my telegram referred to above) and learned that I was wrong in my inference that Nehru foresaw a brief movement because of his expectation that the Congress leaders would be jailed immediately. He said that the movement would go on no matter how many leaders were placed under arrest. He pointed out that it would only take a short time to tell whether the movement was meeting with success. If events showed that it was not attracting sufficient popular support it would of course be abandoned; if it attracted mass support but did not accomplish its purpose, it would likewise be abandoned. He added that in case of Japanese invasion of India or immediate threat of invasion before or during movement it would of course be necessary for the Congress to reconsider its position. He considers the movement has a fair chance of success.

I then questioned him as to the form the movement would take. He said that he could not say as this was entirely up to Gandhi and that the movement might and probably would take different forms as it progressed depending upon developments and British representative [*repressive?*] measures. He pointed out, however, that since the movement would be based upon non-recognition of British authority in India it would probably take the form of ignoring all British laws and orders.

He confirmed that Gandhi, after meeting of All India Congress Committee, would probably follow his practice of forwarding resolution to Viceroy for submission to London. It was also quite likely he said that further time would be consumed by waiting for provincial Congress Committees to confirm action of All India Congress Committee."

Viceroy's Executive Council has decided to do nothing until after meeting of All India Congress Committees. I am also reliably informed that Viceroy "has passed the buck" to London.

MERRELL

845.00/1383 : Telegram

The Officer in Charge at New Delhi (Merrell) to the Secretary of State

NEW DELHI, July 21, 1942—10 a. m.

[Received 10 : 10 a. m.]

500. The following is the report of an interview which took place yesterday afternoon between Maulana Azad and a well-known Indian journalist:

“Question: Colonel, is there any basis for the impression prevailing in certain quarters, after the statements made by Mr. Gandhi and Pandit Nehru, that there is hardly any room left for negotiation with the Congress?”

“Answer: If this refers to India’s right of independence, it is certainly not a matter for negotiation. It is a fundamental principle which must be recognized by the United Nations. But if the question refers to arrangements for the duration of the war, there is a clear procedure envisaged in the resolution of the Working Committee itself, and there is no reason to suggest and there is no room for negotiation. It is quite obvious to my mind that matters of this nature can only be settled by negotiation.”

“Question: Suppose there is a declaration on behalf of the United Nations guaranteeing India’s independence, will it satisfy what you regard as a fundamental principle?”

“Answer: It will depend entirely on the form and content of the declaration and, in any case, I can assure you that there is no reason why the Congress should not give the fullest consideration to any declaration of the kind you have mentioned.”

MERRELL

845.00/1385 : Telegram

The Officer in Charge at New Delhi (Merrell) to the Secretary of State

NEW DELHI, July 21, 1942—noon.

[Received July 22—8 : 17 a. m.]

501. The press interview with Maulana Azad yesterday afternoon further emphasizes the lack of unanimity in the Congress Working Committee (reference my 500, 21, 10 a. m.; and first paragraph of my 487, July 14, 1 p. m.⁷). The Indian journalist who interviewed Azad is a good friend of the Mission and at Mission’s request posed the question as to possibility of negotiation. While the Maulana’s published reply is significant, his reply “off the record” is even more so. Azad proposed the following: (1) Let Britain make absolute promise of independence after war and let United Nations or President Roose-

⁷ Latter not printed.

velt alone guarantee fulfillment of this promise, and (2) let United Nations or President Roosevelt alone offer to arbitrate question of interim settlement and he (Azad) guarantees that he will get Congress to accept offer and agree beforehand to accept whatever interim plan is submitted by United Nations or President Roosevelt alone. The Mission feels that such a declaration if drafted with great care, has more than a fair chance of acceptance by principal groups. The following draft has been drawn up with view to avoiding words or implications which would be likely to antagonize any of major parties and is submitted for possible assistance to Department :

“Realizing as I do the intense desire of all principal political groups in India for a settlement that will enable them to assume a real share in the defense of the country and at the same time to aid and assist the United Nations to the fullest possible extent, I as President of the United States, would be prepared to guarantee the fulfillment of the promise of independence to India, without prejudice to the principal elements in the national life of the country, immediately after the cessation of hostilities which will be given by His Majesty's Government.

Furthermore, in order to give immediate effect to the desires referred to above, which have been notably reiterated in the Wardha resolution of the Congress Party of July 14 and the recent statement in Bombay of the President of the All-India Muslim League, I am willing to submit an arrangement for an interim government, which I believe should prove reasonable to all sections of political thought in India and which should enable the country to play a real part in its own defense and to render immeasurable assistance to those powers who are fighting against the forces of wanton aggression and barbarism. I submit the foregoing suggestion in all good faith as the most feasible plan in present circumstances to give effect to the publicly pronounced desires of all the principal political groups in India and earnestly appeal for its acceptance. Upon receipt of the assent of these groups and their agreement to abide by my decision, I will submit an interim plan and pledge its immediate implementation.”

Should constitutional or political objections possibly be perceived to the phrase “as President of the United States”, it is suggested that the word “personally” might be substituted therefor although such substitution might detract from strength of declaration. The Mission would recommend declaration by President rather than United Nations because (a) there is not sufficient time to get latter to agree on form of declaration. If move is to be made it must be done before meeting of Working Committee at Bombay on August 4 or at least before meeting of Indian Congress Committee on August 7; and (b) President is trusted by and enjoys great prestige among Indian leaders and declaration by him would lodge responsibility in one place.

The question of course arises: Will Azad be able “to deliver the goods”? In the first place, I still believe that statements of Gandhi

and Nehru that there is no more room for negotiation constitute a mere "front" which has been adopted until they see what offer will be forthcoming from British. In addition, they could say that acceptance of President's declaration was not negotiation with British of whom they are sick and tired, but acceptance of guarantee of independence and friendly offer of arbitration by a third power in the fairness of whose chief they have confidence. It is believed that President's declaration would be all but irresistible. In addition, Azad holds a very strong hand. The Congress has always held itself out to be not a communal but a national party which represents all sections of the country including Muslims. Should it refuse to accept a declaration such as that submitted above (which Azad has already agreed to accept), Azad could and, in my opinion, would threaten to walk out of Congress accompanied by every Muslim member of Committee except one nonentity. I am convinced that Azad and his Muslim colleagues would actually quit the Congress in case of refusal of declaration. This is one of last things on earth that Gandhi and Nehru wish to contemplate as such a development would leave the Congress naked before the world as a strictly Hindu body, exactly what Jinnah has always said it was. The gloating and derisive laughter of Jinnah and his Muslim League would resound throughout India. That a declaration in the form suggested above would prove acceptable to Jinnah is hardly open to question. In a recent statement in Bombay he used the following words:

"Soon after India was declared a belligerent I stated that in our own interest and to defend our homes and hearths we should assist England in the prosecution of the war, provided Great Britain accepted our hand as a confident friend and as an equal partner to face the peril and provided real share in the authority of the Government at the center and in the provinces was given to us within the framework of the present constitution."

As late as July 12 the Secretary of the All-India Muslim League stated that the League's Nagpur resolution of December 1941 still represents its present position. The following is an extract from that resolution:

"The Working Committee once more declare that they are ready and willing as before to shoulder the burden of the defense of the country, singly or in cooperation with other parties on the basis that real share and responsibility is given in the authority of the Government at the center and the provinces within the framework of the present constitution, but without prejudice to the major political issue involved in the framing of the future constitution."

If such a declaration is to be made it should be quite unheralded. It would, in my opinion, be highly inadvisable to submit it to India leaders beforehand as to do so would bring about endless haggling as to

wording which they love so much. It should be released for acceptance as it is or not at all.

As to actual plan to be submitted should declaration be accepted, I strongly recommend that formula follow closely that submitted in this office's 263, May 4, 8 p. m.⁸ Azad is familiar with that formula and it is acceptable to him. In fact, he says that he submitted almost an identical plan to Cripps who informed him that he (Azad) would have to take it up with the Viceroy. Azad declined to do anything of the kind, stating that he was negotiating with Cripps, not Linlithgow. Nehru in May saw the formula referred to in the telegram last mentioned above. While he did not commit himself to it, he raised no objection but merely contented himself with saying that he could say nothing without referring it to Working Committee and, as plan had not been officially proposed, he saw no object in doing so.

With reference to problem of distributing seats in Cabinet, I suggest following as fair solution: 1 European (the Commander in Chief); 6 Hindus (4 Congress, 1 Labor (no Joshi), and 1 Hindu Mahasabha); 5 Muslims (4 Muslim League and 1 non-Muslim League); 1 depressed classes; 1 Parsi; and 1 Sikh.

I feel strongly that Congress is not likely to negotiate further with British on anything short of independence now unless a gesture and guarantee is forthcoming from a friendly third power which enjoys great prestige and in which Congress leaders have shown confidence. Without actually being on the ground here, it is difficult if not impossible to appreciate how distrust and hatred of the British has developed even during the last 3 months. As it is hardly likely that British will grant demands of Wardha resolution, I firmly believe that entirely new approach such as that suggested in this message must be made if serious consequences of civil disobedience campaign are to be avoided and India placed on full war footing. The President's declaration, if made, would be free from the objection raised in Department's 186, May 8, 4 p. m.⁹ since if it were unacceptable to Indian parties it would simply remain a friendly gesture without, in my judgment, causing any ill feeling or disturbances whatever here. The objection that the formula would be unacceptable, to an important element in the Congress Party is presumed to refer to the Ghandtan [*Gandhian*], non-resistance group. This objection would theoretically apply to any formula providing for active assistance in war effort. The same objection could have been urged against making the innocuous Cripps proposals. Despite internal differences of opinion, the decisions of the Working Committee are unanimous (reference the Bardoli resolution) and a united front is presented to public. It must also be remembered that it was the

⁸ Ante, p. 648.

⁹ Ante, p. 650.

Ghandian [*Gandhian*] group itself which fathered the Wardha resolution with all its avowals of a desire to assist China, Russia and the United Nations in general, in spite of the cult of non-violence. If it is said that these avowals were predicated on the grant of freedom now, my answer is that the new approach recommended above would create an entirely new situation. I am convinced that formula would be acceptable to other Indian parties referred to in Department's telegram. If it is unacceptable to the British at this stage of the proceedings, then they are more diehard, obtuse and reactionary than even the Congress leaders suspect. If the British are agreeable (and I hardly see how they can be otherwise), I strongly urge making declaration as there is, in my opinion, everything to be gained and nothing to be lost by doing so.

MERRELL

845.00/1386 : Telegram

The Officer in Charge at New Delhi (Merrell) to the Secretary of State

NEW DELHI, July 22, 1942—1 p. m.

[Received 5:40 p.m.]

506. An Indian member of Viceroy's Executive Council stated to Berry last night that declaration by President Roosevelt would create entirely different atmosphere here. He added that Azad was absolutely opposed to civil disobedience program and pointed out that he was in strong position for reason mentioned in my 501, July 21, noon. These statements were quite unsolicited by Berry. There is also further evidence that a gesture from President would be welcomed in high official quarters here.

MERRELL

845.00/1384 : Telegram

The Officer in Charge at New Delhi (Merrell) to the Secretary of State

NEW DELHI, July 22, 1942—4 p. m.

[Received July 22—9:54 a. m.]

505. I am of course entirely ignorant as to the plans for a Chief of Mission here. In the event however that Colonel Johnson is not returning to India I venture to recommend that if the United States is to participate in the settlement of this problem the extreme importance and delicacy of the undertaking would warrant the appointment of a trained diplomat of great distinction and prestige. (Reference is made to my 501, July 21, noon, and previous telegrams on the same subject).

As viewed from here the appointment of Ambassador Phillips¹⁰ would seem so ideal that I cannot refrain from suggesting his name.

MERRELL

845.00/1390 : Telegram

The Officer in Charge at New Delhi (Merrell) to the Secretary of State

NEW DELHI, July 23, 1942—3 p. m.

[Received 9 : 26 p. m.]

508. The Government of India has lifted its ban against the Communist Party. This is in line with Government's policy of encouraging the Leftists mentioned in my 412 June 23, noon.¹¹

MERRELL

*Generalissimo Chiang Kai-shek to President Roosevelt*¹²

CHUNGKING, July 25, 1942.

With both sides remaining adamant in their views, the Indian situation has reached an extremely tense and critical stage. Its development in fact constitutes the most important factor in determining the outcome of the United Nations War and especially the war in the East. The war aims which the anti-aggression nations have proclaimed to the world are twofold, first to crush brute force and second to secure freedom for all mankind. If India should start a movement against Britain or against the United Nations, this will cause deterioration in the Indian situation from which the Axis powers will surely reap benefit. Such an eventuality will seriously affect the whole course of the war and at the same time the world might entertain doubts as to the sincerity of the lofty war aims of the United Nations. This will not only prove a great disadvantage to Britain but will also reflect discredit to the democratic front.

At this juncture the United Nations should do their best, when there is yet time, to prevent the occurrence of such an unfortunate state of affairs. Your country is the leader in this war of right against might and Your Excellency's views have always received serious attention in Britain. Furthermore for a long time the Indian people have been expecting the United States to come out and take a stand

¹⁰ William Phillips, former Ambassador in Italy; at this time Director of the London office of the Office of Strategic Services.

¹¹ Not printed.

¹² Copy obtained from the Franklin D. Roosevelt Library, Hyde Park, N. Y.

on the side of justice and equality. I therefore venture to lay before you my personal views on this question.

Inevitably Britain will regard the Indian National Congress' recent demand as an attempt to take advantage of her present predicament. The step contemplated by the resolution of the Congress Working Committee, however, still leaves sufficient time and opportunity for the reaching of an agreement. During my recent visit to India, I earnestly advised the Indian people to consider their primary duty to join the anti-aggression front in a common struggle for mankind.

From the point of view of the Indian people, their consistent purpose is to secure national freedom. With this object in view the Indian National Congress, in seeking national independence, is dominated by sentiment rather than by reason. Consequently I believe attempts at repression in the form of either public censure or force, whether military or police with a view to compelling the Indian people to capitulate, will have the opposite result.

From the psychological point of view of the Indian, he considers that India before attaining her national freedom is not the master of her own vast territory and abundant resources. Just because he owns nothing, he has nothing to be afraid of. Moreover beyond national independence and freedom he demands nothing of the world. Likewise the Indian people as a whole only desire freedom for their country and their only expectation is that the United Nations would sympathize with them in their aspiration.

The Indian people are by nature of a passive disposition but are apt to go to extremes. I think that in launching its freedom movement today when Axis aggression is a pressing reality, the Indian Congress must have felt in their hearts a certain amount of anguish. If however the United Nations should show them no sympathy and pursue a laissez-faire policy and thereby cause them to despair, I greatly fear that following the National Congress meeting in August there is danger of the situation getting out of control. In case an anti-British movement or some other unfortunate incident occurs in India, the United Nations war in the East will be adversely affected immediately. For the sake of our common victory the United Nations must seek to stabilize the Indian situation and to secure the Indian people's participation in the joint war effort.

The United Nations depend upon India for her to contribute to the war whereas the Indian people have little need to depend upon the outside world. From their own point of view their movement for independence and freedom is not something new that has come into existence after the outbreak of war. Hence they do not stop to think whether their movement will have any harmful effect on the world situation. This being the case they have no hesitation in taking what-

ever steps they may think necessary in furtherance of their national movement. Whether they are right or wrong is immaterial. The fact remains they have now already become irresponsive to even well-considered public opinion or a realistic analysis of India's real interests. Once they abandon hope of an amicable settlement, they are liable to take any risk without hesitation even to the extent of sacrificing themselves and others.

The only way to make them reconsider their course of action is for the United Nations, and especially the United States which they have always admired, to come forth as third parties and to offer them sympathy and consolation. This will help them to regain their sense of proportion and strengthen their faith that there is justice in this world. Once the situation is eased it can be stabilized and the Indian people, grateful to the United Nations for what they have done, will willingly participate in the war. Otherwise the Indian people in despair will have the same feeling towards other members of the United Nations as towards Britain and when this comes to pass it will be the world's greatest tragedy in which Britain is not the only loser.

So far as Britain is concerned she is a great country and in recent years she has been pursuing an enlightened policy towards her colonial possessions. She is one of the principals in this war against aggression. On the other hand India is a weak country. With this unprecedentedly extensive war in progress, naturally things cannot be handled in the ordinary manner. It is my opinion that in order to uphold the British Empire's prestige and safeguard her real interests, the British should unhesitatingly show extraordinary courage, forbearance, farsightedness and resolution by removing the causes which tend to aggravate the situation. In this way the deceptive Axis propagandists will have no occasion to take advantage of these causes.

Should however the situation be allowed to drift until an anti-British movement breaks out in India, any attempt on the part of the British to cope with the crisis by enforcing existing colonial laws or by resorting to military and police force, will only help to spread disturbances and turmoil. The greater the oppression, the greater the reaction. Even if such measures should prove effective in curbing the non-violence movement, the spiritual loss and blow to the United Nations will far exceed that resulting from any reverse in the field. Such a situation will particularly be detrimental to Britain's interests.

There is no doubt a section of the Indian people which, having lost their sense of proportion, is asking if India will never attain freedom, what choice does she have between Britain and Axis Powers. This mistaken idea the United Nations should of course do everything possible to correct. On the other hand the wisest and most

enlightened policy for Britain to pursue would be to restore to India her complete freedom and thus to prevent Axis troops from setting foot on Indian soil. If Britain would reorientate her present attitude and spirit, I firmly believe that not only will Indian sentiment towards Britain undergo a radical change for the better but Britain's action will have an ameliorating effect on the whole situation. Therefore I earnestly hope that the United States would advise both Britain and India in the name of justice and righteousness to seek a reasonable and satisfactory solution, for this affects vitally the welfare of mankind and has a direct bearing on the good faith and good name of the United Nations. The United States as the acknowledged leader of democracy has a natural and vital role to play in bringing about a successful solution of the problem.

In saying so I have not the slightest intention to arouse attention by exaggerated statements. The war aims of the United Nations and our common interests at stake make it impossible for me to remain silent. An ancient Chinese proverb says: "Good medicine, though bitter, cures one's illness; words of sincere advice, though unpleasant, should guide one's conduct." I sincerely hope that Britain will magnanimously and resolutely accept my words of disinterested advice, however unpleasant they may be, and believe that they are voiced in the common interests of the United Nations.

In view of the critical situation and in view of China's responsibilities as a member of the United Nations, I have ventured to offer you my views. This despatch is strictly confidential. It is only for Your Excellency's personal reference. I hope Your Excellency will give the minutest consideration to such practical measures as will break the existing deadlock and avert a crisis. I shall persevere in my efforts. My only feeling is that the United Nations should lose no time in adopting a correct policy towards the Indian situation and in striving for its realization, so that our entire war effort will not suffer a major setback. I ardently hope Your Excellency will favor me with your sound judgment.

CHIANG KAI-SHEK

845.00/2206

*Memorandum of Conversation, by the Under Secretary of State
(Welles)*

[WASHINGTON,] July 28, 1942.

The Chinese Minister for Foreign Affairs called to see me this afternoon at his request. The Minister left with me an urgent message addressed by Chiang Kai-shek to the President, of which a copy is attached herewith.¹³

¹³ *Supra.*

Dr. Soong asked me to read the message since he said he wished to make some oral comments with regard thereto after I had familiarized myself with the contents of the message.

Dr. Soong then stressed the following points:

1. Chiang Kai-shek believes the situation in India is unquestionably going to blow up after the meeting of the Indian Congress unless some outside help is given;

2. He believes that the Indians anticipate a further extension of their movement by the Japanese towards India as soon as the monsoon is over, which would be in the relatively near future;

3. He believes the British are completely blind to the two facts set forth above;

4. He feels that the Indian Congress actually represents the desire of the Indian people and can be compared in its importance and representative capacity to the Chinese National Revolutionary Committee of some years ago;

5. He is convinced that the question of India is regarded by all of the people of Asia as a test case in ascertaining the sincerity of the United Nations;

6. He believes that the Indian National Congress will accept much less than they are asking, but solely provided that the Chinese Government and the United States Government participate in negotiations between the representatives of the Indian National Congress and the British Government as friends of both sides and provided that both China and the United States underwrite the carrying out of the terms of any agreement reached;

7. Chiang Kai-shek believes that this question is of the utmost urgency and that the outcome of this question may in very great part determine the outcome of the war in the Far East.

I told the Minister that I would immediately submit this message to the President and that it might be that the President would be able to give him at least his preliminary reactions after the meeting of the Pacific War Council tomorrow, Wednesday.

S[UMNER] W[ELLES]

845.00/1542c

The Under Secretary of State (Welles) to President Roosevelt

WASHINGTON, July 29, 1942.

MY DEAR MR. PRESIDENT: In accordance with the wishes you expressed to me on the telephone this morning, I am sending you herewith the telegram for you to send to Mr. Churchill with regard to Chiang Kai-shek's message.¹⁴ I presume that you will wish to have this message sent by Captain McCrea¹⁵ through the Navy Code.

¹⁴ Dated July 25, p. 695.

¹⁵ Capt. John McCrea, U. S. N., Naval Aide to President Roosevelt.

I think I should add, however, that I do not believe the message as now drafted will be productive of any useful results. All of the information we have in the Department of State confirms the views expressed by Chiang Kai-shek that a desperately serious situation is going to break out in India after the meeting of the Indian National Congress on August 6. This is a question of vital concern to our own military and naval interests in the Far East. It would seem to me that the services of representatives of the American Government and of the Chinese Government as friendly intermediaries between the Indian National Congress and the British Government might serve in bringing about some satisfactory arrangement which would hold during the war period and could in any event, in view of the critical nature of the situation now existing, do no harm.

Believe me

Faithfully yours,

SUMNER WELLES

[Enclosure]

Draft Telegram From President Roosevelt to the British Prime Minister (Churchill)

WASHINGTON, July 29, 1942.

For the Former Naval Person ¹⁶ from the President. I have today received a long and urgent message from Chiang Kai-shek. He asks me to regard this message as strictly confidential, but in view of its nature I naturally wish to inform you immediately of its contents.

The following is the text of this message:

[Here follows text printed on page 695.]

I shall have to give a reply to Chiang Kai-shek in the near future and I shall be grateful if you will let me have as soon as possible your thoughts and any suggestions you may wish to offer with regard to the nature of the reply I should make to him.¹⁷

845.01/225 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, July 30, 1942—4 p. m.

[Received 5 : 59 p. m.]

4248. Late yesterday afternoon at Mr. Amery's ¹⁸ request I called on him at the India Office. He said he wanted to explain to me the

¹⁶ Code name for Winston Churchill.

¹⁷ Comment by Prime Minister Churchill regarding views of Chiang Kai-shek forwarded by President Roosevelt to him is contained in his book *The Second World War*, vol. iv, *The Hinge of Fate* (Boston, 1950), pp. 507-508.

¹⁸ Leopold S. Amery, British Secretary of State for India and Burma.

present British position with regard to India. His interviews with me on the Indian situation are not very different in their approach from the interviews our friends have with De Valera.¹⁹ They always begin with the historical background. His account dealt with the last 80 years of Great Britain's service to India. His emphasis is always on the divisions in India, both religious and political, underlining the minority problem. He told me that some half a dozen years ago when the British Parliament was attempting to accept the responsibility of adjudicating these difficulties he was able to persuade the Government with considerable difficulty that that was primarily an Indian problem and that it was the Indians' responsibility to reconcile these differences and present a constructive program for the future evolution of India. In our conversation he stated that during the last year he had made it clear to the Indian Congress that they would not be the sole body with which England would ultimately treat when the future political status of India was to be settled. I asked him if the English were not largely responsible for the development of the Congress and I felt his reluctance when he admitted that they were. He told me that the Viceroy now had an Advisory Council of 15, 11 of whom are Indians. I asked him if any of them were representatives of the Congress. He answered no. He told me that Cripps' Mission broke on the insistence of the Congress under Gandhi's influence that the Viceroy's position be made to correspond to that of the King under the English Parliamentary system. He further told me that Gandhi realized that it was impossible to reconcile the minority elements under the Indian proposals without a continuance of Great Britain's stabilizing influence. Amery explained to me that half the British fighting forces were recruited from Punjab and that under any loose arrangements prescribed by the Congress that state would undoubtedly establish an independent jurisdiction. He felt the same would be true of the more powerful Indian principalities. He said that the refusal of the Indians to reach agreement with Cripps was supported neither in nor out of India, that Gandhi, recognizing this, retreated from a position of reason to one of emotion and that his present mood was to return to his old technique of non-cooperation in the hope that untoward incidents which might be exaggerated to political advantage might reestablish his position of authority. Amery said that the Viceroy had wisely adopted a conciliatory course waiting for the reconvening of the Congress on August 7, in the hope that they still might adopt a more cooperative attitude. If at that time, however, adjudication continued, the British Government would take a strong position and arrest Gandhi and other political leaders. He told me that if similar interferences with the war effort were attempted

¹⁹ Eamon de Valera, Irish Prime Minister.

in England they would not be tolerated and that they were only allowed in India because of the complex situation there. He assured me that whatever action is taken by the British Government there would be no real change in India's contribution to the war and that recruiting and production would continue without slackening. During the conversation I asked him why Burma and India had been excluded from the Atlantic Charter. He at first argued that this had not been done and then said the situation had been restored by a later statement of his to the Parliament which reinstated Great Britain's promises to India of 1940.

He explained to me that he had to leave for a Cabinet meeting and I thanked him for his statement of the British position.

WINANT

845.01/227 : Telegram

The Officer in Charge at New Delhi (Merrell) to the Secretary of State

NEW DELHI, August 5, 1942—11 p. m.

[Received August 6—9 : 18 a. m.]

566. Following telegram has been received from the Consulate at Bombay:

"August 5, 5 p. m. According to British newspaper reporter for *News Chronicle* who interviewed Nehru yesterday the latter was in a 'white hot rage' and 'bitter' about the action of the British authorities in authorizing the publication of the secret minutes of Congress Working Committee.²⁰ Nehru reported to look upon this British action as convincing proof that British have no desire to make a settlement and that there is, therefore, no alternative but to proceed with extreme plans for civil disobedience campaign. In short British inspired revelations are said to have put Congress leaders in such a frame of mind that they will reject any compromise which might be offered. If Nehru's previously enunciated good will has really been alienated by this action the general outlook insofar as internal political developments in India are concerned is indeed dark."

MERRELL

845.01/230a

The Secretary of State to the Officer in Charge at New Delhi (Merrell)

No. 38

WASHINGTON, August 5, 1942.

The Secretary of State transmits herewith a letter, with enclosure, addressed by the President to Mr. M. K. Gandhi, Sevagram Via

²⁰ For texts, see British Cmd. 6430: *India, Statement published by the Government of India on the Congress Party's responsibility for the Disturbances in India, 1942-43*, pp. 34 ff.

Wardha, Central Provinces, India, which the officer in charge of the American Mission is directed to have delivered, by the most appropriate means, to the addressee.

[Enclosure]

President Roosevelt to Mr. Mohandas K. Gandhi

WASHINGTON, August 1, 1942.

MY DEAR MR. GANDHI: I have received your letter of July 1, 1942, which you have thoughtfully sent me in order that I may better understand your plans, which I well know may have far-reaching effect upon developments important to your country and to mine.

I am sure that you will agree that the United States has consistently striven for and supported policies of fair dealing, of fair play, and of all related principles looking towards the creation of harmonious relations between nations. Nevertheless, now that war has come as a result of Axis dreams of world conquest, we, together with many other nations, are making a supreme effort to defeat those who would deny forever all hope of freedom throughout the world. I am enclosing a copy of an address of July 23 by the Secretary of State,²¹ made with my complete approval, which illustrates the attitude of this Government.

I shall hope that our common interest in democracy and righteousness will enable your countrymen and mine to make common cause against a common enemy.

Very sincerely yours,

FRANKLIN D. ROOSEVELT

845.01/231

*The British Embassy to the Department of State*²²

[WASHINGTON, August 7, 1942.]

MESSAGE FOR THE PRESIDENT FROM MR. ATTLEE²³

My colleagues and I would have wished that you should have known in advance the Government of India's decision, only communicated to us at the last moment, to publish on August 5th the documents relating to the Congress Party Working Committee's discussions on Congress Party's resolution of May 1st. These papers, with their damaging revelations of the defeatist outlook of the Congress Party

²¹ Radio broadcast, printed in Department of State *Bulletin*, July 25, 1942, p. 639.

²² Apparently this copy was sent to the Secretary of State by the British Minister (Campbell) on August 7, 1942; the original was sent to the White House.

²³ Clement Attlee, British Deputy Prime Minister.

leaders and particularly of Gandhi, had been in Government of India's hands for some time but they forbore from disclosing them or from placing any restraint upon Congress leaders in hope that counsels of moderation and especially the opinions expressed in the United States might avert any extreme decision. Unfortunately this hope has gradually diminished and after much searching of heart the Government of India decided almost at the last moment on publication which they felt might help to check waverers in the Party by showing up its leaders in their true light.

2. In considering now how best to deal with the situation created by the Congress Party's threat of a mass-movement to enforce their demand for a British withdrawal, Government of India have been guided by available indications of the extent to which movement may interfere or be intended to interfere with conduct of the war on Indian soil. The indications are unfortunately grave. More than one leader has threatened that movement would be short and swift, and the declared intention of Congress is to throw into it all non-violent strength accumulated in the past twenty years. Detailed information has been derived from a circular issued locally by the Andhra provincial Congress Committee in Madras indicating that programme is designed to effect pressure on Government officers to resign, organization of labour strikes, interference with railway transport (though without danger to life) and with telegraphs and telephones and picketing of troops. The crippling effect on the war effort of such activities carried out on a widespread scale is manifest.

3. For these reasons Government of India with approval of His Majesty's Government have decided that most vigorous steps must be taken to suppress the movement at the outset. It is noteworthy that this is a decision of Governor General in Council and that this Council is now comprised of eleven prominent non-official Indians and, counting the Viceroy himself and the Commander-in-Chief, only five Europeans, one of whom is at present out of India.

4. It is the intention of the Government of India, as soon as the All-India Congress Committee pass or endorse a resolution containing threat of mass civil disobedience, promptly to order the detention of leaders, that is, of Gandhi and members of the Working Committee under the Defence of India Rules and it is possible that the more prominent of them will be deported from India. The Working Committee, the All-India Congress Committee and each provincial Committee, but not the Indian National Congress Party as a whole, will be declared to be unlawful associations, their offices and funds seized, and all individuals arrested who are considered competent and likely to attempt to organize and launch a mass movement. The main object of this action will be to render the movement abortive by removing and detaining its leaders. All possible precautionary

measures will be taken in consultation where necessary with military authorities to deal with danger of widespread demonstrations and disorders. If hope of paralysing movement at outset by above methods should not succeed it will be necessary to introduce stronger measures against Congress Party as a whole. These intentions are of course strictly secret for the time being.

5. His Majesty's Government feel confident that you will share their view that no other choice is open to them than to restrain with whatever means may be necessary the activities of politicians who are bent on pursuing a course which His Majesty's Government sincerely believe would not only hamper and frustrate the war effort of the United Nations but would shatter indefinitely all hope of peace and orderly political advance in India itself.²⁴

845.00/15428

*President Roosevelt to Generalissimo Chiang Kai-shek*²⁵

I have been giving, as you will of course realize, the utmost consideration and thought to your message regarding the Indian situation,²⁶ which reached me through Dr. T. V. Soong on July 29.

I fully share the opinion you express that for the sake of our common victory the Indian situation should be stabilized and the participation of the Indian people should be secured in the joint war effort. I likewise agree that only the Axis powers would reap benefit if India should start a movement against Britain or against the United Nations and that such an eventuality would seriously affect the whole course of the war.

I know, however, that you will understand the difficulty which is presented to me in your suggestion that this Government should advise both the British Government and the people of India "to seek a reasonable and satisfactory solution". The British Government believes that proposals which it has proffered to the peoples of India should permit of an adjustment fair to both sides, which should result in more active participation by India in the war effort in support of the United Nations, postponing until victory comes any final steps to be taken to meet the desires for independence of the Indian people.

²⁴ On August 13, President Roosevelt sent the following memorandum to the Secretary of State: "This came in five days ago from Attlee in the absence of his chief.

"Frankly, I think it is best not to reply to it.

"What is your view? F. D. R." For the Secretary of State's reply, see his memorandum of August 15, p. 721.

²⁵ By direction of the President, the Under Secretary of State (Welles) handed this message to Dr. T. V. Soong on the afternoon of August 8. There is no date on the file copy.

²⁶ Dated July 25, p. 695.

Furthermore, the British Government feels that suggestions coming at this moment from other members of the United Nations would undermine the authority of the only existing government in India and would tend to create that very crisis in India which it is your hope and my hope may yet be averted.

Under these circumstances, I feel that it would be wiser for you and for myself to refrain from taking action of the kind which you had in mind for the time being. This does not preclude further consideration at a moment's notice of some of the steps which you have suggested, should the course of events in India in the next week or two reach a more serious stage. You may be certain that I will have all of your suggestions fully in mind and that I deeply appreciate the constructive and frank communication which you have made to me. Please continue to communicate with me at any moment with regard to any of the matters affecting the common cause to which our two countries are dedicated.

FRANKLIN D. ROOSEVELT

845.01/231

Memorandum of Conversation, by the Secretary of State

[WASHINGTON,] August 8, 1942.

The British Minister, Sir Ronald Campbell, called at his request and handed me a document (copy attached)²⁷ relative to the situation in India, which is self-explanatory. I expressed my appreciation and said that I would bring it to the attention of my associates, and that, of course, I myself would give it special attention.

I specifically and rather emphatically inquired of the Minister whether his Government had prepared a succinct statement of the essential conditions and preparations that would be necessary to enable India to set up the complete plans and structure of a free and independent government, if independence should be granted at once to India by Great Britain, and also showing equally clearly the difficulties the Indians would experience in an attempt immediately to establish and carry into successful operation a structure of entirely independent government, if not the impossibility of their doing so. The Minister said he was not aware of any such statement except the statements made by the Cripps mission. I said that I did not recall whether such a comprehensive statement had been prepared by the British, together

²⁷ Not printed.

with their formula pertaining to ultimate independence, if any, including a reference to the attitude of encouragement and aid on the part of the British Government while preparations and qualifications were thus being effected. I said I was not speaking officially in any sense, but merely asking these questions individually. I concluded by saying that I was speaking in strict confidence and off the record, and that the President would speak for this Government, if and when anything is to be said. The Minister seemed very much interested in the point I had raised and especially its psychological aspect, both in the Empire and in other parts of the world as well.

C[ORDELL] H[ULL]

845.00/1417 : Telegram

The Officer in Charge at New Delhi (Merrell) to the Secretary of State

NEW DELHI, August 8, 1942—11 a. m.

[Received 9:03 p. m.]

578. If Government hoped that publication of Congress documents would produce in this country a typhoon of indignation against the Congress, it must be highly chagrined to find that it has only succeeded in producing a boomerang and in lowering itself still further in Indian public esteem at a moment when constructive statesmanship is the crying need of the hour.

The following is an extract from telegram received from the Consul at Bombay:

"Reports continue to reach me of the intensity of anti-British feeling throughout Bombay area. Shortages and high prices of food-stuffs and kerosene are contributing factors to this anti-British sentiment. If a civil disobedience campaign develops, these unfortunate economic factors will make start much worse. I must again point out that depth and intensity of anti-British feeling in western India can scarcely be overemphasized." (Reference my 523, July 28, noon,²⁸ for situation in Bengal.)

Please telegraph whether recent statements of Gandhi and Nehru on publication of Congress documents and their speeches yesterday to All India Congress Committee have been published in American press. There is reason to think that some of the statements are being shortcircuited in London.

MERRELL

²⁸ Not printed.

845.00/1414: Telegram

The Officer in Charge at New Delhi (Merrell) to the Secretary of State

NEW DELHI, August 8, 1942—7 p. m.

[Received August 8—4:29 p. m.]

580. The Viceroy's Executive Council is now in session and it is reliably reported that a communiqué will be issued tonight giving Government's reaction to Congress resolutions. It is also reported that arrest of Congress leaders may begin tonight or tomorrow morning without waiting for Gandhi's letter to Viceroy which former stated yesterday he would send "not as an ultimatum but as an earnest plea to avoid conflict". Gandhi also said that if he received a favorable response, then his letter could be the basis for negotiations. It is difficult to believe that the Government of India will make precipitate arrests without waiting for Gandhi's usual letter when men like Sapru,²⁹ Rajagopalachari and others are still bending every effort to avoid a struggle. It is believed that such headlong action would further deeply antagonize people of this country and possibly discredit Government even among moderates.

The only explanation is that the Government feels that plans (instructions to district committees) for launching the movement which have reportedly been confiscated will be put into effect before there has been time to consider Gandhi's letter.

MERRELL

845.00/1534

Memorandum by Mr. Calvin H. Oakes of the Division of Near Eastern Affairs

[WASHINGTON,] August 8, 1942.

The recent action of the Government of India in lifting the ban against the Communist Party is of some interest as indicating certain complexities of the political situation as it exists today in India.

Communism in India is said to date from 1918 when Moscow first began to take an interest in that country. For some years the Communist Party of India, which had become well organized in 1928, was financed from Russia and took its orders direct from that country. Later, however, the Party came under the guidance of the Communist Party of Great Britain and Party Organizers from England visited India in order to assist in building up the Party there.

In 1934 the Government of India considered it necessary to declare the Communist Party in India an illegal organization, and its

²⁹ Sir Tej Bahadur Sapru, President of the Non-Party Conference.

leaders were subsequently put in prison. This incarceration of its leaders and lack of funds from abroad has greatly hampered the Party's work and its members are believed to number only a few hundred. The strength of the Party lies, however, in the many persons not party members who, communists at heart, are influential in such movements as that of the Kisan Sabhas (peasants' organizations), and who act as directed by Communist-inspired propaganda.

The objective of the Communist Party in India has been a revolution of peasants and workers in which it is hoped that the Indian Army will participate. The Government of India having been overthrown, it is then planned to establish an Indian Soviet Republic. The strategy of the Party has been to capture political power through control of the Indian National Congress, and with this in view the Indian Communist Party, along with various other left wing parties, became an integral part of the Indian National Congress. It will be recalled that several years ago the political reports from India dealt largely with the contest then occurring between the right and left wings of the Congress. As is well known, the right wing retained its command of the Congress Party.

With the outbreak of war in September 1939, the Communists in India worked energetically to sow discord throughout the country and to prevail upon the Congress to adopt an overtly hostile attitude toward the war effort. When England and Soviet Russia became allies, however, the Communists naturally felt obliged to change their attitude and were faced with the problem of reconciling support in India for an "anti-Fascist" front while continuing their fight against "Imperialism" as it exists under British rule in India. The Party's new policy was announced at the end of December 1941, when it proclaimed itself "pro-war" (i. e. in favor of support of the British war effort in India) on the ground that the war was no longer an "imperialist" war but a "peoples'" war which must be supported.

The group in control of the Congress Party has in the meantime abandoned its policy of non-embarrassment to the British in the war effort and is about to embark upon a line of action which can have disastrous effects upon the war effort in so far as the Indian theater is concerned. The official position of the Indian National Congress and that of the Communists or extreme left wing of the Congress are therefore exactly the reverse of what they previously had been. The Communists' attitude has become "healthy" from the British point of view, and because of this "healthy" attitude the British have considered it desirable to remove the ban on those whom they formerly considered their arch enemies, and find themselves on the verge of civil war with that element which formerly protected them in part from the designs of the Communists.

Whether the latter development is one which the British could have prevented through greater foresight is immaterial to this memorandum. The wisdom of facilitating the dissemination in India of Communistic propaganda is, however, seriously questioned. In view of the religious, racial, and emotional factors involved, it is considered improbable that the Communist Party can, despite its desire for "India's unity with the United Nations", materially lessen the opposition which will be forthcoming against the British in any movement such as is now threatened. Furthermore, in allowing the Communists freedom of action in India, the Government may have lifted the lid of a Pandora's box from which will issue far more elements dangerous to the British position in India, immediate as well as future, than friendly even for the moment. In this connection it may be pointed out that the British military in India reported in February that there was every reason to believe that the Communists in India are still more concerned with their ultimate revolutionary objectives than with the present war emergency.

The following secret instructions to Party members, alleged by the British military to have been issued last January, set forth rather explicitly what is believed to be the Party's attitude:

"To think that our new line is making up with Imperialism is a dangerous illusion. Our new line gives us a programme of action which is the only way out of the present stagnation. . . .³⁰ To relax our efforts to build up and strengthen the underground organisation of our Party is endangering the very existence of our party . . .³⁰ it becomes our duty to strengthen our underground organisation so that we may better co-ordinate our legal and illegal activities."

The danger exists of course that, realizing that their efforts in support of the war effort would have limited value in the present crisis, the Communists may abandon their interest in the war front as a whole and, through adding to disturbances, endeavor to advance their main objective in so far as India is concerned.

The extent of this danger is indicated by the following pronouncement of the General Secretary of the Communist Party of India, made in reply to the action of the Government of India in lifting the ban against the Communist Party:

"We Communists will proclaim our unqualified support to the national demand for recognition of Indian independence and establishment of a National Government and popularize the only path for winning that demand through national unity here and now and India's unity with the United Nations."

"India's unity with the United Nations" would appear to be but a secondary consideration.

³⁰ Omission indicated in the original memorandum.

In a telegram addressed simultaneously to the British Communist Party the General Secretary stated :

“Our fellow patriots are being provoked to a suicidal course by the recalcitrant insolence of imperialist rulers. Your task is to press your Government to negotiate with the Congress on the basis of the recognition of Indian independence and the immediate establishment of provisional National Government.”

The tragedy of the British position in India, wherein the Government is obliged to turn for help to an element which treats it with such contempt, needs little comment.

It may be added that the Indian Princes, controlling one-third of the area of India, have, through their loyalty to the British Crown, assured a maximum war effort from at least that portion of the country. This loyalty is, however, based on self-interest and these Princes will find less enchanting Britannia's couch should she take thereto many partners of too noxious an odor. Too, those groups in British India who have thus far supported the British Raj, may not long continue to do so if elements destructive of their interests are to be allowed to flourish under that Raj.

IV. Interest of the United States in Indian Political and Economic Situation Following Arrest of Gandhi and Other Congress Leaders by the British; Appointment of William Phillips as Personal Representative of the President

845.00/1415 : Telegram

The Officer in Charge at New Delhi (Merrell) to the Secretary of State

NEW DELHI, August 9, 1942—11 a. m.

[Received August 9—6:03 a. m.]

581. Gandhi,³¹ Nehru,³² Azad,³³ and about 20 other Congress leaders were arrested early this morning (reference my 580, August 8, 7 p. m.³⁴).

Speaking before All India Congress Committee last night Gandhi stated that he would make every effort to see Viceroy³⁵ before launching struggle but Government was apparently unimpressed by this statement.

There is as yet no news as to whether, in view of foregoing, movement will be started forthwith.

³¹ Mohandas K. Gandhi, leader of civil disobedience movement in India.

³² Pandit Jawaharlal Nehru, Congress Party leader; associated with Gandhi in opposition to British rule in India.

³³ Maulana Azad, President of the Congress Party.

³⁴ *Ante*, p. 708.

³⁵ Marquess of Linlithgow.

The Indian defense member confirmed to me last night the explanation given in the last paragraph of telegram referred to above.

MERRELL

845.00/1423 : Telegram

The Officer in Charge at New Delhi (Merrell) to the Secretary of State

NEW DELHI, August 10, 1942—4 p. m.

[Received 4:07 p. m.]

585. Situation in India is very confused since hasty arrest of Congress leaders and it will probably be several days before future trends can be anticipated with any degree of accuracy. Most likely possibility seems to be that Government's repressive measures will prove relatively successful temporarily and that movement will be driven underground and assume a considerably more violent complexion than would have been the case were Gandhi and other important leaders available to keep it within reasonably non-violent channels.

Government has taken measure to muzzle press by requiring that all matters relating to political situation be submitted for censorship prior to publication. In this connection, the Consulate Bombay makes the following pertinent remarks with which I agree: "Severe censorship now imposed will create a flood of rumors which official pronouncements will not counteract successfully while people will listen to Axis broadcasts to obtain news of India." All India Editors Conference will meet in Delhi on August 17 to consider position of press resulting from Government orders.

Following arrest of Gandhi yesterday morning demonstrations were held in Bombay which led to firing, lathi charges, and the use of tear gas by police. Five persons were killed and many others, including police, were injured. Similar demonstrations were held in other cities which also resulted in some deaths and many injuries.

MERRELL

740.0011 Pacific War/2718 : Telegram

The Officer in Charge at New Delhi (Merrell) to the Secretary of State

NEW DELHI, August 11, 1942—6 p. m.

[Received August 11—5:15 p. m.]

591. To the President from Currie.³⁶ There are disturbing evidences of a tendency on the part of Congress supporters to identify American forces and attitudes in India with the British. Gandhi has stated "You (Americans) have made common cause with Great Brit-

³⁶ Lauchlin Currie, Administrative Assistant to President Roosevelt; he had been on special mission to China for the President.

ain. You cannot, therefore, disown responsibility for anything that her representatives do in India." *Harijan* August 9. There has already been minor incidents involving American troops. This tendency endangers your moral leadership in Asia and therefore America's ability to exert its influence for acceptable and just settlements in postwar Asia. It is to Britain's own long-term interest that Asiatic belief in American disinterestedness be preserved.

This position must, of course, be preserved in a way that will not unduly embarrass the British. I believe this could be done by making public a communication from you to Stilwell³⁷ through Marshall³⁸ defining our position in India and instructing troops on behavior and attitudes along lines of secret order dated August 8, with certain modifications.

Widespread belief prevails here that nonviolence phase is rapidly passing into violence. The thing to be avoided at all costs is the shedding of Indian blood by American troops. The ability of American troops to prevent this possibility arising would be greatly improved by public knowledge of instructions given them. This consideration also suggests the desirability of modifying point 4 in War Department instructions to Stilwell. In view of larger political interests involved, it is less important to protect property than to avoid shedding Indian blood. I am certain Chinese would concur in this view so far as their property is concerned. Defense of personal safety in point 4 below would actually in practice permit defense of vital military equipment. Clarification of our status here is of great importance in assuring the Chinese that we are not a party to British actions in India.

Racial problems of paramount importance might be minimized by stressing that the fundamental reason for our presence in India is to help the Chinese. It may be possible to persuade the Generalissimo to issue similar instructions to his forces in India. For all these reasons, I suggest a statement along the following lines:

"To Commanding General, American forces in India:

The President appreciates the difficult position in which American forces may be placed because of current developments in India. For your guidance in governing the conduct of American forces, he has directed me to communicate to you the following general statements of policy:

1. The sole purpose of the American forces in India is to prosecute the war of the United Nations against the Axis Powers. In the prosecution of the war in that area, the primary aim is to aid and support China in her war of resistance against Japan. Another aim is to aid in the defense of India in case of attack.

³⁷ Gen. Joseph W. Stilwell, Commander of U. S. forces in India, China, and Burma.

³⁸ Gen. George C. Marshall, Chief of Staff, U. S. Army.

2. In the successful prosecution of the war, the American Government believes that the closest and most harmonious relations must be preserved between the Governments and peoples of all the United Nations.

3. In pursuance of this principle it is important that American forces in India should take scrupulous care to avoid any appearance of participation in India's internal political problems.

4. It is recognized that the sole responsibility for the protection of American property and Chinese property entrusted to the care of American forces from acts of civil violence rests on the Government of India. American forces will resort to defensive measures only in the event that their own personal safety is endangered."

Merrell concurs in this statement. Am unable to consult Stilwell as he is in Karachi but am communicating this message to him with the request that he inform General Marshall of his reaction. I shall proceed with plan to depart for Karachi tomorrow unless advised by you to the contrary. [Currie.]

MERRELL

845.00/1542g

The Under Secretary of State (Welles) to President Roosevelt

WASHINGTON, August 11, 1942.

MY DEAR MR. PRESIDENT: I have just received from Dr. T. V. Soong a further message from Generalissimo Chiang Kai-shek which I enclose herewith.

Believe me

Faithfully yours,

SUMNER WELLES

[Enclosure]

MESSAGE FOR PRESIDENT ROOSEVELT FROM THE GENERALISSIMO,
CHUNGKING, AUGUST 11, 1942

I feel certain that you are concerned as I am at the news of the arrest of the Working Committee of the Indian Congress including Gandhi and Nehru. In my last telegram I expressed my dread that such a development would prove to be a great setback to the Allied cause in the Far East and would certainly have a disastrous effect on the entire war situation. I fear also that if matters are allowed to deteriorate further the influence of the Axis powers would be considerably strengthened and the avowed object of the Allies in waging this war would no longer be taken seriously by the world and the professed principles of the United Nations would lose much of their spiritual significance. At all costs the United Nations should demonstrate to the world by their action the sincerity of their professed principle of ensuring freedom and justice for men of all races. I

earnestly appeal to you as the inspired author of the Atlantic Charter ^{38a} to take (effective?) measures which undoubtedly have already occurred to you to solve the pressing problem now facing India and the world so that normalcy will return and unimpeded war effort may continue to hasten our common victory. Your policy will serve as a guide to all of us who have resisted for so long and so bitterly the brute force of the aggressors. Trusting you will favor me with an early reply.

CHIANG KAI-SHEK

740.0011 Pacific War/2714½

President Roosevelt to Generalissimo Chiang Kai-shek ³⁹

WASHINGTON, August 12, 1942.

All countries and peoples seeking to defeat the Axis powers will doubtless agree, without reference to the merits, that the unsettled controversy between those forces in India led by Mr. Gandhi and the British Government is unfortunate—equally unfortunate for all concerned. You and I naturally deplore this situation. The United Nations are especially interested in it by reason of its relation to the war situation. We have every desire to contribute to its adjustment.

It is scarcely necessary to reiterate the deep interest of this Government both under its longstanding policy and especially under the provisions of the Atlantic Charter, in independence for those who aspire to independence. This policy has been stated and reiterated over a long period and up to this hour by the official spokesmen of the American Government. It has been put into practical application in such cases as that of the Philippines. No one can misinterpret or misunderstand these crystal-clear acts and utterances of the Government of the United States.

It seems clear that despite all efforts on your part and on my part, without becoming actual parties to the internal controversy existing between the British Government and Mr. Gandhi speaking for himself and his followers, to aid in bringing about an amicable adjustment of this serious disagreement and controversy, it has thus far been impossible to do so. The Government of the United States has thus far been of the opinion that it could exert its influence and efforts more effectively in this matter by refraining from offering active mediation to both sides in the controversy which seems to be a combination of many facts and factors.

^{38a} Joint statement by President Roosevelt and Prime Minister Churchill, August 14, 1941, *Foreign Relations*, 1941, vol. 1, p. 367.

³⁹ Handed to the Chinese Ambassador (Hu Shih) by the Chief of the Division of Far Eastern Affairs (Hamilton) on August 13, 1942.

You and I realize that irrespective of the merits of the case, any action which slows up the war effort in India results not in theoretical assistance, but in actual assistance to the armed forces of Japan.

We have sought in every consistent way to promote an adjustment which would tide over the war period in order that we may win a victory against barbarism.

We need India's help in this and I wish Mr. Gandhi could see more clearly the need for this immediate help, and also that he could understand that the very worst thing that could happen to the people of India would be victory by the Axis powers.

I told the Pacific War Council today, including Mr. Soong, that I think your position and mine should be to make it clear to the British Government and to Mr. Gandhi and his followers that we have not the moral right to force ourselves upon the British or the Congress Party; but that we should make it clear to both sides that you and I stand in the position of friends who will gladly help if we are called on by both sides.

At the same time I think we should intimate to both sides that because both of them and China and the United States and all the other United Nations are in a struggle for existence, the assistance of India is vital to the common cause, including the cause of the people of India themselves.

I have in mind the history of the Thirteen American Colonies in 1775. Each Colony was a separate sovereignty. They set up differing republican forms of government. They had a loose Confederation, but when their independence was acknowledged in 1783 they realized they must have a breathing spell before they could set up a permanent constitutional form of federal government. They, therefore, went through a six year period of trial and error and discussion. Finally, they adopted a Federal Constitution which is in existence today—one hundred and fifty-three years later.

I think that you and I can best serve the people of India at this stage by making no open or public appeal or pronouncement but by letting the simple fact be known that we stand ready as friends to heed any appeal for help if that appeal comes from both sides. It is my thought that this simple fact need not even be put on paper because it should be obvious to all.

If we both pursue the policy above recommended we can later consult together as to the desirability and feasibility of making available our friendly offices should they be desired by the parties to the controversy.

For your information the following orders have been given to the American forces in India :

"The sole purpose of the American forces in India is to prosecute the war of the United Nations against the Axis powers. In the prosecution of the war in that area the primary aim of the Government

of the United States is to aid China. American forces are not to indulge to the slightest degree in activities of any other nature unless India should be attacked by the Axis powers, in which event American troops would aid in defending India. American forces in India will exercise scrupulous care to avoid the slightest participation in India's internal political problems, or even the appearance of so doing. American forces will resort to defensive measures only in the event that their own personal safety or that of other American citizens is endangered."

I send you my very warm personal regards.

ROOSEVELT

845.00/1516

*Memorandum of Conversation, by the Under Secretary of State
(Welles)*

[WASHINGTON,] August 12, 1942.

The Ambassador of Mexico ⁴⁰ called to see me this morning at his request.

The Ambassador said that the President of Mexico had telephoned him this morning and asked him to call upon me personally in order to inform me that agitation of considerable volume had already been manifest in Mexico for some steps to be taken looking towards intervention by the United Nations in favor of the granting of independence to the people of India by the British Government. President Avila Camacho told him that he was visited yesterday evening by leaders of the principal labor organizations, all of whom had urged him to request the President of the United States to join with the Soviet Government in offering mediation between the Indian National Congress and the British Government with a view to preventing great loss of life in India and with a view to further Indian independence. The President wanted to know what the views of this Government might be with regard to this question and whether there was anything helpful he could do.

I asked the Ambassador to convey to the President the deep appreciation of this Government for the confidence he had shown, which was a new demonstration of the particularly close and intimate relations between our two countries at this critical time.

I said the President of Mexico could be assured that the President had been giving the utmost thought and consideration to the question of India for a long time past. I said that at the time Sir Stafford Cripps had been sent to India by the British Government it had been the earnest hope of the United States that a satisfactory and

⁴⁰ Don Francisco Castillo Nájera.

fair solution could be found. Unfortunately, those negotiations had broken down. The leaders of the Indian National Congress were demanding complete independence immediately and the British were not willing to concede more than the assurance for complete independence at the end of the war period together with certain adjustments during the intervening period which in the opinion of the British Government would not jeopardize the ability of Great Britain to defend India and legitimate interests of the United Nations. I said that unfortunately it was clear that a stalemate had now arisen and it was difficult to foresee how long this might last.

I asked the Ambassador further to say that as the Mexican Government well knew this Government had officially and publicly stated on many occasions that it favored the independence of all peoples who desired independence and that our policy with regard to India was therefore clearly established. I stated, however, that at the present moment in the opinion of the President of the United States the successful winning of the war was superior to every other consideration. He felt that no steps should be taken by him which would impair the position of the Government of India and its consequent ability to maintain order and to make possible the defense of India against probable impending Japanese attempts of invasion and to insure the passage from India to China of urgently needed military supplies and equipment. I said that if at any time the President believed that both parties to the dispute felt that his friendly services would be of value in putting an end to the controversy, he and other leaders of the United Nations should be in a position to render such assistance, but that he felt his intervention at this time would not be conducive to the military objectives which he had uppermost in mind.

I said that of course the public utterances of Gandhi and the written statements which he had recently made would only lead to the belief that the winning of the war by the United Nations was something in which he was not interested and that the situation which he had now in part been responsible for creating could only be of advantage to Japan and was obviously being stirred up and fostered by Japanese propaganda.

The Ambassador said that in his own opinion Gandhi was secretly working with the Japanese and he feared that was also the case of a large majority of the Indian National Congress.

He said he would immediately communicate what I had said to the President of Mexico and that he was confident that the President of Mexico would understand the situation fully and prevent undue agitation in the Republic.

S[UMNER] W[ELLES]

845.00/1533

*Memorandum of Conversation, by the Assistant Secretary of State
(Berle)*

[WASHINGTON,] August 12, 1942.

Sir Girja⁴¹ came in to see me, at his request. He was obviously shaken and unhappy about the events of the past few days. He said he had come in more to unburden his mind than for any other purpose. He pointed out the difficulty of his own position. He said that under the circumstances he had felt that he could not talk freely in Washington, but hoped that he could come in from time to time to present to me his appreciation of the facts, which was all he could do.

He then made two points. He said he hoped that we would go forward with the implementation of the Grady report;⁴² and he hoped that we could promptly get a ranking American to India as Agent General. I said that both matters were under close and immediate consideration.

He then stated the now familiar facts in the controversy between the Congress Party and the British Government, and he wondered whether we were taking any attitude.

I took my line carefully from the answer which Secretary Hull had prepared to General Chiang Kai-shek. I said that the last thing in the world this Government felt it could do was to take sides in a controversy, or attempt to pass judgment on the merits. Still less could we expect to obtain any practical results unless there was reason to believe that our good offices were wanted. As we saw it, the cardinal issue was the victory of the United Nations in respect of which the defense of India was a vital part. In line with this, we had a historic interest in the question of independence as shown both by our steady enunciation of principle and our own action in the matter. The British war effort was vital to the defense of the United Nations. The aspiration of India to independence was entirely consistent with our ideals. If forced to choose, defense necessarily had to come first.

Meanwhile, I could only express a personal opinion as to what the Government might do; but my personal opinion was that, at least for the time being, we would not feel free to make any announcement or take any action. Naturally, circumstances might change, but unless and until a favorable opportunity developed, I did not see that we could say anything. In respect of the internal matter, we had little, if any, standing. We had, of course, an over-all interest both as a matter of defense and by reason of the fact that our troops and supplies were in India, and because India was on the line of communica-

⁴¹ Sir Girja Shankar Bajpai, Agent General for India.

⁴² See press release issued by the Department of State, September 11, 1942, p. 732.

tions to our Chinese ally. But the existence of this interest did not mean that it was desirable to enter, much less take sides in, a controversy at the present time.

Sir Girja said that he was entirely of this view, and very glad of it. He said his own opinion was that the President could only step into this situation when he was virtually assured of success. He said that the British feeling in the matter was not reassuring. The Chinese Ambassador ^{42a} and Sir Frederick Leith-Ross ⁴³ had been at his house to dinner a couple of nights ago; the Chinese Ambassador had indicated the vivid Chinese interest in settlement of the Indian controversy. Thereupon, Sir Frederick Leith-Ross had grown purple with rage and had used language to the Chinese Ambassador which finally forced Sir Girja, as host, to intervene and end the discussion. If, said Sir Girja, the Britishers felt that way about the obvious Chinese interest, it was difficult to see that much could be done until their views had developed further.

He was somewhat worried about the strain on Chinese-English relations.

I said that this was of course regrettable but that some allowance had to be made for the British point of view. They were fighting for their lives; and as they saw it, the Congress movement was endangering their very safety. For two centuries the British Empire had been the symbol of Britain's greatness and position in the world; and while this might not justify all of their policies, it had to be realized that they were operating under a very severe strain. Further, I said, the intercepted first draft of Gandhi's resolution contemplating talks with Japan was not one which would be taken very well by Britain, or for that matter, in the United States. Sir Girja said that that was unhappily true. Gandhi had seemed to indicate that he thought the Japanese and the Germans would win the war—whereas all of our thinking had to be based on an exactly contrary premise.

Sir Girja said he would come in from time to time, in case he got any new light on the situation. I said we should be glad to have him.

A[DOLF] A. B[ERLE], JR.

845.20/115

Press Release Issued by the Department of State, August 12, 1942

The following statement of this Government's policy has been made a part of the orders to the American military forces in India:

^{42a} Hu Shih.

⁴³ Chief Economic Adviser to the British Government since 1932; Chairman of the Allied Committee on Post-War Requirements.

"1. The sole purpose of the American forces in India is to prosecute the war of the United Nations against the Axis powers. In the prosecution of the war in that area the primary aim of the Government of the United States is to aid China.

2. American forces are not to indulge to the slightest degree in activities of any other nature unless India should be attacked by the Axis powers, in which event American troops would aid in defending India.

3. American forces in India will exercise scrupulous care to avoid the slightest participation in India's internal political problems, or even the appearance of so doing.

4. In event of internal disturbances American forces will resort to defensive measures only should their own personal safety or that of other American citizens be endangered or for the necessary protection of American military supplies and equipment."

845.00/1446: Telegram

The Officer in Charge at New Delhi (Merrell) to the Secretary of State

NEW DELHI, August 14, 1942—noon.

[Received 6:39 p.m.]

603. Sir Richard Tottenham, additional Secretary in the Home Department who is directly charged with the suppression of internal disorder in India, informed me yesterday afternoon that the disturbances reported in my various telegrams⁴⁴ particularly those in Delhi and Bombay are now under control. He described them as outbursts resulting from resentment against the arrest of Gandhi and the other Congress leaders which were spontaneous and sporadic but in some cases directed by lesser Congress leaders. They could not arrest everyone. In some of the most likely places for Congress movements to develop, no disturbance had occurred. He felt that the cause of the Congress Party had been hurt by the violences perpetrated.

Sir Richard expects the real civil disobedience movement to begin later (time unpredictable) starting on a lower level and being more widespread than the recent occurrences. He seemed confident that the Government would be able to keep the movement under control.

Gandhi has not yet started a fast.

MERRELL

741.45/12

Memorandum by the Secretary of State to President Roosevelt

[WASHINGTON,] August 15, 1942.

With reference to the attached communication of August 7 to you from Mr. Attlee,⁴⁵ you and other officials of this Government during

⁴⁴ The many telegrams from New Delhi reporting in detail on the internal situation in India are not printed.

⁴⁵ *Ante*, p. 703.

past months earnestly laid before Prime Minister Churchill and other British officials the unequivocal attitude of yourself in favor of an adjustment on a basis that could and should be mutually agreed upon in the relations between the home Government of Great Britain and either officials or certain political leaders headed by Mr. Gandhi in India.

In addition to your plain statements to Mr. Churchill to the foregoing effect, I on one or two occasions, and I think it was two, brought up the whole question of concessions and further adjustments on a mutually agreed upon basis, with Ambassador Halifax. As early as six months ago further earnest efforts on the part of your personal representative in India, Col. Louis Johnson, were made in support of a mutually satisfactory settlement. Our attitude has not been one of partisanship toward either contender, and of course it is not today. In these circumstances, there is scarcely more to add in relation to the accompanying document.

It would seem that if the British Government would repeat with full emphasis its proposal of independence to India at the end of the war, and accompany it by a statement of the adjustments to be made prior to the announcement of independence, including some reference to the equal interest of India with the twenty-eight nations in resisting the Axis powers, it would clarify public opinion and might lead to the resumption of discussions between Great Britain and the Indian leaders. In any event, it ought to have the effect of reducing the feeling of tension in India. You, of course, and all of us, are closely observing to find any way that is at all feasible and acceptable to further encourage and promote a mutually satisfactory settlement.

845.00/1535

*Memorandum of Conversation, by the Under Secretary of State
(Welles)*

[WASHINGTON,] August 18, 1942.

Sir Ronald Campbell ⁴⁶ called to see me this morning at his request.

Sir Ronald read to me an article appearing in this morning's *New York Times* reporting a conversation which Mr. Norman Thomas ⁴⁷ had yesterday with Secretary Hull and in which, according to Mr. Thomas, Secretary Hull was alleged to have said that the Government of the United States "was constantly awaiting opportunities to bring pressure on both sides" in India.⁴⁸ I replied that I had not had an opportunity of talking with Secretary Hull regarding this con-

⁴⁶ British Minister.

⁴⁷ American Socialist leader.

⁴⁸ Marginal note: "Untrue—Hull."

versation, nor had I seen any memorandum of it. I said, nevertheless, I could immediately, with perfect assurance, state that Secretary Hull never would have used any such phrase as that mentioned, and that the policy of this Government with regard to the Indian question was well known and had been frequently stated. I said that all that Secretary Hull could possibly have implied was that this Government always stood ready to do what it could to be of service in composing differences in India and, as one of the United Nations, it felt, because of the vital effect which any serious crisis in India would have on the common war effort and upon the vital interests of the United States, it was warranted in taking such action in this regard as might be helpful.

Sir Ronald said that he was sure that this was the case and that he understood our situation fully, but that he felt that a report of this character would have a very bad effect when published in India. I stated that, without knowing what the facts might be, I assumed that our censorship authorities would not permit a phrase of this kind to go out.

Sir Ronald had received a long telegram from his Foreign Office with regard to the situation in India. In this, he was informed that the situation in general had greatly improved but that the British Government believed that the Congress Party had been taken by surprise and that the disorders which had broken out were not actually due to any concerted effort on the part of the Party. It was believed that the Party was now planning for a far wider concerted move of obstruction which would result presumably with the stopping of communications. The British Government desired this Government to know that if agents of the Congress Party cut communications or obstructed free communications, the "most severe measures" would be taken by the Indian Government.

S[UMNER] W[ELLES]

845.00/1594

*Memorandum of Conversation, by the Assistant Secretary of State
(Berle)*

[WASHINGTON,] August 18, 1942.

Mr. Mahindra ⁴⁹ came in to pay his respects. He wished to express the hope that we would continue to implement the Grady report. He said in his considered judgment announcement of our intention to go ahead on the lines recommended would be a very considerable stabilizing influence in the present disturbed Indian situation.

⁴⁹ K. C. Mahindra, of the India Supply Mission.

He added that he hoped the United States might say something which would assist in the settlement of the Indian question. He was clear that what was going on now was merely surface rioting by disorderly elements; the real campaign of civil disobedience had not begun; he thought it probably would begin sometime in October. When it came, it would far transcend in importance anything which had occurred to date.

I said that we had felt we could not take sides in the matter; that any act on our part would only be considered if we had reason to believe it were welcome to both sides. I added that our national doctrines here were in favor of independence and we approved it in the Philippines; but that if it were a question as between defense and independence for India, we should of course choose defense. Without defense there would be no independence for India or anyone else.

Mr. Mahindra said that he agreed. He said that in July every Congress leader had been in favor of defense of India. When he left India in July one of the principal reasons for the Congress upheaval was their understanding that the British did not intend to defend India.

I expressed surprise at this.

Mr. Mahindra then said that a secret staff document had leaked out and had been circulated in Indian newspapers. This was purely and simply a plan for the evacuation of India in the face of any Japanese thrust, leaving the country helpless and at the mercy of the invaders. This, he said, was why the Congress insisted on control of the defense of India. They feared that otherwise they would be abandoned as had been the case with Burma.

I said that my impression was that the present policy was quite otherwise; that the British were reenforcing in India and were asking, in that regard, certain assistance from us.

Mr. Mahindra said that defense of India really turned on defense of the Calcutta area; that the RAF⁵⁰ there consisted of 50 planes though they had been sending in reenforcements of troops. He said that 500 planes in that area probably would be determinative. He was an industrialist and he knew India well; he was not in politics nor had he been in Government service; but he was convinced that defense was possible and that fear that it would not be carried out was at the very root of the Congress movement.

I said that I noted his points. Naturally we were exploring daily any possibilities in the whole matter though at the moment I saw nothing that could be done. Some of us had wondered why the Congress did not state that they were wholeheartedly in favor of defense of India and were prepared to cooperate in that regard, irrespective of other political controversies.

⁵⁰ Royal Air Force.

Mr. Mahindra said that some weeks ago they had been prepared to make that statement; that he thought they would now if Pandit Nehru were not in jail. But as all Congress leaders were in jail now there was no one who could make the statement; and no Congress leader would sit down with the British while they were in jail.

I said that it seemed to me that if the Congress really wanted to defend India, agreement would be established on one point between the groups, namely, that both British and Indians proposed to defend India.

Mr. Mahindra said that they could get together only with the United States on this point. The Congress Party would not now sit down around the table with the British.

I said that I was, of course, not empowered to discuss anything of that sort.

Finally, Mr. Mahindra made one suggestion. He said that the attack on the Solomon Islands was, in one sense, a vigorous implementation of the defense of India by the United Nations, namely, ourselves. It directed Japanese strength away from India and safeguarded their position. He thought our people might well state that fact over the radio for the benefit of the Indian population.

I said I noted the suggestion and would pass it on.

A[DOLF] A. B[ERLE], JR.

845.00/1596

*Memorandum of Conversation, by the Assistant Secretary of State
(Berle)*

[WASHINGTON,] August 22, 1942.

Sir Girja came in to see me, principally to give his interpretation of the Indian events.

He said that the disturbances in India were not going according to pattern. They certainly were not a non-violence campaign got up by the Congress. They started with violence, and were on a straight revolutionary pattern. Though they started, of course, in Bombay and Allahabad, and similar places, they were now principally affecting the Province of Bihar. The pattern in all cases was the same: a concentrated assault on railways, communications and telegraph lines. The railways running through the Bihar and adjoining districts which were affected carry ninety per cent of the coal and minerals of India to the rest of India; they are therefore strategic.

Bombay, he gathers, is pretty well back to normal; the Government ordnance factories are at work.

But Sir Girja was concerned over a number of developments. The students at the University of Benares had taken over the leadership

of the mob; the University had been closed and occupied by the police, but the students thus dispersed would probably carry the movement to the rural districts. Sir Girja said that under the circumstances the British were entirely right in closing the university—though he felt badly, since he had himself got it financed with an annual draft of \$100,000., in earlier days.

Sir Girja said that they saw, as yet, no evidence of Japanese fifth column penetration outside of Calcutta, where there had been a small amount.

No one was yet certain whether the non-violence campaign was yet to begin.

Sir Girja felt that in view of the way the campaign had been handled, the British had done the only thing they could, in meeting force with force. It was idle to say that they could merely let things alone, or that they were under any obligation not to resist a violent movement directed against them. In practice, no one was prepared to set up a provisional government in India, should the British leave; by consequence, as he saw it, the immediate withdrawal of the British would mean either anarchy and civil war on the one hand, or a Japanese take-over, on the other—neither of which was of any use to India.

Sir Girja said that he had had a number of leading radio commentators in to see him at lunch, in New York. They had asked him why the United States did not make a move. Sir Girja had said that he could not, of course, discuss any such matter; that his personal view was that it would be absurd for the President to make any move unless he were assured in advance that it would be successful. A premature move which aligned the President with one side or the other and led to failure, would mean that there was literally no one in the world (unless one might name Hitler or Hirohito) who could thereafter enter the situation with any hope of success.

Finally, Sir Girja urged again that we promptly appoint a successor to Col. Johnson, saying that the personality and standing of the man could be of extreme importance in the situation. Only in that way could we have any real data on what was going on.

A[DOLF] A. B[ERLE], JR.

740.0011 European War 1939/24125

Memorandum of Conversation, by the Secretary of State

[WASHINGTON,] August 24, 1942.

The British Ambassador called at his request. After some preliminary exchanges of information of a general nature the question

of the proper construction and practical application of the political provisions, especially, of the Atlantic Charter came up. I repeated to the Ambassador my ideas of its proper construction and practical application. These provided for its universal application to all nations and peoples—to all peoples whatsoever their condition and whatsoever shade of independence and freedom that they might aspire to. The Ambassador replied that some of the high officials of his Government were in the act of preparing an interpretation and application of the Atlantic Charter as it would relate to the British Empire. I said that while it was not my business except in a general sense, in my judgment the application of the Charter should be made universal, as I had already described it to the Ambassador, and that the British Empire would probably run into constant difficulties if it should seek to have the Atlantic Charter applied in separate compartments, so to speak. The Ambassador said he considered that a very impressive view and that he would at once bring it to the attention of Lord Cranborne, who is in charge of the proposed undertaking to draft regulations relative to the application and meaning of the Charter.

C[ORDELL] H[ULL]

845.00/1556

*Memorandum of Conversation, by the Under Secretary of State
(Welles)*

[WASHINGTON,] August 25, 1942.

Lord Halifax called to see me this afternoon at his request. In the course of his conversation the Ambassador informed me for the confidential information of this Government that the Viceroy of India had yesterday reported that the general situation in India was far better and that the only province where disorders were continuing was the Province of Behar. The Viceroy also reported—and it was desired that this piece of information be kept strictly secret—that a strike was in progress at Tata's iron works in Calcutta where by far the greatest volume of war production in India was being undertaken. This strike was causing much concern to the Government of India. The Ambassador stated that no conversations of any kind were in progress between the Government of India and the Indian National Congress and that none were anticipated. He stated that the Viceroy was firmly of the opinion that the Indian Government had the situation well in hand and that no serious crisis was likely at least for some time to come.

S[UMNER] W[ELLES]

845.01/239 : Telegram

The Officer in Charge at New Delhi (Merrell) to the Secretary of State

NEW DELHI, September 3, 1942—3 p. m.

[Received 4:41 p. m.]

674. Since Gandhi now in jail there is no means of delivering President's letter to him except through Government of India channels (reference Department's instruction No. 38, August 5⁵¹). Even if that means were employed there would probably be no way of knowing whether letter actually reached its destination. In addition, any approach to Government would probably develop the fact that President's letter is in reply to one from Gandhi and Government would naturally wonder, and perhaps inquire, how latter was despatched from India without censorship. I accordingly suggest that letter be kept in confidential files of this office or alternatively if Department so desires, transmitted through Consul in Madras to Rajagopalachari, the only important Congress leader not in jail.⁵²

MERRELL

845.00/1601a : Telegram

The Secretary of State to the Officer in Charge at New Delhi (Merrell)

WASHINGTON, September 3, 1942—5 p. m.

482. The Department has noted that disturbances in India as reported were not considered part of Congress' mass civil disobedience program the commencement of which was expected at a later date. Please inform whether there are indications that an effort has already been made to put the program in operation or whether its inception is considered still to be in the future.

HULL

845.00/1599

Memorandum of Conversation, by the Chief of the Division of Near Eastern Affairs (Alling)

[WASHINGTON,] September 4, 1942.

Sir Girja Shankar Bajpai called today on some minor matters. I asked him what his impression was of the Indian situation. He said he has the feeling that the rioting has died down but he would not venture to guess whether it was ended. He pointed out that in previous instances when the Congress Party had started civil disobedience

⁵¹ Ante, p. 702.⁵² The Officer in Charge at New Delhi was instructed by telegram No. 505, September 12, 4 p. m., to retain letter until it could be delivered to addressee and then to ask instructions.

and non-violent resistance campaigns the rioting had come later after a period of preparation; in this instance the rioting had started immediately and appeared to have the same general pattern throughout the country, i. e. an attempt to disrupt means of communication.

The Agent General said that he had been giving a great deal of thought to the problem and had come to the conclusion that there was no action which could be taken at this time by the American Government to ameliorate the situation. He went on to say that he did feel quite strongly that it would be advantageous for the American Government to replace Mr. Wilson⁵³ or Colonel Johnson. He said that by having adequate representation at New Delhi not only would this Government be kept better informed of developments but also an experienced representative would be able to bring his influence to bear upon the Viceroy. In this connection, the Agent General pointed out that the Viceroy had been in India for seven years and was probably more or less out of touch with outside opinion, particularly American opinion. He felt it was altogether desirable that the Viceroy should be kept currently up-to-date on opinion as it developed in the United States.

845.00/1565 : Telegram

The Officer in Charge at New Delhi (Haselton) to the Secretary of State

NEW DELHI, September 5, 1942—5 p. m.
[Received 11:16 p. m.]

680. Congress leaders had drawn no detailed plans of campaign prior to their arrest, believing that Viceroy would certainly accept Gandhi's statement that no movement would be launched before he had made an effort to see Viceroy and reach a settlement. The time that has elapsed since August 9 has accordingly been utilized by Congressmen in drawing up and having distributed throughout country a plan of action. While individual Congressmen undoubtedly participated in the various disturbances throughout India there was no central direction. Although acts of violence, arson and firing by police and military are continuing over wide areas during past few days there has been increasing evidence that movement is becoming less violent and more in line with traditional Congress tactics (reference Department's 482, September 2 [3], 5 p. m.). Leaflets are known to have been distributed throughout India and it is believed that Congress movement will become more prominent within next 2 weeks. Due to great organizational problems involved actual Congress campaign is just beginning to manifest itself. Congress news letters indicate that a special effort will be made on September 9

⁵³ Thomas M. Wilson, former U. S. Commissioner at New Delhi.

which is just one month since Congress leaders' arrest. It is extremely difficult to form any complete picture of what is really going on in rural districts because of severe muzzling of press and obvious disinclination of Government to allow true situation to be known not only to overseas public but to foreign Governments as well. Upon inquiry of a high Government official yesterday Berry^{53a} was informed that total number of killed and wounded throughout India was less than 1,000 of which only about 300 had been killed. This figure is believed to be absolutely ridiculous. Same official informed Berry that he believed Congress program was yet to be launched but that he hoped Government would be able to suppress it. He admitted, however, that there is a great danger that even Government repressive measures will not be able to avoid serious dislocations in railway and other communications.

The Secretary of the All India Muslim League stated privately yesterday that he did not believe Government would be able to put down the movement and that despite what the League said publicly it knew that Muslims throughout the country were participating in the movement and were just as much bitterly anti-British as the Hindus themselves. Four prominent members of the Muslim League have issued public statements calling upon Jinnah^{53b} to abandon his present obstructionist policy and make an effort to reach a settlement with Gandhi. There is reason to believe that Muslim Leaguers are frightened that Government will not be able to put down the movement and that it will be forced to reach a settlement with Congress detrimental to Muslim League interests. Everything depends upon how Jinnah himself feels since he is the absolute dictator of the League and is quite capable of saying to his followers that if they are not satisfied with his leadership they are at perfect liberty to replace him with someone else, knowing full well that his followers realize that he is the only one able to hold the League together. An unconfirmed report from a usually well informed source is to the effect that Jinnah has sent word to Rajagopalachari that he is willing to accept him as mediator between League and Gandhi.

I am quite convinced that Government has no desire whatever to reach a settlement and that it is relying on the intransigence of Jinnah in this connection. It is believed, however, that in the unlikely event that Jinnah requested the Viceroy for authorization either for himself or for a mediator to see Gandhi, such request would be all but irresistible.

The Viceroy is seeing Dr. Mookerjee on Tuesday despite efforts of Viceroy's private secretary to side-track the Finance Minister (reference my 671, September 2, 5 p. m.⁵⁴). It is almost certain that the

^{53a} James Lampton Berry, Secretary of the American Mission at New Delhi.

^{53b} Mohamed Ali Jinnah, President of the Muslim League.

⁵⁴ Not printed.

Viceroy will not give his blessing to any proposals until Mookerjee has approached Jinnah and received his consent to start negotiations. The Viceroy hopes and believes that Mookerjee will be unable to satisfy this condition. It will thus be seen that Jinnah, who arrives in Delhi about September 10, holds the whip hand and it is impossible to know whether any reasonable settlement is possible until he arrives here and consults with Mookerjee.

Consular officers throughout India report increasing shortages of food.

Consul General in report dated September 3, gives summary of an interview which occurred between an officer of his staff and a civil official of Government of Bihar. According to this official civil Government has disappeared throughout most of Bihar, the civil authorities having been killed or driven out of villages. Leaders of disturbances are controlling villages and collecting taxes. The army has taken control of large areas and it is estimated that at least one division is being used for this purpose. Many military and civilian officers who have gone into rural areas to investigate have been killed. Producers of raw materials are being urged by Congress leaders to conceal their stocks in order not to aid the British. The official said that while situation showed some improvement in last few days it was impossible to tell when and where further disturbances would flare up. Tearing up of railway lines and destruction of culverts are continuing and is repeated as fast as repairs are done.

Consul General has been informed by the President of the Federation of Indian Chambers of Commerce and Industry, who is a close friend of Gandhi and Nehru, that unless Government opens negotiations soon there will be much more trouble for which many Indian industrialists are prepared to suffer losses if necessary to win independence for India.

Consul General has reported to Department by telegraph the walk-out on September 1, of railway transport workers in Calcutta Port.

Conclusion: The Mission continues to hold view that Government will be unable suppress movement and that serious dislocations in railways and other means of communication will seriously interfere with war effort in this country. Government will make every attempt by suppression of news to convince foreign opinion that it has situation under control but if India is to serve as a basis of operations for United Nations, Government must supplement severe repression with a constructive and positive program to reach settlement with Indian people. There is good reason for believing that Government is strengthened in its present attitude because of belief of British and American Intelligence that there is no chance of a Japanese invasion of this country and that Government will be left free to carry on its own war with internal elements.

HASELTON

845.24/257

Press Release Issued by the Department of State, September 11, 1942

JOINT STATEMENT BY THE GOVERNMENTS OF THE UNITED STATES AND
INDIA REGARDING THE SUBMISSION OF THE FINAL REPORT OF THE
TECHNICAL MISSION TO INDIA

The final report of the American Technical Mission ⁵⁵ has been submitted by its Chairman, Dr. Henry F. Grady, to the Governments of India and the United States. The report contains much factual data concerning the production in India of essential war materials and the recommendations of the Mission for the expansion of such production. The two Governments are now engaged in studying the Mission's report and the manner in which its various recommendations may be implemented.

The function of the Mission was to investigate the industrial resources of India and to recommend ways and means by which these resources could be developed to augment production for war purposes. The work of the Mission, therefore, was directly related to the common war effort of the United Nations and was not connected with the post-war industrial and commercial problems of India. The report of the Mission contains a survey of the principal industries of India ancillary to the war effort and its principal industrial requirements. For each of these, the Mission made recommendations suggesting action by either the Government of India or the Government of the United States. In those instances in which additional output was shown to be required, the Mission recommended the erection of new plants or the installation of additional machinery in existing plants. It also suggested the rearrangement of existing machinery in order that maximum efficiency in production might be attained. The congestion at certain Indian ports received the attention of the Mission, which made various recommendations designed to expedite the loading, unloading, and repair of ships. In addition, it called attention to the overburdened condition of the railways and suggested measures for its alleviation. Vigorous steps have already been taken by the Government of India to implement some of the recommendations contained in the preliminary report of the Mission; and in this program it is being assisted by equipment and material from the United States and the United Kingdom.

With the full approval of the Government of India, the Mission recommended that a number of production engineers and technicians be sent from the United States to advise and assist in increasing the industrial production in India. Steps have already been taken to secure the services of these experts and a number of them will soon be departing to undertake their new and important assignments.

⁵⁵ Text not printed.

The Governments of India and the United States have been impressed with the comprehensive character of the Mission's report. Its recommendations appear to be both constructive and timely. The Governments concerned will determine the extent to which the Mission's program is to be implemented and will seek promptly to execute their decision.

845.00/1620

Memorandum of Conversation, by the Secretary of State

[WASHINGTON,] September 17, 1942.

The British Ambassador called at his request.

I inquired of him if there was anything new in the relations between Great Britain and India. He said there was nothing at this time, but that more recent cables from the Viceroy indicated a further quieting down in the situation.

I said that I would like to make inquiry as to the prospect of any further resumption of conversations between representatives of the two countries. The Ambassador replied that the British Government had contemplated going forward, along the lines of the Cripps Mission and other statements by authorized British spokesmen, but that the present period of violence and resistance would have to cease before the British could carry out their intention to return to peaceful and normal conversations.

I then remarked that the present situation is entirely static and at a standstill, and that there is in prospect in this country a general movement of agitation against Great Britain and in favor of independence for India which might create complications in one way or another later on. I added that with full interest in all phases of the situation and with an earnest desire to see the differences composed, primarily for the sake of the war, I was wondering if speeches adequately firm to meet resistance, but at the same time expressing sympathy and calling attention to the British policy during past years in which autonomy or the equivalent of independence was given to such original colonies as Canada, Australia and South Africa and the continuance of those policies looking toward independence for India, might not be preferable to speeches of a blunt nature. I went on to say that more moderate and sympathetic speeches could make it clear that the British Government desired to resume its course of going forward with its program for Indian independence just as quickly as this movement of violence terminated, and at the same time remove any impression that the British Government is being moved by undue pressure or threats. I said that I was not referring to any particular speeches made in Great Britain, but

I was merely raising this question from the standpoint of dealing most effectively with public opinion in the United States, omitting for the moment the question of the effect on the world war. The Ambassador said that he heartily agreed with my comment. I then elaborated by again saying that speeches that were not too challenging, but entirely firm and at the same time containing concrete reference to the British record in granting autonomy to the three present dominions, et cetera, and their desire to get back as soon as possible to considering the Indian matter might well be considered. I finally added that, if the British could reach a point where they could announce that Indian resistance had definitely terminated and that the British Government was therefore moving back to the resumption of further consideration of its original plans for granting independence to India and if this step soon could be followed by conferences between even one person representing Great Britain and one person representing India, so as to make it appear that the situation was on the move and presumably in the right direction, this, in my judgment, would have a most wholesome psychological effect on public opinion of other nations and India as well.

The Ambassador expressed himself as wholeheartedly and unreservedly in agreement with the statements and implications of what I said. He must have known that I was referring to two recent speeches, one by the Prime Minister and the other by the Secretary of State for India.^{55a}

C[ORDELL] H[ULL]

845.01/243

*Memorandum of Conversation, by the Under Secretary of State
(Welles)*

[WASHINGTON,] September 24, 1942.

The British Ambassador called to see me this morning at his request.

The Ambassador discussed the Indian situation with me at some length. He told me that he had urged upon his Government and upon the Viceroy by means of personal telegrams that every opportunity be taken by the British authorities publicly to make it clear that official promises for the ultimate independence of India after the war would be maintained and that while the Government of India found it necessary under present conditions to prevent disorder and interference with the war effort, the traditional policy of Great Britain was not one of repression of India and was not a policy of repression at this time. The Ambassador said that he had

^{55a} Leopold S. Amery.

a very long telegram from Lord Linlithgow which he thought I would find of interest since it dealt with developments in India. He said he would send me a copy of this telegram.⁵⁶

S[UMNER] W[ELLES]

845.00/1649

*Memorandum of Conversation, by the Assistant Secretary of State
(Berle)*

[WASHINGTON,] October 2, 1942.

Sir Girja came in to see me, at his request. His purpose was principally to maintain contact.

He said that in his position he naturally had to be very quiet and careful. He had been going about the country seeing a number of editors and journalists, off the record, and giving them some general background on the conditions in India.

Of more importance was his account of dealings with Lord Halifax. He said that he had told Lord Halifax that he was convinced they were at the beginning, not at the end, of the long road of Indian resistance. Lord Halifax had eventually sent a long cablegram to London, which was repeated to Lord Linlithgow, evidencing his (Halifax's) concern about the situation. I gathered that Lord Halifax had urged that attempts at settlement be not abandoned. In response, Lord Linlithgow had cabled Lord Halifax personally, setting out a long justification of what the viceregal government had done, supporting the position at every point, and winding up by saying that Lord Halifax should "pass from the defensive in the United States to the offensive"—which Sir Girja interpreted to mean, start a campaign of propaganda justifying the British position.

Sir Girja added that to date the Indian Government had used a total of fifty-seven battalions in suppressing Indian unrest—a material diminution of their defensive power.

Finally, Sir Girja said that he had received intimations from his staff that our lend-lease and other services had about decided to send no more supplies to India, fearing lest they would be jeopardized by an ultimate Indian revolt. He asked me whether I could confirm this.

I said that I had not definite information on that score, but that I was aware of a feeling of very distinct concern, especially in military circles, as to whether supplies and equipment sent to India might not be lost. I thought it fair that Sir Girja should know this. (I did not tell Sir Girja that the Chiefs of Staff had resolved not to implement the Grady report for just these reasons.)

⁵⁶ Not printed.

Sir Girja plainly evidenced his own concern over the situation. He characterized Winston Churchill's speech as disastrous, and said that in his personal judgment the situation could never be solved as long as Lord Linlithgow remained Viceroy, and Amery remained Secretary of State for India. Sir Girja struck me as a very unhappy man.

A[DOLF] A. B[ERLE], JR.

845.00/1740

Memorandum of Conversation, by the Acting Secretary of State

[WASHINGTON,] October 2, 1942.

The British Ambassador called to see me today at his request.

The Ambassador spoke at some length with regard to the situation in India. Lord Halifax said that he would send to me occasional telegrams which he received direct from the Viceroy giving the Viceroy's account of present conditions in India. I said I should be very glad indeed to have these messages for our information. The Ambassador inquired whether I would make available to him similar messages from the American mission in New Delhi. I said that any messages of this character received from our representative in New Delhi which I felt would be of interest to the Ambassador would be very gladly transmitted to him.

The Ambassador then communicated to me a message he had had from his Foreign Office stating that the position of American Commissioner in New Delhi had now been vacant for some time. The British Government felt that it would be very helpful if this position could be filled without much further delay, but, at the same time, made it clear that it believed that in view of the situation in India it would be very desirable that such appointment should not carry with it any implications that the new commissioner to be appointed was to undertake any form of mediation between the British authorities and the Indian leaders. In this regard the British Government further asked that were any statement to be issued by this Government announcing the appointment of a new commissioner, the statement might so be worded as to preclude the possibility of any implication that the appointment was made for the purpose of offering mediation. I told the Ambassador that I would convey this message to the President for his consideration and that from what the President had stated to me, I thought it very probable that an appointment would be made in the near future.

S[UMNER] W[ELLES]

845.00/1670

*Memorandum of Conversation, by the Assistant Secretary of State
(Berle)*

[WASHINGTON,] October 8, 1942.

Mr. Mahindra came in to see me at his request. He wasted no time in coming to the point. He said that for the past three weeks he had noticed a slowing down of interest in supplies for India. He wished to know whether we had changed our policy.

I said I knew of no directive changing policy. There had been, as he and everyone else knew, considerable concern here as to political conditions in India; and this had engendered doubt in some quarters as to whether supplies sent to India would be saved. I did not understand that a change in policy had been agreed upon.

Mr. Mahindra looked a little doubtful and then carried the discussion a step forward. He said that in conversation with various of his American friends, a number of them had taken the position that India might be regarded as an "occupied country" much as the Germans regarded countries which they had seized as "occupied"; and that the military men regarded India as merely a springboard for future conquests. He noted that a British order had been issued authorizing American troops in India, on orders of any officer above the rank of captain, to fire on crowds where needed, or to conscript labor. Since the British had (he said) used 112 battalions in putting down recent uprisings, it was inevitable that American troops would be involved in the event of any general disturbance; and he wondered whether the apparent change in tempo was not due to some understanding reached between the British and ourselves.

I said I knew of no such understanding. We had given orders to our troops to stay out of internal Indian affairs and these orders still held good. I said that as I understood it, any body of American troops would have the right to fire on anyone who attacked them; and they had, and of course would have, the usual military rights in the event they were attacked by enemy troops. The British may have sanctioned this by general orders; but there was a long distinction between the American troops receiving the assent of the British Government to exercising their military rights and any intent of ours to enter an Indian controversy.

Mr. Mahindra then opened his mind a little. He said he had seen correspondence between Halifax, the British Government and Lord Linlithgow. Linlithgow's answer "would have made your blood boil". He expressed real concern as to what might happen.

I said that of course the state of warfare on the ground would create its own circumstances. Were there a Japanese attack and were there an Indian uprising at the same time, it would be extremely difficult to take separate lines of action. The troops defending India would presumably do what was necessary to beat the enemy, including protecting their lines of communication. For that reason, any Indian uprising could not be separated from Japanese action. The Finns had tried to run a separate war against Russia and found that they were automatically assimilated to a place in the German war machine. For that reason I thought that every Indian had the greatest possible reason to hope that no such fate would befall Indian troops.

Mr. Mahindra promptly and vigorously agreed. But, he said, they were offered a terrible alternative. On one hand they now had convincing evidence that the British not only could not solve the Indian problem, but did not wish to. When the war turned in their favor, they would be still less anxious to do anything about it. Nothing remained ahead but a period of long agitation and perhaps a "blood bath". This was the prospect offered them if they kept quiet. On the other hand, an attempt to take their rights by force would place them in a category with Japan—a category where they did not belong, did not wish to be, and did not propose to get into. The only other course seemed to be to hope for a solution by process of reason and negotiation—and this the British seemed unwilling to accept. He said he considered that there never would be any solution unless three men were taken out of the picture: Amery, Linlithgow, and the Indian Secretary, Laithwaite⁵⁷ (?).

He felt that the Indian matter had now become a matter of international concern. The United States had raised a moral issue. This had been taken seriously; and had concerned both our standing and the position of China, and, indeed, the whole position of affairs in that part of the world. From his personal point of view, he thought this could not be indefinitely ignored.

I inquired whether anything would be gained if an initiative were taken from outside which was declined by either of the parties to the controversy.

Mr. Mahindra admitted that nothing would be gained. He closed by expressing the hope that we would send to India the technicians which had been suggested by the Grady Mission.

A[DOLF] A. B[ERLE], JR.

⁵⁷ Sir Gilbert Laithwaite, Secretary to the Governor General of India.

845.24/2371

*The Assistant Secretary of State (Acheson) to the Lend-Lease
Administrator (Stettinius)*

WASHINGTON, October 10, 1942.

MY DEAR ED: I have received your letter of August 19, 1942⁵⁸ in which you refer to the final report of the American Technical Mission to India.⁵⁸ It is noted that before exploring the suggested projects with the Indian Supply Mission and with the British, you desire an expression of this Department's views with regard to the current Indian situation.

As you are no doubt aware, the Technical Mission proceeded to India under the auspices of the Department of State and at the invitation of the Government of India. The function of the Mission was to investigate and recommend ways and means by which the United States Government could assist in augmenting India's war potentialities and to make general recommendation to the Government of India regarding wartime economic problems. In its work the Mission was concerned therefore only with the determination of such improvements in the Indian industrial set-up as might facilitate the war effort of the United Nations. It appears that the Mission in its recommendations has not diverged from this conception of its duties, and unless agencies of the Government possessing the requisite technical knowledge conclude that the implementation of any of the Mission's recommendations would not result in an increase in the effectiveness of the war effort, it is the opinion of this Department that in so far as the United States Government is concerned the desirability of implementing the program in toto is limited only by considerations of practicability, of military exigency, and of the industrial needs of the United States.

In so far as the practicability of the various individual recommendations is concerned, the Office of Lend-Lease Administration, the Board of Economic Warfare, the War Shipping Administration, and similarly interested agencies will naturally make the decisions. Decision regarding expediency from the point of view of the industrial needs of the United States must of course likewise be made by the various civilian agencies concerned.

The military aspects of the problem will of course require decision by the War Department and by the Joint Chiefs of Staff, involving as they do not only the question of the defense of India as a whole,

⁵⁸ Not printed.

but also the extent to which fighter plane protection can be anticipated for the vulnerable areas in which the erection of certain of the new installations is contemplated. It is understood that the War Department and the Joint Chiefs of Staff are now considering the report, and that an indication may be expected shortly of their decision with regard to the advisability of implementing or attempting to implement the various recommendations, in so far as the military side of the question is concerned.

It is, I may add, the hope and anticipation of this Department that, military developments permitting, India will become an increasing source of supply for products necessary to the prosecution of the war in the near eastern and far eastern areas. This Department is in favor of the allocation to India of all materials beneficial in this regard in so far as may be deemed advisable and possible by your organization and other interested agencies of the Government. It is hoped that pending advice from the War Department and the Joint Chiefs of Staff, the other agencies of this Government will examine the individual items recommended in the Mission's report with a view to making their own decision in so far as the problems involved come within the scope of their responsibility.

The final action to be taken by this Government, unless entirely negative decisions are reached in the matter, will of course depend upon the reaction of the Governments of India and the United Kingdom to the several recommendations. While those Governments have indicated their complete sympathy with the work and recommendations of the Mission in principle, their attitude toward the individual items recommended has not yet been announced.

I may add that, as we are all well aware, the political situation in India is extremely delicate and any activities in the economic sphere can easily have political ramifications. I am sure you will agree in that connection that any representatives of your organization who may serve in India should keep in unusually close touch with the American Mission at New Delhi and that the greatest care must be taken by all American agencies concerned to insure that undesirable political repercussions do not ensue from the manner in which India's supply questions are handled.

Sincerely yours,

DEAN ACHESON

845.00/1679

*Memorandum of Conversation, by the Adviser on
Political Relations (Murray)*

[WASHINGTON,] October 13, 1942.

During a call from the Indian Agent General this morning he discussed in some detail his relations with Lord Halifax and the efforts

which he had been making to establish contact with the editors and publishers of outstanding American newspapers as well as weekly publications. He mentioned in this connection the *New York Times*, *New York Herald Tribune*, the *Chicago Tribune*, the *Chicago Sun*, the *Nation*, and the *New Republic*.

After his recent return to Washington, Sir Girja said he had discussed with Lord Halifax and Harold Butler ^{58a} the impressions he had gained in various parts of the country as to the present American attitude with regard to the Indian problem. He said he concurred fully with the views expressed in a recent editorial in the *London Times* to the effect that the favorable attitude towards Great Britain which had followed the Cripps negotiations in India early this year had now been completely dissipated and that American irritation and dissatisfaction with British policy regarding India were steadily rising.

It appears that as a result of the above discussion of the situation a telegram to the Foreign Office was drafted in the British Embassy setting forth in a rather complacent manner the present American viewpoint on the Indian question as seen by the higher-ups in the Embassy. When the draft was sent to Sir Girja he insisted upon including a sentence at the end to the effect that "the increase in critical American opinion on the Indian question has been so great that it threatens seriously to affect Anglo-American relations". This sentence was allowed to go through to London but, so far as Sir Girja was able to estimate, had no appreciable effect on Government opinion.

Sir Girja then related to me the story which he had told Mr. Berle recently, of Lord Halifax's telegram to Lord Linlithgow expressing sincere concern over the situation in India and asking guidance from the Viceroy. According to Sir Girja, Lord Linlithgow showed considerable irritation in his reply to Lord Halifax; pointed out that the situation in India had radically changed since Lord Halifax's time there; that it would be impossible at this time to open negotiations with the Congress Party; and, finally, that it was high time that Lord Halifax, instead of resting on the defensive in America on the Indian question, should pass sharply to the offensive and defend the policy of the British Government and the Government of India.

It was revealed further in my conversation with Sir Girja that before Lord Halifax made his last trip to London he discussed the Indian situation with Sir Girja and confided to him the proposals which he intended to make while in London. Lord Halifax said he would press for a complete Indianization of the Viceroy's Executive Council and, in the all-important question of the Viceroy's veto, would insist that the Viceroy agree to refrain from exercising his veto except after referring the matter at issue to London and receiving the approval of the British Parliament. Sir Girja, accord-

^{58a} British Minister in Washington.

ing to his story, countered this suggestion by stating that it would be in no way satisfactory to Indian public opinion, which had no confidence in the good faith of the British Parliament in dealing with India. He, on the other hand, suggested that Lord Halifax should press for the transfer of the Viceroy's veto powers to a defense council in India made up of an Indian member sitting together with military representatives from the United Nations. Nothing short of this, he felt, would be acceptable.

After Lord Halifax's return from London, Sir Girja questioned him as to what had happened and he was informed that nothing was decided upon beyond a "shifting about" of the Viceroy's council and that he (Lord Halifax) was sure that nothing further could be done, granted the present attitude of the Prime Minister and Mr. Amery.

In conclusion Sir Girja said he had become discouraged in trying to defend Great Britain's policy towards India, particularly after the deplorable impression made in this country by Mr. Churchill in his most recent pronouncement early in September on this subject. He has, consequently, refused to continue his earlier efforts as an apologist of British policy and has informed the Ambassador that if a defense of the British position is now in order in this country it would be well for him or his Embassy to undertake it.

In departing, the Agent General observed that he had purposely refrained from seeking appointments to see the President, the Secretary, or the Under Secretary, in view of these latest developments. He emphasized, however, that he stood entirely ready to be called upon by the President or any of the higher Department officials if they wished to consult him. He said he would accept without hesitation any such request. And, finally, Sir Girja referred again to the still unfilled position of American diplomatic representative at New Delhi. He added that suspicion was arising that perhaps the British did not want the post filled; that if such was the case he hoped we would immediately reply that we saw no reason for the continuance of an Indian Agent General in Washington, and in that case he would gladly relinquish his post.

845.24/275 : Telegram

The Officer in Charge at New Delhi (Haselton) to the Secretary of State

NEW DELHI, October 23, 1942—11 a. m.

[Received 12:30 p. m.]

816. Although no questions have ever been asked officially, interested branches of the Government have clearly implied that informa-

tion would be welcomed concerning prospective appointment of economic adviser recommended by Grady Mission and his arrival here. Government has also been anxious to know about railway executives and experts and steel technicians who have long been promised.

Sir Homi Mody, supply member Viceroy's Council, is reliably reported to have said a few days ago that United States is apparently so disturbed by political situation here that plans for sending these experts have been abandoned.

In informal conversations with officers of this Mission recently various Government officials have made it clear that they are increasingly curious about long delay in appointment of Chief of Mission here.

The Mission would be extremely grateful for enlightenment on these points as soon as Department is in a position to give it. In any reply which Department may make to this inquiry please state specifically whether information may be conveyed formally or informally to Government of India.

HASELTON

845.24/278a : Telegram

The Secretary of State to the Officer in Charge at New Delhi
(Haselton)

WASHINGTON, October 29, 1942—2 p. m.

627. The Department is conveying information in the following sense to the Indian Agency General and the Indian Supply Mission in Washington. It is thought that the Mission may wish similarly to inform the Government of India:

The program proposed by the American Technical Mission to India under the chairmanship of Dr. Henry F. Grady has been studied by various agencies of this Government. It is the understanding of the Department of State that all of the agencies concerned feel that the implementation of the program is highly desirable, circumstances permitting. The Department of State concurs in this opinion. Study of the various problems involved indicates, however, that currently critical demands for material elsewhere abroad and in the United States and the urgent need of shipping space in connection with other theatres of operation render impossible for the time being the supply to India by the United States of the quantity of material which implementation of the program as a whole would appear to require. Thus, requisitions for supplies for new installations in India of the sort envisaged by the Technical Mission will not ordinarily be approved at the present time. Individual items of this nature which the Indian Agency General or the Indian Supply Mission

wishes to urge will, however, be considered on their merits by the appropriate Government agencies in order to determine whether exceptions are warranted. As it is the desire of this Government to render all possible assistance in the manner contemplated by the Technical Mission, the presentation of individual items for study is desired.

It continues to be the intention of this Government to facilitate, in so far as possible, the shipment of supplies for the existing industrial structure in India and for reasonable expansion of existing facilities. Within this category of supplies would be (a) raw materials necessary to maintain production of war materials or essential civilian goods, (b) equipment necessary to guarantee the maintenance of vital production capacity at maximum levels, and (c) equipment for new plants which are practically ready to produce war materials.

It remains the intention of this Government to make every effort to implement all recommendations of the Technical Mission which future developments may render possible and advisable.

HULL

123 P 54/528 : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, November 3, 1942—7 p. m.

5487. For William Phillips.⁵⁹ I have suggested to the President that you be invited to proceed to New Delhi as his personal representative. This suggestion has met with the President's approval and it is the earnest hope of the Department that you will undertake this assignment which is regarded as one of profound importance in view of the political and military problems related to the current Indian situation.

Colonel Donovan⁶⁰ has indicated that if the appointment is acceptable to you, you will be released at once for such period as your services in India may require. I assume that you will have heard direct from Colonel Donovan on this point.

I should appreciate your informing me at your earliest convenience whether the appointment as envisaged is acceptable to you.

HULL

⁵⁹ Former Ambassador in Italy; at this time Director of the London office of the Office of Strategic Services.

⁶⁰ Col. William J. Donovan, Director, Office of Strategic Services.

123 P 54/524 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, November 4, 1942—4 p. m.
[Received November 4—3:40 p. m.]

6173. Personal for the Secretary from William Phillips. Your 5487, November 3, 7 p. m. I deeply appreciate the confidence which the President and you place in me in asking me to undertake this important mission. Please assure the President that I will do my utmost to carry out his purposes and that I am ready to proceed to New Delhi whenever it is thought advisable. I look forward with enthusiasm to the task. [Phillips.]

WINANT

845.24/275 : Telegram

The Secretary of State to the Officer in Charge at New Delhi (Haselton)

WASHINGTON, November 5, 1942—4 p. m.

639. In view of the policy outlined in the Department's 627 of October 29 it is not the intention of the Department to appoint at this time an "economic adviser" as recommended by the Grady Mission. Reference your 816 of October 23. Consideration is being given, however, to the assignment to New Delhi of a senior commercial officer of the Foreign Service who will perform substantially the duties of such an adviser. In the meantime such essential duties as would be performed by that official can, it is believed, be satisfactorily performed under existing circumstances by the regular staff of your office.

The appointment of railway and steel technicians is dependent upon the availability of properly qualified persons willing to proceed to India, and upon selection of these experts by the Indian Supply Mission in Washington. Appropriate agencies of the Government are endeavoring to facilitate this selection in every way possible. It is understood that after consultation between the Board of Economic Warfare and the Indian Supply Mission a decision was reached to seek a somewhat different type of railway expert than that envisaged by the Grady Mission, and that the experts now desired will be employed by the Government of India and will be specialists in certain phases of railroading. The Supply Mission is understood to be awaiting definite information from the Government of India regarding the precise qualifications which should be possessed by the individuals chosen. In view of this change it has not appeared that Mr. Brooke Edwards' ^{60a} services would be required, but his availabil-

^{60a} Baldwin Locomotive Co. representative in India.

ity may of course be brought informally to the attention of the Government of India. Reference your 651 of October 1.⁶¹

The Government of India may be informed in the premises.

HULL

845.24/290 : Telegram

The Officer in Charge at New Delhi (Merrell) to the Secretary of State

NEW DELHI, November 14, 1942—5 p. m.

[Received November 14—2:23 p. m.]

882. In a formal reply to this office's note conveying the substance of Department's 627, October 29, 2 p. m., the Government of India strongly emphasizes its hope that there will be no change in Department's policy as regards (1) loan of "experts and advisers" recommended by Grady Mission; and (2) delivery of materials and machinery now under negotiation or already ordered. Government particularly stresses its hope that "very high priority" will be given to raw and finished materials for all forms of transportation—ports, inland waterways, railways and motor vehicles—urgently needed for expansion of India's war effort.

Government of India has nearly completed detailed examination of final Grady report and will soon state which of the projects it desires to adopt. Its recommendations on individual projects considered essential to war effort will be made in the light of Department's policy as outlined in cable cited above.

MERRELL

123 P 54/531 : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, November 20, 1942—9 p. m.

5839. Your 6173 and 6178, November 4.⁶² For William Phillips. The President and I are gratified that you can accept appointment as Personal Representative of the President near the Government of India. A telegram concerning your appointment and authorizing the purchase of transportation will be sent the Embassy in the very near future.

Before leaving London you may cautiously and with open mind discuss the Indian situation with appropriate British officials. You are aware of the unsettled and difficult relationship between Great Britain and India, especially as it relates to the question of independ-

⁶¹ Not printed.

⁶² Latter not printed.

ence for India. The President and I and the entire Government, earnestly favor freedom for all dependent peoples at the earliest date practicable. Our course in dealing with the Philippine situation in this respect, as in all other important respects, offers, I think, a perfect example of how a nation should treat a colony or a dependency in cooperating with it in all essential respects calculated to assist it in making all necessary preparation for freedom. The President and I in public utterances have elaborated on this record of ours toward the Philippines and offer it as a strong example to all other countries and their dependencies. You, of course, fully understand all phases.

In brief, I think the records of the President and myself, as well as the record of our Government, show that we have at all times been thoroughly diligent in our support of the cause of independence and in the encouragement of peoples to prepare themselves for independence, and for its bestowal in each instance at the earliest practicable date.

In the light of the foregoing, I think it can be truthfully said that with respect to the British-Indian relationship, the President and I have given constant attention to the most difficult question, that is the freedom of India, and we have observed all developments from week to week and endeavored to give the fullest attention feasible to the situation. The President and I have not become partisans of either Great Britain or India in the existing exigencies. To do this would seriously handicap us in dealing with the other side. Our officials have sought to consort freely and in a thoroughly friendly way with both the British and Indian people, and especially their leaders, without making ourselves partisans in our acts and utterances to the extent that there would probably be generated friction and ill feeling between us and the outstanding leaders of one country or the other. Therefore, we cannot bring pressure, which might reasonably be regarded as objectionable, to bear on the British. We can in a friendly spirit talk bluntly and earnestly to appropriate British officials so long as they understand that it is our purpose to treat them in a thoroughly friendly way. A settlement arising from such friendly and non-partisan conversations with both sides or with either side, would probably be most practicable as well as most desirable. On the other hand, objectionable pressure upon either side would probably result in no progress but only in exasperation and, in the case of the British, a possible disturbance of the unity of command and of cooperation both during and following the war. The terrific complexities of the Indian situation are difficult to analyze and understand. With your great experience and fine common sense you will well understand how to preserve thoroughly agreeable relations with both countries and how to say or do anything, in a tactful way, that might encourage both sides or either side, in the way of a practical settlement.

It, of course, will not be any part of your function to carry such informal discussions to the point where it might be charged by the opposite side that you and this Government were attempting to intervene and on our own initiative to put up proposals and plans for them to accept. This, of course, would arouse hostility at once on the part of the disappointed party, whichever one that might be. We have an added interest in the settlement of this matter by reason of its relation to the war. This fact would give us a probable opportunity to speak more freely and more earnestly than we otherwise could, so long as we make clear that we are not undertaking to speak in any spirit save that of genuine friendship and of the fullest cooperation both during and following the war. This renders it necessary, for example, that we should not take any steps affecting India, as already stated, without maintaining close contact and friendly collaboration with the British. We will, however, tactfully listen to both sides and endeavor to see both viewpoints as fully and clearly as possible, always keeping in mind our general course and attitude toward freedom for dependent peoples, as illustrated by our attitude in cooperating with the Philippines for the purpose of their freedom.

It may be mentioned that in informal conversations with officials of the Department, the British here have intimated that our professed interest in protecting the integrity of the French Empire is at variance with our attitude toward the British Empire. Our view on this is that the positions of the French Empire and British Empire are in no way similar and hence the question does not arise.

A memorandum prepared by me for the President⁶³ suggesting an implementation of those clauses of the Atlantic Charter dealing with dependent peoples is being forwarded to you in London by air pouch. The President has not yet had an opportunity to approve this memorandum but I shall let you know if and when he does so.

HULL

845.24/298 : Telegram

The Officer in Charge at New Delhi (Merrell) to the Secretary of State

NEW DELHI, December 17, 1942—11 a. m.

[Received December 17—10:19 a. m.]

954. It was learned informally and off the record today from a member of Viceroy's Executive Council that India telegraphed London about a week ago suggesting Halifax leave [*have*] exploratory informal conversations in Washington with view to ascertaining attitude of United States Government toward direct Lend-Lease agree-

⁶³ Not found in Department files.

ment with India. So far as India is concerned possibility of such agreement appears to hinge fundamentally on extent to which United States might be willing to modify for India post-war tariff reduction provisions of article 7 British master agreement.⁶⁴ It is thought certain Indian business community will bring strong pressure on Government to protect infant industries after war. Government has already guaranteed protection in certain instances. Apparently no change in present reciprocal Lend-Lease policy, now limited to services and supplies for American troops in India, is contemplated.

Understand British Government favors direct agreement.

MERRELL

845.24/299 : Telegram

The Officer in Charge at New Delhi (Merrell) to the Secretary of State

NEW DELHI, December 18, 1942—3 p. m.

[Received December 19—1 : 18 a. m.]

958. Reliably informed Britain has made following demands on India:

- (1) India to pay for Burma campaigns, past and future;
- (2) India to pay in rupees all expenses of Indian troops in India and abroad. Britain to pay in sterling for that portion of British troops in India which is in excess of normal requirements;
- (3) India to pay capital cost of all airdromes built in India with British capital;
- (4) India to pay for all munitions factories built in India with British capital;
- (5) India to enter into direct lend-lease agreement with United States of America.

Understand first and second proposals unanimously rejected by Viceroy's Executive Council. Cost of third and fourth being investigated before decision. As regards fifth, refer Mission's telegram No. 954 dated December 17, 1942.

The over-all effect of these proposals if accepted by India would be to increase this country's contribution to the war by large sum, and materially to decrease her large sterling credits in London about which Indian Nationalist aides have been seriously concerned for some time.

MERRELL

⁶⁴ Preliminary agreement between the United States and the United Kingdom regarding principles applying to mutual aid in the prosecution of the war against aggression, signed at Washington February 23, 1942; for text, see Department of State Executive Agreement Series No. 241, or 56 Stat. (pt. 2) 1433.

845.24/299 : Telegram

The Secretary of State to the Officer in Charge at New Delhi
(Merrell)

WASHINGTON, December 29, 1942—9 p. m.

738. Your 954, December 17, 11 a. m. and your 958, December 18, 3 p. m. Any interpretative comment you may offer regarding Lend-Lease agreement between United States and India will be welcome. Since such an agreement is included among the five British financial demands on India reported in your 958, direct Lend-Lease relations between the United States and India would presumably be of financial assistance to Britain. Are you able to offer any explanation?

For your personal information, it has been suggested here that the proposal for direct Lend-Lease relations with India may have originated with American military authorities in India, based on their dissatisfaction with manner in which American Army requisitions for Indian supplies have been met. Please comment.

HULL

IRELAND

CONCERN OF THE UNITED STATES OVER THE POSITION OF IRELAND IN THE WAR AGAINST THE AXIS POWERS

740.0011 European War 1939/18975 : Telegram

The Minister in Ireland (Gray) to the Secretary of State

DUBLIN, January 27, 1942—noon.

[Received 3:02 p. m.]

4. Yesterday the British Representative ¹ called on de Valera ² and notified him that American troops were shortly to land in Northern Ireland. The Prime Minister said that he had heard rumors to this effect, that the move embarrassed him and that he believed he would be expected to say something publicly on the situation. Maffey advised him against any protest or complaint as it would be fruitless and likely to create anti-Irish feeling in America as well as England. The ostensible ground for complaint is violation of the sovereignty which the de Valera Government claims over the six counties without recognizing the *de facto* occupation by Britain. Beyond this is the resentment of the anti-British wing at American support of the British Commonwealth. This element, through which de Valera came to power, constantly pressing him beyond the point he would like to go.

GRAY

740.0011 European War 1939/18974 : Telegram

The Minister in Ireland (Gray) to the Secretary of State

DUBLIN, January 27, 1942.

[Received January 27—1:10 p. m.]

5. Landing American troops port in Northern Ireland was broadcast yesterday from London 9 p. m., from Dublin 10:10 p. m. This morning's Dublin papers display news briefly stating several thousand American combat troops with artillery landed yesterday. Thus far no editorial comment.

GRAY

¹ Sir John Maffey, British Representative in Eire.

² Eamon de Valera, Irish Prime Minister.

740.0011 European War 1939/18977 : Telegram

The Minister in Ireland (Gray) to the Secretary of State

DUBLIN, January 27, 1942—3 p. m.

[Received 4:56 p. m.]

7. Public discussion of Eire's neutrality and of proposals inviting American protection is strictly forbidden but interest in the subject among pro-British and pro-American groups appears to be growing inspired by both material and spiritual considerations. It must be clearly understood that these groups have no political strength and while present conditions prevail will be unable to formulate publicly their viewpoint. In substance they recommend that the American Government address an appeal to the Irish Government and people as follows:

"We have done much for you in the past and have always believed that if we needed help you would be the first to offer it. We need help now. In return for the use of facilities needful to winning the battle of the Atlantic in which you also are vitally interested we propose: (1) To arm you as fully as possible for the protection of your cities and airfields; (2) to contribute to your food and industrial requirements; (3) to pay cash for lease of bases; (4) to guarantee return of the same; (5) to use our good offices for the ending of partition; (6) to consider such other proposals as you may choose to make in the case that these are not satisfactory."

Their plan provides that the above are to be submitted first secretly to the Irish Prime Minister with this understanding that the American Government reserves the right to publish them if they are refused. It is believed in this way that in the event the Irish Government rejected them the matter would be forced before the Irish Parliament and people in which case either Mr. de Valera would be overruled or the country divided with the majority supporting the proposals.

In my view as long as trans-Atlantic transport can be maintained with protection from bases in Northern Ireland as at present it would be a mistake to change our policy. We have the good will of a majority of the Irish people; an important factor in the case of German attack. Intervention would presumably provoke at the least official resistance and the hostility of a bitter and reckless minority. The Army probably would be loyal to de Valera. But in the case that circumstances made a change of policy inevitable the line suggested above by Irishmen friendly to our cause appears to be sound. It is unlikely that there will be hunger this year except as a result of bad administration and distribution. If Britain and the United States were unable longer to spare for Ireland petroleum products and coal the life of the country would shortly be dislocated and the illusion of self-sufficiency and isolation dispelled. It does not appear that the withholding of supplies needed by Britain excites resentment.

Ireland herself forbids the export of all commodities needed for home consumption and makes no sacrifices. I would repeat my recommendation of token concessions of arms and supplies (publicly announced) when and if possible to keep the good will of the Army chiefs and the people.

GRAY

740.0011 European War 1939/19018 : Telegram

The Minister in Ireland (Gray) to the Secretary of State

DUBLIN, January 28, 1942.

[Received January 28—2:54 p. m.]

8. Today's news features Mr. de Valera's statement regarding American troops in Northern Ireland. Forwarding official text airmail.³ Government Party paper quotes the President's alleged comment on Irish protest.

GRAY

740.0011 European War 1939/19019 : Telegram

The Minister in Ireland (Gray) to the Secretary of State

DUBLIN, January 28, 1942—3 p. m.

[Received January 28—2:36 p. m.]

9. Reference my No. 4.⁴ De Valera's protest made against Maffey's advice is probably inspired by left wing pressure and local political considerations. Few Irishmen realize the probable reaction of the American public to a protest against American troops coming overseas to fight their battle. Unless instructed by you to the contrary I intend to officially ignore the episode.

GRAY

740.0011 European War 1939/19101 : Telegram

The Minister in Ireland (Gray) to the Secretary of State

DUBLIN, January 30, 1942—4 p. m.

[Received 10:35 p. m.]

11. With reference to my telegram number 9, January 28, 3 p. m. Yesterday afternoon at his request I conferred with de Valera on the subject of American troops in Northern Ireland. He expressed deep regret that he had not been consulted in time to have protested. I replied that I was sure no discourtesy was intended, that it was

³ For Mr. de Valera's statement, see note from the Irish Minister, February 6, p. 756.

⁴ Dated January 27, noon, p. 751.

purely a military measure reenforcing British forces, and that I had not been notified. I said further that in my view it was obviously the course least embarrassing to him for if he had had time to protest and his protest had been ignored he would have been in a difficult position. He admitted the force of this but expressed grave fears for the deterioration of Irish-American relations due to border incidents. I said that I was prepared to do everything possible to prevent incidents, that I had already requested our Military Attaché, Colonel Reynolds, to call on General Hartle⁵ and advise him of the delicacy of the situation, that Reynolds had reported that Hartle was most understanding and sympathetic and ready to cooperate in any way. I told the Prime Minister that I was entirely at his service in endeavoring to continue the happy secret liaison between the British and Irish Armies in case the area came under the American command.

The truth is the de Valera Government is chagrined at our ignoring their claims of sovereignty over the six counties. I can thus far find no general resentment or bitterness. There is general fatalistic apprehension that seizure of the ports is indicated but no suggestion of popular protest. I recommend that if and when we take control of the area I be notified in time to arrange for continuance of friendly liaison between the armies. A typically incongruous feature of the situation is that on the day after the Prime Minister's protest he ordered that an American Eagle squadron flier who came down on the Dublin airport secretly be given gasoline and told to hurry off over the border. This would cause trouble if released.

GRAY

740.0011 European War 1939/19100 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, January 30, 1942—11 p. m.

[Received January 30—8: 15 p. m.]

451. Following up my message 428 sent yesterday.⁶ I received a letter from Gray, Dublin, this morning and am quoting below an extract from it. I have great confidence in his knowledge of the Irish position and thought that you should have his estimate of the situation.

"Sir John Maffey yesterday notified Mr. de Valera that American troops were coming in. As he expected, he found the Prime Minister, although prepared by rumor for this move, nevertheless disconcerted and resentful. There seemed to be two grounds for this attitude: First, that the landing of American troops violates a sovereignty which

⁵ Maj. Gen. R. P. Hartle, Commander of American Forces in Northern Ireland.

⁶ Not printed.

Eire claims to assert over the six counties; second, the resentment which the left wing of the Irish Cabinet representing anti-British elements entertains toward America for its aid for Britain policy. It is quite clear now that Irish policy had very largely been based on the conviction that our country would never enter the war.

Information to this effect was brought back by Aiken⁷ when he returned from his fruitless quest for arms and supplies. Ever since I have been here I have made myself unpopular warning Mr. de Valera and any members of the Government who would listen to me that this was a very unsound line, inasmuch as it seemed inevitable that we would be embroiled and that, in consequence, the whole strength of the isolationists and anti-British opposition would disappear overnight as has, in fact, been the case.

These people are now out on a limb with no place to go and are in a very ugly mood. I feel that the only thing to do is to avoid any aggression and to let the inevitable shortages, which British and American self interests must without coercive design bring about, liquidate the aspirations for a practicable isolationism which have been accepted as gospel for the past 20 years."

WINANT

740.0011 European War 1939/18977: Telegram

The Secretary of State to the Minister in Ireland (Gray)

WASHINGTON, January 31, 1942—7 p. m.

6. Your 7, January 27. Department agrees that it would not be wise to change our policy under existing circumstances.

HULL

740.0011 European War 1939/19412

Memorandum of Conversation, by the Under Secretary of State (Welles)

[WASHINGTON,] February 6, 1942.

The Irish Minister⁸ called to see me this morning. The Minister said he had come in personally to hand me the text of the statement made by Mr. De Valera in Dublin on January 27 last⁹ and to explain that the delay in its transmission to the Department had been due to some inexplicable hold-up in the telegraph office.

The Minister then went on to express his apparently sincere and allegedly very deep disquiet because of the sending of American troops to Northern Ireland.

I asked him what the reason for this disquiet might be. He said that in the first place, it was regarded by the Irish Government and

⁷ Frank Aiken, Irish Minister for Co-ordination of Defense Measures.

⁸ Robert Brennan.

⁹ See *infra*.

people as an official sanction by the United States of the partition of Ireland.

I asked the Minister how this could possibly be regarded as any official sanction by the United States of anything. I said the United States was at war and was confronted with facts. The fact was that for military reasons it was regarded as advantageous to the Allied cause to send American troops to Northern Ireland. That portion of Ireland was under the control and jurisdiction of the United Kingdom. I stated that in my judgment the action taken by this Government did not involve any question of principle whatever and could not legitimately be so construed by the Government of Eire.

The Minister then went on to say that, unfortunately, increasing belief existed on the part of his Government and people that these American troops were going to be used to attack the Irish forces. I replied that this seemed to me so fantastic as to be almost incredible. The Minister replied that he fully agreed with what I had said and that he had said this to his own Government, and to many Americans with whom he had talked, but that the fact remained that the Irish people were daily becoming more fearful that they were going to be invaded by United States forces.

The Minister talked at some length with regard to the British policy towards Ireland. He said that he thought a very useful step had been taken by the British a few days ago, according to a report he had seen in the *New York Times* from its Dublin correspondent saying that the British had finally sent a considerable quantity of armament and ammunition to Ireland. He added that he believed that this would do more than anything else to allay unfounded apprehensions. He once more expressed the most deep-rooted suspicions of Mr. Churchill¹⁰ and of Mr. Churchill's plans with regard to Ireland.

I told the Minister that I would submit to the President the statements which the Minister had made to me in the event that the President wished to give me any instructions as to any specific reply to be made.

S[UMNER] W[ELLES]

740.0011 European War 1939/19412

The Irish Minister (Brennan) to the Secretary of State

WASHINGTON, February 6, 1942.

The Minister of Ireland presents his compliments to the Honourable the Secretary of State and, on the instruction of his Government, has the honour to transmit herewith a Statement made by Mr. De Valera in Dublin on January 27th 1942, and issued by the Government.

¹⁰ Winston Churchill, British Prime Minister.

[Enclosure]

In reply to the Press Mr. de Valera stated today that the Irish Government had not been consulted either by the British Government or the American Government with regard to the coming of the American troops to the six counties.

Everyone knew, he said, that Ireland had 20 years ago been partitioned and the six counties cut off from the rest of the country by an act of the British Parliament despite the expressed will of the Irish people.

When the United States was entering the last war President Wilson declared that America meant to fight for democracy and for the right of peoples to national self determination. The Irish people took him at his word and in the general elections of December 1918 by an overwhelming vote (more than three for, to one against) declared for national independence and for the establishment of a Republic. This decision was reaffirmed after two years of conflict with Britain, in the general elections of 1921, when the partition candidates returned were less than one-fourth of the total representation.

Nevertheless the British Government cut the nation in two and set up a separate Parliament for six of the thirty-two counties. These six counties formed no natural, historic or geographic entity. The area was chosen solely with a view to securing a majority within it for the anti-national minority. In one-half of the area including the city of Derry the whole territory adjoining the boundary with the twenty-six counties, a majority of the inhabitants are against partition.

To partition the territory of an ancient nation is one of the cruelest wrongs that can be committed against a people. The partition of Ireland is in essence not different from the former partition of Poland, nor are the evils that flow from it less in kind than those Abraham Lincoln foresaw from the projected partition of the United States, when he determined to prevent it even at the cost of fighting one of the bitterest civil wars in history.

The people of Ireland have no feeling of hostility towards and no desire to be brought in any way into conflict with the United States. For reasons which I referred to a few weeks ago, the contrary is the truth, but it is our duty to make it clearly understood that no matter what troops occupy the six counties, the Irish peoples claim for the union of the whole national territory and for supreme jurisdiction over it, will remain unabated.

Four years ago the British Government recognized fully the sovereignty of the Irish nation over that part of the national territory included in the twenty-six counties and the bond has been honorably kept in that regard. But the maintainance of the partition of Ireland is as indefensible as aggressions against small nations elsewhere which

it is the avowed purpose of Great Britain and the United States in this war to bring to an end.

740.0011 European War 1939/19462 : Telegram

The Minister in Ireland (Gray) to the Secretary of State

DUBLIN, February 14, 1942—1 p. m.

[Received February 14—12:04 p. m.]

23. For the Secretary and Under Secretary. The effect of James Dillon's¹¹ speech favoring entry into the war in support of America has not been favorably received even by pro-American elements. There is a general impression that it was badly timed. Its immediate effect is to irritate the Irish Government much as Irish American opposition to our aid for Britain policy embarrassed our Government.

I had a short talk with the Prime Minister on the 11th in which I said that I had recommended arms for him but that even if my recommendations were to be favorably acted upon it was obvious that little could be soon available. From my necessarily limited viewpoint I think we should ignore his recent protest and take steps to conciliate the Irish public and Army with token concessions highly publicized.

Something on this line should be done soon to counteract German propaganda which is spreading the story that we intend to invade Eire. It is also of first importance that the secret military liaison of which I have spoken be continuously maintained and developed when and if certain changes take place and to this end some token matériel would be essential. It should also be remembered that Britain may make popular economic concessions and leave us bearing the brunt of Irish hostility together with prerequisite defense responsibilities.

GRAY

740.0011 European War 1939/19894

The Acting Secretary of State to the Irish Minister (Brennan)

WASHINGTON, February 26, 1942.

SIR: I refer to our conversation of February 6, 1942 at which time you handed me the text of the statement made by Mr. de Valera in Dublin on January 27, last.

I have discussed this matter with the President who now requests that the following be cabled as a personal message from him to Mr. de Valera:

¹¹ Member of Fine Gael Party in Eire from which he resigned February 20, 1942.

"I have received, through Mr. Brennan, Irish Minister in Washington, the text of your statement on January 27, last, following the arrival of American troops in the British Isles.

"The decision to dispatch troops to the British Isles was reached in close consultation with the British Government as part of our strategic plan to defeat the Axis aggressors. There was not, and is not now, the slightest thought or intention of invading Irish territory or threatening Irish security. Far from constituting a threat to Ireland, the presence of these troops in neighboring territory can only contribute to the security of Ireland and of the whole British Isles, as well as furthering our total war effort.

"I have noted in your previous statements expressions of gratitude for the long interest of the United States in Irish freedom. The special ties of blood and friendship between our two countries are recognized here no less than in Ireland and have never left us unconcerned with the problems and fate of Ireland.

"At some future date when Axis aggression has been crushed by the military might of free peoples, the nations of the earth must gather about a peace table to plan the future world on foundations of liberty and justice everywhere. I think it only right that I make plain at this time that when that time comes the Irish Government in its own best interest should not stand alone but should be associated with its traditional friends, and, among them, the United States of America."

Accept [etc.]

SUMNER WELLES

841D.20/40

The Minister in Ireland (Gray) to the Secretary of State

No. 317

DUBLIN, March 21, 1942.

SIR: I have the honor to forward herewith my memorandum on the invasion and defence of Ireland, together with the report on this subject prepared at my request by our Military Attaché, Lieutenant-Colonel John Reynolds, and other papers relative thereto.¹² Lieutenant-Colonel Reynolds has forwarded copies of his report to the Chief, Military Intelligence Division, War Department, Washington, and to Major General Chaney¹³ at London.

Perhaps the most disquieting feature of the existing situation is the circumstance that those of us who are here on the ground have been so slow in appreciating the gravity of the menace. Possibly this is in part due to the fact that British opinion, entirely without warrant, has assumed that if Hitler attempted an invasion of Britain, there would be a feint attack on Ireland, which could be repelled in our own time and at our own convenience. Since analogous assump-

¹² None printed.

¹³ Maj. Gen. J. E. Chaney, named Commander of U. S. Army Forces in British Isles in January 1942.

tions have already cost Britain much of her colonial empire, it should not be relied upon.

As regards a policy in anticipation of attack, there seems to me to be a choice between two courses :

1. To obtain possession of all desirable strategic points in Eire at the earliest possible moment by the most practicable means;
2. To make the best of an admittedly unfavorable situation by making such concessions of armament to the Irish Army as may increase its morale and good-will, without materially increasing its effectiveness in the event that it were to be used against us.

The small amounts of matériel which the British Army have recently transferred to the Irish Army have produced favorable results beyond reasonable expectation. A definitely friendly attitude between the High Commands of Northern Ireland and Eire has been established. It would be desirable on our part, with as little delay as possible, to arrange the transfer of some items, however insignificant. It should be clearly understood that this recommendation does not contemplate any measure of reduction of responsibility for the defence of Ireland by Britain and ourselves. It is purely a political gesture for political ends. In the light of recent events, it is obvious that, without an air force superior to that which the invading force could employ, a defence of Ireland by Irish military power is unthinkable.

I call attention to the communication addressed to me by Lieutenant General McKenna, Chief of Staff of the Irish Army, attached hereto.¹⁴ In the conversation with him and the Minister for Defence, at the time he delivered the communication to me, I made it plain that his suggestion that "Partition" be considered as a factor in the Irish case could not be entertained. I pointed out that the attitude of his Government toward the landing of American troops in Northern Ireland had cost the Irish Government whatever sympathy American majority opinion may have cherished for the Irish viewpoint and that the sooner that aspect of the situation was suppressed, the better for Irish security.

Respectfully yours,

DAVID GRAY

740.0011 European War 1939/21118½

The Irish Minister (Brennan) to the Acting Secretary of State

WASHINGTON, April 20, 1942.

SIR: I desire to refer to your communication of February 26, 1942 in which you gave me the text of a personal message which the President requested be cabled to Mr. De Valera. The message was duly

¹⁴ Not printed.

cabled, and Mr. De Valera has now requested me to have the following message transmitted to the President.

"Dear Mr. President:

I wish to thank you for your personal message sent through the Acting Secretary of State and duly conveyed to me by our Minister, Mr. Brennan. Your assurance that there was not, and is not now, the slightest thought or intention of invading Irish territory or threatening Irish security has relieved an anxiety which was unfortunately developing into tension. I thank you sincerely for that assurance which is so much in accord with the tradition of American principles and, indeed, your own enunciation of them.

"As you are aware, the partition of Ireland by Britain has for the past 20 years been the outstanding cause of difference between the two countries, and is now the one obstacle to that final reconciliation which well-wishers of both countries have so much desired and for which we ourselves have so long and earnestly striven. Britain's exercise of sovereignty over our six North-Eastern counties is repugnant to national sentiment here, and is deeply resented by the overwhelming majority of the Irish people. The American Government's seemingly unreserved recognition of that sovereignty, by sending its soldiers to the disputed territories without any reference to the Irish Government, appeared to be a taking of sides and a worsening of Ireland's position vis-à-vis Britain, which the Irish Government could not but deplore. In the interests of good relations between Ireland and America, which have been so uniformly cordial and happy, the Irish Government would have advised against the sending of the troops had they had an opportunity of expressing their views. Fears that the movement of American troops into the Six Counties might be a preliminary to an attack upon our position in this part of Ireland are happily dispelled by your explicit assurance to the contrary.

"One matter, however, continues to give us concern. The young men of Ireland will defend their country's liberty to the end if it be attacked. But modern equipment is required to preserve the high degree of confidence in their ability to do so effectively, which it is desirable to maintain. Since this war began, and even before that, as you know, we have endeavoured to secure this equipment from the United States, as well as from Britain. Unfortunately, except for the inadequate quantity recently received, our efforts have remained without success. As neither Britain nor the United States intend to attack us, it seems folly to leave in any way insecure so important a position as ours, when there are on the spot a quarter of a million men of the best fighting quality, ready and able to make it secure if proper weapons are put into their hands. I have repeatedly explained to your Minister here, and to the British representative, my views in this regard, and I trust you may be able to reconsider your decision and make the necessary equipment available for purchase without delay. The effect upon the spirit of our people would be incalculable as would be the resulting improvement in feeling towards Great Britain.

"May I express to you, Mr. President, my most sincere good wishes and my sympathy with you in the anxieties and burdens which you are called upon to bear."

Accept [etc.]

ROBT. BRENNAN

711.41D/17

The Minister in Ireland (Gray) to the Secretary of State

No. 401

DUBLIN, July 7, 1942.

[Received July 23.]

SIR: I have the honor to report that on July 6, 1942, at my request, I was received by Mr. de Valera. The memorandum of this conversation is hereto attached.¹⁵ I have sent him a copy of it for his files.

I found the Prime Minister in a sour, discouraged mood, evidently laboring under some acute apprehension of hostile conspiracy. As set forth in the memorandum of conversation, it appeared that the somewhat highly emphasized publicity regarding the completion of our naval base at Londonderry within six months excited his fears. He said in effect that he considered it a plot to invite an attack on Irish territory regardless of the lives of Irish non-combatants. As shown in the memorandum, I explained to him that this apprehension was groundless and we then passed on to a discussion of the secret liaison between the British Commanding General in the North and the General Staff of the Irish Army. The memorandum covers this discussion.

Deeming it desirable to have some non-controversial topic always under discussion with the Prime Minister, I opened the question which I had discussed in London with Mr. Loyd Steere, Agricultural Attaché, and Colonel MacKeachie, United States Army Purchasing Agent, of increasing Irish pig production to the end of obtaining an exportable surplus which could be purchased for the maintenance of American troops in Northern Ireland. There seemed to be very little promise of obtaining any results.

On the day following my conversation with the Irish Prime Minister, I had a talk with Sir John Maffey, the British Representative, and told him in detail what had been said during my conversation with the Irish Prime Minister relating to the subject of liaison.

Sir John Maffey said he entirely agreed that the American Command should participate in the personal relation with the Irish High Command, but was doubtful whether it was best for me to have informed Mr. de Valera that the meeting was about to take place. He felt that it would have been better to have let General Franklyn,¹⁶ General Hartle, and General McKenna work it out between them; that Mr. de Valera's attitude had been that he did not want to know

¹⁵ Not printed.

¹⁶ Lt. Gen. Harold E. Franklyn, Commander of British Troops in Northern Ireland.

anything about the matter, and that General McKenna also wished to keep the political side of the Government out of it. I told Sir John that it was not that I had any lack of confidence in General Franklyn; that, as he knew, from the time American troops arrived in Ireland and the possibility was discussed of an American General assuming command of the area, I had strongly recommended to my Government that, in that event, the British Officers who had inaugurated the liaison be retained as a mission at least until the relation had been taken over in a satisfactory manner. My course in informing Mr. de Valera as I had of General Hartle's readiness to meet General McKenna was due to the fact that I considered it would be a grave mistake on my part not to give him that information regardless of whether or not he wished to receive it; that I did not wish ever to give Mr. de Valera the opportunity to disavow all knowledge of the liaison and to charge me, and possibly also Sir John Maffey, with tampering with his General Staff without his knowledge.

There are several reasons why I believe that this point of view is sound: (1) If General Franklyn should be ordered to another command, as is not unlikely, the liaison which, in a sense, is now his personal property would disappear with him. If, however, General Hartle enters the picture at once, he would be in a position to carry it on; (2) I think the importance of the American military effort in Northern Ireland demands recognition and participation in such a relation, regardless of the preferences of the Irish Prime Minister, and especially because of his protest against our presence there; (3) I do not anticipate that the Irish Prime Minister will make any trouble, for the reason that to do so would amount to an affront, which I think he would fear to make. I have observed in my relations with him that he tells me that there are "very grave difficulties and objections" in the path of any course, it only means that he would prefer another course; not that he is prepared to make a stand on the matter; (4) I think it is important that recognition of the American Military Command be on the record, for the reason that the Irish Prime Minister, under pressure from the Axis Powers or from his own anti-British and pro-Axis groups, might conceivably disavow the liaison—a thing which he cannot now do without being confronted by the memorandum of the conversation hereto attached; (5) I believe that delay in bringing the Americans into the picture would augment the difficulty of bringing them in, since I think we must face the fact that Irish-American relations are more apt to deteriorate than to improve.

Respectfully yours,

DAVID GRAY

841E.00/11a : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, August 15, 1942—4 p. m.

3874. From the Under Secretary. The Irish Minister called upon me this morning by instruction of his Government. He informed me that in a street battle which took place in Belfast last June a policeman was killed and six young IRA agitators were tried for his murder. He stated that the six were convicted and are to be executed in Belfast next Tuesday, August 18. He stressed the fact that these young men are only 18, 19 and 21 years of age. He said that the Irish Government feels that serious trouble will be created if the sentence is carried out, not only for the British authorities, but also for the Irish Government itself, which, he claims, is doing everything possible to keep down by the most severe measures IRA agitation both in southern and northern Ireland. The Minister, who has just returned from a visit to Dublin, told me that feeling towards Great Britain had improved very greatly in the past months and that the general feeling of the public was that Germany was the real danger to Ireland and not Great Britain. He insists that this favorable trend may be arrested as a result of the agitation which would ensue from the execution of these young men. His Government has asked him to plead for the intercession of this Government.

Please call at the first moment possible upon Mr. Eden¹⁷ and inform him of the statements made to me by the Irish Minister, laying the full facts before him. It is left entirely to your own discretion and judgment, as a result of the response which Mr. Eden may make, whether you will wish to interpose on grounds of expediency a suggestion on behalf of this Government that the sentence be commuted to imprisonment. [Welles.]

HULL

841E.00/12 : Telegram

*The Ambassador in the United Kingdom (Winant) to the Secretary
of State*LONDON, August 16, 1942—7 p. m.
[Received August 16—3:38 p. m.]

4582. For the Under Secretary. I took up with Eden this morning the problem presented in your telegram No. 3874, August 15, 4 p. m. He was not familiar with the matter but promised to look into it immediately.

¹⁷ Anthony Eden, British Secretary of State for Foreign Affairs.

He has just told me that an appeal has been filed with the Criminal Court of Appeals for which no date has yet been set and which means that inevitably some weeks will pass before the sentence imposed is carried out. In the interim Eden says he will go into the question fully with the Home Office and the Dominions Office.

WINANT

841E.00/12 : Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, August 25, 1942—noon.

4030. From the Under Secretary. Department's 3874, August 15, 4 p. m., and your 4582, August 16, 7 p. m. The Irish Minister, by instruction of his Government, has just informed me that the Criminal Court of Appeals has rejected the appeal filed and that the date of the executions has now been set for September 2.

It is desirable that you should know in discussing this matter further with Mr. Eden that very considerable interest has been shown in these cases in this country. Such influential congressmen as Majority Leader McCormack and many others in both houses have already approached the Department expressing the urgent hope that the death penalty be commuted to imprisonment and that this Government intercede for that purpose. There is no question that Irish circles in this country are very active and that very wide and unquestionably undesirable publicity would be given to the executions if carried out.

Please telegraph what the decision of the British authorities may be. I shall speak to Halifax¹⁸ this afternoon about this question. [Welles.]

HULL

841E.00/20 : Telegram

The Minister in Ireland (Gray) to the Secretary of State

DUBLIN, August 26, 1942—5 p. m.
[Received 5:44 p. m.]

179. For the Under Secretary. Your 101, August 24, 10 p. m.¹⁹ Appreciate information. From our estimate of the situation your course is what we would have suggested. Have advised Winant that in view of the situation here and of our interests in Northern Ireland

¹⁸ Viscount Halifax, British Ambassador.

¹⁹ Not printed; it quoted contents of telegrams No. 3874 and No. 4582, p. 764.

some measure of clemency is probably expedient. The British and Canadian Representatives here hold the same opinion. Hanging six for one would shock public opinion.

Sending airmail despatch on this subject and memorandum of conversation with de Valera.²⁰

GRAY

841E.00/55

*The American Minister in Ireland (Gray) to the Irish Prime Minister (de Valera)*²¹

DUBLIN, August 27, 1942.

DEAR MR. PRIME MINISTER: I am sending you for your files my memorandum²² of our discussion regarding publicity accorded the agitation for reprieve of the six Belfast young men convicted of shooting a policeman.

Those of us who like yourself have attempted and are attempting by diplomatic means to procure a measure of clemency for these young men find ourselves embarrassed by the pressure exerted here upon the Northern Government. As you know, governments, especially in war time, do not like to be coerced and fear that clemency exercised under pressure will be interpreted as weakness.

I am afraid that if we fail, the originators of the pressure campaign will have a heavy responsibility. I appreciate your sincere desire to keep this agitation within reasonable bounds and your considerable success in this direction, but repeat what I said in our recent talk—that, except for yourself and a few others, Ireland does not seem to appreciate what the war means, the gravity of the situation and the danger of rocking the boat at such a time.

Yours sincerely,

DAVID GRAY

841E.00/33 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, August 31, 1942—10 p. m.

[Received 10:28 p. m.]

4860. For the Under Secretary. Your 4030, August 25, noon, and your 4102, August 27, 7 [11] p. m.²³ You will have already heard

²⁰ Neither printed.

²¹ Copy transmitted to the Department by the Minister in Ireland in his despatch No. 465, September 3, 1942, not printed.

²² Not printed.

²³ Latter not printed.

through the press that four of the six men condemned to death for the murder of the police sergeant in Belfast have had their sentences commuted to life and the fifth to 15 years' imprisonment by the Governor of Northern Ireland. One man is to be executed.

We did what we could to help and so did Gray.

WINANT

841E.00/19 : Telegram

The Acting Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, August 31, 1942—10 p. m.

4171. My 4030, August 25, noon, and your 4763, August 26, 4 p. m.²⁴ The Irish Minister has again urged most eloquently that this Government intercede on behalf of the one remaining Irishman now sentenced to be executed on September 2.²⁵ He has at the same time expressed, by instruction of his Government, his deep gratitude for the sympathetic interest displayed by this Government in the case of the six men originally under sentence. I leave it entirely to your own determination whether you should do anything further in the matter, if in your opinion any useful or desirable purpose would be served thereby.

WELLES

811.248/747 : Telegram

The Minister in Ireland (Gray) to the Secretary of State

DUBLIN, October 16, 1942—6 p. m.

[Received October 16—5:53 p. m.]

204. Information received confidentially from Kirby ranking British Air Force officer in Northern Ireland is that two American pilots have recently made forced landing on Eire side of border but have been spirited to safety and that 16 arriving bombers were lost for some time over Eire territory but eventually landed safe in Northern Ireland. Kirby says it is inevitable that American pilots will come down and be interned and American planes confiscated. Believe therefore I should warn you that I may have to ask for immediate instructions as to internment of American personnel and seizure of American aircraft possibly with secret equipment.

Britain has acquiesced in internment of their air crews although Eire is in some respects in the Commonwealth to the end of having German crews interned and under control. Eire Government now

²⁴ Latter not printed.

²⁵ The execution occurred as scheduled on September 2.

connives at escape of newly grounded crews near border in regions where little publicity attends incident.

My view for what it is worth is that while right to intern can not well be questioned, it would be unfortunate to accept internment without protest on ground that internment is unfriendly act in view of fact that practically all Eire's sea borne supplies are protected by United Nation air patrols.

News of internment of British pilots is suppressed by British censor. Am writing Winant recommending that he request release news of American internments by Eire Government on American news service. If you rule otherwise please telegraph him and me.

GRAY

811.248/755 : Telegram

The Minister in Ireland (Gray) to the Secretary of State

DUBLIN, October 25, 1942—3 p. m.
[Received October 26—7:48 a. m.]

210. Consideration of probable forced landings on Eire soil of American airplanes (reference my 204, October 16) suggests desirability of the President issuing orders that airplane crews refuse to accept parole. I am advised by experts that prospects of escape would be much better if the internees were continuously guarded and confined in special quarters with suitable facilities for exercise which do not exist in present internment camps. Furthermore if you decide to protest internment as I recommend refusal of parole would strengthen our position.

GRAY

811.24541E/7

Memorandum of Conversation, by the Under Secretary of State (Welles)

[WASHINGTON,] October 29, 1942.

The Minister of Ireland called upon me this afternoon at his request. He left with me the attached "Pocket Guide to Northern Ireland" published by the War Department and a memorandum²⁶ which covers the points mentioned by the Minister in our conversation.

In substance the Irish Government protests against the passage on pages 10 and 11 of the "Pocket Guide" which states, "Eire's neutrality is a real danger to the Allied cause. There, just across the Irish Channel from embattled England, and not too far from your own billets in Ulster, the Axis nations maintain large legations and staffs.

²⁶ Not printed.

These Axis agents send out weather reports, find out by espionage what is going on in Ulster". The Irish Government desired this Government to know that it was convinced that the Axis missions in Dublin were doing nothing they should not be doing and that the Irish authorities by constant surveillance and the use of detectors knew that the Axis missions were not sending out any radio reports and that the only reports being sent out had to pass by a cable which went through England. The Irish Government therefore requested that the portion of the "Pocket Guide" which it considered objectionable be deleted.

I asked the Minister if he thought the Axis governments could seriously be keeping staffs of considerable size in Dublin to be doing nothing more than their legitimate business. I also told him that while I was not an expert in the matter, I did have a good deal of experience with regard to the operation of clandestine radio stations and I had never yet gained the impression from the experts of this Government that clandestine stations could not operate from time to time without detection. I said it seemed to me that the two facts that I had mentioned would very decidedly support the statements contained in the "Pocket Guide" of which the Irish Government complained. I said, however, that in as much as this was a matter which directly concerned the War Department I would refer the Minister's complaint to the War Department in order that I might obtain the War Department's views.

S[UMNER] W[ELLES]

811.248/755 : Telegram

The Secretary of State to the Minister in Ireland (Gray)

WASHINGTON, November 12, 1942—6 p. m.

141. Your 204, October 16, and 210, October 25. Ambassador Winant has recently telegraphed certain views on this subject. In a telegram today we are outlining to him a proposed approach to be made by you and suggesting that you and he discuss this approach during your forthcoming visit to London.

HULL

811.248/755 : Telegram

The Secretary of State to the Ambassador in the United Kingdom (Winant)

WASHINGTON, November 12, 1942—10 p. m.

5675. Your 6233, November 6.²⁷ Quoted below is the text of a draft instruction to Minister Gray on this subject in reply to his

²⁷ Not printed.

telegrams of October 16 and 25. This draft has been approved by the War Department. Please discuss it with Mr. Gray during his forthcoming visit to London. If you and he agree with this proposed approach he may proceed with the matter upon his return to Dublin on the basis of this telegram. We shall appreciate any further comments from you and also any comments which the British may wish to offer. It would also be helpful to know of any arrangements which the British may have in mind or may have made to deal with this problem.

The text of the draft instruction reads as follows:

"In your discretion, please sound out orally and informally the Department of External Affairs along the following lines:

"With the growing numbers of planes which the United States is sending to the British Isles and which may be stationed in Northern Ireland, it is almost inevitable that American military aircraft will on occasion become lost and make forced landings in Ireland. The American authorities will, of course, take every precaution to prevent such landings but, in view of the geographic position of Ireland, it is too much to hope that such landings can be avoided altogether. It is hoped therefore that the Irish Government will make the necessary arrangements in advance to permit such planes with their crews to proceed, or to be removed, as soon as circumstances permit, to their destination.

"It may be emphasized that American planes which may come down in Ireland will ordinarily be on training or transit flights and not at the time engaged in any hostile activity nor on any hostile mission. It is evident that they are not on their way to bomb Germany. They are in a very different category from German planes which come down in Ireland. In view of distances from Germany and German occupied areas, it cannot even remotely be supposed that such German planes have merely lost their way on peaceful flights. On the contrary, their very presence over Ireland or Irish jurisdictional waters is conclusive proof that they are engaged in hostile operations either against the United Kingdom or its shipping or against Ireland itself.

"Hence different treatment is manifestly called for in the case of American planes. For these reasons, we are led to hope that the Irish Government will make the desired arrangements regarding them. We are further encouraged to hope for favorable action by reason of Mr. de Valera's declaration of friendly neutrality toward the United States. Definite arrangements on the above lines would be very warmly appreciated by the American Government and the President as a practical demonstration of Irish friendship.

"Naturally no publicity would be given to these arrangements and they would be carried out by the Irish authorities themselves, with whatever cooperation might be necessary with the American command in Northern Ireland.

"If you believe that it would help in your presentation of the case you may add that there cannot be said to exist any definitely established principles of international law which oblige the Irish Government, as a neutral, to hold American planes or crews which for the

above reasons find themselves in Irish jurisdiction. The Irish Government in releasing such planes is therefore fully within its rights and is not thereby open to any charges of violating its neutrality.

"Pending a further report from you, it is believed desirable to leave in abeyance the suggestion contained in your 210, October 25."

The last paragraph relates to Mr. Gray's suggestion that American plane crews be ordered to refuse paroles in case of internment in Ireland.

HULL

811.24541E/9

*Memorandum of Conversation, by the Under Secretary of State
(Welles)*

[WASHINGTON,] November 16, 1942.

The Irish Minister called to see me this morning at my request.

I read to the Minister the *aide-mémoire* attached herewith but I did not give him a copy thereof. The Minister asked if it would not be possible for his Government to have made available to it the information in the files of the War Department since it was the sole desire of the Irish Government to prevent activities of the type complained of in the War Department's publication and to eliminate any sources of danger to the forces of the United States. I told the Minister that I would be very glad to talk this over with the War Department to see if they desired to designate a military officer to discuss the question with the Irish Minister.

S[UMNER] W[ELLES]

[Annex]

AIDE-MÉMOIRE

On October 29 the Minister of Ireland handed to the Under Secretary of State a memorandum relative to a *Pocket Guide to Northern Ireland* published by the War and Navy Departments for distribution to the American forces. The Minister referred orally to certain passages in the *Pocket Guide* to which the Irish Government takes exception. Reference was made in particular to the statement that, "Eire's neutrality is a real danger to the Allied cause. There, just across the Irish Channel from embattled England, and not too far from your own billets in Ulster, the Axis nations maintain large legations and staffs. These Axis agents send out weather reports, find out by espionage what is going on in Ulster."

In view of the representations made by the Minister of Ireland a copy of his memorandum was referred to the War Department for

comment. The War Department has now replied that information in its files fully substantiates the statement made in the *Pocket Guide to Northern Ireland* to which objection was made by the Irish Minister.

WASHINGTON, November 16, 1942.

811.248/790 : Telegram

The Minister in Ireland (Gray) to the Secretary of State

DUBLIN, November 20, 1942—5 p. m.

[Received 8:29 p. m.]

231. Reference my 204, October 16, and 210, October 25, and Department's 141, November 12. Winant in London showed me your draft of instructions to be forwarded to me in the event of his approval. At his suggestion I discussed the instructions and the internment question in detail with General Hartle who raised no objections and believed this line would help the British also. Before making my recommendations to you and asking for instructions I had discussed the question with Maffey, the British Representative, who feels that the line we propose would be helpful to him.

I consider the proposed instructions entirely adequate for exploring the question with the Irish Government and believe this should be done if possible before and [any?] incident occurs. Am sending a copy of this telegram to Winant with request that if he is entirely satisfied he will at once notify you so that I may receive the instructions.

GRAY

800.20241D/8

Memorandum of Conversation, by the Under Secretary of State (Welles)

[WASHINGTON,] November 25, 1942.

The Irish Minister called to see me this morning at his request.

The Minister stated that some days ago Mr. Hickerson²⁸ had telephoned him saying that some other agency of the United States Government had reason to believe that hundreds of Japanese tourists had reached Ireland during the past two years, that the staff of the Japanese Legation and Consulate had been greatly increased, and that these conditions were a source of great danger to the interests of the United States.

The Minister stated that he had telegraphed his Government in compliance with Mr. Hickerson's request in order to have a report

²⁸ John D. Hickerson, Assistant Chief, Division of European Affairs.

on these charges. He said that he had now received a reply from his Government stating that the total number of Japanese in Ireland was four, namely, the Japanese Chargé d'Affaires, his wife, the Japanese Consul, and one stranded seaman. The Minister went on to say that his Government was deeply irritated by the inquiry addressed to it, which it regarded as proof that the Government of the United States insisted upon the belief that the Irish Government was permitting every kind of Axis subversive activity to be going on in Ireland notwithstanding the frequent and official denials on the part of the Irish Government. The Minister stated that he would like to send me a statement covering the views of his Government on this matter. I said that, of course, I would be glad to receive it.

The statement in question, received subsequently, is attached herewith.²⁹

S[UMNER] W[ELLES]

811.248/790: Telegram

*The Secretary of State to the Ambassador in the United Kingdom
(Winant)*

WASHINGTON, November 25, 1942—11 p. m.

5948. Your 6574, November 21,³⁰ indicates that General Hartle has approved the approach to the Irish authorities outlined in the Department's 5675³¹ but does not clearly state your own approval. If you concur in the proposal will you forward the Department's 5675 to Mr. Gray for the action contemplated.

HULL

811.248/798: Telegram

The Minister in Ireland (Gray) to the Secretary of State

DUBLIN, December 1, 1942—2 p. m.

[Received 8:12 p. m.]

239. Pursuant to instructions in your No. 5675 received via Winant in his number 57, November 28, noon, this morning I discussed the possible internment of American airmen grounded on Eire soil with Walshe of External Affairs. I told him that with the probable increase of American forces in Northern Ireland, mistakes would be inevitable and American aircraft would be grounded south of the border. I said that my Government was reluctant to accept the

²⁹ Not attached to file copy of memorandum.

³⁰ Not printed.

³¹ Telegram dated November 12, 10 p. m., p. 769.

precedent of internment as, of course, set by the British Government until the subject had been very carefully examined; that my Government felt that no settled ruling in international law thus far crystallized and that it naturally preferred to reserve full rights of action until all aspects of the question had been carefully examined. (I said that in the view of the American Government there was a clear distinction in fact between such air bases as might be established in Northern Ireland which were in fact essentially training bases and operational combatant bases.) I asked him if his Government was prepared to recognize in principle the distinction between operational flights which were clearly for combatant purposes and non-operational flights which were essentially either for purposes of transportation or of training. I said that the American Government took the view that non-operational flights being non-combatant in character were not subject to internment in case of grounding on neutral territory whatever might be the liabilities of pilots grounded during operational flights.

Mr. Walshe said that he believed his Government would recognize this distinction. I asked him if he was prepared to reduce this understanding to writing and he said that [he had no objection?] to an exchange of notes in this sense if it were understood that they were not for publication during the emergency. I said that I saw no reason why they should be made public as my Government chiefly desired an explicit understanding with the Irish Government on this point in order to reserve from internment such American pilots who might be grounded as could be shown were engaged in non-operational flights.

I then asked him if the Irish Government were willing to agree to a reservation on the part of the American Government as to its course of action in the case of air crews grounded in the course of flights that must be conceded to be operational. I said that I was not authorized to say that the American Government would dispute the right and responsibility of the Irish Government to intern under such conditions, but only that the American Government wished to reserve the right fully to explore this question to the end of not being bound by the precedent of internment of an American pilot grounded on Eire soil during an operational flight. He said he thought the Irish Government would be willing to take this view of the question, but that he would have to submit it to his Minister, Mr. de Valera, before giving me a definite answer.

His attitude was very friendly. He laid weight on the importance of suppressing announcements of internments in the press since if groundings were not made public the Irish Government could exercise much more freedom in construing such incidents as having occurred

during non-operational flights. I said that as long as the suppression of publicity was used in this sense I saw no objection to it.

It was agreed that he should consult his Minister and that we should confer at a later date.

He readily recognized the presumption that German planes grounded on Eire soil were engaged in operational flights.

London informed.

GRAY

811.248/801 : Telegram

The Minister in Ireland (Gray) to the Secretary of State

DUBLIN, December 7, 1942—5 p. m.
[Received December 7—4: 52 p. m.]

243. Irish Government pursuant to our tentative agreement, reference my 239, December 1, 2 p. m., have released crew of grounded flying fortress and are arranging to get the airplane off this afternoon. I have taken the responsibility of expressing your appreciation of this friendly cooperation. I repeat recommendation to War Department for instructions to air crews to claim all grounded flights as non-operational specifying nature of flight if possible as fuel test or training or gun test and so forth.

Further reference my 241, December 6, 3 p. m.³²

GRAY

811.248/803a : Telegram

The Secretary of State to the Minister in Ireland (Gray)

WASHINGTON, December 8, 1942—7 p. m.

154. We have read your 239, December 1, and wish to express our appreciation for the splendid manner in which you have handled this matter. We do not wish to insist on a written agreement so long as a clear understanding exists between us. We are entirely willing to accept as adequate oral assurance from Mr. de Valera and the Department of External Affairs. Should something be reduced to writing, however, it would be preferable from our point of view to omit, or to minimize in so far as possible, any reference to American planes on operational flights, since it is hoped that this question would not arise.

HULL

³² Not printed.

841.248/1254 : Telegram

The Minister in Ireland (Gray) to the Secretary of State

DUBLIN, December 9, 1942—3 p. m.
[Received December 9—2:11 p. m.]

247. British training plane piloted by American flyer landed on Phoenix Park race track yesterday. Pilot released and sent back to Northern Ireland. Plane to go back today.

GRAY

811.248/801 : Telegram

The Secretary of State to the Minister in Ireland (Gray)

WASHINGTON, December 10, 1942—6 p. m.

157. Your 241, December 6,³³ and 243, December 7. The friendly action of the Irish Government in this matter is greatly appreciated here and we wish to commend you on your excellent handling of this whole situation. Paraphrases of your telegrams have been forwarded to the War Department and their attention invited particularly to your recommendation regarding instructions to air crews likely to fly over Ireland.

HULL

811.248/805 : Telegram

The Minister in Ireland (Gray) to the Secretary of State

DUBLIN, December 12, 1942—11 a. m.
[Received 11:25 a. m.]

253. Greatly appreciate your kind approval reference your 157, December 10, 6 p. m. Pursuant to your suggestion in your 154 of December 8, 7 p. m., I am accepting a letter from Walshe of External Affairs which is a memorandum of the conversation reported in my 239 of December 1, 2 p. m., instead of an exchange of notes as an *aide-mémoire* of our understanding. This will be forwarded by air courier as soon as received.

My reason for appearing to lay emphasis on your reluctance to accept internment as [a matter?] of course for groundings during operational flights was mainly to induce construction of doubtful cases as nonoperational. The Irish Government wishes to avoid trouble of this kind and the belief that we might take a strong line is salutary.

GRAY

³³ Not printed.

NEW ZEALAND

MILITARY SERVICE AGREEMENT BETWEEN THE UNITED STATES AND NEW ZEALAND

[Effected by exchanges of notes signed at Washington March 31, July 1, August 15, and September 30, 1942. For texts of notes, see Department of State Executive Agreement Series No. 305, or 56 Stat. (pt. 2) 1896.]

AGREEMENT BETWEEN THE UNITED STATES AND NEW ZEALAND REGARDING PRINCIPLES APPLYING TO THE PROVISION OF AID TO THE ARMED FORCES OF THE UNITED STATES, EFFECTED BY EXCHANGE OF NOTES SIGNED SEPTEMBER 3, 1942

[For texts of notes, see Department of State Executive Agreement Series No. 272, or 56 Stat. (pt. 2) 1611. For correspondence regarding this agreement, see pages 537 ff.]

UNION OF SOUTH AFRICA

MILITARY SERVICE AGREEMENT BETWEEN THE UNITED STATES AND THE UNION OF SOUTH AFRICA

[Effected by exchanges of notes signed at Washington March 31, June 9, August 12, and October 7 and 31, 1942. For texts of notes, see Department of State Executive Agreement Series No. 310, or 56 Stat. (pt. 2) 1921.]

THE FAR EAST

CHINA

[For correspondence regarding relations of the United States with China in 1942, see *Foreign Relations*, 1942, China.]

JAPAN

DEVELOPMENTS IN JAPAN AFTER THE OUTBREAK OF WAR WITH THE UNITED STATES

894.00/1157

*Report by the Former Ambassador in Japan (Grew)*¹

[AT SEA, undated.]

FOREIGN RELATIONS

After the outbreak of war, Japan's foreign relations were for practical purposes confined to the countries of the Axis, Soviet Russia, and to Japan's several Far Eastern satellites principally Thailand and the conquered territories.

Axis

Japan's relations with the Axis may be described as correct but not cordial. There is no evidence that Germany and Italy had been consulted or were even apprised of Japan's determination to attack on December 8, and it may therefore be assumed that Japan struck at the United States with no definite assurance of Axis support.

After the outbreak of war, Japan lost no time in concluding, on December 11, a pact binding the signatories of the Tripartite Pact of

¹ Prepared aboard M. S. *Gripsholm* in response to Department's telegram No. 64, July 2, 11 p. m., sent to the Consul at Lourenço Marques; transmitted to the Department by Mr. Grew in his unnumbered despatch dated August 19, 1942, received August 26. Mr. Grew noted in the despatch: "The present report was written at sea, and I trust that its limitations may be overlooked in view of the paucity of the reference materials available. It should also be borne in mind that after the outbreak of war my staff and I were confined strictly within the walls of the Embassy and almost completely cut off from the currents of Japanese life." Mr. Grew also indicated in his despatch that this report supplemented an undated report on economic and financial developments in Japan from December 8, 1941, to June 1, 1942, which was prepared by the Commercial Attaché in Japan (Williams) and was transmitted to the Department in an unnumbered despatch dated June 3, 1942 (894.50/164).

The *Gripsholm* was used in exchange of persons between the United States and Japan. For correspondence on exchange agreement with Japan, see pp. 377 ff.

September 27, 1940,² to a new pledge. By this pact it was agreed that Japan, Germany and Italy should prosecute the war until victory is won; that they should not conclude armistice or peace without complete understanding among them; and that they should cooperate for the purpose of establishing a new order in the meaning of the previous Tripartite Pact.

On January 18, there was signed at Berlin a pact which, according to official announcement, "formulates the basic principle for guidance of strategy against the common enemy of the three nations." Although no details of this agreement were made public in Tokyo, it was announced that the pact was drawn up in line with the first item of the December 11 agreement, above mentioned. In commenting on the January 18 agreement, the *Chugai Shogyo* declared that it should serve to quiet Anglo-American propaganda that Japan was waging a racial war against the whites.

Relations with the Axis were discussed by the Foreign Minister³ in his message to the House of Peers on January 21, in the following words:

"Alignment of Japan, Germany and Italy is being further cemented, as you are already aware. Close cooperation among the three allied Powers is steadily taking definite form in military, diplomatic, economic, and various other fields. However frantically America and Britain may endeavor to alienate Japan, Germany and Italy and their allies, there is absolutely no room for such machinations. The iron solidarity of the Axis Powers is not to be compared with that of the so-called 'Allies', to whose camp America and Britain have recruited those exiled governments which exist only in name. Thus the co-operation of friendly nations is contributing materially to the prosecution of war especially to the execution of Japan's policy in the southern regions."

On the same occasion the Prime Minister⁴ declared:

"We are profoundly gratified that our Allies, especially Germany and Italy, are steadily winning victories along with Japan for the establishment of a new world order. Japan intends to strengthen further its solidarity with these allied Powers in military, diplomatic, economic and various other spheres and go forth toward the attainment of the common purpose."

On January 31, the Foreign Minister declared in a meeting of the Budget Committee of the House of Representatives:

"The fall of Singapore would mark an important stage of the war. As regards measures to be taken by Japan when Singapore is in our hands, some of them are of a nature which require that we be in closer liaison with the European Axis Powers.

² Signed at Berlin; for text, see League of Nations Treaty Series, vol. ccrv, p. 386.

³ Shigenori Togo.

⁴ Gen. Hideki Tojo.

"We have already reached an agreement with these Powers in regard to military measures we have decided to take when the battle for Singapore is at an end. There are sundry matters of a political and economic nature on which an agreement of views between Japan and its Axis Allies is necessary.

"There is no doubt that there will be a closer liaison between East Asia and Europe as a result of collaboration between Japan and its Axis Allies in working out the problem of dealing with the situation."

In the extraordinary session of the Diet on May 27, the Prime Minister considered it necessary to comment on Japan's relations with the Axis in the following manner:

"Even now, America and Britain are spreading mendacious propaganda in efforts to alienate Japan, Germany and Italy, but it is hardly necessary to mention that all such intrigues will be entirely wasted upon the iron alignment of the Axis Powers, which is based upon their common lofty aspirations, animated by their supreme mutual trust."

U.S.S.R.

Relations with the U.S.S.R., judging by the utterances of Government spokesmen and the press, were characterized by extreme caution and restraint. There was little of the blustering attitude which has been exhibited frequently in the past in dealing with Soviet affairs, and it is obvious from comments in the press that it has been the policy of Japan to avoid any entanglement with the U.S.S.R. which might make it necessary to create a second front in the north.

The statement on December 9 of the Soviet Vice Commissar for Foreign Affairs announcing Soviet neutrality and declaring that relations with Japan would be regulated by the Pact of April 11 [13],⁵ was greeted with satisfaction in Japan. In the emergency session of the Diet on December 16, the Foreign Minister declared:

"In reference to Japan's relations with the Soviet Union, there is no change in the Imperial Government's attitude for ensuring security in the North, as already clarified at the previous session of the Diet. On the part of the Soviet Government, they, too, have repeatedly enunciated their intention to abide by the Neutrality Pact with Japan."

Similarly, on January 21, the Foreign Minister declared in the House of Peers:

"The relations between Japan and the Soviet Union have since witnessed no change. Their relations are still regulated by the Neutrality Pact. The rumors of various kinds emanating as a result of the Soviet Union's conversations with America and Britain, should not have any effect at all upon the present relations between Japan and the Soviet Union."

⁵ For text, see telegram No. 763, April 13, 1941, 11 p. m., from the Ambassador in the Soviet Union, *Foreign Relations*, 1941, vol. iv, p. 944.

In reply to an interpellation in the House of Peers, the Foreign Minister stated on February 8:

"Negotiations for a fishery pact with Soviet Russia, which were broken off by the outbreak of the Soviet-German war, were resumed last December and efforts are being directed toward obtaining at least a provisional agreement for the time being.

"Japanese petroleum enterprises in north Saghalien, which operations were suspended several months ago, are now being resumed although there are still many obstacles in the way of normal oil production there by Japanese industrialists."

This reference to difficulties in Saghalien appears to have aroused the interest of the newspaper correspondents who on the following day, February 9, put several questions to the spokesman of the Board of Information. The following is an excerpt from the *Times and Advertiser*:

"'It is reported that the Japanese companies in the north of Saghalien are encountering difficulties in their work', said one foreign correspondent. 'Can you tell us what sort of difficulties these are?'"

"'I am not informed about the matter', replied the spokesman. 'Probably the companies are having labor difficulties, which, though they may not be trivial to the companies concerned, have nothing to do with politics. There is nothing political about their difficulties.'"

Announcement of the successful conclusion of a fisheries *modus vivendi* was made by the Board of Information on March 23, as follows:

"The negotiation for the conclusion of a Japanese-Soviet Fisheries Convention continued to be held last year but was in abeyance on account of the outbreak of the German-Soviet war and consequently the negotiation could not reach a conclusion by the end of the previous year. Conversations, therefore, have been conducted since December last for a conclusion of a *modus vivendi* to extend the validity of the existing Fisheries Convention to the end of this year. These negotiations having now reached a satisfactory conclusion, a *modus vivendi* was signed on March 20 at Kuibishev between the Japanese Ambassador, Lieutenant-General Yoshitsugu Tatekawa, and the Soviet Acting Foreign Commissar, A. J. Vyschinsky."

Comment by the Japanese press in regard to this agreement carried an undercurrent of disappointment and distrust. The *Yomiuri's* comment is typical:

"As long as the present agreement remains a *modus vivendi*, we cannot expect cessation even temporarily, of the Anglo-American maneuvers for the alienation of Japanese-Soviet relations. In view of the importance of the so-called northern route particularly as the

result of the wholesale losses of Pacific bases, the United States will desperately try to work toward the Soviet Union for the use of this route."

In a speech at the Japan Industrial Club on April 22, the Foreign Minister declared:

"Japan-Soviet relations at present are fast becoming the cynosure of the world, and the enemy countries are trying feverishly to give rise to various groundless rumors in this connection.

"Competent authorities of the Soviet Union, however, have clarified time and again their intention of adhering strictly to the clauses stipulated in the Neutrality Pact existing between the two countries. Consequently, it is only too clear that their sagacity will keep them from taking such a rash step as to 'pick the chestnut out of the fire' for America and Britain despite their machinations."

In his address before the Diet on May 27, the Foreign Minister declared:

"The relations between Japan and the Soviet Union have undergone no change even after the outbreak of the War of Greater East Asia. It has been reaffirmed quite recently that the Soviet Union intends to regulate her relations with Japan by the Neutrality Pact and that, accordingly, she has no intention whatever to place her territory as military bases at the disposal of our enemy countries. With the progress of the war, the enemy countries will, I presume, intensify their insidious maneuvers to alienate Japan and the Soviet Union but there is no chance for such intrigues to bear fruit so long as the Soviet Union firmly maintains the attitude mentioned above. Meanwhile, we, on our part, will continue to watch the situation with a calm attitude from the standpoint of preserving security in the North."

Outer Mongolia

A communiqué issued on May 15 by the "Manchukuo" Government, reads as follows:

"The comprehensive protocol and its annexe concerning the work of the Mixed Border Delimitation Committee organized for settling the border disputes which arose in the year 1938 between Manchoukuo and the Republic of Outer Mongolia,⁶ which documents were signed between the authorized representatives of the two countries on October 15 last year in Harbin, having been formally ratified by the Governments of the two nations, they notified each other in writing on May 5, of the ratification of the said protocol and its annexe."

French Indo-China

Relations with French Indo-China were characterized by steady Japanese encroachment on French authority and by more complete domination by Japan of that hapless country.

⁶ For correspondence on the border disputes, see *Foreign Relations*, 1938, vol. III, pp. 441 ff., *passim*.

On December 12, soon after the outbreak of war, the Imperial Headquarters announced:

"A military agreement was concluded between Japan and French Indo-China. It was signed at 8:30 p. m. Monday (presumably December 8) between the Highest Commanders of the Japanese Army and Navy Forces in French Indo-China and the Government of French Indo-China. This agreement was based on the Japanese-French Indo-Chinese Common Defense Agreement concluded in July."

In a speech of December 16, before the Diet the Foreign Minister stated:

"With respect to French Indo-China, France has manifested her complete understanding of our position and has been strengthening further the cooperation between Japan and French Indo-China, rendering all facilities for the execution of the joint defense. Our position for breaking through the encircling front has thus been rapidly augmented in scope and strength through our peaceful cooperation with friendly nations. . . ."⁸

Notwithstanding the amiable utterances of the Foreign Minister there appears to have been some dissatisfaction with the attitude of the French authorities on the part of Japan. It appears that the Indo-Chinese Government had not shown sufficient resolution in extirpating De Gaullist⁹ sympathy in Indo-China, for in an editorial of January 29, entitled "Warning to the French Government Authorities and People in East Asia", the *Japan Times and Advertiser* declared threateningly:

"In defiance of this express proclamation of Governor-General Decoux (of French Indo-China) in behalf of the Vichy Government, the De Gaullists' anti-Japanese activities are still going on . . .⁸ and are playing the part of puppets on the palm of Britain. . . ."⁸

"If the present situation continues in French Indo-China and in the French territories in the Pacific, Japan will have to adopt necessary steps to eliminate it by having recourse to force. It is well for the French Government authorities to bear in mind the fact that if things come to such a pass, the strenuous efforts of the Vichy Government, of Governor-General Decoux and of other authorities on the spot to maintain the security of French Indo-China and other French territories in coordination with Japan, will be nullified with the result that all French territories in East Asia will face a wholesale collapse. This is the best opportunity for them to reconsider their attitude."

The press reported on June 4 that an economic agreement had been reached between the Japanese and French authorities in Indo-China

⁸ Omission indicated in the original report.

⁹ Gen. Charles de Gaulle was President of the National Committee of the Free French at London.

and would shortly thereafter be signed. The principal purpose of the agreement appears to have been the supplying of rice to Japan, but mention is also made of bauxite, jute, tannin, charcoal and other materials for export to Japan, payment therefor presumably to be made in yen.

Thailand

The Board of Information made public on December 8 the following announcement:

"Concerning the affording of facilities by the Thai side for the passage of Japanese troops through that country, an agreement was concluded at 12:30 p. m. today between Japan and Thailand."

As far as can be determined from the press, this agreement between Japan and Thailand was solely a verbal understanding reached in a conversation between the Japanese Ambassador in Bangkok¹⁰ and the Thai Prime Minister,¹¹ which took place on the morning of the 8th.

A statement issued by the Japanese Embassy in Bangkok on December 10 contains the following somewhat sinister expression of appreciation.

"It is highly congratulatory that Thailand should not have followed the example of Yugoslavia and Greece. And we congratulate Thai leaders on their wisdom.

"It is promised in the agreement to respect the sovereignty, independence and honor of Thailand. This means that the passage of the Japanese troops through Thailand is a tentative measure and that Japan aims at Britain and not Thailand. The friendly and cooperative spirit on the Japanese part toward Thailand is unshakable in nature and will be further cemented."

A formal treaty of alliance between Thailand and Japan was signed at Bangkok on December 21. It is reported that the signature took place in the presence of 25 high Buddhist priests, who stood a little way from the desk where the signing took place and chanted sutras. It may be mentioned in this connection that Japan is placing heavy emphasis on the religious bond between the people of Japan and those of the occupied countries where Buddhism is the principal religion, obviously with the purpose of posing as the champion of Buddhist peoples.

In accordance with the terms of the defensive alliance between Japan and Thailand, the Government of Thailand officially declared war on the United States and Great Britain on January 25.¹² No explanation was given for the fact that more than a month intervened between the signing of the alliance and the declaration of war.

¹⁰ Teiji Tsubokami.

¹¹ Marshal Luang Pibul Songgram.

¹² See telegram No. 350, February 2, from the Chargé in Switzerland, p. 915.

In line with Japan's determination to set up a yen bloc in the Far East and to make the economic systems of the occupied territories subsidiary to that of Japan, an agreement was concluded on April 21 in Tokyo with the head of the visiting Thai Economic Mission, fixing the value of the baht at par with the yen. Editorial comment in the Japanese press indicated that Thailand offered some resistance to the depreciation of its currency which, previous to the agreement, was worth about one yen fifty-five sen, in the fear of adverse effect upon prices in Thailand. The advantage to Japan is, of course, that shipments of Thai rice, which are sorely needed in Japan because of the poor crops in recent years, can be paid for in yen at a low rate of exchange. An official statement issued by the Japanese Embassy in Bangkok declared:

"An understanding has been reached between the two nations to make efforts to prevent sudden disadvantageous effects upon Thailand by raising the value of exports from Thailand to Japan by a reasonable amount.

"For instance, the export price of Thai rice to Japan shall be raised to a reasonable level, while Japan agrees not to raise the prices of her exports to Thailand beyond the prices at which they were exported to Thailand prior to the revision of the exchange rate.

"It was also agreed that after April 22, the gold to be purchased in Bangkok by Japan shall contain 0.25974 grams of pure gold per baht."

A further agreement signed in Tokyo on May 2, provides for the settlement of payments between the two countries on the basis of the Japanese yen instead of in sterling or dollars as in the past. The official announcement said that it had also been agreed that Thailand is to adopt yen as the medium for the settlement of all payments between Thailand and Manchukuo and the Nanking regime in China, as well as the territories under Japanese occupation.

Vatican

On March 27, the Foreign Office spokesman announced that the Japanese Government had decided to send a Minister to the Vatican. The announcement read:

"In view of the present world situation as well as the presence in Greater East Asia of numerous adherents of the Roman Catholic faith, the sign of promoting the friendly relations and mutual contact between Japan and the Holy See hardly requires an explanation."

In reply to questions the spokesman is reported to have stated that the sending of a Minister did not signify the formal or technical opening of diplomatic relations between Japan and the Holy See. "It is a kind of *de facto* diplomatic relationship", declared the spokesman. It will be remembered that the Vatican has been represented in Tokyo

for about ten years by an Apostolic Delegate who has had diplomatic status. Comment in the press suggests that the Japanese move is designed to make a favorable impression on the very considerable number of Catholic peoples now under the control of Japan in occupied territories. It will also be recalled that in 1921 the Government included in the budget a sum to defray the cost of establishing a diplomatic mission at the Vatican. As the result of strong protests by Buddhist organizations, the project was finally dropped.

The Philippines

No effort will be made in this report to recount military events in the Philippine Islands. The following items have been selected at random from the press as having possible interest.

On January 20, the Foreign Minister stated in the course of a speech in the Diet:

"As regards the Philippines, if the people of those islands will hereafter understand the real intentions of Japan and offer to cooperate with us as one of the partners for the establishment of the Greater East Asian Co-Prosperity Sphere, Japan will gladly enable them to enjoy the honor of independence."

The Commander of the Japanese forces in the Philippine area¹³ is reported to have declared in a statement issued on February 11 to the Philippine people:

"You must remember how you have been treated up to now by your American leaders, who robbed you of your much-aspired independence and did all to place you under relentless exploitation. The time has come, however, when you now can do everything yourselves to realize the desire of independence, through our support which is based on the glorious principle of Jimmu Tenno."

On February 13, the spokesman of the Board of Information is reported to have been asked by a correspondent to clarify the alleged declaration of the Japanese Army spokesman in the Philippines that the aid given by the Viscayans and the Mindanaonese to the Americans would have grave consequences on the future independence of the Philippines. This declaration, which was not reported in the Japanese press, is said to have been made at a mass meeting of Japanese in the Philippines on February 11. The spokesman replied, "I have no official information about the matter, but it is natural that differentiation should be made between those tribes who will, and who will not, cooperate with the Japanese."

Some interesting remarks in regard to Philippine independence are attributed by the *Japan Times and Advertiser* of June 5, to Mr. Shozo Murata, former Railway Minister and now supreme advisor to the Imperial Army of Occupation in the Philippines. Mr. Murata

¹³ Gen. Masaharu Homma.

declared flatly to a representative of the *Nichi Nichi* that the Filipinos would have to lift themselves to a higher plane of culture if they wished to have Japan give them independence:

"There seems to be something in the attitude of the Filipinos on the question of their future national status, which I want to see righted at the earliest opportunity. With the commander of the forces occupying the islands, I regret profoundly that the insular people have a tendency to neglect the cultivation of those qualities, which they are expected to display before they can convince Japan that the time is ripe for them to manage their affairs in their own way. To do nothing but stand on their rights is not the way in which Japan expects them to do things.¹⁴

"Independence would not come the way of the Filipinos by simply talking of an independent national life for them. There is a lot of things they have to do before they can convince Japan that the affairs of the islands will be safe in their hands."

Mr. Murata was then asked whether the Filipinos are in the state of mind in which a people agitating for independence should be. His reply was:

"These people are not independent, spiritually. This is a discovery which is never surprising. They have no culture of their own. How could a people, culturally bankrupt, be independent spiritually?

"They are clamoring for independence. But they have no power which will support them in their independence movement. The worst part of the matter is that they are not aware of the fact that they lack the spiritual power, which means a great deal for a popular movement."

Much publicity was given in the Japanese press to a report from the Philippines that Mr. Quezon, President of the Philippine Commonwealth, had been assassinated on the order of General MacArthur.¹⁵

A revealing item in the *Advertiser* of May 18, quoting a despatch in the *Nichi Nichi*, describes the formation and activities of a corps of vigilantes in the Philippines. This corps was secretly organized in September of last year at the time of increasing tension in Japanese-American relations, and developed into a volunteer corps of 560 young men. By virtue of their knowledge of the native languages and their acquaintance with the countryside these vigilantes are said to have proved to be a valuable asset to the Japanese Army. The newspapers

¹⁴ The following omission indicated in the original report.

¹⁵ Gen. Douglas MacArthur, Commanding General of U. S. Army Forces in the Far East.

frequently carry stories of the valuable services rendered to the invading Japanese armies by local Japanese residents of various regions.

Latin America

For some years past the Japanese Government has evinced increasing interest in Latin America, where Japanese commercial interests have rapidly developed and where Japanese immigrants now number more than 200,000. For these reasons, the attitude of Latin America toward the war was watched with the keenest interest in Tokyo, as was shown by the preoccupation of the press with developments at the Rio conference.¹⁶

In the Diet, on January 21, the Foreign Minister declared:

"It is Japan's intention to maintain, as much as possible, cordial relations with all neutral powers in South America and Europe. We are prepared to respect fully the position of South American countries, so long as they are not misled by American machinations and do not adopt a hostile or unfriendly attitude toward Japan. The Japanese Government, however, are paying close attention to the Rio de Janeiro conference which is now in session. It is nothing but the Anglo-American design to dominate the whole world that Japan regards with hostility."

Official chagrin at the result of the Rio conference was clearly manifested in utterances by officials. For example, on January 26, the spokesman of the Board of Information stated that the United States,

"in view of strong opposition by the leading South American Republics, have resorted to all sorts of tactics, political, economic, and military, to cajole or intimidate them in order to attain the egotistic purpose of the northern colossus. For example, Brazil is reported to have been intimidated by the United States by an economic boycott and oppression. Peru is reported to have been challenged by the forcing of an unfavorable decision of its pending border dispute. Argentina was intimidated by the United States even to the extent of being interfered with in its own internal affairs by a revolution planned by the United States . . .¹⁷ All these examples are an exposé of the highly touted good neighbor policy."

In his report to the Diet on February 16, the Prime Minister stated:

"As regards South America and other neutral countries, it is my firm belief that they will understand our real intentions and will not commit the folly of pulling the chestnuts out of the fire under the pressure of the United States and Britain."

[Here follow sections on internal affairs, the Diet and the Imperial Rule Assistance Association, budget, bond issues, and food and clothing.]

¹⁶ Third meeting of the Foreign Ministers of the American Republics, held at Rio de Janeiro, January 15-28, 1942; for correspondence, see vol. v.

¹⁷ Omission indicated in the original report.

Morale

It is not easy for the foreign observer to estimate with confidence the state of mind of the average Japanese toward the war. More than four years of struggle in China, with its attendant losses and hardships, have rendered the Japanese less susceptible to officially inspired enthusiasm for further adventures but it has also inured them to stresses and made them more able to stand the strain of new sacrifices. Certainly, prior to the outbreak of war, Japanese of all classes regarded with dread the prospect of conflict with two of the most powerful nations in the world, and there can be no doubt that the outbreak of war brought little but dire forebodings to the majority of the Japanese.

Nevertheless, no people at war whose military forces can report continued successes, especially the breath-taking successes achieved by Japan during the first six months of war, need worry about morale. Despite the appalling dangers faced by their country; despite the belief among many thinking people that a decisive victory over the democracies is impossible of attainment; despite the increasing difficulty of obtaining the necessities of life; and despite the absence of almost all of the more pleasant features of life; it may safely be said that at the present time the average Japanese faces the war confidently, resolutely, and fairly cheerfully. What changes would take place in his attitude in the event of serious and visible losses can, of course, only be estimated, but it is the belief of those who have lived long in Japan that the Japanese people are easily capable of sustaining far greater privation and far more sacrifice than they have thus far been called on to undergo. Every Japanese has been thoroughly indoctrinated with the belief that this is a war of survival and that whereas winning the war would open to Japan a glorious vista of wealth and power, loss of the war would mean certain destruction of most of Japan's proud achievements of the last half century.

Certainly, the Japanese leaders have not attempted to deceive the people into taking an unduly optimistic view of the difficulties faced. The contrary is true. A few quotations from the public utterances of Japanese leaders may be of interest in this connection:

On December 17, the Prime Minister declared, in the course of his speech in the Diet:

"We are prepared that the war will be a long one. We must, therefore, definitely bear in mind that our country will hereafter meet many difficulties. . . .¹⁸ The war remains rather to be fought hereafter. We should not be intoxicated with individual victories and worry about individual phenomena."

¹⁸ Omission indicated in the original report.

On February 16, the Prime Minister, in reporting on the Singapore victory, declared:

"Singapore has now fallen. But this means that it marks the completion of only the first stage in the prosecution of the war of Greater East Asia. There should be no relaxation of morale nor allowing themselves to be elated by victory on the part of our people. The war remains to be fought hereafter."

On January 8, the President of the Industrial Corporation declared:

"It is natural that all Japan should now be exultant over the brilliant war results. However, if anyone should think that the time of hardships has passed away or the age of abundance will soon come, it is an enormous fallacy. We must tread a rough path for several years more before we can enjoy the abundant supplies of southern areas."

On March 14, the Home Minister¹⁹ declared in the course of a public address:

"The decisive [engagement?] in the battle of the war of Greater East Asia has yet to be fought. Instead of being intoxicated by the brilliant victories achieved by the Japanese forces in the initial stages of the war, therefore, the nation must realize that the present war is destined to become protracted and must accordingly put forth its best endeavors to build up a high degree defense state to cope successfully with the war situation."

On April 12, the Chief of the Military Affairs Bureau of the War Office declared in a public statement:

"Some people seem inclined to conclude from the remarkably favorable program of Japanese military operations in the War of Greater East Asia that the day is not far off when the United States and Britain will sue for peace and the war will come to an end, but such an idea is vastly mistaken. The harder part of the War of Greater East Asia is yet to be fought hereafter. Instead of being intoxicated with the brilliant successes so far achieved, the nation must form a firmer resolve and bend its entire energy to attain the object of southern construction and final victory in the war."

[Here follow sections on shipping, propaganda atrocity stories, foreign clubs, enemy assets, gold, new Bank of Japan law, rumor law, and Chinese merchants in occupied territories.]

AGREEMENT WITH THE JAPANESE GOVERNMENT FOR THE EXCHANGE OF OFFICIALS AND NON-OFFICIALS

[For correspondence regarding the agreement, see pages 377 ff.]

¹⁹ Michio Yuzawa.

**JAPANESE TREATMENT OF AMERICAN PRISONERS OF WAR AND
CIVILIAN INTERNEES IN JAPAN AND CHINA** ²⁰

740.00114 European War 1939/2026b : Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, December 18, 1941.

331. American interests. Please request the Swiss Government through its representative at Tokyo ²¹ to make a communication in the following sense to the Japanese Government:

"It is the intention of the Government of the United States as a party to the Geneva Prisoner of War Convention and the Geneva Red Cross Convention, both of July 27, 1929,²² to apply the provisions of those conventions.

It is, furthermore, the intention of the Government of the United States to apply the provisions of the Geneva Prisoner of War Convention to any civilian enemy aliens that may be interned, in so far as the provisions of that convention may be adaptable thereto.

Although the Japanese Government is a signatory of the above conventions, it is understood not to have ratified the Geneva Prisoner of War Convention. The Government of the United States nevertheless hopes that the Japanese Government will apply the provisions of both conventions reciprocally in the above sense.

The Government of the United States would appreciate receiving an expression of the intentions of the Japanese Government in this respect."

HULL

740.00114A Pacific War/1 : Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, January 2, 1942.

3. American interests—Far East. Please bring following to the attention of the Swiss Federal Political Department:

This Government would appreciate having the following communicated to the Japanese Government as expeditiously as possible:

"The Government of the United States assumes that official and duly designated representatives of the American Red Cross engaged in essential relief operations, including those engaged in sanitary formations and other humanitarian efforts incident to the military operations, will be protected and respected by occupying authorities in accordance with the Geneva Conventions and established precedents and practices."

HULL

²⁰ For correspondence on repatriation of American citizens in enemy and enemy-occupied countries, see pp. 243 ff.; for correspondence on agreement with the Japanese Government for exchange of officials and non-officials, see pp. 377 ff.

²¹ Camille Gorgé, Swiss Minister in Japan.

²² *Foreign Relations*, 1929, vol. 1, pp. 336 and 321, respectively.

740.00114 European War 1939/2026b Suppl. : Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, January 13, 1942.

86. Department's 330, 331, December 18.²³ Please request the Swiss Government to be good enough to inform the German, Italian and Japanese Governments in the following sense,

(1) This Government has accepted the humanitarian proposal of the International Red Cross Committee made to it on December 10, 1941,²⁴ (which it is believed is identical with one made to the German, Italian and Japanese Governments) setting up machinery for the exchange of lists of prisoners of war and of the wounded under Article 79 of the Prisoners of War Convention of 1929. This Government will also exchange lists of civilian internees in an analogous manner.

(2) This Government wishes to know if the German, Italian and Japanese Governments are disposed to take similar action on the proposal of the International Red Cross Committee.

(3) In accordance with Article 77 of the Geneva Convention, a Prisoners of War Bureau and, in addition, an Alien Enemy Information Bureau with like functions, have been established by the War Department in the office of the Provost Marshal General. These bureaus will be authorized to communicate lists of prisoners and civil internees direct to the International Red Cross Committee at Geneva and to representatives of the protecting powers. It is understood, of course, that this Government's policy in this respect includes an expectation that the opposing belligerents will reciprocate.

The Swiss Government should be asked additionally to make the following individual communications in the sense indicated below:

[Here follow paragraphs *a* and *b* giving sense of messages to the Italian and German Governments.²⁵]

c. To the Japanese Government:

This Government has not yet received an expression of the intentions of the Japanese Government in regard to observance of the Geneva Conventions of 1929 including the application in the present conflict of the Prisoners of War Convention, which it is understood

²³ For telegram No. 330, see vol. III, section under Italy entitled "Agreement Between the United States and Italy . . ."; for No. 331, see *ante*, p. 792.

²⁴ Undated telegram received in the Department December 10, not printed.

²⁵ For arrangement between the United States and Germany effected by exchange of notes March 4 and 30, 1942, regarding repatriation and hospitalization of prisoners of war, see Executive Agreement Series No. 255, or 56 Stat. (pt. 2) 1507. For arrangement between the United States and Italy to apply the two Geneva Conventions of July 27, 1929, see vol. III.

Japan has not ratified, and in regard to the extension of the provisions of the latter Convention, in so far as they are adaptable, to any civilian enemy aliens who may be interned. It is recalled that the Swiss Government has already been requested to notify the Japanese Government of this Government's intention to apply both Conventions, as well as to apply the provisions of the Prisoners of War Convention to civilian internees in so far as adaptable.

HULL

390.1115A/645 : Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, January 20, 1942.

161. Your 173, 17th.²⁶ Please ask the Swiss Government to be good enough to inform its Minister at Tokyo for his information and that of Japanese Government as follows:

"1. The United States Government is prepared upon request of representatives of the protecting powers to facilitate visits by those representatives to Japanese nationals who may be temporarily detained, interned, or under parole (surveillance).

2. The United States Government has already requested the Swiss Government to convey to the Japanese Government its intention to extend the provisions of the Geneva Prisoners of War Convention of 1929, in so far as adaptable, to any civilian aliens that may be interned, and has expressed the hope that the Japanese Government would apply the provisions of the Convention reciprocally in this sense. Article 86 of that Convention would seem to apply to the query of the Swiss Minister at Tokyo."

HULL

740.00115A Pacific War/4a : Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, January 23, 1942.

196. As inflammatory news despatches alleging mistreatment of Americans in Japan and in Japanese-controlled territories are continuing to be received in this country, please inform Swiss Government that Department would appreciate receiving as soon as possible reports from Swiss representatives in those areas indicating treatment actually accorded American nationals in so far as Swiss representatives are able to verify the nature of this treatment, particularly at Amoy, Canton, Chefoo, Chinwangtao, Hainan Island, Hankow, Harbin, Ichang, Kuling, Mukden, Nanchang, Nanking, Peiping,

²⁶ Not printed; it reported a Japanese request "to know if American Government authorizes Spanish representative [to] visit Japanese nationals arrested or under surveillance [of] American authorities."

Shanghai, Swatow, Tientsin, Tsingtao, Tsinan, Dairen, Keijo, Kobe, Osaka, Taihoku, Tokyo, Yokohama, Saigon, Hanoi, Bangkok and Hong Kong.

Department appreciates that a considerable time may elapse before reliable information may be obtained from all of the places named but requests that information regarding each place named be forwarded immediately as it becomes available.

HULL

393.1121/108 : Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, January 31, 1942.

283. American interests—Far East. Your 286, January 28.²⁷ Please request Swiss Government to draw attention of Japanese Government to assurance contained in Department's 161, January 20 and 219, January 26²⁸ concerning this Government's intention to facilitate visits by representatives of protecting power and of International Committee of Red Cross to Japanese nationals who may be temporarily detained, interned or under parole as well as to their places of detention or internment.

Swiss Government should also be requested again to draw to attention of Japanese Government intention of United States Government as communicated to you in Department's 331, December 18 and again referred to in last paragraph of Department's 86, January 13, to apply the provisions of the Geneva Prisoner of War Convention to any civilian enemy aliens who may be interned to the fullest extent that the provisions of that Convention may be adaptable thereto, and to inform Japanese Government that should Japanese authorities continue to refuse to give any information concerning American citizens held by them in Shanghai to Swiss official representatives in that place and continue to refuse permission for these representatives to visit the Americans held there, Japanese Government cannot expect United States Government to continue its liberal treatment of Japanese civilians interned or detained on American territory.

Same considerations apply equally to American citizens held elsewhere by Japanese authorities, but situation at Shanghai appears to be particularly acute.

Please ask Swiss Government to endeavor to expedite a reply concerning situation of Americans in other areas under Japanese control as requested in Department's 196, January 23, and to report further

²⁷ Not printed; it reported that the Swiss were unable to obtain lists of Americans arrested by the Japanese in Shanghai or information about their treatment, sanitary conditions, detention places, or charges against them.

²⁸ Concerning telegram No. 219, January 26, see footnote 6, p. 246.

concerning the situation at Shanghai as soon as there shall have been time for the above representations to be acted upon.

HULL

740.00114 European War 1939/2108 : Telegram

The Chargé in Switzerland (Huddle) to the Secretary of State

BERN, February 4, 1942.

[Received February 4—2: 24 p. m.]

398. American interests—Japan. Reference Department's 331, December 18, Swiss Minister, Tokyo, telegraphs January 30 as follows:

"Japanese Government has informed me: '(1st) Japan is strictly observing Geneva Red Cross Convention as a signatory state. (2d) Although not bound by the Convention relative treatment prisoners of war, Japan will apply *mutatis mutandis* provisions of that Convention to American prisoners of war in its power.'"

HUDDLE

740.00114 European War 1939/2108 : Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, February 7, 1942.

376. Your 398, 4th. Please ask the Swiss Government to ascertain from the Japanese Government whether this Government is correct in its assumption that the expression *mutatis mutandis* under the second point means that Japan will also apply the provisions of the Prisoner of War Convention to civilian enemy alien internees as suggested by this Government in its 331 of December 18.

This Government has informed the Spanish Embassy in charge of Japanese interests in the United States that visits are invited to prisoner of war camps and to civilian detention stations. Please ask Swiss Government to request permission for Swiss representatives in Japan and Japanese-occupied territory at earliest possible moment to begin visits of inspection to places of detention of American nationals, both prisoners of war and civilians, in Japanese hands in accordance with Article 86 of the Geneva Prisoners of War Convention.

HULL

740.00114 European War 1939/2108 : Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, February 9, 1942.

436. Department's 376, February 7th. Department has learned from message 497 from American Red Cross representative at Lon-

don²⁹ that according to British Red Cross report the Japanese have agreed to observe temporarily the terms of the Prisoner of War Convention in the treatment of British Empire prisoners and to take into account reciprocally national and racial food and clothing customs.

Please request the Swiss Government to inform the Japanese Government that this Government will take into account the racial and national customs of Japanese prisoners of war and civilian internees in the application of Articles 11 and 12 of the Geneva Convention which relate to food and clothing and expects that the Japanese Government will follow the same policy in the application of these Articles to American prisoners of war and civilian internees in its hands.³⁰

HULL

740.00115A Pacific War/16½ : Telegram

The Chargé in Switzerland (Huddle) to the Secretary of State

BERN, February 11, 1942—7 p. m.
[Received February 11—6: 19 p. m.]

514. American interests—Far East. Department's 196, January 23.

1. Swiss Foreign Office telephoned inquiry to Minister Tokyo³¹ and Chargé d'Affaires Shanghai.³² Note February 4 says Minister Tokyo replied [*replied?*] stating inquiry does not take into account information given his telegram January 19 (see Bern's 252, January 24³³) and adding if he had proofs treatment accorded Americans left anything to be desired he would not have failed declare it and that on the contrary reports received from all cities mentioned except Hong Kong (with which he cannot communicate on American matters) do not permit him to conclude there is mistreatment.

2. Note February 6 quotes following telegram February 4 from Chargé d'Affaires Shanghai:

"According reliable reports, situation [of] nationals [of] enemy countries at Hankow, Tsingtao, Nanking, Chefoo and other localities very precarious following conditions imposed by Japanese author-

²⁹ Copy not found in Department files.

³⁰ In telegram No. 992, March 11, the Chargé in Switzerland reported that the "Japanese Government intends take into account national and racial customs American prisoners of war and civilian internees under its authority as much as possible regarding food and clothing to be distributed to them." (740.00114A-Pacific War/14)

³¹ Camille Gorgé.

³² Emile Fontanel, also Swiss Consul General at Shanghai.

³³ Not printed.

ities.³⁴ Those citizens practically interned in their houses and cannot obtain their funds in bank, use telephone or receive visits. Work of my representative at Hankow extremely difficult as protected persons not allowed see me [*him?*] freely; relief by national committees cannot be organized because of prohibition against enemy nationals assembling and unless restrictions are not soon removed or Japanese authorities assume their maintenance, their situation will shortly become grave."

Chargé d'Affaires adds he can obtain no assistance from Japanese Consul Shanghai who states he lacks authority, and recommends Swiss Minister Tokyo.

3. Note February 9 communicates further telegram February 6 from Chargé d'Affaires, Shanghai, as follows:

"Treatment Americans [in] Shanghai good, without restrictions, bank deposits frozen, withdrawals limited to 2000 local dollars monthly per person. At Peiping same conditions freedom of movement limited to interior walls and city. Tientsin conditions satisfactory: I hear that many obliged leave homes and must now live within the concession. At Nanking and Hankow freedom of movement limited and great difficulties obtaining money. Tsingtao: I hear that conditions are worse, many confined to homes. Continuing inquiries."

4. Chief Division Foreign Interests of Swiss Foreign Office interviewed by officer this Legation regarding this conflicting information and Division Chief promptly agreed immediately telegraph Minister, Tokyo, accordingly and instruct him pursue matter and report further.

5. According oral information from Foreign Office received this morning Japanese Government has ordered all Swiss career consuls out of Japanese occupied territory. Foreign Office promises confirmation communication which will be telegraphed when received.

HUDDLE

740.00114 Pacific War/22: Telegram

The Chargé in Switzerland (Huddle) to the Secretary of State

BERN, February 24, 1942.

[Received February 24—2:45 p. m.]

732. American interests—Japan. Swiss Legation Tokyo telegraphs February 17 report as follows in response to Department's 86, January 13, paragraphs 1, 2, 3 and 3c:

"Japanese Government replies in substance 'regarding paragraphs 1, 2, 3, it has notified Intercroixrouge³⁵ of its agreement exchange

³⁴ In telegram No. 833, March 2, the Chargé in Switzerland reported a message of the Swiss Consul General at Shanghai that he knew "no special motive for alarm [at the] situation [of] Americans in Hankow" and that civilians at Nanking, Tsingtao, and Chefoo had restricted liberty, with several confined to their homes (390.1115/2034).

³⁵ International Committee of the Red Cross.

information concerning prisoners and internees and also for establishment official information bureau for prisoners of war'; as for paragraph 4 (3c) Japanese Foreign Office refers to note communicated by my telegram January 30 (see Legation's 398, February 4). ["]

HUDDLE

740.00115A Pacific War/16§ : Telegram

The Chargé in Switzerland (Huddle) to the Secretary of State

BERN, February 24, 1942.

[Received February 24—7:29 p. m.]

733. American interests—Japan. Swiss Foreign Office note February 19 advises it called attention Swiss Minister Tokyo to contradictions existing in reports of treatment accorded Americans in Japanese occupied territory (see Legation's 514, February 11) and Minister replied by telegram February 17.

Minister states that he consulted with Swiss Chargé d'Affaires Shanghai regarding other representations to be made to Japanese Government. He then says: "Ministry of Foreign Affairs sent me new note declaring Japan will apply on condition of reciprocity Geneva Convention for treatment prisoners of war and civilian internees in so far as Convention shall be applicable, and that they shall not be forced to perform labor against their will. American civilians detained in all Japanese territories number 134. Conditions applied to them are more favorable than contemplated by Convention. Their provisioning in bread, butter, eggs, meat, heating oil, coal and fats assured by Japan. They can receive from outside gifts of food and clothing. Despite inconvenience which arrangement presents [to] Japan they are specially detained in vicinity of residence of their families in order that latter can see them more easily. Internees are visited from time to time by doctor and sick persons can consult doctor from outside and obtain admission subsequently to hospital. They are permitted to read papers, books, to listen to Japanese radio and to go out subject to certain restrictions if they submit valid reasons."

Minister continues that such statements must be verified on spot but that he has not yet been able obtain requested permission for regular visits by his special representative at Tokyo and at Yokohama. Promises are continually made. Upon two visits which were made to Tokyo and one to Yokohama internees did not complain but gave rather impression of mental suffering. Minister finally adds, "As for reports from other cities in Japan I have again insisted that my delegates be allowed to verify internees' living conditions. Until now I have had no particular information. I do not see necessarily any contradiction between this situation and

that reported in China where the internees may be worse treated. Foreign Ministry assures me Japan will do all in its power to extend good treatment but is not in position to offer standard of living equal to that of Americans for conditions between two countries are so different. Japanese people are poor and contented with little, from which facts arise difficulties concerning treatment foreign internees. Regarding noninterned Americans situation good according their own statements. Assure American Government that I am attentively following question both with Foreign Office and with my representatives."

HUDDLE

740.00114 Pacific War/32

The British Embassy to the Department of State

As the State Department are aware from information already communicated to them by the British Embassy, the treatment accorded to British prisoners of war in Japanese hands is highly unsatisfactory. In spite of repeated enquiries made both through the Protecting Power³⁶ and the International Red Cross Committee the British Government have received no information from Japan regarding either the number of prisoners of war nor the places where they are interned. After receiving reliable reports of the brutal behaviour of the Japanese troops in Hong Kong, the British authorities pressed for immediate visits to be made to Hong Kong by representatives of the International Red Cross Committee and of the Protecting Power. A reply has now been received denying the truth of the reports, but so long as the Japanese refuse all access to Hong Kong and maintain the decision that no official of a third Power shall be allowed to function in territories recently occupied by Japanese troops, they must remain under the gravest suspicion. In view of the pronounced differences in the dietary of white and Indian as compared to Japanese troops, the British authorities also proposed to send a neutral ship with food and clothing to supplement Japanese rations and offered to extend reciprocal facilities to the Japanese in this connection. Furthermore in view of the outbreak of dysentery among prisoners of war in the Far East the British authorities proposed to send medicine. Although this proposal was made to Geneva nearly two months ago it has now been learnt in London that the question is still only being considered in Tokyo.

From information recently communicated in confidence by the State Department to the British Embassy it is understood that the United States Government are equally disturbed regarding the unsatisfactory

³⁶ Argentina.

situation of American prisoners of war in Japanese hands and that they have received reports showing that American prisoners of war in the Philippines³⁷ are being very badly treated. The British Government would be interested to receive any detailed information regarding the treatment of American prisoners of war which the United States Government feel disposed to communicate to them. They would, too, be glad to know whether and, if so, with what result, the United States Government has made any proposals to the Japanese Government analogous to those made by the British authorities regarding the visit by representatives of the International Red Cross Committee or of the Protecting Power and the despatch of supplies of food and clothing.

In particular the British Government would be glad to learn whether the United States Government think that joint action on the part of the United States Government and the British Government on behalf of their prisoners of war would be desirable and, if so, whether such action should be extended to the organisation of measures of relief. In the latter connection supplies could, if desired, be made available from allied territories near the South Western Pacific for American as well as British and Imperial prisoners of war by arrangement between several National Red Cross Societies.

The British Government are approaching the Netherlands Government in a similar sense.

WASHINGTON, 2 March, 1942.

740.00115A Pacific War/59½ : Telegram

The Chargé in Switzerland (Huddle) to the Secretary of State

BERN, March 4, 1942.

[Received March 5—2:32 a. m.]

865. American interests—Japan and China. Department's 196, January 23, and Legation's 733, February 24. Swiss Foreign Office note February 28 communicates following substance telegram from Swiss Legation, Tokyo, dated February 25:

"I continue make all possible efforts get in touch regularly with interned American civilians. Awaiting lists from Foreign Office of internees, prisoners, and Americans at liberty. Constantly running into difficulties to make Japanese accept my right of regular visits. Consul, Kobe,³⁸ not been able receive permission visit Kobe and Osaka but my representative has been able to talk to internees at Kyoto. According information received to date cannot conclude there is bad treatment. I visited myself, Monday, camp internees at Yokohama

³⁷ For correspondence on this subject, see pp. 842 ff.

³⁸ Maurice Champoud.

but I only found there seven Americans who did not make any particular complaints and who were all in good spirits. They pointed out that food not abundant but I explained to them that situation same for everyone in Japan. I also visited American Consulate, Yokohama, and interviewed Consul General Linnell but this took place in presence police officer who did not understand enough English to follow us. Situation in general satisfactory but each evidently feels weight of captivity which brings me to draw attention to necessity speeding exchange negotiations.

I am waiting new reports situation internees at Dairen, Chosen, Kobe and Osaka but I have no reason be too worried about their condition. I learned that civilians from Guam who were interned at Kobe were destitute and I gave instructions to Consul Champoud that necessary measure be taken to ameliorate their condition. I am continually making representations to Foreign Office to obtain improvements but I remark that Japanese administration proves to be very slow."

HUDDLE

740.00114 Pacific War/31a : Telegram

The Acting Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, March 11, 1942.

649. Please ask the Swiss Government to request from the Japanese Government the expedition of lists of American wounded, sick and dead taken in charge or discovered by Japanese forces, the obligation of furnishing of which is imposed on belligerents by Article 4 of the Red Cross Convention of July 27, 1929.

The Prisoners of War Information Bureau in the War Department has already forwarded to the Central Information Bureau at Geneva all information available to it with regard to Japanese wounded, sick and dead taken in charge or discovered by American forces.

WELLES

740.00114 Pacific War/32

The Department of State to the British Embassy

MEMORANDUM

The Department of State refers to the British Embassy's memorandum of March 2, 1942 regarding the treatment accorded to British prisoners of war in Japanese hands.

The American Government is making effort through every agency at its disposition to obtain accurate information regarding the treatment of American nationals in Japanese hands. From information thus far received through the Swiss Government and the International Red Cross it appears that the treatment accorded to Americans held as prisoners of war or civilian internees in Japan and in

territory under Japanese control at the time of the outbreak of war between the United States of America and Japan has been such as not to give cause for alarm. On the contrary this information indicates that the Japanese Government is conforming to its undertaking to apply upon a basis of reciprocity the provisions of the Prisoners of War Convention of 1929 to American prisoners of war and, in so far as they are adaptable, to American civilians detained or interned by the Japanese authorities.

The Department of State has received a report of a visit paid by representatives of the Swiss Legation in Japan to a camp for American prisoners of war at Zentuji, Kagawa, which states that the Swiss representative interviewed the senior American officer at the camp without witnesses and that this officer reported that the prisoners are well treated. The Department has, furthermore, been informed through Swiss Government agencies that non-interned Americans in Japan state that their situation is good. These agencies have reported that the treatment of Americans at Shanghai is good and that they see no cause for alarm regarding the situation of Americans at Hankow. They have reported no disquieting information from other points in China which were under Japanese occupation prior to December 7, 1941. They are, as the British Government is aware, unable to report regarding conditions at Hong Kong.

Disquieting reports regarding conditions at Hong Kong and in the Philippine Islands have reached the United States from various unofficial sources and from sources outside of the areas to which the reports relate. The Government of the United States has requested the Swiss Government to draw the attention of the Japanese Government to these reports and to insist upon reciprocity for the moderate treatment being accorded the Japanese in the United States. The Swiss Government has been requested to inform the Japanese Government at the same time that in the absence of assurances that like moderate treatment will be accorded to Americans in Japanese hands, it will be necessary for the Government of the United States to re-examine its policy of according to Japanese nationals on its territory the most liberal treatment consistent with the national safety.

The Government of the United States is also making arrangements with the Japanese Government for the transmission of relief and has solicited the assistance of the American and the International Red Cross, both in the furnishing of relief and in the obtaining of information with regard to the whereabouts and welfare of Americans in districts under Japanese control from which the representatives of the protecting power have been excluded. In connection with this action it has urged the International Red Cross Committee to expedite the appointment of delegates in the Philippines and in areas under Japanese occupation in China. The American Red Cross is understood

to be already in communication with the Australian Red Cross regarding cooperation between the two organizations in the furnishing of relief to civilian internees and prisoners of war in Japanese hands.

WASHINGTON, March 14, 1942.

740.00115A Pacific War/59½: Telegram

*The Acting Secretary of State to the Minister in Switzerland
(Harrison)*

WASHINGTON, March 19, 1942.

712. Your 733, February 24, and 865, March 4. American interests—Japan. Please request the Swiss Government to inform the Japanese Government (1) that the Government of the United States has taken note of the Japanese Government's declaration that it will apply, on condition of reciprocity, the Geneva Prisoners of War Convention in the treatment of prisoners of war and, in so far as the provisions of the Convention shall be applicable, in the treatment of civilian internees, and that the latter shall not be forced to perform labor against their wills, (2) that this Government did not contemplate and has not made use of the provisions of Article 27 of the Convention to compel Japanese civilians detained or interned by it to labor against their wills, (3) that this Government is preparing for presentation to the Japanese Government proposals for the carrying out of the Geneva Prisoners of War and Red Cross Conventions and for the extension of applicable provisions of the Prisoners of War Convention to civilian internees and temporary detainees, (4) that the following rations are provided for each Japanese national detained by the American authorities: In temporary custody of the Department of Justice: Weight in pounds per day per individual: Meats and fish, 0.75; lard and cooking oils, 0.15; flour, starches and cereals, 0.80; dairy products, 1.00; eggs, 0.03; sugar and syrup, 0.25; beverages (coffee or tea) 0.10; potatoes and root vegetables, 1.00; leafy green or yellow vegetables, 0.60; dried vegetables and nuts, 0.10; fresh fruits and berries, 0.15; dried fruits, 0.08; miscellaneous food adjuncts, 0.015; spices, relishes and sauces, 0.10; Japanese food, 0.06032; Interned in the custody of the War Department: Weight in ounces per day per individual: Meat, 18.0; fresh eggs, one each; dry vegetables and cereals, 2.6; fresh vegetables, 21.0; fruit, 4.7; beverages, coffee, 2.0; cocoa, 0.3; tea, 0.05; lard and cooking fats, 1.28; butter, 2.0; milk, evaporated, 1.0; fresh, 8.0; flour (wheat) 12.0; sugar and syrup, 5.5; macaroni, 0.25; cheese, 0.25; spices, relishes and sauces, 0.984; allowance is made in the preparation of food for Japanese national and racial preferences, (5) that detainees and internees are permitted to receive visits from

their friends and relatives, are regularly visited by doctors and are hospitalized should their health require it, are permitted to read newspapers and books, and are held in general under conditions no less favorable than those which the Japanese Government states are applied to American internees in its hands; (6) that this Government has informed the Spanish Embassy as the protecting power for Japanese interests in the United States, the Swedish Legation as the protecting power for Japanese interests in Hawaii, and the Delegate in the United States of the International Red Cross that it welcomes visits by representatives of their offices to all of the places of detention of detained or interned Japanese nationals in American hands and that representatives of the Spanish Embassy have already begun to visit such places in the United States.

WELLES

740.00115 Pacific War/422

The British Ambassador (Halifax) to the Acting Secretary of State

Ref: 1139/45/42

WASHINGTON, 30 March, 1942.

MY DEAR WELLES: As you know, our authorities are very concerned at the moment over the position of our prisoners of war in the Far East and urgent consideration is being given in London to the formulation of a long term policy for dealing with prisoners in the South West Pacific. We will, of course, keep the State Department informed of any information as to London's views on this question as soon as it is available to us. In the meantime we are very grateful for your two memoranda of March 14th and 17th,³⁹ the first setting forth information which you have so far received regarding American prisoners and the action taken as a result, and the second informing us that the proposal regarding the shipment of relief supplies for Hong Kong from this country had been referred to the American Red Cross with an indication of the support of the United States Government. The substance of these communications has been reported to the Foreign Office who will, I am sure, be highly appreciative of the action taken.

I notice that there is one point to which no specific reference is made in the two memoranda, namely the enquiry made in the third paragraph of my *aide-mémoire* of March 2nd as to whether the American authorities considered that joint action on the part of the United States Government and the British Government on behalf of their prisoners of war would be desirable and, if so, whether such action should be extended to the organization of measures of relief. I hope

³⁹ Memorandum of March 17 not printed.

that the fact that this point is not taken up directly in the memoranda does not mean that the United States Government are not in favour of the closest possible collaboration in such matters. The assistance already given by the Department would seem to show that this is not the case, but I know that the British authorities would welcome any observations the United States Government may wish to make on this whole question. As I have already mentioned, proposals for a long term policy in regard to prisoners of war in the South West Pacific are at present under urgent consideration in London. Until I receive further information it is difficult for me to put forward specific suggestions as to the form which collaboration might take. However, I imagine that our programme would necessarily contemplate frequent exchanges of views between our two Governments with a view to concerted action in dealing with the Japanese and agreed measures of publicity, both sides abstaining, as far as possible, from taking any action as regards the Japanese or publishing any important statements without first consulting the other. It would also no doubt be desirable that there should be a full exchange between the American and British authorities of all information reaching them regarding Allied nationals in Japanese controlled territories, their treatment by the Japanese authorities, conditions at prisoner of war and civilian internment camps and similar matters. Some machinery would probably have to be devised to provide a suitable channel for consultation and it might I daresay be found useful to set up a special committee of some kind in London or Washington for this purpose.

I imagine these to be the general lines on which our authorities would hope to operate, but as I say they would, I am sure, be glad of any comments or suggestions which the American authorities may desire to make. As you know, our main efforts at the moment are devoted to inducing the Japanese Government to apply the provisions of the Geneva Convention of 1929 to military personnel and civilians in the occupied territories, as they undertook to do at the outset of the hostilities, and I understand that your authorities are equally anxious to see that the Convention is fully applied. At present there are in the occupied territories, to name British personnel alone, no less than 150,000 troops and civilians of whom no information has been received up to the present.

I should perhaps add with reference to the last paragraph of my *aide-mémoire* of March 2nd that the Netherlands Government have stated that they are in favour of the closest cooperation in these matters.

Very truly,

HALIFAX

393.1121/110: Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, April 2, 1942.

[Received April 2—12:25 p. m.]

1317. American interests—Far East. Swiss Legation Tokyo telegraphed March 24 that Japanese Foreign Office gave in substance following reply to message contained Department's 283, January 31, concerning arrest American citizens by Japanese police at Shanghai:

"[Here follows list of seven Americans arrested by military authorities.]

Their arrest due to fact that inculpation of espionage rather evident. Affair pending at moment. Treatment those charged obviously different from that of internees.

Japanese Government does not share viewpoint American Government as to Geneva Convention whose application Japanese Government has admitted for internees [*mutatis*] *mutandis* as far as possible under condition of reciprocity. Except for seven Americans arrested, several hundred American citizens at Shanghai are submitted to no restrictions except control of their property rights. Besides they still have right to bring (legal) action enjoying thus complete protection of the law. It should be pointed out that great difference exists between their situation and that of numerous Japanese nationals who are deprived of liberty and interned in camps in United States."

HARRISON

390.1115/2659: Telegram

*The Acting Secretary of State to the Minister in Switzerland
(Harrison)*

WASHINGTON, April 11, 1942.

910. Your 1307, 1st.⁴⁰ This Government would like to receive through the protecting power or the International Red Cross Committee lists of the internees in the six places mentioned.⁴¹

It also desires additional information regarding conditions in the several places with particular reference to the nature of the quarters, kinds and amount of food, sanitary provisions, facilities for exercise and recreation, number and frequency of visits permitted by friends and relatives, and complaints.

In what respects are conditions at (5) Kobe unsatisfactory?

⁴⁰ Not printed.⁴¹ Japanese cities.

Inform Japanese Government that this Government furnishes Japanese interned or detained in its hands full necessities of life but that it recognizes their desire for other things such as tobacco, toilet articles, et cetera, and permits the payment to them of relief for the purchase thereof. It expects like treatment by the Japanese of Americans in Japanese hands.

WELLES

740.00115 Pacific War/422

The Acting Secretary of State to the British Ambassador (Halifax)

WASHINGTON, April 15, 1942.

MY DEAR MR. AMBASSADOR: I have received your letter of March 30, 1942 regarding various matters concerning prisoners of war and civilian internees with special reference to the problem of relief for persons held by the Japanese.

I share your views as to the advisability of a full exchange of information with regard to the welfare of prisoners of war and interned civilians in Japan and Japanese-controlled territories and take note of your statement that the Netherlands Government is of the same opinion. In view, however, of the great number of governments of the United Nations now concerned or which may become concerned in this matter, it appears advisable that we should take great care that any cooperation for the exchange of information should not involve joint action which might lead to the creation of group responsibility and group reciprocity in the treatment of prisoners of war and civilian internees between the United Nations on the one hand and Germany, Italy and Japan on the other hand. I have in mind in this connection among other things the refusal of the Soviet Government to adhere to or to apply the provisions of the Geneva Prisoners of War Convention. Since each of the United Nations has rights in regard to prisoners of war and civilian internees founded separately in treaty and agreement which are several not joint, it seems especially advisable that relations between the several belligerents in each group of allies be kept scrupulously on a bilateral basis.

It is my feeling that the bilateral nature of the relations between individual belligerents should be preserved also with regard to measures of publicity and each of the United Nations should continue to direct its own publicity. In this connection I have in mind that factors affecting the nationals of one country in the hands of a particular enemy do not necessarily, and in fact probably would not usually, apply exactly to the nationals of the several other United Nations in the hands of the same enemy power. It also appears advisable that in its publicity with regard to the treatment of its nationals in the

hands of a particular enemy country each of the United Nations should make clear that it speaks for itself and its own nationals only and should take care not to imply that the factors and conditions reported regarding them necessarily apply in the case of nationals of other of the United Nations in the hands of the enemy.

Furthermore in publicity, as well as in the actual conduct through the protecting Power of discussions and negotiations, I believe that special care should be taken to insure clarity regarding the separate categories of nationals in enemy hands, i. e., prisoners of war, civilian internees and persons at large under parole or otherwise, with regard to whom the provisions of treaties and agreements are not identical.

With regard to your remarks concerning the method of exchange of information among the various governments concerned, there has been established in the Special Division of the Department of State an Internees Section which deals with problems relating to American prisoners of war and civilian internees in enemy hands and enemy prisoners of war and civilian internees in American hands. This Section has already established liaison with your Embassy, which is carried on at present through Mr. Etherington-Smith. It is also in liaison with the Canadian Legation, the International Red Cross Delegate in the United States, the representatives in the United States of the protecting Powers and the various American agencies and government departments concerned with prisoners of war and civilian internees. This Section will be glad to make available to representatives of your Embassy informally and currently the fullest information possible regarding prisoner of war and internee matters and to assist your Embassy in arranging contacts with the American Red Cross and other agencies concerned in these matters.

With regard to cooperation for relief of nationals of the United Nations in Japanese hands, it is as you know the policy of this Government to leave to the American Red Cross the actual organization and carrying out of relief and to assist only when governmental support of Red Cross projects appears necessary or advisable. I understand that a delegation representing the Canadian Red Cross has visited Washington, where it was in contact with the appropriate officials of the American Red Cross, and that the organization of measures of relief for persons in the Far East by the two Red Cross societies was the subject of conferences which were attended by representatives of your Embassy, the Canadian Legation, the Australian Legation, the Netherlands Legation and the Department of State acting as observers.

I have been informed that it was decided at these conferences that the Pacific area should be divided for relief purposes into two sectors and that the Australian Red Cross, possibly joined by the Netherlands Indies Red Cross, would for the time being take responsibility for sup-

plying relief to allied prisoners of war in Singapore and other points in the South Pacific. The supplying of relief to allied prisoners of war in Japan, Shanghai, Hong Kong and Manila and territory adjacent thereto was to be, it was decided, the joint responsibility of the American, Canadian and British Red Cross Societies. I understand that a standing committee composed of representatives of the American and Canadian Red Cross Societies was constituted to deal with measures of relief in this sector of the Far East and that it was agreed, with the concurrence of your Embassy's representative, that the representative of the Canadian Red Cross would represent on the committee the interests of the British Red Cross. I also understand that the committee will take into account the interests of the Netherlands in arrangements made by it for relief.

In case it should develop in the future that the exchange of information would be further facilitated by the appointment of a committee to act in Washington, I would then be glad to consider the setting up of a committee and the naming of a representative.

Sincerely yours,

SUMNER WELLES

393.1121/110 : Telegram

*The Acting Secretary of State to the Minister in Switzerland
(Harrison)*

WASHINGTON, April 17, 1942.

970. Your 1317, 2d. American interests—Far East. Department appreciates receiving list of Americans arrested at Shanghai.

It is clear that the treatment of persons held on criminal charges will be different from that of persons detained or interned for ordinary reasons of national safety.

The statement in the first sentence of fourth paragraph of your telegram under reference is not clear as to the respects in which the Japanese Government does not share the point of view of the American Government as to the Geneva Convention, and the Department would therefore appreciate receiving for purposes of clarification any information the Swiss Government may be able to obtain with regard to this statement's meaning.

With reference to the remainder of this paragraph, it is requested that in future discussions of this matter with the Japanese authorities it be pointed out that the vast majority of the total of 90,000 Japanese subjects registered as residents of the United States are at liberty and enjoying complete protection of the law, and the Attorney General⁴² has ruled that such persons are not precluded by Federal Statute or regulations from suing in Federal or State courts.

WELLES

⁴² Francis Biddle

125.8575/437 : Telegram

*The Acting Secretary of State to the Minister in Switzerland
(Harrison)*

WASHINGTON, April 18, 1942.

982. American interests—China. Your 1319, April 2; 1426, April 9; and 1446, April 10.⁴³ Department appreciates prompt action taken by Swiss Foreign Office through Swiss Minister Tokyo to obtain deblocking of funds recently transferred to Swiss representative Peiping and recognition of right of Swiss to use such funds for representation of American interests including financial assistance to needy Americans.

Please inform Japanese Government that United States Government (1) has not contemplated blocking any fresh funds which might be transferred to this country for relief expenditures by Spanish Embassy for needy Japanese; (2) has not confiscated any Japanese blocked funds in this country.

This Government desires prompt assurances that Japanese Government has taken necessary measures to ensure full reciprocity (1) by placing in blocked accounts American funds both official and non-official in Japanese-occupied territories including Shanghai; (2) by permitting Swiss representatives to draw freely upon sums specifically transferred to Japan and Japanese-occupied territories to meet expenses of representation of interests of United States, including necessary financial assistance to needy Americans; (3) by freely licensing transactions for the liquidation of personal affairs of Americans to be repatriated, including withdrawals from their blocked accounts for liquidation of their personal affairs.

The United States Government expects that Japanese civil and military authorities in remote areas will be given particularly clear instructions in these matters so as to avoid misunderstanding and needless suffering resulting from delay in communications.

WELLES

740.00114A Pacific War/42 : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, May 14, 1942.

1242. Your 398 February 4 American interests—Japan. Department refers to telegram no. 8276 from International Red Cross Committee at Geneva to its Washington delegate⁴⁴ quoting communication from Japanese Red Cross to effect that Japanese authorities are taking following measures with reference to 1929 Geneva Wounded

⁴³ None printed.

⁴⁴ Dated March 25, not printed.

and Sick (Red Cross) Convention: First. All enemy medical personnel designated Articles 9 to 11 who have fallen into Japanese hands will be treated in accordance with Article 12 paragraph 1 but such treatment is reserved exclusively to the possessors of distinguishing mark and identification paper of Article 21. Second. Those who commit acts harmful to enemy other than those covered by Article 8 will be taken prisoner although they possess distinguishing mark and identification paper. Third. When persons mentioned in Article 12 paragraph 1 are detained without opening way of return and because of military requirements they will be charged with care of wounded and sick.

Please request Swiss Government to inform Japanese authorities that American Government has taken note of measures stated to have been applied by Japanese authorities, that similar measures are being applied by American authorities, who request official confirmation of Japanese Government's position in regard to this matter. Inform the International Red Cross of your action.⁴⁵

HULL

390.1115/3313 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, May 20, 1942—5 p. m.

[Received 5:44 p. m.]

2193. American interests—Shanghai. Legation's 2014, May 11, Department's 1253, May 14.⁴⁶ Swiss Representative Shanghai telegraphs May 16 as follows:

"Thirty-two Americans residing occupied China have been arrested by Japanese *gendarmérie*. According to reliable information which Swiss Chargé d'Affaires Shanghai has been able gather most of these people are detained in Chinese prisons with common criminals under deplorable hygienic conditions. Swiss Chargé d'Affaires also states that despite many efforts he has made with Japanese authorities in occupied China it has not been possible for him up to the present to visit prisoner of war camps which are near Shanghai and he has not been able to obtain any exact information regarding conditions under which prisoners are living. Only available information is that published by Domei Agency which Swiss Chargé believes should be accepted with reserve."

In forwarding this message Foreign Office adds that it immediately telegraphed Swiss Minister Tokyo requesting him to take all necessary steps with Japanese Government so that Swiss representatives in occupied China be authorized visit American citizens under arrest

⁴⁵ In telegram No. 2761, June 17, the Minister in Switzerland reported that the "Japanese Government states that it is entirely in accord with the declarations made by the Japanese Red Cross regarding sanitary personnel made prisoner." (740.00114A Pacific War/62)

⁴⁶ Neither printed.

and that these be freed in time to be repatriated on the first exchange vessel.

Legation has expressed to Foreign Office its appreciation for prompt report its representative in Shanghai and for its message to Swiss Minister Tokyo. At the same time Foreign Office has been requested to ask its Minister at Tokyo to make strongest possible protest against placing them in Chinese prison with common criminals as contrary to every international usage.

HARRISON

390.1115/3313 : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, May 21, 1942.

1314. American interests—Shanghai. Your 2193, May 20, 5 p. m. Department is pleased that Legation has expressed to Foreign Office appreciation for prompt action taken and desires you add this Government's thanks and its hope that Swiss Minister at Tokyo may be able prevail upon Japanese Government promptly to give effect to its commitments under Geneva Convention and in addition to according proper treatment fulfill its obligations under Article 86 to permit visits of inspection by Swiss representatives. This Government must insist on a basis of reciprocity that Japanese Government take all necessary steps to insure that military commanders and other Japanese authorities in outlying areas under Japanese control understand Japanese Government's commitments respecting Geneva Prisoners of War Convention and apply its provisions to prisoners of war and civilian internees.

Swiss representative Shanghai should be requested to report by telegraph names of arrested civilians and obtain assurances that all of them will be included on first exchange vessel in accordance with exchange agreement with Japanese Government.

HULL

[For a press release issued by the Department of State, May 23, on "Treatment of Civilian Enemy Aliens and Prisoners of War", see Department of State *Bulletin*, May 23, 1942, page 445.]

740.00114A Pacific War/57 : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, June 4, 1942.

1447. American interests—Japan. Your 2360, May 30th.⁴⁷ Request Swiss Government to notify Legation at Tokyo that represent-

⁴⁷ Not printed.

atives of protecting Powers and International Red Cross are permitted without exception to interview without witnesses Japanese prisoners of war and civilian internees held in the United States. Request Swiss Legation at Tokyo to bring this to attention of Japanese authorities and state that United States Government requests assurance that similar permission will be accorded representatives of Swiss Legation and International Red Cross in connection with their visits to American prisoners of war and civilian internees in Japanese hands.

HULL

514.2A12/381 : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, July 21, 1942.

1812. Request Swiss Government to communicate to Japanese Government that this Government having agreed to apply the Geneva Prisoners of War Convention proposes: 1. To comply on a reciprocal basis with Articles 68, 69 and 70 of that convention regarding repatriation of enemy nationals held by it who are seriously sick or injured. 2. To enforce the Model Agreement attached to the Geneva Convention concerning direct repatriation and hospitalization in a neutral country of prisoners of war for reasons of health and 3. That the International Red Cross Committee be requested to nominate neutral members of mixed medical commissions in the United States and Japan.

This Government's attention has been particularly directed to the case of Private First Class James W. Babb of the United States Marine Corps, now a prisoner of war at Zentzuji, who is reported by the International Red Cross to have been seriously wounded at Guam on December 8, 1941 necessitating the amputation of the right thigh. If the facts concerning Private Babb are correct he would appear to be eligible for repatriation under the provisions of the Geneva Convention. This Government desires his repatriation as well as that of any other seriously sick and wounded American prisoners of war who may be qualified for repatriation under the provisions of the Geneva Convention and for whom a way for repatriation exists as a result of arrangements made for the reciprocal repatriation of civilians from the United States and Japan. This Government on its part would be willing to repatriate any seriously sick and wounded Japanese prisoners of war who may come into its hands and who can be repatriated in the same way.

This Government will look forward to an expression of the attitude of the Japanese Government in this connection.⁴⁸

HULL

390.1115/4378 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, August 8, 1942.

[Received August 8—5:29 p. m.]

3672. American interests—Japanese occupied territories. Legation's 2295, May 27.⁴⁹ Swiss Foreign Office states Swiss Minister Tokyo made repeated representations Japanese Government that Swiss representatives be authorized visit according article 86 Geneva Convention prisoners [of] war and civilian internees camps these regions⁵⁰ but Japanese Government persisted refusal. According telegram August 1 from Swiss Legation Tokyo, Japanese Government continues this attitude.

Japanese Foreign Office informed Swiss Minister on principle not to recognize representation foreign interests in territories occupied by Japanese armed forces. Japanese Government cannot allow Swiss representatives visit prisoners and civilian internees camps without departing from this principle. It consents however make exception Shanghai on condition that authorization visits be requested competent authorities that place.

HARRISON

390.1115/4378 : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, August 27, 1942.

2048. Your 3672, August 8. Request the Swiss Government to inform the Japanese Government:

1. That the American Government has observed:

a. That visits to American prisoners of war and civilian internees, made in accordance with the provisions of Article 86 of the Prisoners of War Convention by representatives of Switzerland, the Protecting

⁴⁸ In telegram No. 2323, October 6, to the Minister in Switzerland, the Department requested that the Swiss Government endeavor to obtain expedition of a reply to the proposals set forth in its telegram No. 1812. A similar request was made in telegram No. 2750, December 5, to the Minister in Switzerland.

⁴⁹ Not printed.

⁵⁰ Philippines, Hong Kong, parts of occupied China, Malaya, and Netherlands East Indies.

Power for American interests in Japan, have been restricted to camps and places of detention in Japan proper and in Shanghai where there are only a small proportion of the total number of American nationals held by Japan.

b. That visits by delegates of the International Red Cross Committee have been restricted to the same areas, with the addition of Hong Kong, contrary to international customs and usages governing the activities of such delegates, and contrary to the practice of the American Government, which permits free access by delegates of the Committee to all places where Japanese nationals are held on American and American controlled territory and expects the Japanese Government reciprocally to grant the same privilege to delegates of the Committee in Japan and in territory under Japanese control.

2. That the American Government views with disquiet the restriction by the Japanese Government of the right of visit by official neutral observers to places of internment of American nationals held by the Japanese, and reminds the Japanese Government that the right of visit is guaranteed by accepted international usage and specifically provided for in Article 86 of the Prisoners of War Convention in the following words:

“Representatives of the Protecting Power or its accepted delegates shall be permitted to go to any place, without exception, where prisoners of war are interned. They shall have access to all places occupied by prisoners and may interview them, as a general rule without witnesses, personally or through interpreters”.

3. That in this connection the American Government further reminds the Japanese Government that this right of visit is among the most important of the rights granted by the Convention, in that it furnishes both a method of control to safeguard the carrying out of the other provisions of the Convention and forms a means by which contending belligerents may mutually and reciprocally reassure one another of their fulfilment of the provisions of the Convention with regard to the nationals of the other power, and that as a result the refusal of this right may lead to the conclusion that the prisoners and internees in places to which access is refused are being denied the benefit of other provisions of the Convention.

4. That the American Government desires to know whether the Japanese Government will henceforth give full effect to the provisions of the Geneva Convention and will promptly permit representatives of the protecting power for American interests to have access to all places of internment of American nationals held by the Japanese, either by allowing these representatives to travel to territory under Japanese control to all of these places of detention, wherever they may be within that territory, or by speedily and safely removing to those territories to which it now permits access by representatives of

the protecting power, all of the American nationals held by the Japanese in such restricted areas without exception whether prisoners of war or civilians.

It would be appreciated if the Swiss Government would request its representatives promptly to report whether or not the Japanese Government gives effect to any assurances that it may give in response to the above representations concerning the permitting of visits to all places where Americans are detained without any exception whatsoever.

HULL

740.00114A Pacific War/161a: Telegram

*The Acting Secretary of State to the Minister in Switzerland
(Harrison)*

WASHINGTON, August 29, 1942.

2061. Please ask Swiss Foreign Office telegraph Swiss Minister Tokyo urgently to deliver following message to Japanese Government on behalf of United States Government and endeavor obtain prompt reply:

"1. The Japanese Government has agreed to apply the provisions of the Geneva Prisoners of War Convention of 1929 to American prisoners of war and civilian internees. Article 37 of that Convention provides for the receipt by prisoners of supplies of food and clothing supplemental to those which it is the duty of the detaining power to furnish, in as much as it states that prisoners shall be allowed to receive parcels intended to supply them with food or clothing. It further states that such parcels shall be delivered to the prisoners.

2. The American Red Cross assumed that the Japanese Government would grant safe conduct for a Red Cross ship to transport supplemental supplies of food and clothing destined to American and other prisoners of war and civilian internees in Japanese custody as German and Italian Governments have done and are continuing to do for supplies being sent for prisoners and internees in their custody. Accordingly, the American Red Cross chartered the neutral Swedish motorship *Kanangoora* to carry such supplies and the ship is now ready to sail from San Francisco with the supplies. It is to be operated by the International Red Cross Committee, a representative of which, who will be a citizen of a neutral country, will be the only person on board besides the Swedish citizens composing the crew.

3. The American Red Cross has requested, through the channels of the International Red Cross Committee, the consent of the Japanese Government for the voyage of the ship to Manila via Kobe, Shanghai and Hong Kong, with the supplies. The United States Government also has officially asked for that consent through the channels of the Swiss Government representing the interests of the United States in Japan. Through both channels the Japanese Government has now replied refusing such consent.⁵¹ It states that it does not object, however,

⁵¹ Telegram No. 3859, August 22, from the Minister in Switzerland, not printed.

to such shipments on vessels exchanging Japanese and United States nationals at Lourenço Marques.

4. The motorship *Gripsholm* used by the United States Government in the exchange of Japanese and Americans at Lourenço Marques does not have sufficient cargo carrying capacity to transport the amount of supplies which it is desired to send to prisoners and internees in the Far East. Moreover, the exchange ship does not provide a means of continued transportation of such supplies. Additional shipping must therefore be employed if the prisoners and internees are to receive supplementary supplies as provided for by the Convention.

5. If the Japanese Government will not permit the *Kanangoora* to proceed on its proposed voyage to the Far East with the supplies in question, then the United States Government proposes that the Japanese Government agree that the *Kanangoora* or other Red Cross ship shall proceed from the United States with the supplies to Macao or to Lourenço Marques, to which port the Japanese Government will similarly send a Red Cross ship to receive the supplies and transport them for delivery to the prisoners and internees. The United States Government desires to point out in this connection that it is incumbent upon the Japanese Government to facilitate by whatever means may be available, the delivery of parcels intended for prisoners in fulfillment of the obligation of the detaining power to allow prisoners to receive parcels and to deliver the parcels to them as provided by Article 37 of the Geneva Prisoners of War Convention. The United States Government, while looking to the Japanese Government to fulfill its obligations under the Convention in this matter, is fully conscious of its own obligations thereunder."

WELLES

740.00114A Pacific War/181 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, September 13, 1942.

[Received September 13—3: 04 p. m.]

4186. Department's 2061, August 29. Swiss Legation, Tokyo, telegraphs following in French September 10.

"The Minister for Foreign Affairs replies to me as follows:

1. The Imperial Government directs the attention of American Government to fact that it had made known to the latter as soon as hostilities began that it would apply *mutatis mutandis* to prisoners of war the Geneva Convention although it had not ratified it and is therefore not bound by this act.

2. Imperial Government has never refused and will not refuse in future to accept and to deliver to addressees postal parcels containing foodstuffs and clothing envisaged under article 37 of the Convention regarding prisoners of war, therefore the 640 tons of supplies sent by American Red Cross have been admitted and will be distributed at Manila and in other regions, further supplies amounting to several thousand tons are en route for Japan. Imperial Government protests with energy against attitude adopted by American Government which spread by radio or other means the rumor that Japanese Government refused the supplies sent by the United States and that

such act on the part of Japan would constitute a violation of the Convention.

3. Imperial Government must maintain for the moment its refusal to allow, for strategical reasons, any vessel to cross the Western Pacific. As it has no intention of sending to Lourenço Marques, Japanese ships other than the exchange vessels, relief from the American Red Cross can be transported only with the latter ships."

Original French text follows next airmail pouch.⁵²

HARRISON

740.00114A Pacific War/167 : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, September 15, 1942.

2180. American interests—Japan. Department's 1773, July 14, and your 3686, August 10, and 4027, September 2.⁵³ Inform Swiss Government and International Red Cross Committee that this Government has taken note of the information obtained by them regarding the activity of the official Japanese Information Bureau and that, since the receipt by the American Information Bureau of Red Cross telegram U.S. 70 of June 16 reporting the presence of 28 prisoners of war from Wake Island at Zentsuji, only occasional individual names of internees or prisoners of war held by the Japanese have been reported to the American bureau by the Committee's Information Bureau. The records of the American bureau still contain the names of only approximately 2,000 American prisoners or internees in Japanese hands.

The American Government is unable to accept as a satisfactory reply the statement of the Japanese Foreign Office that lists of civilian internees and prisoners of war are communicated as in the past, as prepared, to the International Committee of the Red Cross and urges both the Swiss Government and the International Red Cross Committee to impress upon the Japanese authorities the great importance that this Government attaches to prompt fulfilment by the Japanese Government of the obligations it has assumed under Article 77 of the Prisoners of War Convention and 4 of the Red Cross Convention. It desires that the Swiss Government and the International Red Cross Committee call to the attention of the Japanese Government that the American Information Bureau transmits to the Central Red Cross Information Bureau weekly lists of all Japanese nationals interned, released, paroled, detained, taken prisoner of war, transferred from one camp to another, et cetera, that are based on official information regularly and promptly furnished to

⁵² Despatch No. 3307, September 14, not printed.

⁵³ None printed.

the Bureau by the government agencies concerned and point out that the American Government has a right under the Geneva Conventions to expect Japanese agencies concerned to furnish the Japanese Information Bureau promptly with like information for transmission through the Central Information Bureau to the United States. In this connection, it desires that the Japanese Government be reminded of its agreement that such lists shall be transmitted by cable to the Central Information Bureau at the expense of the state of origin of the prisoners of war or internees.

This Government would like to know at the earliest possible moment whether American prisoners of war held by the Japanese have been allowed to prepare and post the capture cards which paragraph 2 of Article 36 of the Prisoners of War Convention specifies may be written by each prisoner of war "within a period of not more than a week after his arrival at the camp" and which "shall be forwarded as rapidly as possible and may not be delayed in any manner". If Americans have been permitted to prepare and post such cards this Government would like to know urgently how the cards are being forwarded to the United States. If they have not already been forwarded by some other route, it is urgently suggested that they, as well as complete lists of prisoners and internees containing information supplementary to that furnished by telegraph, be forwarded on future trips of the exchange vessels.

HULL

740.00114A Pacific War/181 : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, September 18, 1942.

2200. American interests—Japan. Reference Legation's 4186, September 13. Please ask Swiss Foreign Office to telegraph Swiss Minister, Tokyo, urgently to deliver following message to Japanese Government on behalf of United States Government.

The Government of the United States has noted the Japanese Government's statement that it has never refused and will not refuse in the future to accept and to deliver parcels containing foodstuffs and clothing as provided for under Article 37 of the Geneva Prisoners of War Convention and is gratified to have official confirmation that supplies sent by the American Red Cross on the exchange ships will be distributed to American prisoners of war and civilian internees in Japan, in the Philippines, and in other areas under Japanese occupation.

The Government of the United States also has noted the statement of the Japanese Government that it must maintain for the moment its refusal to allow, for strategic reasons, any vessel to cross the west-

ern Pacific and that the Japanese Government has no intention of sending to Lourenço Marques Japanese ships other than the exchange vessels.

The Government of the United States desires, however, to point out that the supplies already sent to the Philippine Islands are insufficient in quantity adequately to satisfy the continuing needs of American prisoners of war and civilian internees detained by the Japanese authorities there. Furthermore, sufficient cargo space is not available on the exchange vessels to permit the shipment of sufficient supplementary supplies to serve the continuing needs of American nationals detained by the Japanese authorities in the Philippine Islands and in other areas under Japanese occupation.

The Government of the United States, therefore, proposes again that the Japanese Government consent to the appointment of a neutral International Red Cross Committee delegate in the Philippine Islands to whom funds might be sent from the United States to be used in the purchase of local produce for distribution among American nationals in Japanese custody there. This Government confidently expects that as soon as the strategic reasons which the Japanese Government states are at present influencing it in refusing to permit neutral vessels to cross the western Pacific are no longer controlling, the Japanese Government will give safe conduct for the shipment of supplementary supplies from this country. Until that time, however, it is only by opening a means whereby funds may be provided to and used by a neutral Red Cross representative in the Philippine Islands that American nationals in Japanese custody in the Philippines may be furnished on a continuing basis the supplementary supplies which prisoners of war are entitled to receive under the Convention, which both Governments have agreed reciprocally to apply and to extend to civilian internees. In this connection, this Government desires to point out that the dietary habits of Americans are different from those of the Japanese people and that this Government is accordingly anxious to supplement the basic Japanese rations by supplies of a type more characteristic of the usual American diet.

The attention of the Japanese Government is drawn to the fact that International Red Cross Committee delegates are permitted to function freely in the continental United States and the Territory of Hawaii in the distribution of relief among persons of Japanese nationality detained in the United States and Hawaii.

The Government of the United States desires to know urgently whether or not the Japanese Government will henceforth grant full reciprocity in these respects.

HULL

390.1115A/1199 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, September 26, 1942.

[Received September 26—10:16 a. m.]

4394. American interests—Japan. Swiss Foreign Office communicates by notice dated yesterday following information telegraphed by Swiss Legation, Tokyo, September 23:

"(1) Situation American citizens Japan suddenly aggravated in sense that most if not all have been interned. These measures particularly hit ecclesiastics who include number Catholic sisters devoting themselves to teaching and who were forced abandon suddenly their schools.

(2) It is not at present possible to ascertain if measure is general. Japanese Foreign Office states applies only American citizens regarding whom authorities had reasons to sever contact with Japanese population and that list will be communicated near future to Swiss Minister. Japanese Foreign Office has assured Gorgé that new internees are well treated. However, until present they are not permitted to receive visits.

(3) Swiss Minister fears these measures will interfere with steps taken for repatriation American citizens still [in] Japan but he had not been [able] to obtain positive indications this regard from Japanese Foreign Office. He believes question internees must be settled between American and Japanese Governments on basis reciprocity. Japanese Government has declared it has no intention employ reprisals against innocents but it complains attitude American authorities who according Japanese Government only authorize one single visit or two at maximum to interned Japanese and who have as yet communicated no list of interned Japanese to Spanish Embassy Washington.

(4) Swiss Minister believes if he can be exactly informed of situation interned Japanese civilians [in] United States and is in a position to furnish satisfactory assurances this subject Japanese Government, his representations in favor interned Americans will undoubtedly have greater chance success. The accounts of Japanese nationals repatriated from United States since their arrival Japan on treatment they received from American officials have poisoned atmosphere and official Information Bureau Japanese Government has publicly and violently denounced the rigorous measures which official Japanese sources impute to American authorities regarding interned Japanese."⁵⁴

French text following airmail.⁵⁵

HARRISON

⁵⁴ For further message regarding paragraphs numbered (3) and (4), see telegram No. 4657, October 15, from the Minister in Switzerland, p. 443.

⁵⁵ Despatch No. 3396, September 26, not printed.

740.00114 European War 1939/2593 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, September 26, 1942.

[Received September 26—9:30 p. m.]

4414. American interests—Japan, prisoners' salaries. Department's 1112, May 1, 1942.⁵⁶ July 27 [*sic*] Swiss Legation, Tokyo, telegraphs September 23, following reply to American proposals from Japanese Government:

"According provisions Prisoners War Convention, Japanese Government will give enemy officers prisoners war in Japanese hands same salaries as to officers of corresponding grades in Japanese Army. No objection, however, modifying these salaries as follows:

1. American officer prisoners war Japan will themselves pay cost, food, clothing, and ordinary needs.

2. Monthly pay American prisoners to be fixed as follows:

a. First and Second Lieutenants, Warrant Officers (French—*Lieutenants, Sous Lieutenants, Adjutants, Enseigne de Vaisseau, Deuxième Classe Maîtres Principaux*) and similar grades 60 yen.

b. Captains, Naval Lieutenants, (French—*Capitaines, Lieutenants de Vaisseau*) and similar grades 100 yen.

Lowest salary namely 60 yen sufficient cover cost food, clothing, and ordinary needs leaving balance for pocket money.

3. Methods payment will be same as for British officers including Canadians, Australians, Netherlands officers and those other enemy countries.

4. This method payment will be carried out unilaterally by Japanese Government and not on basis reciprocity.

Japanese prisoners war enemy hands will receive their entire salary as in past.

5. Japanese Government considers sums paid prisoners war by each belligerent power should be reimbursed conclusion war by power in whose service they were.

6. Japanese Government agrees grant facilities sending money by foreign government to families of officer prisoners living Japan or occupied countries."

Swiss Legation adds Japanese Government desires early reply.

HARRISON

740.00114A Pacific War/221a : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, October 23, 1942.

2416. Request Swiss Government to inform its Minister Tokyo that this Government has reports of Japanese radio broadcasts to the effect

⁵⁶ Not printed; it contained the Department's proposals to the Japanese Government for reciprocal payment of \$15, \$25, and \$35 a month to various categories of officer prisoners of war, or the equivalent in Japanese currency at a rate of four yen to one dollar. These allowances were to be in addition to rations. (740.00114 European War 1939/2152)

that the Japanese authorities intend to try before military tribunals American prisoners of war for military operations and to impose upon them severe penalties, including even the death penalty. Other reports state that Japanese radio broadcasts are to the effect that such trials have already taken place.

Ask Swiss Minister urgently to report the facts regarding the foregoing. Also request report, whether, in accordance with the Japanese Government's undertaking to apply the Geneva Prisoners of War Convention, Swiss representatives have been permitted to visit the prisoners in question as provided in Article 86 of the Convention.

HULL

740.00114A Pacific War/228 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, November 5, 1942—8 p. m.

[Received November 6—1:20 a. m.]

5010. American interests—Japan, prisoners of war. Following taken from informal Foreign Office note based on preliminary report from Gorgé who emphasizes information has no official character and does not constitute a reply to Department's 2416, October 23.

Gorgé reports following is substance but not text message Japanese General Staff published October 19:

"After examination of reports of declarations made by members of the crews of the American aircraft who raided the mainland of Japan on April 18, 1942, seven [*severe?*] penalties in accordance with military laws have been imposed upon those who ignored the principles of humanity. Any member of the crew of enemy aircraft who raid the territory of Japan and come within reach of our authority who is found to have committed cruel and inhuman acts shall be tried before a military court and suffer death or other severe penalty. Same treatment shall be applied to aviators who raid Manchukuo or any area of our military operations and come within reach of our authority."

Identical proclamation published by Japanese authorities at Shanghai. Japanese press alleged American aviators machine-gunned children playing near school. *Résumé Nichi Nichi* article appearing October 21:

"Whatever their aim or objective may be [in] raiding Japan, we propose that all enemy aviators who fall into our hands, after defacing this blessed land of ours, shall be beheaded without discrimination."

Gorgé emphasizes no reason to suppose Japanese Army will adopt this proposal.

Copy of note following [by] air mail.⁵⁷

HARRISON

⁵⁷ Despatch No. 4358, February 23, 1943, not printed.

390.1115A/1286a : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, November 9, 1942.

2503. American interests—Japan—prisoners of war and civilian internees. Your 3818 August 20.⁵⁸ Request Swiss Government to make following reply to three points raised by Japanese Government and ask that the Japanese Government give an expression of its attitude regarding Department's 1695 July 3d.⁵⁹

1. As the Japanese Government has been previously informed (Department's 712 March 19) all Japanese detained or interned by the American authorities are provided free of charge with adequate food, clothing, housing and medical care. All Japanese evacuated from military areas and accommodated in assembly and relocation centers have also been provided without charge with food, housing, medical care, hospitalization, and clothing. Those Japanese who voluntarily leave relocation centers to accept employment elsewhere are required out of the salaries they receive to make a modest payment for the support of their dependents left in these centers. The property of evacuated Japanese not having been confiscated no question of indemnity is involved. The American Government has, however, provided a service to protect and manage property for all evacuated Japanese according to their instructions. Income from the lease, sale or operation of their property is deposited to their accounts or turned over to them for their own use.

In this connection the American Government points out that it does not expect reimbursement for expenditures made by it for the support of Japanese nationals detained or interned by the American authorities or accommodated in relocation centers by reason of their removal from military areas and that, recognizing its obligations to care for the support of such persons, it desires to draw to the attention of the Japanese Government that Government's reciprocal responsibility to care for the support of American nationals whom the Japanese authorities have detained, interned, or removed from the places where they normally resided and earned their livelihood.

Destitute dependents in the United States of Japanese who are interned or detained by act of the United States Government are eligible for emergency relief from Federal Security Agency to the extent that such relief is administered by state and local agencies. The attitude

⁵⁸ Not printed.

⁵⁹ Not printed; the last paragraph of this telegram stated: "This Government is disturbed to hear of the evident inadequacy of the support furnished by the Japanese Government as detaining Power and hopes that Swiss Legation Tokyo will emphasize that no such situation exists in the United States with respect to Japanese nationals interned here." (390.1115/3697)

of this Government regarding relief to needy Japanese at liberty in the United States was set forth in Department's telegram number 1692, July 3,⁶⁰ American interests Far East. It is noted that the Japanese Government has not yet replied to this telegram nor has the Spanish Ambassador⁶¹ in charge of Japanese interests in continental United States replied to the Department's note of February 11 and the *aide-mémoire* of March 12,⁶² which suggested a procedure for remitting funds for representation purposes, including payment of relief to needy Japanese.

2. This Government has permitted Japanese associations whose work is of a benevolent or charitable character to continue their work of assisting the needy with funds raised by contributions from private sources in this country.

3. While funds of these Japanese associations have been frozen, licenses permitting their use are granted on request. This Government will continue to authorize the activity of these associations in the future on a reciprocal basis.

HULL

390.1115/5413 : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, November 12, 1942.

2526. American interests—Far East. Your 4658, October 15th.⁶³ Request Swiss Government to draw to attention of Japanese Government that:

1. Article 14 of Prisoners of War Convention provides for admission of prisoners at expense of detaining Power to any military or civil medical unit qualified to treat them.

2. Japanese detainees and internees held by American authorities, as well as Japanese who have been evacuated from customary places of residence in Pacific Coast region and accommodated in assembly and relocation centers, are regularly admitted for treatment to hospitals in which nurses, bedding, food, et cetera, are provided without the necessity of patients having recourse to outside sources.

3. American Government, therefore, expects on a basis of reciprocity, as well as treaty provision, that Japanese Government will extend like treatment to American citizens detained, interned or evacuated from their customary places of residence by the Japanese authorities.

⁶⁰ *Ante*, p. 281.

⁶¹ Don Juan Francisco de Cárdenas.

⁶² Neither printed.

⁶³ Not printed.

In cases in which the Japanese Government offers to provide accommodations in hospitals which appear not to be properly qualified to treat internees because of language difficulties or because persons treated in such hospitals must call for assistance on outside sources which internees will not ordinarily have available or for other good and sufficient reason, the Swiss Government may authorize its representatives to pay cost of treatment in satisfactory hospitals, whenever available, in so far as it exceeds cost of treatment in hospitals which would otherwise be employed. Any such disbursements should be treated as advances under Department's 1202 February 14.⁶⁴

HULL

740.00114A Pacific War/228 : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, November 12, 1942.

2529. American interests—Japan, prisoners of war. Your 5010, November 5. Request Swiss Government to endeavor to obtain names of aviators upon whom penalties were imposed together with specification of charges and penalties in each case.

HULL

390.1115A/1285 : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, November 17, 1942.

2573. American interests—Far East internees. Your 4994, November 5th,⁶⁵ and 5069, November 9th.⁶⁶ Request Swiss Government and Intercross^{66a} Committee to have their representatives visit all Americans now or in future interned occupied China and endeavor to expedite transmission weekly lists names and information regarding addresses, health, et cetera as provided in Article 77 of Geneva Convention.

Keep Department currently informed regarding developments this matter.

HULL

⁶⁴ *Ante*, p. 262.

⁶⁵ Not printed; it reported that Japanese authorities at Hankow, Tsingtao, and Chefoo had assembled all citizens of countries at war with Japan in certain groups of houses and were considering their internment at Shanghai and elsewhere in occupied China (390.1115A/1279).

⁶⁶ Not printed; it reported that Japanese police in Shanghai had arrested about 100 citizens of countries at war with Japan.

^{66a} International Red Cross.

740.00114 European War 1939/2668 : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, November 28, 1942.

2669. Your 4414, September 26th. American interests—Japan, prisoners salaries. Request Swiss Government to communicate the following reply to proposals made by Japanese Government concerning salaries to be paid officer prisoners of war:

(1) This Government provides Japanese officer prisoners of war without charge with food rations according to schedule previously furnished Japanese Government (see Department's no. 712 March 19) at an approximate daily cost of 50 cents and clothing equal in quality and quantity to that of enlisted men in the United States Army and in addition pays them salaries at the rate proposed in Department's 1112.⁶⁷ American Government believes that since food and clothing are furnished to enlisted men who are prisoners of war the same food and clothing should be furnished their leaders who are prisoners of war. This Government, however, expects at conclusion of war to be reimbursed for the value of food rations issued Japanese officer prisoners of war as well as for the clothing and supplies furnished them and in a like manner will reimburse Japanese Government for food rations, clothing, and supplies issued American officer prisoners of war held by the Japanese Government.

(2) American Government notes that Japanese Government will pay American officer prisoners of war same salaries as officers of corresponding grade in Japanese army but that the Japanese Government has no objection to the proposed modifications of monthly salaries to be paid in yen to American officer prisoners of war held by Japan. It is noted, however, that Japanese proposal as repeated in your telegram under reference mentions only two of the three categories proposed in Department's 1112, May 1, i. e. (a) for ranks corresponding to first and second lieutenants in the United States Army who are to be paid 60 yen monthly and (b) for ranks corresponding to captain in the United States Army to be paid 100 yen monthly, and omits reference to third category proposed for ranks of major and upwards in the amount of 140 yen monthly. Omission of third category may be an error since salaries for rank of major and upwards are not included in second category. Japanese Government also does not state whether rate of exchange of \$1.00 equals four yen proposed Department's 1112 is agreeable. This Government desires to be informed concerning these two points.

If Japanese Government does not agree to furnish food and clothing free of charge to American officer prisoners of war held by it this

⁶⁷ See footnote 56, p. 823.

Government asks that their monthly salaries be increased by an amount equal to cost of maintenance for one month since it does not believe proposed salaries adequate to cover cost of food, clothing, and ordinary needs leaving sufficient balance for pocket money.

(3) This Government notes Japanese Government states methods of payment will be same as for British officers including Canadians, Australians, and officers of other allied countries held by the Japanese Government. Since Japanese Government's methods of payment to British officers and officer prisoners of war of other allied countries are not known this Government requests to be informed regarding these methods of payment.

(4) American Government notes that Japanese Government states this method of payment will be carried out unilaterally and that it expects Japanese officer prisoners of war held by the American Government will be paid their full salaries as in the past. This Government agrees to pay Japanese officer prisoners of war their full salaries provided they do not exceed those paid American officers and asks that it be informed of salaries paid Japanese officers since it lacks this information.

(5) American Government accepts Japanese Government's proposal that payments made to prisoners of war as salary shall be reimbursed at conclusion of hostilities by the power which they serve.

(6) This Government notes Japanese Government will make facilities available for the transmission of funds by American Government to families of American officer prisoners of war living Japan and Japanese occupied territories. This Government in like manner will permit transmission of funds through Protecting Power to families living in the United States of Japanese officer prisoners of war held by the United States.

Request Swiss Government to inform Japanese Government that this Government would appreciate an early reply to points raised in this telegram.

HULL

740.00114A Pacific War/266a : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, December 1, 1942.

2699. Request Swiss Government to communicate to Japanese Government that this Government and Japanese Government being parties to the Convention for the Amelioration of the Condition of the Wounded and the Sick of the Armies in the Field, this Government proposes in accordance with Article 12 of this Convention that the repatriation of the personnel protected under Articles 9, 10 and 11 of

the Convention be begun since a way exists for their return on the ships used for the exchange of civilians.

This Government furthermore proposes on reciprocal basis that the right of repatriation be waived for captured sanitary personnel needed and permitted in prisoner of war camps or hospitals to render medical assistance to compatriots in their care at the time of their capture, it being provided that the decision as to whether such personnel is needed be made by the senior medical officer of the unit captured, and for chaplains who may volunteer to remain with their compatriots provided that they are allowed to carry on religious services for their compatriots.

This Government's attention has been directed in this regard to the staff of the Cavite Naval Hospital of which Captain Lyle J. Roberts was executive. It is understood that this personnel is now at Manila. Reference is also made to the sanitary personnel of the United States Armed Forces captured on Guam which is understood to be in Japan.

An early reply would be appreciated.

HULL

890.1115/6027 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, December 4, 1942.

[Received December 4—2:08 p. m.]

5635. American interests—Far East, POW. Department's 2048, August 27. Swiss Minister Tokyo telegraphs December 1 following:

"My numerous endeavors obtain authorization visit prisoners of war camps [in] Japan, China [and] other territories occupied Japanese forces have prospects success. Japanese Foreign Office telephone[d] me today I would be authorized send delegates between December 3 and 10 to camps at Tokyo, Yokohama, Zentsuji, Keijo, Ginzen, Shanghai, Hong Kong and requested names these delegates. Hope later receive same authorization other camps."

HARRISON

740.00114A Pacific War/241 : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, December 7, 1942.

2761. American interests—prisoners of war, China. Your 3641, August 7, and 5402, November 24.⁶⁸ Request Swiss Government to inform Japanese Government this Government expects that Japanese Government will communicate names of American aviators who were

⁶⁸ Neither printed.

captured after the raids on Hong Kong and Tokyo, and will permit Swiss representatives and Intercross delegates to visit them. This Government further expects that these men will be interned in accordance with Article 9 of Geneva Prisoners of War Convention and will not be confined in prisons. It is reported that American aviators are being held at Canton and at Bridge House, Shanghai.

Ask Intercross to request its delegates to visit these men.

HULL

390.1115A/1315 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, December 7, 1942.

[Received December 7—2:12 p. m.]

5702. American interests—Far East, internees. Department's 2573, November 17. Swiss Consul General Shanghai telegraphs December 1 following:

"My representatives in outposts and I not succeeded up to present obtain authorization visit internment camps. Semi-official sources report Japanese authorities opposed all inspection by Protecting Power and Intercroixrouge but seek collaboration residents associations for handling practical questions. Since Japanese authorities responsible for care internees, I have discontinued all relief payments.

As result representations obtained promise Japanese authorities furnish internees suitable quarters [and] food, have heard however commandants Tsingtao, Chefoo camps propose charge internees, while at Shanghai residents associations been requested furnish at own expense not only main meals but also objects first necessity. In answer to representations I made Japanese authorities stated associations collaborate voluntarily and their intervention authorized in interest internees themselves who in majority probably not accustomed to Japanese food.

Committee representatives America, British, Netherlands Associations occupied itself with furnishing necessities. In first 2 weeks spent about \$120,000 CRB⁶⁹ for maintenance of about 350 persons interned Shanghai, is also receiving increasing number requests purchase necessities for camp installation, already spent about \$150,000 CRB, finally Japanese authorities refuse all responsibility heating camp which costs about \$60,000 CRB monthly.

Committee wishes do everything its power give minimum living requirements to internees, wants know what extent can count on financial support interested governments.

Desire know whether under these conditions can insist Japanese authorities themselves pay for maintenance internees (which might possibly influence them against increasing their number) even if this involves question authorization given associations to assist in-

⁶⁹ Central Reserve Bank notes, issued by the Japanese-sponsored regime at Nanking.

ternees. Any case, must be expected Japanese authorities will not take sufficient measures, therefore, desire especially know what way and what extent am authorized give relief internees. Personally hope authorization will be given grant monthly relief up to 5 pounds sterling per person considerable number internees in position reimburse sums advanced but as cannot go camps would have great difficulty obtain promissory notes."

HARRISON

390.1115/6099 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, December 11, 1942.

[Received December 11—10:29 a. m.]

5807. American interests—prisoners of war, China. Legation's 5107, November 11.⁷⁰ Swiss Foreign Office reports following undated telegram received from Swiss Consulate General Shanghai:

"Japanese Government has informed American Government [it] had decided apply *mutatis mutandis* Geneva Convention July 27, 1929, regarding treatment prisoners [of] war but without any way changing effect Japanese laws in force.

Plan escape made by persons in question constitutes grave violation dispositions law number 38 of February 28, 1915, regarding punishments inflicted prisoners war, their chief in this case Commander Cunningham liable death penalty according this law. Nevertheless Japanese authorities showed clemency and condemned them to punishment which considered very light compared gravity accusations. As consequence Japanese Government does not see itself in position entertain protest of American Government."

Swiss Foreign Office states will forward any further information this subject received from Swiss Legation Tokyo or Consulate General Shanghai.

HARRISON

740.00114A Pacific War/261a : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, December 12, 1942.

2814. Request the Swiss Government to have its Minister in Tokyo communicate the following to the Japanese Government:

From American citizens repatriated from Japan and Japanese-controlled territories, the Government of the United States has learned of instances of gross mistreatment suffered by American civilians and prisoners of war in the power of the Japanese Gov-

⁷⁰ Not printed.

ernment in violation of the undertaking of that Government to apply the provisions of the Geneva Prisoners of War Convention of 1929 to American prisoners of war taken by Japanese forces and, in so far as they may be adaptable to civilians, to American civilian internees in Japan and Japanese-controlled territories. It is evident that the Japanese Government has failed to fulfil its undertaking in this regard and that some officers and agencies of that Government have violated the principles of the Geneva Convention in their treatment of certain American nationals not only by positive mistreatment but by failure to provide for these American nationals necessities of life that should, in accordance with the provisions of the Convention, be furnished by the holding authorities. The Government of the United States, therefore, lodges with the Japanese Government a most emphatic protest and expects that the inhumane and uncivilized treatment accorded American nationals, both civilians and prisoners of war, will be made a matter of immediate investigation and that the Japanese Government will give assurances that treatment inconsistent with the provisions and spirit of the Geneva Convention is not now and will not in the future be inflicted upon American nationals detained, interned, or held as prisoners of war in Japan or Japanese controlled territory. The American Government also expects the Japanese Government to take necessary disciplinary action with regard to agents or officers of that Government who have inflicted mistreatment upon American nationals or who have neglected their obligations to supply to American nationals in their care necessities of life which the Geneva Convention provides shall be supplied.

There follows a statement citing cases of mistreatment of American nationals in Japanese hands:

A. *Civilians*

I. CONDITIONS IN PRISONS AND INTERNMENT CAMPS

Americans incarcerated in jails were furnished unhealthful and inadequate rations of common criminals. Those interned were supplied a meager diet for which they were sometimes compelled to pay, or they were given no food and had to provide their sustenance under difficulties. This situation apparently still exists in certain areas. It is in direct contrast to the treatment accorded Japanese subjects in United States who are provided hygienic quarters with adequate space for individual needs, sufficient wholesome food, in preparation of which allowance is made for national differences in taste, and in addition allowances of money or tobacco, sweets and toiletries.

1. *Bridge House, Shanghai.*

More than 53 Americans have been imprisoned for varying periods up to over 6 months in Gendarmerie prison, Bridge House, where they were crowded into vermin-infested cells with common criminals, some of whom suffered from loathsome contagious diseases. Sanitary facilities were primitive and inadequate, food was far below standard necessary to maintain health, no heat was supplied from December to June and medical care was virtually nonexistent. Americans were compelled to sit by day and to sleep by night, provided only with filthy and inadequate blankets, on cold floor. They were not allowed to converse with each other or smoke at any time. An outstanding example of effects incarceration this prison is condition J. B. Powell, who through lack medical attention developed gangrene and lost front half of both feet.

2. *Army Prison, Peiping.*

Floyd F. Spielman, R. E. McCann, C. J. Eskeline, J. B. Sherwood, E. X. Mills and P. H. Benedict were taken in handcuffs from Tientsin on March 11 to Army Prison at Peiping, where conditions were as bad as those at Bridge House. During 89 days imprisonment their first exercise was for 5 minutes after 37 days in cells. At one time they went without bathing for 23 days and as result of unhealthful food and harsh treatment they lost an average of 40 pounds in weight.

3. *Tsingtao.*

Frank G. Keefe, Grady Cooper, Frank R. Halling, Charles Liebgold, C. J. Meyer, N. H. Mills and H. J. Zimmerman were confined in unheated common jail Tsingtao for period 3 weeks. They were forced to sleep on floors or benches without covering in coldest winter months.

4. *Fort Santiago, Manila.*

Roy Bennett, Robert Abbott, and other Americans are reported to be imprisoned under barbarous conditions in Fort Santiago. They were reported practically unrecognizable in June as result hardships and mistreatment suffered. This Government insists that they be released immediately and receive medical care.

5. *Camp Stanley, Hongkong.*

Americans Hongkong were taken on January 4th and received no food and very little water during first 48 hours. On January 21 they were placed in Fort Stanley, where they were forced to provide most of their bedding and other necessities. Food given them was insufficient, amounting to 900 calories daily per person. They were subjected to indignities and insults by *gendarmerie*, and their faces were frequently slapped. Result malnutrition average loss weight among these internees was 30 pounds.

6. *Santo Tomas, Manila.*

Americans at Santo Tomas because of lack of preparation were forced to sleep on floors without mosquito nets or covering for at least 3 nights before they were permitted to obtain necessities from their houses. They were offered choice of being fed by holding authorities at cost of 25 centavos per day or of feeding themselves with funds American Red Cross had in Philippine National Bank. They were refused permission to use Red Cross funds for supplementing food which holding authorities should have supplied and not being able to exist on 25 centavos were obliged to depend entirely on Red Cross funds to feed themselves. These funds may be exhausted and this Government is gravely concerned regarding the welfare of these internees.

7. *Davao and other internment camps in the Philippines.*

In Davao interned Americans were forced to perform hard labor during first 6 weeks of internment. They were at first provided with an inadequate ration of cornmeal and fish. In April they were informed that they would have to provide for their own sustenance and would have to reimburse Japanese authorities for the food previously furnished.

From information received conditions other internment camps in Philippines appear equally bad.

The American Government expects that the Japanese Government will take immediate steps to fulfill its undertaking to furnish American nationals held by it with suitable and adequate housing and sustenance under humane and hygienic conditions.

II. MISTREATMENT AND TORTURE

1. *Torture and physical violence.*

Japanese authorities have resorted to physical torture of American nationals and numerous of them were subjected to great mental torture by being constantly threatened with treatment far worse than that they were already suffering.

(a) Three American missionaries in Korea were subjected to "water cure" and brutal beatings. In Keijo, R. O. Reiner, aged 59, suffered this torture 6 times during period May 1 to May 16. In one instance he collapsed from effect of blows and while lying unconscious on floor was kicked by *gendarmarie* employee named Syo with such force that his rib was broken. When he requested medical attention and pointed to broken rib *gendarmarie* employee named Kim struck him vicious blow directly over broken rib. On one occasion Reiner was given 50 or 60 lashes with rubber hose and pulley belting making half inch deep cuts on his arms and legs. Edwin W. Koons,

aged 62, suffered same torture Ryuzan Police Station as did E. H. Miller, aged 69, Yongsan Police Station.

(b) In Ichang, Elsie W. Riebe and Walter P. Morse were taken without explanation to Japanese headquarters where she was struck many times with bamboo pole and he was beaten for 2 hours with iron rod one-half inch thick. These acts of cruelty were committed in presence of commanding officer of Japanese police in Ichang.

(c) Joseph L. McSparran was arrested on December 8th at Yokohama, bound with a rope and taken to Yokohama prison. During his imprisonment in dark unfurnished cell he had three hemorrhages from duodenal ulcers, but was denied medical attention despite numerous requests. While undergoing questioning he collapsed from internal hemorrhage and was unable to stand or walk without assistance, yet he was handcuffed as usual when returned to his cell.

2. Solitary Confinement.

Many American citizens were kept in solitary confinement for periods ranging from a few days to many weeks in cells, unheated rooms or other equally unhealthful places, in some cases deprived of all reading matter, and subjected to indignities from their guards. The following are typical cases:

1. H. W. Meyers, aged 70, missionary in Japan since 1897, after harsh treatment during nearly 5 months in prison at Kobe, was deprived of all books, and on May 1 put in solitary confinement at Osaka until his release for repatriation on June 7.

2. William Mackesy, solitary confinement in one room of his house at Tsu, Mie-ken, Japan, from December 10, to March 30, 1942.

3. Mrs. Alice C. Grube, solitary confinement from December 25, 1941, to April 8, 1942 in unheated room of Osaka prison.

4. J. B. N. Talmadge, aged 57, solitary confinement in common jail Koshu December 8, 1941, to April 9, 1942.

5. Edward Adams, in a common jail at Taikyū from December 8 to 28.

III. DEATHS DUE TO MISTREATMENT AND NEGLECT

1. Arthur Duhamel missionary priest on Guadalcanal is reliably reported to have been bayoneted through throat by Japanese soldiers after being held prisoner for 3 weeks.

2. Leo Peloquin, aged 50, requested hospitalization Christian Hospital, Heijo, because of serious heart ailment, but Japanese authorities refused permission and forced his return to Kangai without treatment. He died at Kobe as result of this neglect.

3. Charles Liebgold, aged 67, imprisoned in unheated jail at Tsingtao contracted cold which developed into fatal attack of pneumonia.

4. George B. McFarland, aged 70, Bangkok, Thailand, succumbed after an operation at Chulalongkorn Hospital in May 1942. Orders issued by Japanese military authorities Bangkok to police guards at his residence fatally delayed emergency operation necessary to save his life.

The American Government expects that the Japanese Government will take immediate steps to punish the persons guilty of these crimes against American nationals.

IV. VIOLATION OF EXCHANGE AGREEMENT

1. *Transportation.*

American nationals Tsingtao and Chefoo were required to pay for passage to Shanghai. Internees who were forced to pay their fare to Yokohama from Nagasaki were reimbursed only part of sum expended. Accommodations provided on local vessels were in some cases worse than those furnished deck passengers.

2. *Baggage limitation and search.*

Japanese authorities some areas ruled that Americans being repatriated might take only as much baggage as they could carry themselves, forcing many in Korea, Manchuria, Hongkong and Thailand to leave behind necessary clothing and effects. Americans were forced in some cases to carry own baggage even where there were available porters whom they were prevented from employing. This treatment is in contrast to that accorded Japanese subjects repatriated from the United States who were permitted to take almost unlimited amounts baggage with them.

Baggage was often searched 3 or 4 times and different officials made inconsistent decisions as to what Americans could take. The effects of American officials from Korea were searched in violation of the agreement.

B. *Prisoners of war.*

Reports have been received of inhuman treatment accorded prisoners of war by the Japanese authorities which is completely inconsistent with the provisions and spirit of the Geneva Convention.

I. PHILIPPINES

American and Filipino troops taken at Bataan were forced to march 90 miles despite fatigue, sickness and wounds, to Camp O'Donnel near Tarlac. During march sick and wounded dropped by the roadside and were left without medical care, and when those who survived reached Camp O'Donnel they were without food for 36 hours and without shelter for 3 days, sick and well equally exposed to the elements. Japanese authorities made no effort to give medical care to sick and wounded and American and Filipino nurses and doctors who volunteered their services were refused permission to enter

camp. Death rate estimated at 25 percent was the result of this neglect.

Seven American commissioned officers were brought from Zamboanga to Davao, where Japanese authorities forced them to work stripped to the waist in a river bed, as a result of which they were severely sunburned. They were given no medical attention and only after lapse of several days was Filipino doctor permitted to visit them. Their food was entirely insufficient, and Japanese would not allow Filipinos to supplement meager diet with gifts of food. These officers and Filipino officers who were later confined with them were subjected to harsh treatment and indignities from their Japanese guards.

This Government must insist that the treatment of these prisoners be in accordance with the provisions of the Geneva Convention, that their names be reported and that representatives of the Protecting Power be permitted access to them.

II. SHANGHAI

This Government again most emphatically protests the illegal sentences imposed by a military court at Shanghai on Commander W. S. Cunningham, U.S.N., Lieutenant Commander D. D. Smith, USNR, and Mr. N. J. Teeters for an attempted escape from Woosung camp.

This Government also protests the mistreatment of four United States Marines, Corporals Stewart, Gerald Story, Brimmer and Battles, who after an unsuccessful attempt to escape from the Woosung war prisoner camp were imprisoned in the Bridge House at Shanghai and later transferred to *gendarmerie* Western District sub-station prison, 94 Jessefield Road, where they were subjected to the so-called "electric treatment" in violation of the provisions of the Geneva Convention regarding admissible punishments.

This Government insists that the sentences imposed on these prisoners be canceled, that their punishment be in accordance with the Prisoners of War Convention and that their treatment be in accordance with their rank.

In presenting the foregoing textually to the Japanese Government, it is requested that the Swiss Minister in Tokyo be asked to point out that the American Government has endeavored to fulfill in every respect its undertakings under its reciprocal agreement with Japan to apply the principles of the Geneva Convention to prisoners of war and civilian internees and that in evidence of its desire to do so, it has welcomed and continues to welcome the cooperation of the Protecting Power for Japanese interests, as well as of the International Red Cross Committee, whose representatives are admitted to all places in American territory where Japanese subjects are held. The Minister should further point out that this Government has always been

and continues to be willing to investigate all complaints received by it from Japanese subjects held by it or from the Japanese Government and that it has welcomed and continues to welcome the cooperation of the Protecting Power for Japanese interests in such investigations.

Ask that in this connection the Minister be authorized to request on behalf of the Swiss Government, as the Protecting Power for American interests in Japan and Japanese controlled territory, like cooperation from the Japanese Government.⁷¹

HULL

390.1115/6099 : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, December 17, 1942.

2845. American interests—prisoners of war, China. Your 5807, December 11th. Request Swiss Government to inform Swiss Minister Tokyo of Japanese position as reported by Consul General Shanghai if that has not been done.

Japanese Government has not previously indicated to this Government that it would apply provisions of Geneva Prisoners of War Convention of 1929 only to extent that its provisions do not change the effect of Japanese laws in force.

Swiss Minister should take this matter up with Japanese Foreign Office and state that this Government views with concern the application to prisoners of war of domestic legislation which provides treatment less favorable than the humanitarian safeguards set up by the Convention.

This Government desires to be informed if the Japanese Government intends to limit its application of the Convention as reported from Shanghai and, if so, desires to be informed of the provisions of any other domestic legislation which would tend in application to contravene the safeguards of the Convention.

HULL

740.00114A Pacific War/181 : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, December 19, 1942.

2868. American interests—Far East. Please request Swiss Government in reference to your 4186, September 13 and Department's

⁷¹ In response to telegram No. 5927, December 17, from the Minister in Switzerland, the Department, in its No. 2867, December 19 (740.00114A Pacific War/259), advised that, for the time being, it did not desire to give publicity to No. 2814.

2200, September 18 to present to Japanese Government a communication in the following sense:

"The Government of the United States continues to view with anxiety the situation of prisoners of war and civilian internees who through the circumstance of war are unable to enjoy the benefits of the Geneva Prisoners of War Convention to which they are entitled by agreement of the Japanese and United States Governments. In addition to the benefits which each detaining power is thus obligated to provide the persons in its custody these people are entitled to receive mail and parcels of food and clothing, and it is the duty of each detaining power to afford the necessary facilities to permit of the receipt and distribution of mail and parcels to alleviate the rigors of detention.

The United States and Japanese Governments have already stated their willingness to accept and deliver mail and parcels to the prisoners of war and internees in their custody, but unless means are found to forward such mail and parcels between the two countries so that the detaining power may receive them for distribution the willingness of the two Governments to distribute them is nullified.

Owing to the distances involved and the fact that the ocean is the only feasible highway over which mail and supplemental supplies can be shipped it behooves each of the Governments concerned to put forth exceptional efforts to devise a mutually satisfactory means of transporting these things from one country to the other. As the right to receive these benefits is reciprocal, the nationals of both Governments concerned stand to benefit from whatever arrangements are made. While the Government of the United States has endeavored and will continue to endeavor to the best of its ability to fulfill all of its duties under the provisions of the Geneva Convention toward those Japanese nationals detained by it and strives in this connection to furnish them food and other treatment catering to their national habits, neither Government can expect or be expected to supply those things which come under the head of supplemental supplies as envisaged by the Convention and neither Government can distribute mail and parcels unless they are ready to discharge the responsibilities they have assumed under the convention by taking whatever steps may be necessary to actually receive the supplies, mail and parcels, to the receipt and distribution of which they have staked their honor by agreement to the terms of the convention.

As has previously been pointed out the capacity of the exchange vessels is insufficient to meet the need and the delay attending their sailing has accentuated the need for some other continuing means of forwarding such mail and parcels between the two countries.

As the Japanese Government stated in September in response to the United States Government's request for safe conduct for the Swedish vessel *Kanangoora* that for strategic reasons it could not then 'for the moment' give its approval for any vessel to cross the Western Pacific, the Government of the United States hopes that with the passage of time the impediments which the Japanese Government formerly envisaged to such a voyage are no longer controlling and that the Japanese Government will now find itself in a position not only to agree to give safe conduct for this purpose to a neutral vessel traveling under International Red Cross auspices to make one

voyage to and from Japan, but also that the Japanese Government will find it possible to agree to the periodic travel of neutral vessels across the Pacific for this purpose in the same manner that vessels regularly travel across the Atlantic carrying to Europe mail and parcels for Allied prisoners and civilian internees in Germany and Italy and returning with mail and parcels for similar classes of German and Italian nationals in the United States and Canada.

If the Japanese Government cannot yet see its way clear to give safe conduct for the travel of neutral vessels to and from Japan, under the auspices of the International Red Cross, the Government of the United States suggests that the Japanese Government itself propose a means by which effect may be given to each Government's obligation to provide facilities for the distribution of mail and parcels to the nationals of the other Government under detention. The prompt opening of a means of communication between the families and friends of prisoners of war and civilian internees and of a means whereby prisoners of war and civilian internees may receive parcels to alleviate the rigors of detention will do much to allay the growing feeling on each side that its nationals are not receiving the full benefits of the Geneva Convention to which they are entitled by agreement of the Governments concerned.

The Japanese Government's urgent reply is requested."

HULL

390.1115A/1315: Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, December 29, 1942.

2943. American interests—Far East, internees. Your 5702, December 7. Please request Swiss Government urgently to inform Japanese Government of this Government's concern over the evident inadequacy of support furnished by the Japanese authorities to American nationals interned at Shanghai and elsewhere in occupied China. In view of treatment accorded all Japanese nationals interned in this country (Department's 712 March 19, 2503 November 9) this Government expects the Japanese Government reciprocally to implement the honorable obligation that the Japanese Government has assumed to apply to civilian internees the adaptable provisions of the Geneva Prisoners of War Convention which provides that the detaining power shall supply adequate housing, food, clothing, et cetera.

In event Japanese authorities continue to fail to take sufficient measures and Swiss Government is unable to make relief payments through its own agents, this Government is agreeable to plan of payment similar to that authorized for Hong Kong (Department's 2646 November 25⁷²), or through resident American associations,

⁷² Not printed; it authorized payment of relief to American nationals in Hong Kong through the International Red Cross (340.1115A/3051a).

provided that terms of Department's instruction 1202 February 14⁷³ are observed. If it proves necessary to adopt such procedure, Department assumes Swiss Government through its representative at Shanghai and other representatives in occupied China will at regular intervals (probably monthly) pay necessary funds direct to International Red Cross or resident associations which will disburse the funds to individual internees in accordance with the provisions of aforementioned instruction, obtain individual or group receipts and forward receipts to Swiss representatives, who in turn will submit the receipts in support of their accounts covering disbursements from funds for representation of American interests in enemy territory.

Reference last paragraph your 5702, authority to disburse for necessary subsistence sums even exceeding amount recommended by Swiss Consul General Shanghai contained in Department's 1202 (See Department's 1695 July 3⁷⁴).

See paragraph 15 of instruction 1202 for authority to obtain group receipts.

Careful separate accounts should be kept of all United States Government funds disbursed to provide to American internees the subsistence, clothing, et cetera, which the Japanese Government, in undertaking to apply the Geneva Prisoners of War Convention, should supply and has the responsibility to provide free to internees.

Request urgent report concerning measures taken.

HULL

JAPANESE TREATMENT OF AMERICAN PRISONERS OF WAR AND CIVILIAN INTERNEES IN THE PHILIPPINES⁷⁵

703.5411B/1 : Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, January 3, 1942—7 p. m.

13. American High Commissioner in the Philippines⁷⁶ in a telegram dated January 2⁷⁷ reports that the Swiss Consul at Manila, M. R. [Albert] Sidler, in pursuance of instructions from his Government has been most helpful in intermediary work between American authorities and the Japanese. The High Commissioner suggests that this Government may wish to make further use of intermediary services of the Swiss Consul.

Please request Swiss Federal Political Department to instruct the Swiss Consul at Manila to render such good offices as may be possible

⁷³ *Ante*, p. 262.

⁷⁴ See footnote 59, p. 825.

⁷⁵ For other correspondence on this subject, see pp. 792 ff., *passim*.

⁷⁶ Francis B. Sayre.

⁷⁷ Not printed.

to this Government along the lines of the action he has already undertaken and in such other respects as opportunity may permit. For your information: because of the special status of the Philippine Islands this Government does not request the Swiss Government to undertake "the representation" of American interests in the Philippine Islands which are American territory.

Department would appreciate report regarding whereabouts and welfare of American Foreign Service personnel at Manila, both those stationed at that post and those who were there en route to other posts when hostilities commenced. Department would desire to obtain, if possible, inclusion of any of these persons who may fall into Japanese hands, members of their staffs and their dependents in the exchange of official personnel between this Government and Japan.⁷⁸

Department would further appreciate report regarding treatment of American citizens by occupying authorities.

HULL

703.5411B/2 : Telegram

The Chargé in Switzerland (Huddle) to the Secretary of State

BERN, January 13, 1942—6 p. m.

[Received January 13—3:23 p. m.]

126. American interests—Japan. Department's 13, January 3, 7 p. m. Swiss Foreign Office note January 12 expresses appreciation for message regarding Zech [*Albert*] Sidler's helpfulness at Manila and states it has immediately requested Swiss Legation Tokyo by telegraph to instruct Consul to continue as far as possible his services on behalf of American interests. Foreign Office, however, advises Legation Tokyo has reported that telegraphic services between Japan and the Philippines have been temporarily suspended but it is hoped that a regular service can be reestablished before end of this month so that Swiss Minister Tokyo⁷⁹ will then be able to transmit his instructions.

HUDDLE

890.1115/980f : Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, January 16, 1942.

126. American interests—Far East. Please ask the Swiss Government to endeavor to secure through the good offices of the Swiss Consul at Manila as complete a list as possible of American civilians

⁷⁸ For correspondence on this subject, see pp. 377 ff.

⁷⁹ Camille Gorgé.

killed, wounded or seriously ill, together with any further information that he may be able to furnish concerning the treatment and situation generally of Americans in the Philippines.⁸⁰

HULL

390.1115/1291 : Telegram

The Chargé in Switzerland (Huddle) to the Secretary of State

BERN, January 29, 1942.

[Received January 29—12:54 p. m.]

298. American interests—Philippines. Department's 126, 16th, and other telegrams requesting information regarding persons in Philippines.

Swiss Foreign Office has telegram dated January 23 from Swiss Minister Tokyo saying Japanese authorities continue refuse authorize foreign powers to look after interests of belligerents at Manila, that he has endeavored orally and by note to persuade Japanese Ministry of Foreign Affairs but unsuccessfully so far to give such authorization and that he considers it useless for time being to send him telegrams requesting information regarding persons or property in Philippines.

Department's inquiries relating to Philippines are therefore being held here awaiting Department's instructions in regard to them. Does Department wish endeavor be made obtain desired information through Red Cross channels in which connection please see Geneva telegram 11, January 28,⁸¹ transmitting message for Amcross^{81a} from representative and also refer Legation's 257, 24th.⁸²

HUDDLE

390.1115/1291 : Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, February 11, 1942—3 p. m.

410. Your 298, January 29. Please express this Government's appreciation of activities of Swiss Government and of Swiss Minister at Tokyo in endeavoring to obtain authorization for Swiss Consul at Manila "to look after interests" of United States. You may explain to Federal Political Department that this Government did not intend

⁸⁰ For list of Americans and nationals of other countries believed to have been interned in Manila, see *Sixth Annual Report of the United States High Commissioner to the Philippine Islands, July 1, 1941, to June 30, 1942* (Washington, Government Printing Office, 1943), p. 217.

⁸¹ Not printed; it reported that the Japanese Government had agreed to the appointment of an International Red Cross delegate to Tokyo (854.48/19).

^{81a} American Red Cross.

⁸² *Ante*, p. 255.

that Swiss Consul at Manila should formally represent American interests and that this Government only desires him to extend to American and Philippine civilians such informal good offices as opportunity may permit.

In particular it is hoped that Swiss Consul may be able to provide facilities supplementing those of Red Cross for transmission of reports regarding individuals and the treatment of civilians in general.

You may suggest to Swiss Government that this Government would appreciate it if Swiss Government, without reference to its previous request to the Japanese Government and separate entirely from question of formal representation of other belligerent interests at Manila, would endeavor at its discretion to obtain from Japanese authorities permission for Swiss Consul at Manila to employ his informal good offices in the manner described above.

HULL

740.00115 Pacific War/153 : Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, February 14, 1942.

446. Please request the Swiss Government to inform the Japanese Government (1) that this Government has received disquieting reports that there is being imposed upon American civilians in areas in the Philippines occupied by the Japanese forces an extremely rigid and harsh regime involving abuse and humiliation; (2) that this Government desires to receive from the Japanese Government assurances either that a thorough investigation by the appropriate Japanese authorities has disclosed the incorrectness of these reports or that immediate and effective steps have been taken to remedy the situation and to accord to Americans in the Philippines moderate treatment similar to that being extended by this Government to Japanese nationals in its territory; (3) that this Government expects that the same general principles with regard to the treatment of enemy aliens, both detained and at liberty, which are set forth in its telegrams no. 331, December 18th⁸³ and no. 219, January 26th,⁸⁴ and which this Government is applying in its treatment of Japanese nationals on American territory, will be applied by the Japanese to American nationals on Japanese and Japanese-occupied territory; (4) that if assurances cannot be given by the Japanese Government that these principles will be applied in the treatment of American nationals, not only on Japanese occupied territory in the Philippines but throughout Japanese and Japanese-occupied territories, it may be necessary for this

⁸³ *Ante*, p. 792.

⁸⁴ See footnote 6, p. 246.

Government to reconsider its policy of according to Japanese nationals on its territory the most liberal treatment consistent with the national safety.

Please ask the Swiss Government, if it is in a position to send a representative to the Philippines or has a representative available in the Philippines, to request permission for a Swiss representative to visit Japanese-occupied territory in the Philippines in order to investigate the situation of American nationals there.

Please inform the International Committee of the Red Cross of the reports which this Government has received regarding the harsh treatment of American civilians in Japanese-occupied Philippine territory and request it to endeavor to investigate the situation in that territory. Mr. Marc Peter, representative in Washington of the International Committee of the Red Cross, has been informed of this matter and has stated his intention of communicating with the Committee by cable with regard to it.

HULL

703.5411B/3 : Telegram

The Chargé in Switzerland (Huddle) to the Secretary of State

BERN, February 19, 1942—8 a. m.

[Received 10 a. m.]

655. American interests—Philippines. Department's 410, February 11, 3 p. m., 445, February 14, 4 p. m.⁸⁵ and 446, February 14.

1. Legation officer and Minister De Pury, Chief, Division [of] Foreign Interests, Swiss Foreign Office, yesterday discussed at length situation of Americans and Filipinos in Philippines territory in Japanese hands with respect to ability of Swiss representatives to report thereon for American Government and to exercise their informal good offices so far as possible in alleviating the lot of those American nationals.

2. Minister De Pury, in the first place, gave assurance that it had always been understood that the use only of Swiss good offices was requested by the Legation on behalf of the American nationals in question and not of representation of American interests in the Philippines which is American territory (in accordance with Department's 13, January 3, 7 p. m.) and further that instructions have been worded accordingly to Swiss representatives who do not appear to have misunderstood them.

3. He then referred to attitude of Japanese authorities first in refusing Swiss Minister at Tokyo information and communication with Manila on American and other opposing belligerents matters

⁸⁵ Telegram No. 445 not printed.

(as indicated in Legation's 126, January 13, 6 p. m., 298, January 29, and 515, February 11⁸⁶) and secondly in divesting Swiss Consul at Manila of his official status and functions (see Legation's 541, February 12⁸⁷—Consul is honorary so he may remain Manila but only as private citizen). He said Switzerland is therefore in position at present of having no official representative at Manila even for its own interests. Consequently, in face of Japanese attitude, Swiss authorities, although very desirous, are unable to extend desired assistance, including even making simple welfare inquiries.

4. Upon inquiry whether Swiss Government would make representations to Japanese Government for continuance Swiss consular activities at Manila and possibly point out with reference to Japanese refusal of information regarding welfare American civilians [that] humanitarian services being performed by Switzerland for Japanese and other Axis nationals in territories of United States and other anti-Axis powers with facilities provided by those powers, Minister said he thought it would do no good, that Japanese are acting as Russians have acted and with same unreasonableness. However, following a verbal inquiry in the premises he gave as the opinion of a responsible Foreign Office official subject to confirmation by the Foreign Minister⁸⁸ that Switzerland as small neutral country should consider Japanese action as one of military necessity and make no representations against it. Foreign Office, of course, remains receptive to request from American Government for transmission further communication to Japanese Government protesting attitude toward American nationals in question.

5. Accordingly Swiss official channels appear to be closed for obtaining information regarding American nationals in Japanese-occupied territory in the Philippines, Hong Kong and now Singapore. They are apparently still open to the Swiss Minister at Tokyo for Japan proper including Korea and Manchuria; and also the Swiss Chargé d'Affaires at Shanghai⁸⁹ and Consuls at Saigon and Bangkok⁹⁰ with whom Swiss Foreign Office continues in communication, remain available for inquiries in their districts.

6. In view of circumstances as described above, the Legation is requesting Swiss Foreign Office communicate to Japanese Government only paragraphs numbered 1 to 4 of Department's 446, February 14, and informing Intercroixrouge⁹¹ as directed in final paragraph thereof pending Department's further instructions.

HUDDLE

⁸⁶ Telegram No. 515 not printed.

⁸⁷ Not printed.

⁸⁸ Marcel Pilet-Golaz.

⁸⁹ Emile Fontanel.

⁹⁰ Hans Hirsbrunner and Walter Siegenthaler, respectively.

⁹¹ International Red Cross.

740.00114A Pacific War/11 : Telegram

The Chargé in Switzerland (Huddle) to the Secretary of State

BERN, March 3, 1942—6 p. m.

[Received 7:15 p. m.]

847. American interests—Japan. Department's 5, January 2,⁹² Legation's 655, February 19. Swiss Foreign Office note February 27 states Swiss Minister, Tokyo, telegraphs February 25 letter received from Sidler, former Swiss Consul, Manila, saying working with Red Cross delicate but having collaborated he will continue do so if permitted by Japanese authorities. Minister adds Sidler made no further statement doubtless because of censorship. Foreign Office note remarks again that Minister cannot forward messages from Japan to Manila because of Japanese refusal and that Japanese Government opposes any activity in behalf of American interests in Philippine Islands occupied by Japanese forces.

HUDDLE

740.00115 Pacific War/261 : Telegram

The Chargé in Switzerland (Huddle) to the Secretary of State

BERN, March 13, 1942.

[Received March 13—9:29 a. m.]

1031. American interests—Philippines, treatment American citizens. Legation's 897, March 6.⁹³ Swiss Minister, Tokyo, telegraphs March 7:

"Japanese Government declares treatment accorded in Philippines as just as is meet and corresponds besides to former declarations on treatment of internees. If American Government should possess information to contrary Japanese Foreign Office would desire to be informed of substance and source."

HUDDLE

740.00115A Pacific War/52 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, March 26, 1942.

[Received March 26—1:33 p. m.]

1231. American interests—Philippines. Department's 446, February 14, last paragraph. International Red Cross Committee replies to Legation's request for investigation Japanese treatment American civilians Philippines stating that grave question as well as general problems [of] treatment civilians occupied territory Far East having

⁹² Not printed; it requested the Swiss Consul at Manila to use his good offices in assisting the American Red Cross (740.00114 European War 1939/2051b).

⁹³ Not printed; it reported that the contents of telegram No. 446, February 14, to the Chargé in Switzerland (p. 845), had been delivered to the Japanese Government on February 27 (740.00115 Pacific War/239).

Committee's full attention. Committee has taken steps endeavor obtain information from Japanese authorities regarding American civilians in Philippines and also asked Japanese Government to agree appointment Committee delegate at Manila.

Japanese reply not yet received but Committee pursuing endeavors obtain information desired by American Government and will advise Legation when received.

HARRISON

740.00115A Pacific War/52 : Telegram

The Acting Secretary of State to the Minister in Switzerland
(Harrison)

WASHINGTON, April 3, 1942.

853. American interests—Philippines, treatment American citizens. Your 1031, 13th and 1231, 26th. Please request the Swiss Government to inform the Japanese Government

(1) That the American Government has taken note of the statements of the Japanese Government regarding the treatment accorded American nationals in the Philippines,

(2) That the American Government obtained the information referred to in the Department's 446 of February 14th from various sources,

(3) That the principal source of disquiet in connection with these reports is the apparent reluctance of the Japanese Government to permit the appointment by the International Red Cross Committee of an appropriate neutral observer to act as the Committee's delegate in the Philippines, and

(4) That the apparent reluctance of the Japanese Government to permit the appointment of a neutral Red Cross delegate in Hong Kong is also a source of considerable disquiet in connection with reports received from various sources regarding the condition of American citizens at that place.

Please inform the International Red Cross Committee that you are requesting the Swiss Government to make this communication to the Japanese Government, convey to the Committee this Government's thanks for its efforts in connection with the appointment of a delegate in the Philippines, and ask it to furnish you for transmission to the Department information regarding the present status of the request which this Government understands it has made for Japanese permission to appoint a delegate in Hong Kong.⁹⁴

WELLES

⁹⁴ In telegram No. 885, April 7, to the Minister in Switzerland, the Department requested that the Swiss Government support the International Red Cross Committee in its efforts to obtain Japanese consent to the appointment of an International Red Cross delegate in the Philippines. In No. 1591, June 19, to the Minister in Switzerland, the Department asked what progress had been made in obtaining such an appointment.

390.1115/2891 : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, April 23, 1942.

1029. American interests—Japan, Philippine welfare inquiries. Your 1508, 14th.⁹⁵ Department greatly appreciates action Swiss Minister at Tokyo in obtaining information regarding Americans in Manila.

Department will hold individual Philippine inquiries to minimum and continue to refer inquiries generally to Red Cross. However, Department considers Japanese Government obligated by its engagement to apply the Prisoners of War Convention⁹⁶ to civilian internees to furnish this Government with information concerning the welfare of such internees. Report is urgently desired in regard to conditions under which Americans are interned at Manila, and in particular in regard to welfare of American Government personnel at Manila.

HULL

740.00115A Pacific War/218 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, August 13, 1942.

[Received August 13—4:34 p. m.]

3736. American interests—Philippines. Legation's 3686, August 10.⁹⁷ Intercroixrouge states Japanese authorities gave following information to Intercroixrouge's representative Tokyo regarding Philippines: "Prisoners of war and civilian internees under good conditions. Internment camp Santo Tomas, Manila, large and well organized. Sanitary, food and clothing situation prisoners and internees good."

HARRISON

⁹⁵ Not printed; it reported that messages on Americans in Manila had been received by the Swiss Legation at Tokyo from the Japanese Foreign Office and that information regarding Americans in other occupied areas of the Philippines might eventually be obtained through the same channels if inquiries were not numerous.

⁹⁶ Signed at Geneva, July 27, 1929, *Foreign Relations*, 1929, vol. I, p. 336.

⁹⁷ Not printed; it reported that International Red Cross efforts to send a delegation to the Philippines had failed (740.00115A Pacific War/213).

811B.00/130

*Report by M. Michel Verlinden*⁹⁸

[Extracts]

[I.] B. MORALE OF INTERNEES

In general, the feeling among the internees is that they are not taken care of by the American Government. Their morale on the average is low as they were, for the great majority, too optimistic in the first weeks of the war and even the first months. The rumors of promised arrivals of troops in Luzon, recapture of ports, arrival of planes, the fall of Singapore, Bataan, Corregidor, the surrender by General Wainwright,⁹⁹ etc., have greatly contributed to lower their morale, which is also affected by the existing conditions in the camp, the inactivity of the internees, the conditions under which they have to live in the camps, the lack of funds and the food situation getting worse and worse. Also the medical supply is exhausted for quite a few medicines (aspirin, quinine, vitamins, alcohol) and most of the American medicines. It must be borne in mind that there is up to now no importation whatsoever which could bring a relief to this unfortunate situation. The complete lack of bread, potatoes, flour, butter and milk and the lack of variety in local vegetables make the food problem a very difficult one, that could only be remedied by the sending of supplies.

For information, the price of milk was between 35,-Pesos and 40,-Pesos per case of 48 tins and at these prices it was very difficult to obtain milk. Powdered milk such as "Klim" was sold at one time for 10 Pesos a pound, afterwards it came down to 5 pesos. In Santo Tomas there was only a small supply of milk on hand and it was reserved for children and sick internees. With reference to the situation of milk it must have gotten quite worse since I left and in my opinion unless the Japanese have released the milk stored in the government godowns there is no milk available in the Philippines except carabao milk and coconut milk. Furthermore coconut milk cannot be digested by many.

⁹⁸ Formerly Belgian Consul at Manila, who left the Philippines on June 17 for repatriation. Date and place of preparation of report and date of receipt in Department not indicated; copy in Division of Far Eastern Affairs by November 12.

⁹⁹ Lt. Gen. Jonathan M. Wainwright, Commander of U. S. Forces in the Philippines after the departure of Gen. Douglas MacArthur in March 1942.

A matter that has been discussed a number of times in front of me was that it was unfortunate that the American Citizens in the Philippines were not warned of the danger of invasion. It is true that a few realized that it was impossible for the United States Authorities to suggest even [to] its nationals who lived in American possessions to evacuate if the Military Authorities feared the invasion. The reply of certain people, was that it had been unjust to evacuate families of the Army and Navy Personnel and not even give a warning to the civilians to evacuate. Some Americans claim that now, they should have a priority to be evacuated before the Americans in China, Japan, Malaya, etc., as those residing in those countries were warned to leave and if they did remain, they had only themselves to blame.

C. CONDITIONS IN SANTO TOMAS

The conditions in Santo Tomas should at the first glance be the same for everybody but this is not the case. The most fortunate are those who have friends outside in the Spanish, neutrals, or Filipino communities. Then come those who have some funds and are able to secure food, etc., from outside contacts and the real unfortunate are those who were stranded in Manila without friends or those residing in the Philippines, whose funds are now exhausted. Most of the people in Santo Tomas have lost from 10 to 50 pounds, [and] the lack of proper diet and their inactivity have rendered them very weak. The morale being different for every individual, the effects of the lack of proper diet and the hardships of being confined react differently on everyone. It is contended that, in general, the women take it better than the men.

When I left Manila, I was urged by many American friends and others to do everything I can to try to convince the American Authorities to do the utmost to evacuate them from the Philippine Islands and I am sure that the majority, if not all, would be willing to leave the country even if they would have to abandon all hopes of recovering their properties.

This will give an idea of the seriousness of the situation there and I am afraid that the conditions during the rainy season has made the situation worse.

It is true that there are some classes for children, conferences, games, entertainment, etc., for the Internees, but this is only done to pass the time away and for nothing else. Living in a room together with 20 or 60 other people makes life very uncomfortable, poor sanitary conditions and poor washing facilities for laundry, etc., also makes life very uncomfortable.

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VI. TREATMENT OF AMERICAN AND FILIPINO PRISONERS

After the surrender of Bataan the American and Filipino Soldiers were taken to camps near Tarlac and knowledge came from several sources that they were exhausted and that for 36 hours the Japanese did not give them any food whatsoever and they were left without shelter. American nurses and then Filipino nurses offered their services to help those which were sick. These proposals were refused by the Japanese. Some Filipino doctors offered their service but this was also refused. After a few days, I understand that those prisoners in Tarlac received regular meals consisting of fish and rice, and tea. An American nurse which had seen some of these soldiers told me that they are in pitiful conditions and that she feared that quite a few would not survive unless something was done for them. I have no knowledge that up to the time of my departure that American soldiers and/or officers had been sent away from the Philippines.

740.00114A European War 1939/118 : Telegram

*The Ambassador in the United Kingdom (Winant) to the
Secretary of State*

LONDON, November 18, 1942—5 p. m.

[Received 9:46 p. m.]

6486. Reference Department's 5515, November 4, 8 p. m., and this Embassy's 6359, November 12, noon.¹ The following information regarding prisoners at Fort Santiago and conditions there has been received from Gaston Willoquet.²

Approximately 86 persons were arrested by the Japanese upon their entry into Manila and detained at first in Villamor Hall of the University of the Philippines.

[Here follows an account of the national composition of these prisoners, the transfer of 18 of them to Fort Santiago, including 1 American, and the subsequent arrival of 5 additional Americans as well as prisoners of other nationality.]

The prisoners were incarcerated in wooden cages or cells built in the interior courtyard of Fort Santiago; there were 16 of these cages in all of varying sizes. His³ cell was about 12 feet by 14 feet, and about 13 ft. high at the far end and in the door there were openings about 4 feet square fitted with wooden slats with interstices between.

¹ Neither printed.

² Attached to the Fighting French headquarters in England; he had been a prisoner of the Japanese in the Philippines.

³ Gaston Willoquet's.

Toilet facilities consisted of a bucket sunk in the floor at one corner of the cell and a tap of running water in another corner. Empty sacks were the only bedding. During the day the cells were dark, but during the night they were lighted by a small electric light in the ceiling.

Food consisted of a plate of boiled rice three times a day, with very occasionally a little vegetables. The prisoners were not allowed to communicate with anyone outside, nor to receive food from outside. No books, pens or paper were allowed them, and for the first 3 weeks they were not allowed to bathe, to receive clean clothing, or even to wash their own clothes. For the first 3 weeks they were allowed no exercise but thereafter they were allowed 5 minutes exercise in the prison yard where they were permitted to bathe every 2 or 3 days.

The cells were very crowded. Willoquet states that on one occasion the Japanese crowded 26 Filipinos into a cell about 5 feet by 13 feet. No sleep was permitted from 7 a. m. to 7 p. m. and conversation was prohibited, although a certain amount of conversation was nevertheless carried on not only with inmates of the same cell but also with inmates of neighboring cells.

With the exception of Vespa,⁴ who was apparently terribly beaten, and some of the Filipinos, there was no physical brutality against the prisoners at Fort Santiago, nor were the white prisoners subjected to interrogation while there. Practically all, however, had been interrogated prior to their imprisonment. About the middle of April the members of the Chinese consular staff were seen being led out in bonds and they are believed to have been shot.

Willoquet attributes the imprisonment of the Free French to denunciation by the Vichy French, German, Italian and Spanish Consuls at Manila.

WINANT

811B.142/2 Suppl. : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, December 8, 1942—7 p. m.

2767. American interests—Far East. Situation of Americans in Philippine Islands is reported to have become increasingly desperate and expeditious reply to Department's 2075, September 1, and 2389, October 17,⁵ would be appreciated. If Japanese Government not

⁴ An Italian national.

⁵ Neither printed; they inquired whether funds of the American Red Cross could be transmitted to the Philippine chapter through Swiss channels (811B.142/1a, 2).

favorably disposed toward Department's proposal please invite suggestions of Swiss Government as to any practicable means of making funds available to these people.

HULL

REPLY BY THE UNITED STATES TO JAPANESE ALLEGATIONS OF
MASSACRE OF JAPANESE RESIDENTS OF MINDANAO, PHILIPPINES

740.00116 Pacific War/16

*The Swiss Legation to the Department of State*⁶

[Translation]

D. 7.

The Legation of Switzerland, representing the Japanese interests in the Philippines and in Samoa, has the honor to advise the Department of State of the following:

"The Government of Japan was informed by the Japanese Consul Mori at Davao that the authorities of the United States proceeded, at the time of the taking of possession of the island by the Japanese troops, to the massacre of ten persons among the Japanese residents inhabiting the Province of Mindanao. The Government of Japan considers such an act, whatever the reasons may have been, as brutal, illegal and inadmissible barbarism, both from the point of view of humanity and from that of international law. The Government of Japan protests very energetically to the Government of the United States of America against such an act and formally requests that all necessary measures be taken to avoid the repetition of such actions."

The Legation would be grateful to the Department of State if the latter would be so good as to acknowledge the receipt of this communication.

WASHINGTON, December 29, 1941.

740.00116 Pacific War/16

The Swiss Legation to the Department of State

The Legation of Switzerland, in charge of the Japanese interests in the Philippines and in Samoa, has the honor to refer to its note of December 29, 1941, transmitting a Japanese protest, and to submit herewith to the Department of State the following details which the Japanese Government has furnished in the meantime concerning the assassination of ten Japanese residents of the Province of Mindanao:

⁶ For press release issued by the Department on December 29, 1941, concerning this note, see Department of State *Bulletin*, January 3, 1942, p. 5.

First: The ten Japanese nationals assassinated were working in temporary kitchen quarters for Japanese. Five-hundred-fifty Philippine soldiers, who were living in the same place since a few days, assassinated on December 26th, day of the landing of Japanese troops, the ten Japanese mentioned above before they had time to flee.

Second: The second incident could be explained as follows: The same day twenty-two other Japanese were killed by machine gun without reason by Philippine soldiers.

The Japanese Government estimates that in both instances the American military authorities in the Philippines are responsible for these murders.

The Legation would appreciate it if the Department of State would kindly acknowledge the receipt of this communication.

WASHINGTON, January 27, 1942.

740.00116 Pacific War/16

The Secretary of State to the Swiss Minister (Bruggmann)

The Secretary of State presents his compliments to the Honorable the Minister of Switzerland in charge of Japanese interests in Samoa and in that portion of the Philippine Islands not under Japanese military control, and has the honor to refer to the Minister's note no. D. 7. dated December 29, 1941, quoting a statement of the Japanese Government concerning alleged mistreatment of Japanese nationals in the Province of Mindanao, Philippine Islands. Reference is also made to the Minister's note of January 27, 1942, on the same subject.

The Government of the United States has no information which would confirm the allegations of the Japanese Government and, in as much as the scene of the alleged incidents is now under enemy occupation, has no present means of investigating the matter. It might be pointed out, however, that the alleged incidents of which the Japanese Government complains would appear to have been contemporaneous with the landing of a hostile military expedition on the shores of Davao and that it would not be surprising if the Philippine soldiery had taken steps to defend themselves against an enemy force threatening their country and their homes. If, as already informally stated to the Minister, the Department is informed specifically of the identity of the American authorities who are alleged to have been responsible for the incidents, the Department will be glad to investigate further at the earliest opportunity.

It may be stated at this time, however, that according to the Department's investigation the staffs of the Japanese Consulate General at Manila and of the Japanese Consulate at Davao were given appro-

priate police protection following the closing of those offices. The United States High Commissioner to the Commonwealth Government ⁷ has informed the Department ⁸ that no complaints were made by the Japanese concerning their treatment but that, on the contrary, surprise was expressed by the Japanese at the adequacy of arrangements made for them and the courtesy of those who carried out the arrangements; that the Japanese Consul General at Manila ⁹ expressed special appreciation; and that the High Commissioner's Office took pains to keep in touch with the Japanese Consul General to see that he was courteously treated while within territory under the control of the American Government.

There is enclosed, as of possible interest to the Minister in this connection, a copy of a telegram addressed to the American Legation at Bern on January 26, 1942,¹⁰ for communication through the Swiss Government to the Japanese Government setting forth the treatment being accorded by the American Government to Japanese nationals under detention and the considerations which enter into the policy of the United States with respect to the treatment of civilian enemy aliens.

WASHINGTON, February 18, 1942.

⁷ Francis B. Sayre.

⁸ Telegram No. 623, December 14, 5 p. m., not printed.

⁹ Katsumi Niino.

¹⁰ No. 219; see footnote 6, p. 246.

KOREA

INTEREST OF THE UNITED STATES IN THE FUTURE STATUS OF KOREA AND THE QUESTION OF RECOGNITION OF A PROVISIONAL KOREAN GOVERNMENT

895.01/54 : Telegram

The Secretary of State to the Ambassador in China (Gauss)

WASHINGTON, December 22, 1941—6 p. m.

320. The Department desires that you make very discreet inquiries of the National Government in regard to the so-called provisional government of the Republic of Korea, claiming to have its seat in Chungking. Information as to the extent of the physical following and organization of the so-called government, as to the number and sphere of operations of its armed volunteers, as to its contacts with any revolutionary forces that might exist in Korea and Manchuria, and as to the attitude of the National Government toward it and relations with it would be of interest.

HULL

895.01/56 : Telegram

The Ambassador in China (Gauss) to the Secretary of State

CHUNGKING, January 3, 1942—3 p. m.

[Received January 3—1: 12 p. m.]

12. Department's 320, December 22, 6 p. m. The result of investigation and study which the Foreign Office is now making with regard to the Provisional Government of the Republic of Korea will determine the future attitude of the Chinese Government. I gather that the present attitude is not enthusiastic. Information with regard to the physical following and organization of the Provisional Government is not yet available here. There are reported to be no more than 200 Koreans in this area. There is a small corps of armed Korean volunteers with the Chinese Army. The local representative is named Tjosowang who describes himself as Foreign Minister. The extent of his contacts with revolutionary Korean forces is difficult to ascertain. The Provisional Government is understood to be dominated by the moderate Korean Independence Party, the strength of which is not known. I am told that the left wing National Revolutionary

Party has a large following among Koreans in Manchuria, but that it is not accorded a place in the so-called Provisional Government.

GAUSS

895.01/67

*The Chairman of the Korean Commission in the United States (Rhee)
to the Secretary of State*

WASHINGTON, February 7, 1942.

SIR: I enclose herewith letter addressed to you, dated June 6th, 1941;¹ Credential of my Government, dated the same day and year,² and letter to the President of the United States also of like date.

May I advise you that unofficially these papers were presented by me to the State Department in July of 1941 and shortly thereafter withdrawn; that they were resubmitted, again unofficially, immediately after December 7th, 1941, and withdrawn February 4th, 1942.

It now is the wish of my Government that these communications be presented officially to you for such action as you may deem wise in the circumstances.

Respectfully yours,

SYNGMAN RHEE

[Enclosure]

*The Executive Chief of the Provisional Government of the Republic of Korea (Kim) to President Roosevelt*³

CHUNGKING, June 6, 1941.

SIR: I have the honor to remind Your Excellency of the fact that, although the diplomatic intercourse opened between the United States and Korea in 1882⁴ was forcibly suspended in 1905,⁵ the cordial, friendly spirit and good will existing between our two peoples has never been interrupted. Now the changed situation in the Far East warrants the restoration of that friendly relationship for mutual benefit.

¹ Not printed; letter sent by "Joe So-ang", usually transliterated as Tjosowang.

² Not printed.

³ Filed separately under 895.01/49½.

⁴ See Treaty of Peace, Amity, Commerce and Navigation signed May 22, 1882, William M. Malloy (ed.), *Treaties, Conventions, etc., between the United States of America and Other Powers, 1776-1909* (Washington, Government Printing Office, 1910), vol. I, p. 334.

⁵ In the agreement of November 17, 1905, between the Governments of Japan and Korea, Japan assumed control over Korea's foreign affairs; for text of agreement, see *Foreign Relations*, 1905, p. 612.

The Provisional Government of the Republic of Korea, temporarily situated in Chungking, China, earnestly desires to re-open that friendly intercourse and it is hoped that their desire may be reciprocated by the Government and the people of the United States.

At a recent meeting of the Cabinet Ministers of the Korean Provisional Government, Dr. Syngman Rhee, Chairman of the Korean Commission in Washington, was appointed as the official representative of this Government, invested with full power and authority which he may exercise at his own discretion in all diplomatic dealings with the Government of the United States.

By virtue of the authority vested in me as Executive Chief of the Korean Provisional Government, I beseech Your Excellency to receive him and the message he is instructed to present in behalf of the 23,000,000 Korean people suffering under an alien domination.

I take this occasion to assure Your Excellency of my highest consideration and best wishes for your great Republic.

Yours very respectfully,

KIM KU

895.01/81

The Ambassador in China (Gauss) to the Secretary of State

No. 297

CHUNGKING, February 12, 1942.

[Received March 12.]

SIR: With reference to my despatch no. 248 of December 20, 1941,⁶ regarding the so-called "Provisional Government of the Republic of Korea", I have the honor to report that some days ago Mr. Tjosowang, who represents himself to be the Minister of Foreign Affairs of the "Provisional Government" requested an interview with me. I consented to receive him unofficially. He sought American recognition and financial and military aid for the "Provisional Government", but was most vague and unsatisfactory in his presentation of the case for his "government".

Asked whether the "provisional government" had been recognized by the Chinese National Government, he admitted that it had not, and whisperingly suggested that he felt that this was perhaps due to the desire of China after the defeat of Japan to bring Korea under Chinese suzerainty. To others, Mr. Tjosowang has persistently indicated that the provisional government is "on the point of being recognized" by the Chinese Government. I have also heard it credited to Mr. Tjosowang that the provisional govern-

⁶ Not printed.

ment is being financially supported by Generalissimo Chiang Kai-shek;⁷ but there is no confirmation of such report.

Inquiry at the Chinese Foreign Office has produced nothing of value or interest in reference to the Korean "Provisional Government". The officials there have indicated that they are "investigating" the Korean set-up, but they display no enthusiasm regarding it nor do they suggest that it is likely to be accorded recognition by the National Government of China.

Questions directed to Mr. Tjosowang regarding the Korean independence groups in Manchuria—believed to include principally radical, pro-Communist groups—are evaded; and I was unable to obtain from Mr. Tjo any definite and precise statement of the relationship between his "provisional government" and such outside groups except his assertion that the Koreans are now all one in the effort for independence and that his "provisional government" is the one representative body of Korean independents.

On the subject of financial aid to the "provisional government" I avoided any discussion. Mr. Tjo was unable or unwilling to tell me how the movement is at present financed.

On the subject of any possible military aid to Korean independents, Mr. Tjo was likewise unenlightening; he admitted that it would not be possible for the United States to supply arms and ammunition to the Korean patriots at this time, but suggested that the situation might later develop to a point where this could be done.

Mr. Tjo speaks English fairly well, and there was no difficulty in having him understand my questions. I considered that he was evasive and secretive. I received him with appropriate cordiality and friendliness and encouraged him to talk about his provisional government, its organization, the Korean volunteers in China and Manchuria, et cetera, but the result was unsatisfactory. I then suggested that perhaps Mr. Tjo would care to give me a written statement of pertinent information regarding the provisional regime and its affiliations. He undertook to do so, and has now sent me a letter with enclosures, in English, a copy of which I enclose for the information of the Department.⁸

Within the past few days Mr. Tjo has approached the Embassy for a "passport" to permit him to proceed to the United States. His request has been placed before the Department by telegraph.⁹

Respectfully yours,

C. E. GAUSS

⁷ President of the Chinese Executive Yuan (Premier).

⁸ Not printed. Copies of a "Provisional Draft of the Constitution of the Korean Republic" and the Provisional Government's "Principles and Plans for National Reconstruction" were forwarded to the Department by the Ambassador in China in his despatch No. 369, April 14, 1942, not printed (895.01/120).

⁹ Telegram No. 80, January 31, 10 a. m., not printed.

895.01/67

*The Secretary of State to the Chairman of the Korean Commission in
the United States (Rhee)*

WASHINGTON, February 19, 1942.

DEAR DR. RHEE: Reference is made to your letter to the Secretary of State of February 7, 1942 with which there were enclosed a document addressed to the President of the United States dated June 6, 1941, a document addressed to the Secretary of State bearing the same date and a document entitled *Credential* also dated June 6, 1941.¹⁰

As you are no doubt aware, the Department has stated in an announcement of its policy toward the activities of foreign political leaders in the United States that it is glad to be informed of the plans and proposed activities of organizations of aliens in this country who wish to assist in the struggle against Axis domination of the world. Accordingly, the Department is glad to be informed of the activities of Koreans who are assisting in the task of defeating Japan and her allies and, consequently, is making note of the information conveyed in the documents under reference regarding the plans and objectives of the organization to which they relate.

For your convenience there is enclosed herewith a copy of the Department's press release of December 10, 1941¹¹ in which there is set forth a statement of the Department's policy in matters of this kind.

Sincerely yours,

For the Secretary of State:

ADOLF A. BERLE

Assistant Secretary

895.01/56: Telegram

The Acting Secretary of State to the Ambassador in China (Gauss)

WASHINGTON, March 20, 1942—9 p. m.

199. Reference your telegram no. 12, January 3, 3 p. m. On February 10 [12] the Department requested the Embassy at London¹² to inform the British Government that this Government has been approached by various Korean groups in this country interested in independence and participation in war effort; that, although this Government desires to obtain all active support possible of opponents of the Axis, we are not at this time contemplating "recognizing" any organization of Koreans as the primary movement for Korean oppo-

¹⁰ Letter to Secretary of State and "Credential" not printed.

¹¹ Department of State *Bulletin*, December 13, 1941, p. 519.

¹² Telegram No. 552, February 12, midnight, to the Ambassador in the United Kingdom, not printed.

sition to Japanese oppression or making any commitment as to future recognition of Korea; that we were giving thought to the possibility of issuing some general statement to the press expressing the interest of this Government in the efforts of the Korean people to end Japanese oppression; and that we should be pleased to receive the views of the British Government in regard to this whole question.

On February 28 the British Foreign Office handed to the Embassy a memorandum¹³ which was, in part, to the effect that there were not enough Koreans in the United Kingdom to form an organization; that after the outbreak of war Mr. Tjo So Wang and representatives of other Korean organizations at Chungking made approaches to the British Embassy there similar to those made to the American Embassy; that the British Ambassador¹⁴ gained the impression that there was considerable disunity in the Korean ranks and was told by the Chinese Ministry for Foreign Affairs that, although the Koreans in free China were aiming at independence, they differed widely in their politics; that Chinese authorities found them useful for anti-Japanese activities but declared that there could be no question of any sort of recognition of a free Korean movement until factional differences were composed, to which end they were lending their good offices; that the British Foreign Office believed that the possibilities of effective Korean opposition to Japan in Japan itself and in Korea were very small, although in Manchuria and occupied China the possibilities were perhaps greater; that as long as the present successes of Japan continue any formal declaration or act of recognition on the part of the United States or United Kingdom would be unlikely to arouse a response on any effective scale among Koreans generally in areas under Japanese control; that when the tide turned against the Japanese, however, a well-timed declaration might produce results; that for the present the Foreign Office considers that the reply to further approaches from Koreans outside Japanese areas should be confined to assurances of sympathy with efforts toward the realization of Korean aspirations for national freedom; that this was the attitude adopted by the Chinese Minister of Foreign Affairs¹⁵ in a letter addressed on October 25 last to Yong Jeung Kim;¹⁶ that, in view of the interest of the Chinese Government in Korean matters, it might be well to concert with that Government any action tending toward recognition; and that the British Foreign

¹³ Quoted by the Ambassador in the United Kingdom in his telegram No. 962, February 28, 3 p. m., not printed.

¹⁴ Sir Archibald J. K. Clark Kerr.

¹⁵ Quo Tai-chi.

¹⁶ Member of the Executive Committee of the Korean National Association of North America.

Office would be glad to support any action the Department might eventually decide to take in the Korean question.

The Department is informing the British Foreign Office¹⁷ that the British Government's views as indicated in the memorandum coincide in general with those of this Government. The attention of the British Foreign Office is being brought to a statement which I made at my press conference on March 2 (see Radio Bulletin no. 51¹⁸).

The Department would appreciate any comment on your part which you think might be helpful to the Department in regard to the Korean question. Specifically will you give us your opinion as to the advisability of this Department's issuing in the near future a general statement expressing the interest of the American people in the efforts of the Koreans to end Japanese oppression? As you may have been informed, there recently was held here in Washington a "Korean Liberty Conference" sponsored by the United Korean Committee in America and the Korea American Council, organizations affiliated with the Chungking group, to publicize the Korean question and urge "recognition" of Korea. Although the attendance of Koreans was small and reportedly only partially representative of the Korean community in this country and although the agenda apparently did not include consideration of positive measures which Koreans might take looking toward the achieving of their independence or their participation in the war effort, the conference served in some degree to focus public attention on the question of Korean "recognition". In addition this group is making an effort to develop American public opinion toward urging American recognition and a considerable amount of publicity for their views is being obtained in various parts of the United States.

In such conversations as you may have with the Chinese Government on this matter you may in your discretion use such parts of the information contained in the foregoing paragraphs as you may think appropriate.

WELLES

¹⁷ Telegram No. 1172, March 20, 10 p. m., to the Ambassador in the United Kingdom, not printed.

¹⁸ Department of State Radio Bulletin No. 51, March 2, reported the pertinent part of the Acting Secretary's press conference as follows:

"Correspondent said Korean Liberty Conference meeting in Washington had expressed desire to adhere to United Nations pact and he wondered if it would be possible to indicate Department's attitude toward this movement and its adherence to declaration and those of other free movements in country. Mr. Welles replied that in general terms he viewed Conference and meetings of other organizations of all other free groups with utmost sympathy but that he knew correspondents would understand there are many problems involved in each particular movement and each particular meeting of that character and for the moment he could only say that whole question including the particular inquiry made is receiving consideration and from time to time we will probably make some announcements."

895.01/87

*The Chairman of the Korean Commission in the United States
(Rhee) to the Secretary of State*

WASHINGTON, March 24, 1942.

MY DEAR SIR: Further in regard to my communication to you of February 7th:

There accompanied that letter a request of the Provisional Government of the Republic of Korea for recognition by the Government of the United States of America; a request addressed to the President of the United States of America, seeking his good offices regarding the aforementioned plea for recognition, and my credential as the accredited representative of the Provisional Government of the Republic of Korea.

I am in receipt of a letter, dated February 19th, 1942, signed by the Hon. A. A. Berle, Assistant Secretary, wherein he refers to the declared policy of the Department of State toward the "activities of foreign political leaders in the United States" and adding that the Department "is glad to be informed of the plans and proposed activities of organizations of aliens in this country who wish to assist in the struggle against Axis domination of the world", etc., etc.

There was further enclosed with this letter a release by the Department of State, dated December 10th, 1941, entitled "Policy Regarding 'Free Movements' in the United States."

May I respectfully suggest that the matters accompanying my communication of February 7th do not seem to fall within the purview either of the reply of Mr. Berle or the press release referred to.

The Provisional Government of the Republic of Korea is the sole representative of the Korean people, whether they are resident in Korea proper, Manchuria, Siberia, China or elsewhere, and regards itself, on the basis of the treaty of 1883 [1882] negotiated between the Government of Korea and the Government of the United States, not as a free movement in any sense whatever of that phrase, but as the only governmental agency of Korea that is in existence.

It is the desire of my Government to be advised how the Government of the United States regards the aforementioned treaty between our two countries. It is the plea of my Government that the existence of this treaty be noted by the Government of the United States for anything to the contrary would seem to further countenance the act of wanton aggression perpetrated by the Japanese Government upon the people of Korea.¹⁹

Respectfully yours,

SYNGMAN RHEE

¹⁹ No reply to this letter has been found in Department files.

895.01/104

The Ambassador in China (Gauss) to the Secretary of State

No. 335

CHUNGKING, March 25, 1942.

[Received April 27.]

SIR: I have the honor to refer to my despatch no. 297 of February 12, 1942 on the subject "The Provisional Government of the Republic of Korea", and to transmit for the information of the Department copies of the following:²⁰

(1) Memorandum of conversation of a member of my staff with Dr. Yang Yun-chu, Director of the Eastern Asiatic Department of the Ministry of Foreign Affairs, on March 19 regarding the general subject of Korean activity in China;

(2) A bulletin, no. 285, March 10, 1942, of the China Information Committee, an organ of the Kuomintang²¹ Publicity Board, entitled "The Free Korean Movement"; and

(3) A "Manifesto of the Korean National Revolutionary Party Congress" published in the *National Herald* of Chungking on January 14 and 15, 1942.

The official Chinese attitude toward the Korean question, as outlined by Dr. Yang, is one of sympathy but hesitation to accord formal recognition to any particular group in the face of obvious disunity among the Korean expatriates and the inability of any one of their organizations to show that it has a real following among the Koreans in the homeland. Dr. Yang indicated that the Chinese were attempting, as a step looking towards eventual recognition, to strengthen the Korean movement in China by a union of its present factions.

During the course of a recent general conversation with the Counselor of this Embassy, Dr. Foo Ping-sheung, Vice Minister of Foreign Affairs, confirmed the principal points brought out by Dr. Yang and added the interesting observation that, some months ago, Dr. Quo Tai-chi, then Minister of Foreign Affairs, had recommended recognition of the Korean independence movement, but that General Chiang Kai-shek vetoed the recommendation and counselled delay.

Respectfully yours,

C. E. GAUSS

895.01/88 : Telegram

The Ambassador in China (Gauss) to the Secretary of State

CHUNGKING, March 28, 1942—9 a. m.

[Received 11:05 p. m.]

285. Reference Department's 199, March 20, 9 p. m. regarding Korea. The Embassy has continued to follow this subject here and

²⁰ None printed.

²¹ Nationalist Party (Chinese).

finds no substantial change in the situation as understood by the Department.

I do not believe that the proposed general statement of American attitude would serve any useful purpose here at the moment; nor in Korea, until we take the offensive and the tide of military fortune begins to turn against Japan.

I make the suggestion that if any general statement of American attitude is determined upon, the Department might make the gesture of consultation, which China craves as one of the United Nations, by advising with the Chinese Government in advance in regard thereto.

It seems to me here, however, that the subject of Korea is not entirely unrelated to the problem of the independence aspirations of other Asiatic colonial peoples including the Indians. The Chinese seem to be sympathetic toward outright independence for India.²² In view of this situation an American statement on Korea with no indication of the American attitude regarding other Asiatic colonial peoples might be inopportune.

GAUSS

895.01/88 : Telegram

The Acting Secretary of State to the Ambassador in China (Gauss)

WASHINGTON, April 7, 1942—9 p. m.

263. Reference your telegrams 285, March 28, 9 a. m., and 287, March 28, 11 a. m.²³ These expressions of your views have been helpful to the Department and the Department would appreciate your continuing, without of course making any commitment, to obtain from the Chinese Government such information or views of interest as they may have with regard to the Korean question. You may in this connection let the Chinese authorities know that we shall bear in mind the desirability of keeping them informed in regard to any significant developments here.

WELLES

895.01/96½

President Roosevelt to the Acting Secretary of State

WASHINGTON, April 8, 1942.

I enclose a memorandum handed me by Dr. Soong.²⁴ Please speak to me about it before Tuesday the 14th.

F[RANKLIN] D. R[OSEVELT]

²² For correspondence on this subject, see pp. 593 ff., *passim*.

²³ For latter, see *Foreign Relations*, 1942, China, p. 730.

²⁴ T. V. Soong, Chinese Minister for Foreign Affairs since December 1941; at this time in the United States.

[Enclosure]

Memorandum by the Chinese Minister for Foreign Affairs (Soong)

Held down by a large Japanese army of occupation, the mood of the Korean people is that of sullen submission, with memories of historic injustice rankling, and having been dispossessed of the rich South Korean rice-growing areas by Japanese landlords and oppressed by the present civil and economic disabilities.

Except for sporadic assassinations in Korea itself, Korean discontent is manifest only among their nationals living in China and Russia, while ideologically existent among Koreans in the United States.

The principal leaders of the Korean revolutionaries are living in Chungking, on the one hand the members of the Korean Provisional Government Party, which is the historic party of Korean disaffection, and on the other the Korean Revolutionary Party which is made up of younger and supposedly left-wing elements. Korean revolutionaries in the United States are adherents of one of these two parties. With the limited aid of the Chinese Government, there is in existence a small Korean Peoples Army, which is operating with Chinese guerrillas in North China and numbers a few thousand.

In Siberia the Russians have incorporated for many years two or three regiments of Koreans in the Russian Far East army, but until hostilities commence between Russia and Japan, no step-up in this activity can be expected.

If the United Nations, particularly the members of the Pacific Council, desire to foster Korean independence, two measures are indicated:

1. After promoting a fusion of the two rival revolutionary parties by promising help to a united Korean revolutionary organization, which appears easily feasible, undertake to raise, arm and support a Korean irregular army of, say, 50,000 men, which will be located in the guerrilla areas of North China, and which will be the rallying center for all Korean revolutionary activities both within and outside Korea. The purpose of such an army would be:

- (a) to operate in Korea at some opportune moment to be selected by the United Nations;
- (b) to be headquarters for sabotage activities by Korean workers in munition works and vital communications centers in Korea and Japan;
- (c) to constitute an intelligence service through Koreans working in the lower ranks of civil servants and police in Korea, North China and Japan.

The prospect for irregular activities will be particularly promising because, owing to the shortage of labor in Japan similar to that in

Germany, large numbers of Koreans have been recruited for munition works in Korea, Manchuria and Japan. In addition, large numbers of Koreans are working as agents in North China in such instruments of Japanese policy as monopolies in opium, morphine and heroin, prostitution and gambling, to demoralize the Chinese population. With a well-organized system, these Japanese activities could prove a boomerang.

2. As a political measure, in order to encourage Korean aspirations at some opportune moment the Pacific Council could announce its determination to effect the independence of Korea after the war. Recognition of a Korean Provisional Government might be effected either simultaneously or at some time later.

895.01/96 : Telegram

The Ambassador in China (Gauss) to the Secretary of State

CHUNGKING, April 10, 1942—10 a. m.

[Received 7:14 p. m.]

381. The Political Vice Minister of Foreign Affairs told me yesterday in strict confidence that at a meeting of the Supreme National Defense Council on April 6 a proposal for immediate recognition of the Korean Provisional Government was submitted by Sun Fo²⁵ and supported by some other party members. After a 3-hour discussion it was decided to refer the matter to General Chiang for decision.

While the attitude of the Chinese Government toward the Koreans here has been sympathetic and they have been urged to compose their factional differences, the major considerations in this matter are: (1) Concern as to possible Soviet reaction to recognition of the Provisional Government. This is described as a matter of great delicacy. It was pointed out that there are two divisions of Koreans in the Soviet forces in Siberia and that in event of a Soviet-Japanese war these divisions would probably be used in any drive into Korea and might be used by the Soviet to set up some sort of government in the country. If meanwhile the Provisional Government at Chungking had been recognized, a difficult situation would arise. While the Koreans in the Soviet armies are said to have been naturalized as Soviet citizens it is pointed out that they nevertheless remain Koreans. (2) Concern as to possible British and other reaction at this time to proposals for independence for colonial peoples, having in mind Malaya, the Netherlands East Indies and other areas.

I will inform the Department of any further developments.

GAUSS

²⁵ President of the Chinese Legislative Yuan.

895.01/96 : Telegram

The Acting Secretary of State to the Ambassador in China (Gauss)

WASHINGTON, April 11, 1942—6 p. m.

283. Reference Department's telegrams no. 199, March 20, 9 p. m.; 263, April 7; and your 381, April 10, 10 a. m. As a manifestation of the cooperative spirit underlying this Government's desire to exchange information with the Chinese Government in reference to the Korean situation, please inform the Chinese Vice Foreign Minister urgently that we hope that, before the Chinese Government takes any definitive action with regard to the question of recognition of a Provisional Government of Korea, it will be so good as to make available to us its views and conclusions in this matter. You may, in your discretion, mention that any question which has bearing upon free movements against the Axis powers is, of course, one in which other governments among the United Nations have interest and in regard to which parallel and cooperative action by the interested governments would be desirable so far as practical.

Dr. T. V. Soong recently handed to the President a memorandum on the Korean situation and it is expected that the President will discuss that situation with Dr. Soong at some time during the coming week.

WELLES

895.01/96½

The Acting Secretary of State to President Roosevelt

WASHINGTON, April 13, 1942.

MY DEAR MR. PRESIDENT: In your memorandum to me of April 8, enclosing a memorandum handed to you by Dr. Soong, you asked me to speak with you about Dr. Soong's memorandum before Tuesday the 14th.

I am returning herewith the original of Dr. Soong's memorandum regarding which I should like to offer the following comment.

I fully concur in the suggestion that the United Nations, particularly the members of the Pacific War Council, should assist in organizing and equipping a Korean irregular army. Geographical factors would seem to make China the logical place from which such activity could best be carried on, with the suggestions and assistance of the United States and other military missions at Chungking. Should you wish me to do so, after the Pacific War Council has approved this suggestion, I shall be glad to take the matter up with my Liaison Committee in order that recommendations may be formulated by the General Staff and by Naval Operations for your consideration covering the practical steps involved.

With regard to the suggestion that a fusion of rival Korean revolutionary parties be promoted and that recognition of a Korean Provisional Government be granted at an appropriate time, I am informed that the principal Korean revolutionary organizations are the one existing in Chungking (apparently supported by most of the Koreans in the United States) and the Korean bands in Manchuria and other parts of China. The latter have apparently no close connection with the organization at Chungking.

I have sent a telegram to our Embassy in Chungking²⁶ asking for further information on this point and also asking for information from the Government of China with regard to its views concerning the possibility of a fusion of these groups.

With regard to an announcement by the Pacific War Council of its determination to effect the independence of Korea, in principle I am heartily in accord with such a step, but I question the wisdom of making an announcement of that character at this moment. If such an announcement were made today, it seems to me that the announcement would lack reality.

Temporarily the tide of war continues to be in Japan's favor. No armed revolt in Korea against Japan can be expected at this time. Furthermore, the question of the independence of India has recently held and still holds the center of attention among the peoples of the Pacific area and the failure of the Cripps²⁷ negotiations makes it unfortunately impossible for us to utilize the announcement of an agreement between the British Government and the peoples of India, providing for the freedom of India, as a platform upon which to base an announcement of broader policy.

If the Cripps negotiations had been successful, I would have recommended to you an announcement by the Pacific War Council affirming the determination of the countries represented to recognize the independence of the Philippine Islands and to bring about the independence of Korea and the expulsion of the Japanese invaders from all territories which they had temporarily overrun in order that the liberty of the peoples of those regions might be reestablished. In brief what I had in mind was to recommend the announcement of a broad policy of general liberation, insofar as the peculiar circumstances covering the Netherlands East Indies and Burma might make such an announcement possible, but, unfortunately, the breakdown of the Indian negotiations eliminates, at least temporarily, that possibility.

²⁶ Not found in Department files.

²⁷ Sir Stafford Cripps, British Lord Privy Seal and Leader of the House of Commons. For correspondence on his mission to India, see pp. 619 ff.

My suggestions for the moment with regard to Dr. Soong's memorandum would consequently be to do everything possible to further the organization and equipment of a Korean army and to further in every way possible, in consultation with the Chinese and the British, the fusion of the Korean revolutionary parties and to postpone until a more propitious time any recognition of a Korean provisional government and any announcement with regard to the future independence of Korea.

Believe me

Faithfully yours,

SUMNER WELLES

895.01/97 : Telegram

The Ambassador in China (Gauss) to the Secretary of State

CHUNGKING, April 15, 1942—10 a. m.

[Received April 15—8:36 a. m.]

411. Department's 283, April 11, 6 p. m. Action taken as directed. Vice Minister has given assurances that Embassy will be kept currently informed of developments and of Chinese Government's views in regard to Korean question, and that it will be notified in advance of any contemplated action.

GAUSS

895.01/99 : Telegram

The Ambassador in China (Gauss) to the Secretary of State

CHUNGKING, April 18, 1942—2 p. m.

[Received 4:05 p. m.]

432. Reference my 381, April 10, 10 a. m. Political Vice Minister of Foreign Affairs informs me that with the return to Chungking of General Chiang the question of recognition of the Korean Provisional Government now at Chungking has been further examined, with the conclusion that it is desirable to extend such recognition without delay. Principal considerations in reaching this decision are that proposed action would (1) dispel any suspicions that China has any territorial ambitions, in which connection he mentioned not only Korea but Thailand and Burma; and (2) give evidence of China's adherence to the principles of the Atlantic Charter.²⁸ He stated that General Chiang desired that proposal to recognize Korean Provisional Government be communicated by me to American Government with request for early expression of our views. In response to inquiry whether British are being approached or informed, Vice Minister

²⁸ Joint statement of August 14, 1941, by President Roosevelt and British Prime Minister Churchill, *Foreign Relations*, 1941, vol. 1, p. 367.

said such action not contemplated at least until after American views are obtained. He requests early reply.

GAUSS

895.01/99

Memorandum by the Secretary of State to President Roosevelt

WASHINGTON, April 29, 1942.

As reported in Ambassador Gauss' telegram of April 18, General Chiang Kai-shek feels that it is desirable to recognize without delay the "Korean Provisional Government" now at Chungking.

The Chinese Government has requested an expression of our views. There is attached for your consideration the draft of our proposed reply.²⁹

The Soviet Union is also specially interested in the question of Korea. An approach to the Soviet Government in the matter might, however, be embarrassing to that Government in view of the fact that the Soviet Union is not at war with Japan. There remains the possibility, in case the "Korean Provisional Government" at Chungking is recognized by the Chinese Government, that the Soviet Union may support some other Korean group associated ideologically with the Soviet Union. The Chinese Government may be motivated in its desire to accord recognition to the "Korean Provisional Government" by a wish to nip in the bud the development of any Soviet-supported Korean group.

This whole question of Korean independence and the recognition of a Korean government has many complicated and delicate aspects. In view of China's geographical position and historic association with its neighbors, it is doubted whether this Government should interpose strong objection to any course which the Chinese Government may decide upon. It would seem appropriate, however, for this Government to lay before the Chinese Government a complete exposition of its views.

C[ORDELL] H[ULL]

895.01/99 : Telegram

The Secretary of State to the Ambassador in China (Gauss)

WASHINGTON, May 1, 1942—1 p. m.

342. Reference your 432, April 18, 2 p. m.

1. Please inform the Chungking authorities of this Government's appreciation of General Chiang's request for an expression of our views in regard to the conclusion of the Chinese Government that it

²⁹ For reply as sent, see telegram No. 342, *infra*.

is desirable that it extend recognition to the "Korean Provisional Government" now at Chungking without delay.

2. You may inform the Chinese Government that in the United States various groups, including groups composed of Koreans, have organized to undertake to speak for the anti-Axis forces in countries controlled or dominated by German or Japanese troops. In dealing with these groups, this Government has been guided by two primary considerations: First, it has insisted that there not be made any appeal for support of any free movement in this country which would be incompatible with the unity of the United States and with the duties of Americans of foreign descent as citizens of the United States; and, second, this Government has not desired to take steps which would tend to deprive the conquered populations of full freedom, when victory over the Axis aggressors is won, to select and set up governments of their own choosing.

3. The people of the United States have indicated increasing sympathy and support for the aspirations to freedom of the Korean people as well as similar aspirations of the other peoples now subjugated by the tyranny of the Axis powers. This Government intends to give such peoples all practicable aid in regaining their freedom and welcomes such assistance as these subjugated peoples can themselves give toward achieving victory.

4. In this Government's thought a distinction is made between statements advocating the independence of Korea and the according of recognition to any particular group of Koreans as the Provisional Government of Korea. With regard to the various existing groups of Koreans interested in achieving Korean independence, you may inform the Chinese authorities that this Government had had no immediate intention of according recognition to any one Korean group in view of such factors as: (a) the lack of unity existing among Korean groups interested in achieving Korean independence and (b) the probability that groups now existing outside of Korea have little association with the Korean population in Korea. In this connection you may wish to suggest that, in according recognition, the Chinese Government may deem it advisable to stress the provisional character of the recognition in order that the Chinese Government may retain greater freedom of action in the event of future developments as yet necessarily unpredictable. Such a provisional recognition would also tend to eliminate the danger that the people of Korea might be led to believe that their right to choose their own government following the achieving of their independence had been circumscribed in advance by action of any of the members of the United Nations.

5. In making the foregoing comments to the Chinese Government, please emphasize that we are aware of the fact that geographical and

racial factors render the question under reference of more immediate concern to China than to the United States; that in presenting our views to the Chinese Government we are motivated solely by a desire to give a responsive and frank reply to the question which the Chinese Government has been so good as to take up with this Government; and that we do not desire to stand in the way of the Chinese Government's taking any step which, after careful and full consideration of all the factors, seems to that Government the wisest step to take; and that, if the Chinese Government, in addition to announcing its support for Korean efforts to achieve freedom, should accord recognition to a Provisional Government of Korea, this Government would of course expect to re-examine its position in the light of that new step. Please mention to the Chinese Government also that there are certain special factors in the Korean situation to which this Government must give particular attention because of their possible effect on a number of other free movements in this country which also desire formal recognition as governments by the United States.

6. You may also recall to the Chinese Government that the President in his radio address of February 23³⁰ referred to the people of Korea and said that they "know in their flesh the harsh despotism of Japan" and that the President also stated later in that address that "We of the United Nations are agreed on certain broad principles in the kind of peace we seek. The Atlantic Charter applies not only to the parts of the world that border the Atlantic but to the whole world; disarmament of aggressors, self-determination of nations and peoples, and the four freedoms—freedom of speech, freedom of religion, freedom from want, and freedom from fear."

HULL

895.01/112 : Telegram

The Ambassador in China (Gauss) to the Secretary of State

CHUNGKING, May 7, 1942—3 p. m.

[Received May 7—9:51 a. m.]

524. The views set out in Department's 342 of May 1, 1 p. m., regarding recognition Korean Provisional Government were communicated orally yesterday to Political Vice Minister of Foreign Affairs who told me confidentially that following a recent conversation between the President and T. V. Soong the matter is again being reconsidered here and recognition is likely to be postponed at least until some more favorable moment.

GAUSS

³⁰ Department of State *Bulletin*, February 28, 1942, p. 183.

895.01/102 : Telegram

The Secretary of State to the Ambassador in China (Gauss)

WASHINGTON, May 8, 1942—9 p. m.

370. Department's 342, May 1, 1 p. m., and previous: Korean independence movement. The Department is in receipt of a letter from Mr. Kilsoo Haan, Washington representative of the Sino-Korean Peoples' League,³¹ in which Mr. Haan offers suggestions for uniting the two principal groups of Korean nationalists: (1) his group, which is said to be the parent organization of the so-called Korean Volunteer Army headed by Commander Kim Yak-san and Dr. Kimm Kiu-sik (apparently the group referred to in enclosure 1 of your despatch 335, March 25,³² as the National Revolutionary Party) and (2) the group comprising and supporting the "Korean Provisional Government" at Chungking.

Mr. Haan expresses the belief that, if the Department were to arrange to have Dr. Rhee and Mr. Haan meet with an officer of the Department, a unity of Korean groups in Hawaii and the continental United States could be effected, and he suggests formation of a committee on which both groups would be equally represented for the purpose of making this unity effective. He also recommends early reorganization of the "Korean Provisional Government" at Chungking with a view to achieving unification with the so-called radical Korean groups, and suggests that the "Provisional Government" be limited to 12 Korean officials with 2 Chinese as advisers, 6 of the 12 Koreans to be named by Dr. Rhee and Kim Koo³³ and 6 by Commander Kim Yak-san and Dr. Kimm Kiu-sik.

As Mr. Haan in his letter is extremely critical of the Chungking group and charges that it has since 1919 been branding as communists all other patriotic groups of Koreans, using highhanded methods toward those groups, and employing misleading propaganda in order to maintain a dominant position in the Korean independence movement, it would seem *prima facie* doubtful whether any practicable benefit would result at this time from Mr. Haan's suggestions. However, in an endeavor to be helpful and in line with this Government's policy of giving, where practicable and appropriate, sympathetic assistance to the national aspirations of subject peoples who desire to contribute to the war effort, the Department contemplates sounding out Dr. Rhee as to his willingness to meet with Mr. Haan informally and unofficially in the presence of one or two officers of the Department. If this meeting takes place, the Department will inform you of its character and results. Meanwhile you may in your discretion

³¹ Also Washington representative of the Korean National Front Federation.

³² Enclosure not printed.

³³ Alternative transliteration of Kim Ku.

discuss with the appropriate Chinese officials the subject matter of Mr. Haan's letter and communicate to the Department their comments together with such comment as you may care to make. Such discussion, if held, should, of course, be in strict confidence and without mentioning Mr. Kilsoo Haan by name.

HULL

895.01/114: Telegram

The Ambassador in China (Gauss) to the Secretary of State

CHUNGKING, May 13, 1942—1 p. m.

[Received May 13—10:32 a. m.]

554. The purport of the Department's 370 of May 8, 9 a. m. [*p. m.*] has been informally discussed with the Vice Minister for Foreign Affairs. He stated that efforts of the Foreign Office to bring the two groups together have been unsuccessful due to petty intransigence on both sides and indicated that while he did not wish to discourage our efforts to effect unity he was not sanguine that we could be successful. He intimated that our efforts to bring about unity might confuse rather than solve matters and referred to reports he had received that the radical group in America had threatened the radical group here with withdrawal of support if it agreed to cooperation with the "provisional government organization".

GAUSS

895.01/148

The Ambassador in China (Gauss) to the Secretary of State

No. 473

CHUNGKING, June 19, 1942.

[Received July 23.]

SIR: I have the honor to refer to my despatch no. 335 of March 25, 1942 on the subject of "The Korean Independence Movement and its Desire for Formal Recognition", and to transmit for the information of the Department copies²⁴ of:

1. News report (*Central News*, Chungking, May 20) that "the National Military Council (of the Chinese Government) has ordered the incorporation of the Korean Volunteer Corps into the Korean Independence Army".

2. News item (*United Press*, Washington, May 29) containing statement by Kilsoo Haan that Korean Volunteer Corps number 15,000 men and that new combined force will exceed 35,000.

3. Memorandum of conversation with Dr. Yang Yun-chu, Director of the Eastern Asiatic Department of the Ministry of Foreign Af-

²⁴ None printed.

fairs, on the general subject of Korean affairs and the consolidation of the Korean Military units.

Dr. Yang's statements to a member of my staff are of some interest. They reveal: that the consolidation of the military units of the Korean National Revolutionary Party (the Korean Volunteer Corps) and the "Provisional Government of Korea" (the Korean Independence Army), which the Chinese regard as the first step in the actual bringing together of the two parties, is not proceeding smoothly because of the continuing frictions and rivalries of the groups concerned; that the size of the units involved (despite fanciful statements such as those by Kilsoo Haan quoted in Enclosure no. 2) are in fact insignificant; and that no effective use is at present being made of them for propaganda or military purposes.

Dr. Yang showed a keen interest in, and requested information concerning, the Korean movement in the United States.

Respectfully yours,

C. E. GAUSS

895.01/196

Memorandum of Conversation, by the Assistant Chief of the Division of Far Eastern Affairs (Atcheson)

[WASHINGTON,] December 1, 1942.

Participants: Mr. Kilsoo Haan, Washington Representative, Korean National Front Federation,
Mr. George Atcheson, Jr.,
Mr. Laurence E. Salisbury.³⁵

Mr. Haan called on Mr. Atcheson by appointment made at Mr. Haan's request. Prior to entering into conversation, Mr. Haan handed to Mr. Atcheson the underlying letter dated November 30, 1942.³⁶ The object of Mr. Haan's call was evidently to make orally the request contained in the letter, namely, that the Department give written assurance that after the war has ended the United States Government will assist Koreans in the setting up of an independent government in Korea. As stated in the letter and as explained orally by Mr. Haan, the purpose of obtaining such written assurance is to enable Mr. Haan to convey that information confidentially to Korean agents in Japan proper and in Korea who are in need of encouragement.

Mr. Atcheson referred to various public statements made by the President, the Secretary, and other high officials of this Government in regard to our attitude toward peoples subjugated by the Axis. Mr.

³⁵ Assistant Chief of the Division of Far Eastern Affairs.

³⁶ Not printed.

Haan indicated that only written assurance would satisfy the Korean agents to whom he referred. In response to various efforts on the part of Mr. Acheson to discover what Mr. Haan believed would be the advantages accruing from the obtaining of such written assurance, Mr. Haan indicated that primarily the advantage would be that of strengthening morale but that there was involved also a military aspect as receipt of information that written assurance had been obtained might be expected to encourage the agents to greater activity.

Mr. Haan was unable to clarify his reasons as to why such assurance should be addressed to him and finally stated that the addressee would be immaterial provided he were supplied with a copy of the desired statement.

During the conversation both Mr. Acheson and Mr. Salisbury informed Mr. Haan that the various aspects of the Korean question had been and continued to be under consideration by this Government—and presumably by other interested governments among the United Nations; that there were many factors involved which made it more difficult for decisions to be arrived at by the Government than by a private individual; that the present primary purpose of the governments of the United Nations is the winning of the war. Mr. Haan was assured that his latest request would be given serious consideration.

After some general conversation in regard to Mr. Haan's activities and views and further assurance on the part of Mr. Acheson that the Korean question was one of genuine interest and concern to this Government, Mr. Haan departed with expressions of appreciation of the manner in which he had been received.

G[EORGE] A[CHESON, JR.]

895.01/195

*The Acting Chief of the Division of Far Eastern Affairs (Acheson)
to the Washington Representative of the Korean National Front
Federation (Haan)*

WASHINGTON, December 7, 1942.

MY DEAR MR. HAAN: Reference is made to your letter of November 30, 1942,⁸⁷ in regard to various questions relating to Korea, and to your conversation at the Department with Mr. Salisbury and me of the same date.

You will recall that during the conversation we mentioned pertinent statements of various high officials of the Government, including

⁸⁷ Not printed.

the radio address of the Secretary of State on July 23, 1942,³⁸ in the course of which the Secretary stated:

"We have always believed—and we believe today—that all peoples, without distinction of race, color, or religion, who are prepared and willing to accept the responsibilities of liberty, are entitled to its enjoyment. We have always sought—and we seek today—to encourage and aid all who aspire to freedom to establish their right to it by preparing themselves to assume its obligations. We have striven to meet squarely our own responsibility in this respect—in Cuba, in the Philippines, and wherever else it has devolved upon us. It has been our purpose in the past—and will remain our purpose in the future—to use the full measure of our influence to support attainment of freedom by all peoples who, by their acts, show themselves worthy of it and ready for it."

As of possible interest a copy of the full text of the Secretary's address is enclosed.

Sincerely yours,

GEORGE ATCHESON, JR.

895.01/197 : Telegram

The Ambassador in China (Gauss) to the Secretary of State

CHUNGKING, December 9, 1942—4 p. m.

[Received 5:31 p. m.]

1465. Embassy's 1387, November 24, 3 p. m.³⁹ Tjosowang, so-called Foreign Minister of Korean Provisional Government, informed Embassy officer December 2 that his government proposed shortly formally [to] request recognition of United States, Great Britain but acknowledged certain difficulties existed as regards obtaining recognition from USSR. He indicated that removal of government from Chungking to Washington under consideration due to restrictions now imposed on Korean activities here. Copy of nine conditions allegedly imposed November 1941 on Korean independence movement by Chinese Military Affairs Commission (see Embassy's despatch 750, November 23 [25])³⁹ obtained confidentially from Korean source December 7 indicative of close Chinese restrictions on organization and direction Korean military units China but do not clearly evidence Chinese desire to dominate post-war Korea although Tjosowang group charges imperialistic intent. Representative of that group has gone to India evidently with purpose of meeting someone there for discussion and forwarding important information to Rhee [in] Washington.

³⁸ Department of State *Bulletin*, July 25, 1942, p. 639.

³⁹ Not printed.

Kim Yak San reputedly formally accepted December 5 post Vice Commander Independence army under authority Provisional Government. Dr. Kimm Kiu-sik, another important Korean revolutionary figure heretofore dissident also said now to be joining government group. Kilsoo Haan expected consequently to be under heavy pressure abandon independent stand.

Despatch follows.⁴⁰

GAUSS

⁴⁰ No. 787, December 11, not printed; it transmitted a translated copy of "Guide for Activities of Korean Independence Army" (895.01/200).

PHILIPPINES

INTEREST OF THE UNITED STATES IN EVACUATION OF PRESIDENT QUEZON; PROPOSAL FOR IMMEDIATE INDEPENDENCE AND NEUTRALIZATION OF THE PHILIPPINES; ADHERENCE OF THE PHILIPPINES TO DECLARATION BY UNITED NATIONS

*Press Release Issued by the Department of State, December 12, 1941*¹

An exchange of telegrams between the President of the United States and the President of the Philippine Commonwealth follows:

“December 9, 1941.

“I have just arrived from Baguio the summer capital of the Philippines where I was when the war between the United States and Japan was declared. I have covered the country by automobile and I am happy to report that everywhere the people are loyal to America and determined to stand by her in testimony of their gratitude to you, to the Government of the United States and to the American people and because of their devotion to the cause of Democracy and freedom. I am proud therefore that the reiterated assurance I have given to you to the effect that you can count upon us was no empty word.

Manuel L. Quezon”

“December 11, 1941.

“Your renewed assurances of the devotion and loyalty of the Philippine people to the United States and to democracy are particularly appreciated in this grave hour. The hearts of all Americans are deeply touched by the fortitude and gallantry being shown by your people in this present ordeal. We are at one with you in our faith in the ultimate triumph of our common ideals.

Franklin D. Roosevelt”

740.0011 European War 1939/17502 : Telegram

*The United States High Commissioner in the Philippines (Sayre)
to the Secretary of State*

MANILA, December 15, 1941—6 p. m.

[Received December 15—7:30 a. m.]

628. Personal for [President] Roosevelt. Am gravely concerned over rumors circulating here. Filipinos risking lives and country on faith of America's word she will protect them. Under MacArthur's²

¹ Reprinted from Department of State *Bulletin*, December 13, 1941, p. 511.

² Gen. Douglas MacArthur, Commanding General, United States Army Forces in the Far East.

leadership they making magnificent defense effort. America cannot afford to let them down. Whispers here United States withholding further aid and does not intend to try break Jap blockade. Existing forces woefully inadequate. Assume whispers untrue but if they become convincing there's critical danger of collapse entire structure and ensuing disaster. To avert this may I suggest, first, that you forthwith order available resources be sent succor Philippines; second, you publicly announce this fact, giving lie to rumors and preserving morale here. Immediate action necessary.

SAYRE

740.0011 European War 1939/17502 : Telegram

The Secretary of State to the Consul at Manila (Steintorf)

WASHINGTON, December 15, 1941—6 p. m.

430. Personal for Sayre from President.

"The President is directly in touch with the situation in the Far East. He wishes you to read the War Department's message sent today to MacArthur³ which is self-explanatory. For evident military reasons no public announcement of the nature suggested by you should be made at this time. General MacArthur can determine what might safely be said publicly. Roosevelt."

HULL

811B.00 General Conditions/35 : Telegram

Mr. Cabot Coville⁴ to the Secretary of State

FORT MILLS,⁵ January 11, 1942—11 p. m.

[Received January 12—12:29 a. m.]

Telegram in lieu of periodic political report because no present despatch of mails.

Outbreak of war has of course altered and dominated political scene completely. Evidences of Quezon's American loyalty have been

³ Telegram No. 787, dispatched at 2:28 p. m., which in pertinent part was as follows: "Your messages of December 13th and 14th have been studied by the President. The strategic importance of the Philippines is fully recognized and there has been and will be no wavering in the determination to support you. The problem of supply is complicated by Naval losses in the Pacific but as recommended in yours of December 14th bomber and pursuit reinforcements are to be rushed to you." (740.0011PW/12-1541) For summaries of messages of December 13 and 14, see Department of the Army, *The Fall of the Philippines*, by Louis Morton (Washington, 1953), pp. 147, 151, 152.

⁴ Foreign Service Officer, on detail as Second Secretary in the Office of the High Commissioner in the Philippines.

⁵ On island of Corregidor, approximately 30 miles from Manila.

gratifying. The oral decision that, when it should be necessary to abandon Manila, the persons so mobilizing [*sic*] Government be retained within area in control of American forces was concurred in by Quezon and at Corregidor he and his highest associates have been in intimate constant touch with Sayre and MacArthur and have co-operated fully. Should Quezon be again in touch with Japanese, however, the probability of a deal is still not to be ignored.

Morale in islands of both Filipinos and Americans has been notably sustained by removal from occupied area of Quezon and other persons symbolizing and controlling Government. Psychological effect has been that desired and it is recommended constant effort be made to continue such removal policy if military developments make impossible holding area where those persons lie [*are?*] or may be. Continuity of Government and the sense that removal to other places of the personal symbols of Government is a matter of temporary expediency rather than giving in to the enemy is of primary importance in nourishing the attitude of Filipinos toward the United States.

Since the High Commissioner (at the same time as Quezon) brought part of staff to Fort Mills, Corregidor, much important work has been accomplished by his staff here particularly in measures in protection of American and Philippine currency and property rights all of large totals.⁶ The safe removal of at least one copy of the records involved, from Corregidor to the United States, by whatever means is urgently recommended. Transportation would appear not available in absence of decision by Washington. The most practicable means would appear to be by plane flying by night to Corregidor from Java possibly via Borneo, and returning the following night.

Organizing of a final stand on Bataan Peninsula is proceeding with hearty backing of both military and civilian officials at Corregidor though noticeable reluctance among many Filipino soldiers. Enemy carefully bring[ing] up large numbers for sustained drive. Our greatest need is planes especially attacks and pursuits.

We have no communication with Manila and I am not in position to report on political conditions there other than press and radio items already known to September.

COVILLE

⁶ For further information on this subject, see *Sixth Annual Report of the United States High Commissioner to the Philippine Islands, July 1, 1941, to June 30, 1942* (Washington, Government Printing Office, 1943), pp. 49 ff.

124.11B6/26

*Memorandum by the Adviser on Political Relations (Hornbeck)*⁷

[WASHINGTON,] January 19, 1942.

Subject: Reference my memorandum of January 18⁸ on the subject of possible removal of personnel and records from Corregidor.

The question of possible removal of certain high persons from Corregidor has been under consideration in high quarters in the administration for sometime past.

It is understood that, for various reasons, physical effort to make this removal has thus far not been made, and that the making now of such an effort is regarded in certain quarters as being impracticable.

Under date January 11, Foreign Service Officer Coville telegraphed from Fort Mills to the Department a "political report" in the course of which Coville stated that evidences of President Quezon's loyalty to the United States had been gratifying but that if Quezon were to come again "in touch with Japanese . . . the probability of a deal is still not to be ignored". Coville said further that morale in the Islands had been notably sustained by the removal from occupied areas of Quezon and other persons who symbolize and control "government". He said, "It is recommended" that if military developments make it impossible to hold the area where those persons now are or may be, constant effort be made to continue the policy of removal. This would be of primary importance in influencing the attitude toward the United States of the Filipinos. Coville also recommended removal from Corregidor to the United States of at least one copy of the records involved. He suggested that plane might fly by night to Corregidor from the Dutch East Indies. Transportation would require decision by Washington.

Copies of the above message, which was received on January 12, were at once sent by the Department of State to the War Department and the Navy Department.⁹

On January 16, Mr. Coville telegraphed from Fort Mills¹⁰ that in the absence of acknowledgment or reply to his telegram of January 11, he felt impelled "to make it explicitly plain" before there should take place "a general fiasco in the matter" that there existed there an immediate and clear need for removing papers and records and some other matters in his custody; that the armed forces on the spot were occupied in the field; that only from the Department of State could there come an initiative toward meeting the need which he pointed

⁷ Submitted to the Secretary of State on January 19.

⁸ Not printed.

⁹ Sent on January 15.

¹⁰ Telegram not printed.

out; and that in his opinion the one practicable solution would be to send flying boats of a type named from Port Darwin.

This telegram was received by the Department of State on January 17.

Officers of this Department at once took the matter up with coordinate officers of the War Department and the Navy Department. It appeared that copies of Coville's telegram of January 11 had not been brought in the War and Navy Departments to the attention of the highest officers; and that no recommendation had been made for action or for reply.

In this Department, officers of FE, PI and PA/H¹¹ collaborated in consideration of the matter, communication with Army and Navy, and drafting of a telegram to Coville. The subject matter and the draft were brought to the attention of Mr. Berle.¹² Mr. Berle communicated by telephone with the War Department and with the President.

On January 17 at 7:00 p. m. there went from this Department to Fort Mills a telegram to the High Commissioner and Coville.¹³ In this it was stated that Coville's suggestion in telegrams of January 11 and January 16 was "endorsed"; that the question of removing records was of course secondary in importance; and that this Department is informed that unless practical considerations prevent, which might of course prove to be the case, "action will be taken".

On the morning of Sunday, January 18, Mr. Berle informed the Secretary of State regarding the above recorded developments. A few minutes later the Secretary of State mentioned the subject to Mr. Hornbeck. Mr. Hornbeck, in the presence of Mr. Hackworth,¹⁴ gave the Secretary further details and offered comments bearing on political aspects of the question of removal or failure to remove President Quezon, General MacArthur, Mr. Sayre, and others. The Secretary called the President on the telephone and discussion of the matter ensued. It is understood that the President stated that he very much wished that the removal be effected but that the Army said that, from various angles, too great risk was involved. The Secretary of State and Mr. Hackworth and Mr. Hornbeck further discussed the problem. Question was raised whether removal might not be effected by submarine. The Secretary of State called the Chief of Naval Operations¹⁵ on the telephone and raised the question in general terms (not with special reference to submarine). It is understood that Admiral

¹¹ Division of Far Eastern Affairs, Office of Philippine Affairs, and Adviser on Political Relations (Hornbeck), respectively.

¹² Adolf A. Berle, Jr., Assistant Secretary of State.

¹³ Not printed.

¹⁴ Green H. Hackworth, Legal Adviser.

¹⁵ Adm. Harold R. Stark.

Stark stated that the subject had not theretofore been brought to his attention in any way. Mr. Hornbeck suggested to the Secretary that the Secretary might find it advantageous to discuss the matter with the Secretary of War,¹⁶ in as much as Colonel Stimson has special knowledge of and special interest in the Philippines and in everything that relates to or is involved in the question of American policy, prestige, influence, and operations of the United States in the Far East—as well as in all angles of our war effort.

S[TANLEY] K. H[ORNBECK]

811B.001 Quezon, Manuel/1-1942

Memorandum by the Assistant Secretary of State (Berle)

[WASHINGTON,] January 19, 1942.

About five o'clock on Saturday afternoon, at the request of Assistant Secretary of War McCloy,¹⁷ Colonel Tate¹⁸ came over to see me. He showed me the cablegrams exchanged between the War Department and General MacArthur nearly two weeks ago, at which time the possible evacuation of President Quezon had been discussed.¹⁹ MacArthur recommended against it very strongly, chiefly on the ground that it might impair the fighting strength and spirit of the Filipino troops. Nevertheless, Colonel Tate said, the War Department had raised the question again with General Marshall²⁰ and had prepared a brief cable to General MacArthur, resubmitting the situation.

On Sunday morning while I was with the Secretary, General Marshall telephoned. He said that after considering the matter he was unwilling to raise the question of evacuation of Quezon again with MacArthur. His reasons for this were substantially the same as those set out by MacArthur in reply to the previous inquiry on the same point. Briefly, he considered that the relationship of the American to the Filipino troops and the entire situation was such as to make it unwise to raise the question again.

He asked whether this was in accord with the President's directive. I told him that the President had left the estimation of chances and military problems entirely to him and presumably the War Department, and thought the President did not wish to try to control his judgment. The President had merely said that if chances were even or

¹⁶ Henry L. Stimson.

¹⁷ John J. McCloy.

¹⁸ Col. Ralph H. Tate, Executive Officer in the Office of the Assistant Secretary of War.

¹⁹ See Department of the Army, *The Fall of the Philippines*, by Louis Morton (Washington, 1953), p. 239.

²⁰ Gen. George C. Marshall, Chief of Staff, U. S. Army.

better, he was very anxious something should be done; if not, it could not be attempted.

A[DOLF] A. B[ERLE], JR.

811B.001 Quezon, Manuel/1-2842 : Telegram

The Commanding General of United States Army Forces in the Far East (MacArthur) to the Adjutant General (Adams)

FORT MILLS, January 28, 1942.

1445. I have just received the following communication from President Quezon.

"I have been mortified by the radio broadcast from Tokyo asserting that a new government has been established in the Philippines, which government has pledged its conformity with Japan's new East Asia policy.

I know what the real sentiments of my people are and I am certain that their stand has not changed despite the military reverses of our forces. I am likewise convinced of the loyalty of the men who have accepted positions in the so-called new government.

I want you, therefore, to give publicity of [to] the following statement: 'The determination of the Filipino people to continue fighting side by side with the United States until victory is won has in no way been weakened by the temporary reverses suffered by our arms. We are convinced that our sacrifices will be crowned with victory in the end and in that conviction we shall continue to resist the enemy with all our might.[']

Japanese military forces are occupying sections of the Philippines comprising only one third of our territory. In the remaining areas constitutional government is still in operation under my authority.

I have no direct information concerning the veracity of the news broadcast from Tokyo that a commission composed of some well known Filipinos have been recently organized in Manila to take charge of certain functions of civil government. The organization of such a commission, if true, can have no political significance not only because it is charged merely with purely administrative functions but also because the acquiescence by its members to serve in the commission was evidently for the purpose of safeguarding the welfare of the civilian population and can, in no way, reflect the sentiments of the Filipino toward the enemy. Such sentiments are still those I have repeatedly pressed in the first: Loyalty to America and resolute resistance against the invasion of our territory and liberties.

At the same time I am going to open my mind and my heart to you without attempting to hide anything. We are before the bar of history and God only knows if this is the last time that my voice will be heard before going to my grave.

My loyalty and the loyalty of the Filipino people to America have been proven beyond question. Now we are fighting by her side under your command, despite overwhelming odds. But, it seems to me questionable whether any government has the right to demand loyalty

from its citizens beyond its willingness or ability to render actual protection.

This war is not of our making. Those that had dictated the policies of the United States could not have failed to see that this is the weakest point in American territory. From the beginning, they should have tried to build up our defenses. As soon as the prospects looked bad to me, I telegraphed President Roosevelt requesting him to include the Philippines in the American defense program. I was given no satisfactory answer.

When I tried to do something to accelerate our defense preparations, I was stopped from doing it.

Despite all this we never hesitated for a moment in our stand. We decided to fight by your side and we have done the best we could and we are still doing as much as could be expected from us under the circumstances. But how long are we going to be left alone? Has it already been decided in Washington that the Philippine front is of no importance as far as the final result of the war is concerned and that, therefore, no help can be expected here in the immediate future, or at least before our power of resistance is exhausted. If so, I want to know it, because I have my own responsibility to my countrymen whom, as President of the Commonwealth, I have led into a complete war effort. I am greatly concerned as well regarding the soldiers I have called to the colors and who are now manning the firing line. I want to decide in my own mind whether there is justification in allowing all these men to be killed, when for the final outcome of the war the shedding of their blood may be wholly unnecessary. It seems that Washington does not fully realize our situation nor the feelings which the apparent neglect of our safety and welfare have engendered in the hearts of the people here.

Some [apparent garble], I telegraphed the President of the United States. . . .²¹ about this same matter. I did not receive even one word of acknowledgment. Is the sacrifice that I, members of my Government, and my whole family are making here, of no value at all?

In reference to the men who have accepted positions in the commission established by the Japanese, everyone of them wanted to come to Corregidor, but you told me that there was no place for them here. They are not Quislings. The Quislings are the men who betray their country to the enemy. These men did what they had been asked to do, under the protection of their Government. Today they are virtually prisoners of the enemy. I am sure they are only doing what they think is their duty. They are not traitors. They are the victims of the adverse fortunes of war and I am sure they had no choice. Besides, it is most probable that they accepted their positions in order to safeguard the welfare of the civilian population in the occupied areas. I think, under the circumstances, America should look upon their situation sympathetically and understandingly.

I am confident that you will understand my anxiety about the long awaited reinforcements and trust you will again urge Washington to insure their early arrival.

Sincerely yours,

Manuel Quezon."

²¹ Points appear in the original telegram.

His proclamation is being given the widest distribution that is possible from here both by printed circular and radio broadcast. It should be publicized by you throughout the world. The letter is of such a nature that it properly can be answered only by the President of the United States. I urge most earnestly that no effort be spared adequately to meet this situation. Please acknowledge receipt of this radio and inform me as to when reply can be expected.

MACARTHUR

Memorandum by the Secretary of War (Stimson) to President Roosevelt ²²

WASHINGTON, [January 30, 1942.]

Subject: Radiogram from General MacArthur quoting President Quezon.

General MacArthur points out that the nature of President Quezon's letter ²³ is such that it can properly be answered only by the President of the United States. He requests information as to when reply can be expected.

That portion of Mr. Quezon's letter on which he asked distribution was sent immediately, through G-2,²⁴ to Colonel Donovan's²⁵ organization. A radiogram of acknowledgment has been dispatched to General MacArthur.

The following draft of a suggested reply is intended for dispatch by the President to General MacArthur for President Quezon:

"I have read with complete understanding your letter to General MacArthur. I realize the depth and sincerity of your sentiments with respect to your inescapable duties to your own people and I assure you that I would be the last to demand of you and them any sacrifice which I considered hopeless in the furtherance of the cause for which we are all striving. I want, however, to state with all possible emphasis that the magnificent resistance of the defenders of Bataan is contributing definitely toward assuring the completeness of our final victory in the Far East. The gaps existing in our offensive armaments are those that are to be expected when peace-loving countries such as the United States and the Philippines suddenly find themselves attacked by autocratic power which has spent years in preparation for armed conflict. Initial defeats, privations and suffering are the inevitable consequences to democracy in such circumstances. But I have pledged to the attainment of ultimate victory the full man power, finances and material resources of this country; and this pledge of

²² Copy obtained from the Franklin D. Roosevelt Library, Hyde Park, N. Y.

²³ See *supra*.

²⁴ Military Intelligence Division of the War Department.

²⁵ Col. William J. Donovan, Coordinator of Information.

victory includes as an essential objective the restoration of peace and tranquillity in the Philippines and its return to the control of a Government of its own choosing. While I cannot now indicate the time at which succor and assistance can reach the Philippines, I do know that every ship at our disposal is bringing to the South West Pacific the forces that will ultimately smash the invader and free your country. Ships in that region have been loaded and dispatched to Manila with various supplies for the garrison. Already our forces, with those of our Allies, have inflicted severe losses upon enemy convoys and naval shipping and are definitely slowing his Southward advance. Our four engine bombers are daily reporting to General Wavell²⁶ from the trans-African route and more recently via the Pacific. Ten squadrons of pursuit and fighter planes have already been made available in that theater and a steady flow of such planes is crossing the Pacific. Our Navy is heavily engaged in escorting to the same region large troop convoys. Every day gained for building up our forces is of incalculable value and it is in the gaining of time that the defenders of Bataan are assisting us so effectively.

"I have no words in which to express to you my admiration and gratitude for the complete demonstration of loyalty, courage and readiness to sacrifice that your people, under your inspired leadership, have displayed. They are upholding the most magnificent traditions of free democracy.

"Those portions of your letter to General MacArthur on which you asked publicity are being broadcast to the world from Washington. Your words and your example will rally to renewed effort not only the people of your own country but all those that in every section of the globe are enlisted in the fight for democratic principles and freedom in government."²⁷

HENRY L. STIMSON

811B.001 Quezon, Manuel L./165 : Telegram

The Commanding General of United States Army Forces in the Far East (MacArthur) to the Chief of Staff (Marshall)

FORT MILLS, February 2, 1942.

187. In case of ultimate loss of Bataan and consequent siege of Corregidor the question arises as to the ultimate preservation of President Quezon and his family, Vice President Osmeña and the immediate members of the Commonwealth Cabinet. By that time the usefulness of his presence here due to the changed conditions will have been greatly dissipated. I have no means of evacuating him and his physical condition precludes use of air transportation. It is possible

²⁶ Gen. Sir Archibald P. Wavell, British Commander of the American-British-Dutch-Australian Area, an Allied command including the Philippines, the Netherlands Indies, Malaya, and Burma.

²⁷ Marginal notes: "OK Send FDR"; and "Col. Gailey states this case has been dispatched." Colonel Gailey was Executive Officer of the War Plans Division.

he could obtain [*sustain?*] a submarine trip. Can any plans be arranged from Washington for his possible evacuation thereto? Under the contingency I have described he wishes to take advantage of the previous suggestion that he be evacuated to the United States.

MACARTHUR

811B.001 Quezon, Manuel L./165

Memorandum by the Chief of Staff (Marshall) to the Adviser on Political Relations (Hornbeck) and the Chief of the Division of Far Eastern Affairs (Hamilton)

WASHINGTON, February 2, 1942.

The attached message ²⁸ has come in from General MacArthur during the night. It raises the issue we have been discussing and makes it possible to send the instructions you desire.

This can be done in the light of the fact that there will soon be another opportunity to make the evacuation. Apparently General MacArthur is at the moment unaware of this.

G. C. MARSHALL

811B.001 Quezon, Manuel L./164

Memorandum Prepared in the Division of Far Eastern Affairs ²⁹

[WASHINGTON,] February 2, 1942.

It is understood that transportation for the evacuation from Corregidor in all probability can be provided by the Navy.

It is believed that evacuation of President Quezon and his family, Vice President Osmeña and the immediate members of the Commonwealth Cabinet should be brought about.

If a journey thus begun by those persons is to be continued with ultimate destination the United States, it would seem that the American Government forthwith make plans for receiving and taking care of the party. (This would probably require consultation with and collaboration with the Secretary of the Interior.³⁰)

Following up his memorandum of this morning, General Marshall has just now called me on the telephone and requested that we here make a preliminary draft of a telegram for expedition to General MacArthur ³¹ along the lines of a telegram which we had drafted and which we discussed with him on January 25 and 26.

²⁸ *Supra*.

²⁹ Presumably by the Chief of the Division (Hamilton). An attached chit by Mr. Hamilton states that he left the original with General Marshall on the afternoon of February 2.

³⁰ Harold L. Ickes.

³¹ Draft telegram prepared on February 2 by Mr. Hornbeck and left with General Marshall by Mr. Hamilton that afternoon. With only minor changes, it was transmitted the same evening; see p. 893.

811B.001 Quezon, Manuel L./165

*Memorandum by the Adviser on Political Relations (Hornbeck) to
the Chief of Staff (Marshall)*

[WASHINGTON,] February 2, 1942.

Reference, your memorandum for Mr. Hornbeck and Mr. Hamilton of February 2 and its enclosure.

It occurs to Mr. Hamilton and me to ask: Ought not this matter now be taken up again with the President?

Presumably the question of making plans and issuing instructions would lie with you and Admiral King.³²

Mr. Hamilton and I are at your service and would be glad to come to you for conference should you so desire or to collaborate with you in any manner which may be helpful to you.

811B.001 Quezon, Manuel/2-242: Telegram

*The Chief of Staff (Marshall) to the Commanding General of United
States Army Forces in the Far East (MacArthur)*

[WASHINGTON,] February 2, 1942.

Re your number 187, February 2nd: The President and his advisers feel that if and when military considerations no longer call for continued presence of President Quezon and other Philippine officials the evacuation of Quezon and family, of Osmeña and of other such officials will become desirable.

The question whether any of those persons and whether any other persons including Mr. Sayre and family, Mrs. MacArthur and son, and other Americans, shall at any time be evacuated will be for your decision in the light of the military situation, the feasibility and hazard of operation of evacuation and wishes of individuals concerned.

Opportunities for such evacuation should occur shortly with arrival of a submarine from the south carrying 3 inch AA ammunition to you and another from Hawaii also carrying 3 inch ammunition.

Steps will be taken to provide for reception of those evacuated at whatever places they may be taken while enroute to this country and upon their arrival in United States.³³ Acknowledge.

MARSHALL

³² Adm. Ernest J. King, Commander in Chief of the U. S. Fleet.

³³ On the night of February 20, President Quezon and his party left Corregidor en route to Australia and the United States. High Commissioner Sayre and party left 2 days later. General MacArthur and party left on March 12.

*The Commanding General of United States Army Forces in the Far East (MacArthur) to the Chief of Staff (Marshall)*³⁴

FORT MILLS, February 8, 1942.

2265. The following message has just been received by me from President Quezon for President Roosevelt.

"The situation of my country has become so desperate that I feel that positive action is demanded. Militarily it is evident that no help will reach us from the United States in time either to rescue the beleaguered garrison now fighting so gallantly or to prevent the complete overrunning of the entire Philippine Archipelago.

My people entered the war with the confidence that the United States would bring such assistance to us as would make it possible to sustain the conflict with some chance of success. All our soldiers in the field were animated by the belief that help would be forthcoming. This help has not and evidently will not be realized. Our people have suffered death, misery, devastation. After 2 months of war not the slightest assistance has been forthcoming from the United States. Aid and succour have been dispatched to other warring nations such as England, Ireland [*sic*], Australia, the N. E. I.³⁵ and perhaps others, but not only has nothing come here, but apparently no effort has been made to bring anything here. The American Fleet and the British Fleet, the two most powerful navies in the world, have apparently adopted an attitude which precludes any effort to reach these islands with assistance.

As a result, while enjoying security itself, the United States has in effect condemned the sixteen millions of Filipinos to practical destruction in order to effect a certain delay. You have promised redemption, but what we need is immediate assistance and protection. We are concerned with what is to transpire during the next few months and years as well as with our ultimate destiny. There is not the slightest doubt in our minds that victory will rest with the United States, but the question before us now is: Shall we further sacrifice our country and our people in a hopeless fight? I voice the unanimous opinion of my War Cabinet and I am sure the unanimous opinion of all Filipinos that under the circumstances we should take steps to preserve the Philippines and the Filipinos from further destruction.

Thanks to wise generalship two-thirds of my country is as yet untouched. We do not propose to do this by a betrayal of the United States. It appears to us that our mission is only to fight as a sacrifice force here as long as possible in order to help the defense of the Dutch and British in this area of the World. But you do not need to sacrifice the people of the Philippines to win this war. Members of your Government here repeatedly said that the action against Hitler would determine the outcome of the entire war.

I feel at this moment that our military resistance here can no longer hold the enemy when he sees fit to launch a serious attack. I feel that

³⁴ Copy of telegram obtained from the Franklin D. Roosevelt Library, Hyde Park, N. Y.

³⁵ Netherlands East Indies.

the elements of the situation here can be composed into a solution that will not reduce the delaying effect of our resistance here but which will save my country from further devastation as the battleground of two great powers.

I deem it my duty to propose my solution. The Government of the United States under the McDuffie-Tydings law ³⁶ is committed to grant independence to the Philippines in 1946, and the same law authorized the President to open negotiations for the neutralization of the Philippines. On the other hand, the Japanese Government has publicly announced its willingness to grant the Philippines her independence. In view of the foregoing I propose the following:

That the United States immediately grant the Philippines complete and absolute independence;

That the Philippines be at once neutralized;

That all occupying troops, both American and Japanese, be withdrawn by mutual agreement with the Philippine Government within a reasonable length of time;

That neither country maintain bases in the Philippines;

That the Philippine Army be immediately disbanded, the only armed forces being maintained here to be a constabulary of modest size;

That immediately upon granting independence the trade relations of the Philippines with foreign countries be a matter to be determined entirely by the Philippines and the foreign countries concerned;

That American and Japanese civilians who so desire be withdrawn with their respective troops under mutual and proper safeguards. It is my proposal to make this suggestion publicly to you and to the Japanese authorities without delay and upon acceptance in general principle by those two countries that an immediate armistice be entered into here pending the withdrawal of their respective garrisons.

(signed) Manuel L. Quezon."

I took the liberty of presenting this message to High Commissioner Sayre for a general expression of his views. States as follows:

"If the premise of President Quezon is correct, that American help cannot or will not arrive here in time to be availing, I believe his proposal for *immediate* independence and neutralization of Philippines is the sound course to follow."

My estimate of the military situation here is as follows:

The troops have sustained practically 50% percent casualties from their original strength. Divisions are reduced to the size of regiments, regiments to battalions, battalions to companies. Some units have entirely disappeared. The men have been in constant action and are badly battleworn. They are desperately in need of rest and refitting. Their spirit is good but they are capable now of nothing but fighting in place on a fixed position. All our supplies are scant and the command has been on half rations for the past month.

³⁶ Approved March 24, 1934; 48 Stat. 456.

It is possible for the time being that the present enemy force might temporarily be held, but any addition to his present strength will insure the destruction of our Gonzale force. We have pulled through a number of menacing situations but there is no denying the fact that we are near done. Corregidor itself is extremely vulnerable. This type of fortress, built prior to the days of air power, when isolated is impossible of prolonged defense. Any heavy air bombardment or the location of siege guns on Bataan or even on the Cavite side, would definitely limit the life of the fortress. My water supply is extremely vulnerable and may go at any time. Every other vital installation can be readily taken out.

Since I have no air or sea protection you must be prepared at any time to figure on the complete destruction of this command. You must determine whether the (mission?) Misegon [*sic*] of delay would be better furthered by the temporizing plan of Quezon or by my continued battle effort. The temper of the Filipinos is one of almost violent resentment against the United States. Everyone of them expected help and when it has not been forthcoming they believe they have been betrayed in favor of others. It must be remembered they are hostile to Great Britain on account of the latter's colonial policy. In spite of my great prestige with them, I have had the utmost difficulty during the last few days in keeping them in line. If help does not arrive shortly nothing, in my opinion, can prevent their utter collapse and their complete absorption by the enemy. The Japanese made a powerful impression upon Philippine public imagination in promising independence.

So far as the military angle is concerned, the problem presents itself as to whether the plan of President Quezon might offer the best possible solution of what is about to be a disastrous debacle. It would not affect the ultimate situation in the Philippines for that would be determined by the results in other theatres. If the Japanese Government rejects President Quezon's proposition it would psychologically strengthen our hold because of their Prime Minister's³⁷ public statement offering independence. If it accepts it, we lose no military advantage because we would still secure at least equal delay. Please instruct me.

MACARTHUR

³⁷ Gen. Hideki Tojo.

*The Chief of Staff (Marshall) to the Commanding General of United States Army Forces in the Far East (MacArthur)*³⁸

[WASHINGTON, February 9, 1942.]

[1029.] Please convey the following message from the President to President Quezon:

I have just received your message sent through General MacArthur.³⁹ From my message to you of January 30, 1942⁴⁰ you must realize that I am not lacking in understanding of or sympathy with the situation of yourself and the Commonwealth government today. The immediate crisis certainly seems desperate but such crises and their treatment must be judged by a more accurate measure than the anxieties and sufferings of the present, however acute. For over forty years the American government has been carrying out to the people of the Philippines a pledge to help them successfully, however long it might take, in their aspirations to become a self-governing and independent people with the individual freedom and economic strength which that lofty aim makes requisite. You yourself have participated in and are familiar with the many carefully planned steps by which that pledge of self-government has been carried out and also the steps by which the economic independence of the Islands is to be made effective. May I remind you now that in the loftiness of its aim and the fidelity with which it has been executed, this program of the United States towards another people has been unique in the history of the family of nations. In the McDuffie-Tydings Act of 1934, to which you refer, the Congress of the United States finally fixed the year 1946 as the date in which it was hoped that the Commonwealth of the Philippine Islands established by that Act should finally reach the goal of its hopes for political and economic independence.

By a malign conspiracy of a few depraved but powerful nations this hope is now being frustrated and delayed. An organized attack upon individual freedom and governmental independence throughout the entire world, beginning in Europe, has now spread and been carried to the southwestern Pacific by Japan. The basic principles upon [*sic*] which have guided the US in its conduct towards the Philippines

³⁸ Copy of telegram obtained from the Franklin D. Roosevelt Library, Hyde Park, N. Y.

³⁹ See *supra*.

⁴⁰ See memorandum by the Secretary of War to President Roosevelt, p. 890.

have been violated in the rape of Poland, Holland, Belgium, Luxembourg, Denmark, Norway, Greece, Czechoslovakia, Austria, Albania, Yugoslavia, Manchukuo, China, Indo-China, Thailand and finally the Philippines. You refer in your telegram to the announcement by the Prime Minister of Japan of Japan's willingness to grant to the Philippines her independence. I only have to refer you to the present condition of Korea, Manchukuo, North China, Indo-China, and all other countries which have fallen under the sway of the Japanese government, to point out the hollow duplicity of such an announcement.

The United States today is engaged with all its resources and in company with the governments of 26 other nations in an effort to defeat the aggression of Japan and its Axis partners. This effort will never be abandoned until the complete and thorough overthrow of the entire Axis system and the governments which maintain it. We are engaged now in laying the foundations in the southwest Pacific of a development in air, naval, and military power which shall become sufficient to meet and overthrow the widely extended and arrogant attempts of the Japanese.

By the terms of our pledge to the Philippines implicit in our 40 years of conduct towards your people and expressly recognized in the terms of the McDuffie-Tydings Act, we have undertaken to protect you to the uttermost of our power until the time of your ultimate independence had arrived. Our soldiers in the Philippines are now engaged in fulfilling that purpose. The honor of the United States is pledged to its fulfillment. We propose that it be carried out regardless of its cost. Those Americans who are fighting now will continue to fight until the bitter end.

So long as the flag of the United States flies on Filipino soil as a pledge of our duty to your people, it will be defended by our own men to the death. Whatever happens to the present American garrison we shall not relax our efforts until the forces which we are now marshaling outside the Philippine Islands return to the Philippines and drive the last remnant of the invaders from your soil.

*The Commanding General of United States Army Forces in the Far East (MacArthur) to the Chief of Staff (Marshall)*⁴¹

FORT MILLS, February 10, 1942.

3. The following communication is from President Quezon to President Roosevelt:

"The following is the letter I propose to address to you and to the Emperor of Japan if my recent proposal meets with your approval:

⁴¹ Copy of telegram obtained from the Franklin D. Roosevelt Library, Hyde Park, N. Y.

Two great nations are now at war in the Western Pacific. The Commonwealth of the Philippines is still a possession of one of those nations, although through legislative processes it was about to attain complete independence which would have insured its neutrality in any conflict. The Philippines has therefore become a battleground between the warring powers and it is being visited with death, famine and destruction, despite the fact that occupation of the country will not influence in any way the final outcome of the war, nor have a bearing upon the conflicting principles over which the war is being waged.

Under the Tydings-McDuffie Law the United States has promised to recognize the independence of the Philippines in 1946 and the same law gave authority to the President of the United States to begin parleys for the neutralization of the Philippines. On the other hand, the Premier of the Imperial Government of Japan, addressing the Diet, stated that the Imperial Government of Japan was ready to offer the Filipino people independence with honor. On the strength of these commitments and impelled by a sincere desire to put an end to the sufferings and sacrifices of our people, and to safeguard their liberty and welfare, I propose the following program of action:

That the Government of the United States and the Imperial Government of Japan recognize the independence of the Philippines; that within a reasonable period of time both armies, American and Japanese, be withdrawn, previous arrangements having been negotiated with the Philippine Government; that neither nation maintain bases in the Philippines; that the Philippine Army be at once demobilized, the remaining force to be a Constabulary of moderate size; that at once upon the granting of freedom that trade agreement with other countries become solely a matter to be settled by the Philippines and the nation concerned; that American and Japanese noncombatants who so desire be evacuated with their own armies under reciprocal and appropriate stipulations.

It is my earnest hope that, moved by the highest considerations of justice and humanity, the two great powers which now exercise control over the Philippines will give their approval in general principle to my proposal. If this is done I further propose, in order to accomplish the details thereof, that an Armistice be declared in the Philippines and that I proceed to Manila at once for necessary consultations with the two governments concerned.

(signed) Manuel L. Quezon."

MACARTHUR

740.0011 Pacific War/1917

*The Assistant Chief of Staff (Gerow) to the Adjutant General
(Adams)*⁴²

[WASHINGTON,] February 11, 1942.

The Secretary of War directs that a secret message, as follows, be sent by the most expeditious means possible consistent with secrecy to the Commanding General, U.S. Forces in the Far East:

⁴² Copy received in the Department about February 16.

From the President to General MacArthur. Transmit the following message from me to President Quezon:

"Your message of February tenth evidently crossed mine to you of February ninth. Under our constitutional authority the President of the United States is not empowered to cede or alienate any territory to another nation. Furthermore, the United States has just bound itself in agreement with twenty-five other nations⁴³ to united action in dealing with the Axis Powers and has specifically engaged itself not to enter into any negotiations for a separate peace.

You have no authority to communicate with the Japanese Government without the express permission of the United States Government.

I will make no further comments regarding your last message dated February tenth pending your acknowledgement of mine to you of February ninth through General MacArthur.[""]

Franklin D. Roosevelt

L. T. GEROW,
Brigadier General

*The Commanding General of the United States Army Forces in the Far East (MacArthur) to the Chief of Staff (Marshall)*⁴⁴

FORT MILLS, February 12, 1942.

262. The following message is from President Quezon:

"The President of the United States:

I wish to thank you for your prompt answer to the proposal which I submitted to you with the unanimous approval of my war cabinet. We fully appreciate the reasons upon which your decision is based and we are abiding by it.

(signed) Quezon."

MACARTHUR

811B.01/461: Telegram

The United States High Commissioner to the Philippines (Sayre) to the Secretary of State

FORT MILLS, February 12, 1942—1 a. m.

[Received February 13—7:30 p. m.]

45. For information [of] Interior, Treasury and other interested Departments. Central Government reportedly set up in Manila under Japanese auspices.

1. Council of State. According *Manila Tribune* January 25th, 30 prominent Filipino political leaders signed document January 23

⁴³ See Declaration by United Nations, January 1, 1942, p. 25.

⁴⁴ Copy of telegram obtained from the Franklin D. Roosevelt Library, Hyde Park, N. Y.

addressed to Japanese military commander ⁴⁵ constituting themselves provisional Council of State as follows:

"In response to the message of Your Excellency as Commander-in-Chief of the Imperial Japanese forces, on the 8th of January, 1942, through Honorable Jorge B. Vargas,⁴⁶ we have duly and respectfully taken note contents thereof and respectfully express our gratitude for Your Excellency's words of solicitude over the welfare of our people.

We beg to inform Your Excellency that, in compliance with your advice, and having in mind the great ideals, the freedom and the happiness of our country, we are ready to obey to the best of our ability and within the means at our disposal the orders issued by the Imperial Japanese forces for the maintenance peace and order and the promotion of the well being of our people under the Japanese military administration. Consequently, we have constituted ourselves into a Provisional Philippine Council of State and we are immediately proceeding to draft our articles of organization in line with Your Excellency[']s advice."

Document signed by Jorge B. Vargas, Yulo, Paredes, Laurel, Aquino, Sison, Alunan, Recto, Bocobo, Guinto, Rodriguez, Baluyut, Qarabut [*Marabut?*], Aguinaldo,⁴⁷ Madrigal, Fernandez, De Las Alas, Quirino, Zulueta, Tan, Lavides, Avencena, Unson, Roces, Sabido, Arranz, Hernaez, Ozamiz, Navarro and Perez. Four persons requested to sign document failed to do so, namely, Jose Fabella, Alfonso Mendoza, Jose Veloso and Prospero Sanidad.

2. Executive Commission. According *Manila Tribune* January 28th, an Executive Commission was organized under Order No. 1 of Commander-in-Chief of Japanese expeditionary forces and members [in this?] Area [are] Vargas, Chairman; Aquino, Commissioner Interior; De Las Alas, Finance; Laurel, Justice; Alunan, Agriculture-Commerce; Recto, Education, Health, Public Welfare; Paredes, Public Works and Communications; Sison, Auditor General; Marabut, Executive Secretary to Commission. Yulo is reported as Chief Justice of Supreme Court.

3. Vargas in broadcast over KZRH Manila January 31st is reported to have said *inter alia*:

"In dealing occupied territory Japanese High Command has expressed deep desire follow benign and liberal policy predicated on willingness of people to cooperate with military administration in reestablishment peace and order and to that end has set up national civil administration intended among other things to temper rigors of martial law. Fact that High Command has seen fit that civil

⁴⁵ Gen. Masaharu Homma.

⁴⁶ Chairman of the Philippine Council of State.

⁴⁷ Emilio Aguinaldo, leader of the Philippine insurrection against Spain in 1898 and against the United States, 1899-1901. From that time on he was retired to private life.

government be run by Filipinos under control of Japanese Army should be cause for gratification on part of our people. We cannot escape inexorable fact that fortunes of war have placed those of us in occupied territories outside protection of United States and at mercy of Japanese military. We must have trust in the justice and fairness of the Japanese people. The illustrious Premier, General Tojo of Japan in a special pronouncement promised us independence with honor. It is imperative therefore that we should refrain from committing acts which are detrimental or inimical to the interests of the Japanese forces."

4. Aguinaldo recently broadcast from Manila an appeal to General MacArthur to surrender saying in part Japan had promised Philippines independence with honor.

SAYRE

811B.001 Quezon, Manuel/172

Memorandum by the Under Secretary of State (Welles) to the Adviser on Political Relations (Hornbeck)

[WASHINGTON,] April 11, 1942.

DR. HORNBECK: The President has informed me that he thinks it highly desirable for President Quezon under present conditions to remain in Australia with his Government. He feels that in Australia the Philippine Government in exile will be able to undertake effectively the kind of propaganda and intelligence work which the Governments of Norway and the Netherlands, et cetera, are able to undertake in London because of geographical proximity.

Under these circumstances these communications⁴⁸ should not be sent.

S[UMNER] W[ELLES]

811B.01/470

Memorandum by the Adviser on Political Relations (Hornbeck) and the Chief of the Division of Far Eastern Affairs (Hamilton) to the Under Secretary of State (Welles)

[WASHINGTON,] April 14, 1942.

Mr. WELLES: We wonder whether the President has taken into consideration certain facts, among which the following:

Except for the psychological value of having President Quezon remain in an area whence it may seem to the Filipinos that he can

⁴⁸ Proposed letter to President Roosevelt and proposed telegram to be sent by President Roosevelt to General MacArthur, neither sent; they reflected the Department's views that the presence in the United States of President Quezon, his family and Cabinet was desirable and recommended that, unless there were politico-military conditions that might cause General MacArthur and Mr. Quezon to feel it preferable for Mr. Quezon to remain in Australia, General MacArthur should make arrangements to have Mr. Quezon and his party brought to the United States.

easily—and perhaps soon—return to the Philippines, Australia appears less suited for the engaging in the type of propaganda which would be of help to our side in relations with the Philippines than is the United States. More than 1,000 miles from the Philippines, Australia has no system of communications with the Philippines, has no American press or Philippine press, and has more limited broadcasting facilities than this country.

President Quezon suffers from a tubercular condition of the lungs; reportedly he became so ill while on Corregidor that those around him were afraid that he might die before his escape; and, although he is understood to have improved somewhat since his arrival in Australia, the winter season in Australia, which is now approaching, may have serious consequences for a person in President Quezon's condition. Furthermore, it is doubtful that President Quezon can receive in Australia the expert medical care which would be available to him here. The death of President Quezon would mean the loss of perhaps the most important rallying point we have to keep the Filipino people loyal to the United States and reluctant to submit to Japanese rule. President Quezon has gained the affection of the Filipino masses and has caught their imagination as has no other Filipino leader.

President Quezon thrives in the midst of action and under more or less of limelight. Although it is true that President Quezon has friendly relations with General MacArthur and that it would be desirable to have President Quezon remain near him because of the fact that the Philippines lie within the sphere of General MacArthur's command, it is improbable that General MacArthur is going to have much time to concern himself with Philippine affairs or with President Quezon and his associates. In Australia, in view of the fact that there are no Filipinos there other than those who have gone there recently, President Quezon and his cabinet with the passage of time will feel pretty much strained, isolated, and impotent. This feeling will be an added unfavorable influence on President Quezon's health.

If a definite decision is made to keep President Quezon and his associates in Australia, should not thought be given to the possible appropriateness and possible other advantages, in the light of such a decision, of sending a high commissioner in the near future to be "near to" the Philippine Government?

740.0011 European War 1939/22706b

The Under Secretary of State (Welles) to President Roosevelt

WASHINGTON, April 17, 1942.

MY DEAR MR. PRESIDENT: In reply to the inquiry contained in your memorandum of April 17 with regard to the suggestion made to you

under date of April 16 by Adolf Berle⁴⁹ that the Philippine Government be invited to sign the United Nations Pact, I think the proposal is good in principle.

The doubt in my mind is, however, whether we could not advantageously take a step of this character in connection with a broader and more far-reaching policy. As you and I agreed some time ago, the Philippine people will have to be given their full independence upon the conclusion of the war. The step which Adolf proposes is equivalent to formal recognition by us at this time of the independent status of the Philippines.

As I said to you in my letter of April 13⁵⁰ with regard to Dr. Soong's memorandum⁵¹ concerning the independence of Korea, I hope that the opportunity may be presented when the United States can join with the other nations directly interested in the Pacific regions in announcing their common determination to restore their liberties to all of the peoples whose territory has been invaded by Japan and to recognize the right to full independence of the Philippines and Korea and perhaps, if conditions seem to make it wise, Indochina. As I said in that letter, the reaching of an agreement for the dominion status or independence of India would have offered an admirable springboard for a declaration of this kind. It may be, however, that some other favorable opportunity will be presented before long for a broad announcement of this kind which would really imply that the United Nations were joined together in a war for liberation, namely, a war to end imperialism.

If you approve of a policy of that kind, I would suggest holding the question of the Philippines in reserve until the broader policy can be announced. If, on the other hand, it seems expedient to strengthen Philippine morale before that time comes by having them sign the United Nations Pact, that step could, of course, be taken at any time.

Believe me

Faithfully yours,

SUMNER WELLES

811B.001 Quezon, Manuel/168

The Chief of Staff (Marshall) to the Acting Secretary of State

WASHINGTON, April 20, 1942.

DEAR MR. SECRETARY: The President has approved the plans for the return of Mr. Quezon as outlined in the attached paper. However, he directed that you be contacted reference same.

⁴⁹ Neither memorandum printed.

⁵⁰ *Ante*, p. 870.

⁵¹ *Ante*, p. 868; T. V. Soong was Chinese Minister for Foreign Affairs.

Your concurrence is requested.⁵²

For the Chief of Staff:
DWIGHT D. EISENHOWER,
Major General, Assistant Chief of Staff

[Enclosure]

*Memorandum by the Assistant Chief of Staff (Eisenhower)*⁵³

[WASHINGTON, undated.]

The Chief of Staff directs that the following message be sent by the most expeditious means possible consistent with secrecy to The President, Hyde Park, New York: WDWPD:⁵⁴

The following secret radiogram has just been received from General MacArthur:

"In view of changed military conditions in the Philippines President Quezon now desires to accept the invitation previously extended to him to remove the seat of his Government to Washington. I therefore plan to send him and his party secretly to the United States on the SS *Coolidge* scheduled to leave Melbourne April 21st. I have directed that his transportation be without expense to him and that during the voyage he will be regarded as under the auspices of our Government. Due to his presence aboard, the ship is being convoyed to limit of jurisdiction of this area. Request that necessary orders be issued to insure convoy for remainder of voyage. This is considered essential not only for his actual protection but because of the political repercussions which might follow if every safety precaution were not taken. Request advice of action."

The invitation to which General MacArthur refers was communicated to him on December 31, 1941, in the following language:

"Philippine Commissioner here⁵⁵ and Secretary Stimson in consultation with the President feel that evacuation of Manuel Quezon from Luzon to United States where he could carry on as head of Philippine Government in exile and as the symbol of the redemption of the Islands is highly desirable if it can be accomplished."

We desire to answer General MacArthur's cablegram today because of the early sailing date specified.

Admiral King states that the Naval escort requested by General

⁵² An attached undated chit by Mr. Welles states that concurrence was given. President Quezon, four members of his family, Vice President Osmeña, and an entourage of 13 sailed from Australia on April 21 and arrived at San Francisco on May 8.

⁵³ Memorandum signed by Lt. Col. G. Ordway, Jr., Assistant Executive of the Operations Division.

⁵⁴ War Department, War Plans Division.

⁵⁵ Joaquin M. Elizalde, Resident Commissioner of the Philippines.

MacArthur can be provided. I am delaying reply to General MacArthur pending your confirmation of plan.

McNarney ⁵⁶

DWIGHT D. EISENHOWER,
Major General

740.0011 European War 1939/22706b

Memorandum by President Roosevelt to the Secretary of State

WASHINGTON, April 22, 1942.

I enclose memorandum from Berle ⁵⁷ and Welles ⁵⁸ in regard to asking the Philippine Commonwealth to become a signer of the United Nations Pact. Frankly, I hesitate to do this at this time. I spoke to Tom Connally ⁵⁹ about it and he agrees with me.

I am, of course, a firm believer in carrying through our promise of independence to the Philippines, but I do not think we should modify the present law by a step which might be considered to hold out a promise to them for immediate independence if, for example, the war were to terminate early in 1943. There might be a period of repair and adjustment for two or three years for which the United States should be responsible.

F[RANKLIN] D. R[OSEVELT]

P.S. Please return enclosures for my files.⁶⁰

740.0011 European War 1939/22164b

Memorandum by Mr. Carlton Savage, Assistant to the Assistant Secretary of State (Long), to the Secretary of State

[WASHINGTON,] June 9, 1942.

MR. SECRETARY: In accordance with instructions I have given consideration [to] the question of adherence by the Commonwealth of the Philippines to the Declaration by United Nations. I have discussed the question with Mr. Sayre,⁶¹ Mr. Hackworth, Mr. Hamilton, and Mr. Davis ⁶² of PI.

The Declaration provides that it may be adhered to by other "nations" which are, or which may be, rendering material assistance and contributions in the struggle for victory over Hitlerism. If the Execu-

⁵⁶ Maj. Gen. Joseph T. McNarney, Deputy Chief of Staff.

⁵⁷ Not printed.

⁵⁸ Dated April 17, p. 903.

⁵⁹ Chairman of the Senate Committee on Foreign Relations.

⁶⁰ Enclosures were returned by the Secretary with a covering memorandum of July 2.

⁶¹ Mr. Sayre had returned to Washington by way of Australia.

⁶² John K. Davis, Chief of the Office of Philippine Affairs.

tive should invite the Philippines to adhere to the Declaration this act might be construed by some as a recognition of the independence of the Philippines and thereby create an awkward situation as Congress has provided for independence in 1946.

On the other hand it can be argued that India, which may be considered no more a nation than the Philippines, is one of the original signatories of the Declaration. Furthermore, there is no doubt that there would be a worthwhile moral effect from accepting the Philippines as a member of the United Nations. The Commonwealth has proved that it is willing to fight for freedom.

If it should be decided that the Philippines are to adhere to the Declaration by United Nations it would seem prudent to consult beforehand with the British, Chinese, and Soviet Governments. The attached draft instruction ⁶³ has been prepared for this purpose.

CARLTON SAVAGE

740.0011 European War 1939/22164b : Telegram

The Secretary of State to the Ambassador in China (Gauss) ⁶⁴

WASHINGTON, June 10, 1942—1 p. m.

506. Please inform the Foreign Office confidentially that the Commonwealth of the Philippines has indicated a desire to adhere to Declaration by United Nations; that we find no objection; that in the absence of any objection from the Chinese, British, or Soviet Governments, such adherence will be formally accepted at a White House ceremony on June 14.⁶⁵

HULL

740.0011 European War 1939/6-1042

The President of the Philippine Commonwealth (Quezon) to the Secretary of State

WASHINGTON, June 10, 1942.

MR. SECRETARY: The people of the Philippines are wholeheartedly devoted to liberty and fully subscribe to the principles set forth in that great document known as the Atlantic Charter which was proclaimed by President Roosevelt and Prime Minister Churchill on August 14, 1941.⁶⁶

⁶³ See telegram No. 506, June 10, 1 p. m., to the Ambassador in China, *infra*.

⁶⁴ Repeated as No. 2631 to the Ambassador in the United Kingdom and as No. 287 to the Ambassador in the Soviet Union; message was sent with the approval of President Roosevelt.

⁶⁵ No objection was made by the three Governments.

⁶⁶ *Foreign Relations*, 1941, vol. I, p. 367.

We have been battling since December 7, 1941 to preserve our country from the menace of Japanese aggression. Although a large part of our territory is overrun by Japanese military forces, our soldiers are still actively engaged in meeting and harassing the foe wherever possible. We do not intend to be cowed by the armed might of Japan. We shall continue the struggle with every means in our power.

We desire to associate ourselves with those nations which are fighting for the preservation of life and liberty against the forces of barbarism that seek world domination. Accordingly, the Commonwealth of the Philippines hereby formally adheres to the Declaration by United Nations of January 1, 1942.

I am [etc.]

MANUEL L. QUEZON

740.0011 European War 1939/22706a

The Secretary of State to the President of the Philippine Commonwealth (Quezon)

WASHINGTON, June 13, 1942.

MY DEAR MR. PRESIDENT: I have received your communication of June 10, 1942 stating that the people of the Philippines are wholeheartedly devoted to liberty and fully subscribe to the principles set forth in the Atlantic Charter; that they desire to associate themselves with the nations which are fighting for the preservation of life and liberty against the forces of barbarism that seek world domination; and that accordingly the Commonwealth of the Philippines formally adheres to the Declaration by United Nations of January 1, 1942.

The entire freedom-loving world admires the great courage and valor shown by the people of the Philippines during the past six months as they have gallantly fought to preserve their country from Japanese aggression. On behalf of this Government, as depository for the Declaration by United Nations, I take pleasure in welcoming into this group the Commonwealth of the Philippines.

Please accept [etc.]

CORDELL HULL

124.11B/50½

*The President of the Philippine Commonwealth (Quezon) to the Secretary of the Interior (Ickes)*⁶⁷

WASHINGTON, June 20, 1942.

DEAR MR. SECRETARY: Referring to our conversation regarding the appointment of a new High Commissioner of the United States in the Philippines.

⁶⁷ Copy transmitted to the Secretary of State by President Roosevelt on June 24, with the instruction: "Please talk this over with the Secretary of the Interior."

In the first place, I think I should state frankly that I am in favor of your idea that no new appointment of a High Commissioner should be made. By the very nature of the position there is no reason for appointing one now since under the law, the High Commissioner is primarily the representative of the President of the United States in the Philippines. In view of the fact that the Government of the Commonwealth is now in exile in Washington where the President has his office, a representative of the President seems out of place.

Furthermore, the Philippine affairs as they relate to the Government of the United States are transacted in Washington, either through the Department of the Interior, when they are of purely domestic concern, or through the Department of State when, in some way, they relate to foreign affairs. The intervention, therefore, of the United States High Commissioner is not only unnecessary but it would mean more delay in the transaction of business between the Government of the Commonwealth and the Government of the United States.

I have some suggestions in mind which I intend to submit for the consideration of the President and if it should merit his approval it will automatically do away with the position of the United States High Commissioner. My suggestion, however, contemplates radical and fundamental changes, and will require careful study and deliberation. Hence, I must defer the submission of my proposals to a later date.

For the present this is what I consider to be the best solution of the problem we have at hand. Instead of abolishing the position of High Commissioner or not appointing a new one, just have the President designate one of your Assistants as Acting High Commissioner. In this way, we give the Japanese no occasion for saying that you have done away with the office for lack of interest in the Philippines, and at the same time your Department will be dealing directly with the Government of the Commonwealth.

If you desire to discuss with me this matter further and can see me next Monday,⁶⁸ I shall be available.

Very sincerely,

MANUEL QUEZON

*Memorandum by President Roosevelt to the Secretary of State*⁶⁹

WASHINGTON, July 23, 1942.

In regard to this High Commissionership to the Philippines matter, I had a talk yesterday with President Quezon. He suggested to me that in view of the fact that the High Commissioner is supposed to

⁶⁸ June 22.

⁶⁹ Copy obtained from the Franklin D. Roosevelt Library, Hyde Park, N. Y.

represent the Government of the United States in the Philippines, that this situation is no longer in existence, and that Quezon himself is now at the seat of the Government of the United States, the need for a High Commissioner at this moment seems unnecessary. In other words, Quezon can consult with you and me and the Interior Department in person at any time he wants—and we with him.

In view of the fact that Sayre has resigned and his resignation has been accepted ⁷⁰ I am inclined to agree with Quezon that it is wholly unnecessary just now to fill the place.

What do you think of leaving it vacant for the time being?

F[RANKLIN] D. R[OOSEVELT]

124.11B/50½

Memorandum by the Secretary of State to President Roosevelt

[WASHINGTON,] July 24, 1942.

Referring to your memorandum of July 23 in regard to the High Commissionership to the Philippines:

Having deemed it desirable to discuss this matter with the Secretary of the Interior, I find that Mr. Ickes and I are in agreement as follows:

If the post of High Commissioner is left vacant, various difficulties, some administrative and some political, are likely to arise.

However, under the circumstances, probably the most practical thing to do is to leave the post vacant for the time being. We would suggest that, to anyone who may make inquiry regarding the vacancy, including President Quezon himself, it be made clear that the matter of making an appointment is merely held in suspense and is not intended to effect a disappearance of the position.⁷¹

C[ORDELL] H[ULL]

740.0011 Pacific War/3025

*The President of the Philippine Commonwealth (Quezon)
to President Roosevelt* ⁷²

WASHINGTON, December 5, 1942.

MY DEAR MR. PRESIDENT: Although some time ago the White House announced that "insofar as notice of December 7 by the President is

⁷⁰ Mr. Sayre's resignation was dated March 23. It was accepted by President Roosevelt on June 30.

⁷¹ By Executive Order No. 9245, September 16, 1942, President Roosevelt transferred to the Secretary of the Interior the functions of United States High Commissioner to the Philippines.

⁷² Copy transmitted to the Department by President Roosevelt on December 7 for preparation of reply.

concerned, he feels that it should be observed as a day of silence in remembrance of a great infamy", I do not think that I am contravening your wishes by writing you this letter and by reminding you that on December 9, 1941 (which was December 8 in Washington) I sent you the following telegram :

[Here follows text of telegram printed on page 882.]

One year has passed. The Battle of the Philippines has confirmed the statement contained in that telegram. More than 20,000 Filipino soldiers gave their lives in the war against Japan. Many thousands more have been wounded or are missing, and no less than 60,000 are now suffering the moral and physical tortures of imprisonment. Recent radio broadcasts from Japanese transmitters show that the armed forces of Japan in the Philippines have been engaged in attacking Filipino fighters who refuse to surrender. These countrymen of mine remain active in the hills of Luzon, Visayas and Mindanao. They do not accept defeat, and they are determined to show Japan that the spirit of resistance has not been crushed. You understand, Mr. President, my grief over the invasion of my country and the occupation by the enemy with the consequent suffering that my people must bear every day.

But on this occasion, one year after the wholly unprovoked attack on the Philippines by the Japanese forces, I see that the United Nations have taken the offensive. The future looks brighter. And I hope that I am justified in feeling that the deliverance of my people will be not too long delayed.

I also want to say on this occasion that the Japanese attack on the Philippines was not an unmixed evil. It has sealed the friendship of Americans and Filipinos with blood. And it has thereby proved that our spiritual ties, forged through the last forty years cannot be broken. In our misfortune the Filipino people and I find further consolation in the evidences you have given—and with you, your Government and your people—that everything will be done by the United States to insure that the Philippines which will come out of this war will be a prosperous, happy and free Philippines.

With assurances of my devotion, I am

Very sincerely yours,

MANUEL L. QUEZON

740.0011 Pacific War/3025

*President Roosevelt to the President of the Philippine Commonwealth
(Quezon)*⁷³

MY DEAR MR. PRESIDENT: Your letter of December 5, 1942 is most gratifying. It is good to recall your inspiring telegram of December

⁷³ Draft transmitted to President Roosevelt by the Secretary of State on December 11; letter sent by President Roosevelt on December 12.

9, 1941. The assurance contained in that message has indeed been fulfilled—immeasurably so. I have never for a moment doubted that the courage, faith and determination of the Filipino people would carry them through their present period of adversity. The uncomplaining manner in which your people have endured the physical suffering and mental anguish resulting from acts of the enemy has been an inspiring example to the people of the United States.

I share with you, I scarcely need say, the grief you feel over the invasion of the Islands and the consequent suffering which your people are undergoing. That grief is widespread in this country and springs not alone from the several decades of friendship and understanding that have subsisted between the two peoples, but from the admiration which we feel for the unflinching stand which the Filipino people have taken in the ranks of all the freedom-loving peoples who are resolved to bring about the defeat of the unholy union of selfish nations bent on destroying democratic forms of government. Today we of the United Nations are striking at the enemy with ever stronger blows. The Japanese will be driven from the Philippines and the Filipino people will have their freedom restored and their independence established. The many thousands of Filipino soldiers who have given their lives for the cause of freedom and the many other thousands who have been wounded or are missing will not have made the sacrifice in vain.

With assurances of my highest esteem, I am

Very sincerely yours,

[FRANKLIN D. ROOSEVELT]

THAILAND

DECISION OF THE UNITED STATES NOT TO DECLARE WAR ON THAILAND; INTEREST OF THE UNITED STATES IN POLITICAL AND MILITARY EVENTS IN THAILAND

711.92/31

The Department of State to the British Embassy

AIDE-MÉMOIRE

Reference is made to the Department's *aide-mémoire* of December 18, 1941¹ and the British Embassy's reply thereto of December 24, 1941² in regard to Thailand.

The Department notes that the British Government considers that the conclusion of a Treaty of Alliance between the Thai Government and Japan³ would normally justify a declaration of war upon Thailand. The British Government has, however, "received convincing indications that the majority of Thai opinion is anti-Japanese if not pro-Ally, and it is likely to become increasingly anti-Japanese as the Japanese proceed to apply their usual arrogant methods and to infringe their agreement to respect the sovereignty of Thailand". The British Government feels that a declaration of war upon Thailand might change this movement of opinion for the worse and have the effect of throwing Thailand into the arms of Japan. The British Government is inclined to consider, therefore, that it would be premature to declare that a state of war exists with Thailand.

Although information available to the Government of the United States would seem to suggest that the extent of anti-Japanese feeling in Thailand may not be so substantial as stated by the British Government, this Government is of the opinion that from a practical point of view it would seem to be preferable for the time being not to declare that a state of war exists with Thailand.

As regards general policy to be adopted toward Thailand, and propaganda to be directed to Thailand, the views of the Government of the United States are in substantial conformity with those expressed by the British Government.

¹ *Foreign Relations*, 1941, vol. v, p. 387.

² *Ibid.*, p. 392.

³ Signed at Bangkok, December 21, 1941.

With regard to the Thai Minister in Washington,⁴ this Government has decided, after careful consideration of all factors involved, not to proceed at present with the proposal to recognize the Minister as "the representative in the United States of the free people of Thailand", and intends for the time being to continue to recognize him as "Minister of Thailand".

With regard to the text of the statement which the British Government proposes to issue in London, this Government considers that it would be preferable to defer the issuance of any statements by the British and the United States Governments until such time as word shall have been received that the British and the American Ministers to Thailand⁵ have safely departed from that country. This Government agrees that any statements issued in regard to Thailand by the British Government, the Netherlands Government and the United States Government should not conflict.

WASHINGTON, January 19, 1942.

740.0011 European War 1939/19354

Memorandum by the Assistant Secretary of State (Berle) to the Secretary of State

[WASHINGTON,] January 28, 1942.

MR. SECRETARY: I telephoned the President today in respect of the St. Lawrence Waterway. While on the telephone I told him that we had news that Thailand had declared war;⁶ but that you had approved the policy of ignoring the matter. The President said he cordially agreed.

He then said that he thought it would be a good idea if you were to write a note to the Chairman of the Foreign Relations Committee of the Senate and the Chairman of the Foreign Affairs Committee of the House,⁷ stating quite briefly that the Department had been informed that declarations of war on the United States had been made by Hungary, Rumania, Bulgaria⁸ and Thailand; and that no action appeared to be required.

I said I would pass the suggestion along. The President's idea was that this would merely complete the record and treat the declarations with the contempt they deserved.

A. A. B[ERLE], JR.

⁴ Mom Rajawongse Seni Pramoj.

⁵ Sir Josiah Crosby and Willys R. Peck, respectively.

⁶ January 25; for official notification, see telegram No. 350, February 2, from the Chargé in Switzerland, p. 915.

⁷ Letters of February 7 to Senator Tom Connally and Representative Sol Bloom not printed.

⁸ Hungarian and Bulgarian declarations made on December 13, 1941; Rumanian declaration on December 12, 1941.

711.92/37

The Chinese Embassy to the Department of State

The Chinese Ambassador⁹ has received from the Ministry of Foreign Affairs a telegram under date of January 27, 1942 to the following effect:

Since Thailand has declared war on the United States, the Chinese Government wishes to know the attitude of the United States Government in this connection and whether the United States proposes to declare war forthwith against Thailand.

The Chinese Government ventures the view that it may be advisable to defer a declaration of war against Thailand for the time being, so that the army and people of Thailand could be induced to understand that the United Nations are actually in sympathy with the Thai army and people in face of the involvement of their country into the war under duress by Japan. This is calculated to counteract the effect of propaganda on the part of the enemy, and, will, in the event of the Chinese army counter-attacking the enemy within Thai territory, probably tend to weaken resistance by the Thai army and people.¹⁰

WASHINGTON, January 28, 1942.

740.0011 Pacific War/1793 : Telegram

The Chargé in Switzerland (Huddle) to the Secretary of State

BERN, February 2, 1942.

[Received February 2—8:10 a. m.]

350. Department's 246, January 28.¹¹ Swiss Foreign Office note January 31 communicates following telegram from Swiss Consul Bangkok.¹²

"Ministry Foreign Affairs notified Consulate by letter 25th January: 'By royal command a declaration of war on Great Britain and the United States of America has been made as from noon of 25th January 2485 B. E.'¹³."

HUDDLE

⁹ Hu Shih.

¹⁰ In response on February 7, the Department cited as its position the language of paragraph 3 of its *aide-mémoire* of the same date to the British Embassy, p. 916.

¹¹ Not printed.

¹² Walter Siegenthaler.

¹³ Buddhist Era.

711.92/31

The Department of State to the British Embassy

AIDE-MÉMOIRE

Reference is made to the Department's *aide-mémoire* of January 19, 1942 in regard to Thailand, which was handed to Mr. Hayter of the British Embassy.

On February 2, 1942 the Department received a telegram from the American Legation at Bern,¹⁴ reporting that by note of January 31, 1942, the Swiss Foreign Office communicated to the Legation a telegram from the Swiss Consul at Bangkok stating that on January 25, 1942 the Thai Ministry of Foreign Affairs informed the Swiss Consul in writing that "by royal command a declaration of war on Great Britain and the United States of America has been made as from noon twenty-fifth January".

It is not the present intention of the Government of the United States to declare war on Thailand. However, in any case in which Thai forces actively engage in or cooperate with the Japanese in military operations against the forces of the United States or of any of the United Nations, and in any case in which their presence obstructs the operations or threatens the security of forces of the United States or of any of the United Nations, this Government intends to treat those forces as enemies. Also, this Government intends to treat Thailand for economic warfare and other purposes as enemy-occupied territory.¹⁵

The above information and expression of views are communicated to the British Embassy in accordance with the policy of interchange of information between the British Government and the Government of the United States in regard to matters relating to Thailand.¹⁶

WASHINGTON, February 7, 1942.

¹⁴ *Supra*.

¹⁵ This information was communicated to the Netherlands, Australian, and Canadian Legations on February 17.

¹⁶ The British Ambassador informed the Secretary of State on February 9 that in view of the Thai declaration of war, the British Government was announcing that a state of war with Thailand had existed from 5 a. m. Greenwich Mean Time, January 25 (740.0011 Pacific War/1863).

892.00/233

*Report by the Former Second Secretary of Legation in Thailand
(Chapman)*¹⁷

[Extracts]

[AT SEA,] August 18, 1942.

1. Political and Military Events.

Information concerning the trend of events in Thailand up to and including December 8, 1941, was contained in telegrams from the Legation which were presumably received by the Department.¹⁸

According to an official Thai broadcast (Enclosure 1) and a communiqué issued on December 8, 1941, (Enclosure 2),¹⁹ Thailand was attacked by Japanese armed forces at 2:00 A. M. (Bangkok Time) on December 8, 1941 (2:00 P. M.—E. S. T. December 7, 1941) by sea in the provinces of Singora (Songkhla), Pattani, Prachuab Khirikhan, Nakorn Sridharmarat, and Surat Dhani (Ban Don) in the southern peninsula, at Bang Pu near the mouth of the Menam (river) Chao Phya running up to Bangkok, and by land in the eastern provinces of Battambang and Pibulasonggram (in Cambodia) from French Indochina. The radio broadcast contained the statement that Thai troops and members of the police force put up a very strong resistance "worthy of their honor" at Songkhla, Pattani, Prachuab Khirikhan and in the Changwat (Province) of Pibulasonggram. The communiqué enumerated all of the localities above mentioned and alleged that "almost everywhere the Thai military and police forces put up a sturdy struggle." The radio bulletin stated that resistance had continued until 7:30 A. M. at which time the Thai Government had ordered firing to cease temporarily pending further instructions.

No credible evidence was obtained by the Legation prior to its departure from Bangkok on June 29, 1942, to show that Thai armed forces resisted the Japanese at any of the points named except Singora (Songkhla), and possibly also at Prachuab. Reports from a number of sources agreed that the police (*gendarmérie*) at Singora had put up a stiff resistance and that bloody fighting had taken place. The Military Attaché to the Legation, Major C. E. Jackson, was informed by the Second Bureau (Intelligence) of the Thai Ministry of Defense on December 8 that some fighting had occurred at Aranya Pradesa on the former Thai-French Indochina border, but this information could

¹⁷ Prepared aboard the M. S. *Gripsholm* in response to Department's telegram No. 64, July 2, 11 p. m., to the Consul at Lourenço Marques (Preston); approved by Willys R. Peck, formerly Minister in Thailand, and transmitted to the Department as an enclosure to an unnumbered despatch of August 22 (despatch not found in Department files). The *Gripsholm* was used in exchange of persons between the United States and Japan. For correspondence on the exchange agreement with Japan, see pp. 377 ff.

¹⁸ See *Foreign Relations*, 1941, vol. v, p. 378 and previous.

¹⁹ Enclosures not printed.

not be confirmed from any other source. The Military Attaché was also told by the Second Bureau that a line five miles long was being held by the Thai Army at Bang Pu, but it is practically certain that no fighting took place at that point. . . .

Japanese troops arrived in Bangkok on the afternoon of December 8, 1941, apparently by road from French Indochina, and by the following day the occupation of Bangkok by Japanese troops was complete.

According to the report of an American citizen who was captured by Japanese troops between Paknambo and Kambangbejra while attempting to escape from Thailand, and who was later brought to Bangkok for internment, Japanese troops were already in full possession of the main northern railway line as far north as Chiangmai by December 13. These troops apparently had entered Thailand unopposed from French Indochina and had not been to Bangkok. The same source reported that the headquarters of the Japanese troops in Paknambo was located in an earthenware shop run by a Korean fifth columnist who had been conducting his business there for about a year before the outbreak of war as a blind. Japanese troops were in full occupation of the most important buildings in Lopburi which before the war was the principal headquarters of the Thai Army. Considering the great distances and difficulties of transportation in north-central and eastern Thailand, and the short time that it took for considerable numbers of Japanese troops to occupy Lopburi, Paknambo, and other points along the railway, the conclusion is inescapable that they met with little or no opposition from the Thais and that some of them may already have been in the country before the outbreak of war.

In Bangkok the Japanese army of occupation quickly took over and converted to its uses many large buildings, including the Chinese Chamber of Commerce, the principal international club including the race course and golf course, the principal Thai club together with its race course and golf course, the Thai National Stadium, a portion of the Chulalongkorn University for use as barracks, the Wattana Wittaya Academy—an American girls' school, the business premises and wharfs of a number of large British companies, the new municipal port area with its mile long wharf and large warehouses, a large number of the finest private residences which had formerly been occupied by prominent British, American and Dutch residents, as well as various other buildings belonging to foreigners as well as Thais.

Throughout the duration of the Malayan and Burma campaigns large numbers of Japanese troops and quantities of military supplies passed through Bangkok from French Indochina to points south and north by rail, but it is impossible to estimate the numbers or quantities

involved. To what extent the Thais cooperated with the Japanese in these movements is unknown. . .

An interesting sidelight on the relations between Japan and Thailand is the statement in the Government communiqué of December 8 that "the Japanese Ambassador came to the official residence of the Prime Minister on December 7, 1941, at 10:30 o'clock P. M. (10:30 A. M.—E. S. T.—December 7, 1941) and explained to the Minister of Foreign Affairs (Nai Direck Jaiyanama) that war had been declared on Great Britain and U. S. A.²⁰ but that Japan did not consider Thailand as an enemy but she was obliged by necessity to ask for passage through Thai territory." It was not until 3:00 P. M. on the following day, December 8, that the Minister for Foreign Affairs summoned the American Minister to the Foreign Office and informed him that at 12:00 o'clock that day Thailand had signed an agreement with Japan permitting the Japanese Army to pass through Thailand to attack Great Britain.

An offensive and defensive alliance between Thailand and Japan was concluded on December 21, 1941.

Thailand declared war against the United States and Great Britain at noon, January 25, 1942.

A subsequent phase of Thai collaboration with Japan was the sending of two Thai missions to Japan in April. The first was an economic mission headed by Nai Vanich Panananda, Minister of State without portfolio and Acting Minister for Finance. This mission negotiated and signed a Yen-Baht²¹ parity agreement on April 22, and pledged Thailand's formal adherence to the Yen bloc on May 2, 1942. The second was a goodwill mission headed by Phya Bahol Bolabuyahua Sena, Elder Statesman and former Prime Minister. The latter mission arrived in Japan on April 22 and returned to Thailand on May 21, 1942. It was strongly played up in the Bangkok press and also, presumably, in Japan, as demonstrating the close bonds of friendship existing between Japan and Thailand, co-partners in the Co-Prosperity Sphere in Greater East Asia. It was announced before the staff of the Legation left Bangkok that a Japanese "Felicitation Mission", headed by former Japanese Prime Minister Hirota would shortly visit Thailand.

The extent to which Thai forces cooperated with the Japanese Army in their Malayan and Burma campaigns is unknown. No reports were heard that the Thai Army did any actual fighting either in Malaya or Burma but important assistance in transport and lines of communication probably were rendered. The Thai "conquest" of portions of

²⁰ The Japanese Imperial decree declaring war on the United States and the United Kingdom was issued at 11:45 a. m., December 8, Japan time; see *Foreign Relations*, 1941, vol. iv, p. 771.

²¹ Basic currency units of Japan and Thailand, respectively.

the Shan States ²² in May and June, where there could not have been opposing forces of any consequence, because Japan had already overcome British and Chinese resistance in Burma, appears to have been a Japanese inspired move to provide a quick Thai victory to bolster the morale of the Thai people and divert their thoughts from increasing economic difficulties at home.

At the time of my departure from Bangkok on June 29, 1942, the Thai Government appeared to be under the control of and subservient to the Japanese military although still nominally independent. The pre-war Council of Ministers remained in office with a few exceptions. As previously noted Luang Pradist Manudharm, pre-war Minister of Finance, who had so stoutly resisted Japanese attempts at financial penetration and who has staunch pro-Allied sentiments, had been "promoted" to the Council of Regency to eliminate him from political activities inimical to Japan. . . . Luang Vichitr had recently become Foreign Minister. Nai Direck, the pre-war Foreign Minister, was safely under observation as Thai Ambassador in Tokyo. As indicated in a preceding paragraph the only notable absentee was Nai Vilas Osathananda, former Director General of the Publicity Department.

Indications of the development of a "Free Thai" movement organized by university students were reported. Evidently the objective of such a movement would be to create an underground revolutionary group which at a propitious moment would seize the power and free the country from the Japanese yoke and the control of its present . . . leaders. Whether the small group of liberal and pro-Allied leaders who are still in the Government . . . are connected with this movement is not known.

INTERNMENT OF AMERICAN OFFICIALS AND NON-OFFICIALS IN THAILAND; ARRANGEMENTS FOR THEIR REPATRIATION; REQUISITION OF AMERICAN LEGATION PREMISES BY THAI MILITARY FORCES

124.92/54c : Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, December 18, 1941—10 p. m.

328. Since Japanese invasion of Thailand, Department has been unable to communicate with Legation at Bangkok. The Department therefore desires that you request Swiss Government to send the following message by telegraph or radio to the Swiss Honorary Consul at Bangkok ²³ for transmission if possible to the American Minister there: ²⁴

²² Of Burma.

²³ Walter Siegenthaler was Swiss Consul there.

²⁴ Willys R. Peck.

"In view of recent developments the Department desires that, as soon as you consider that you have done everything feasible in regard to the withdrawal of American citizens from Thailand, you and your staff use any available and practicable means of withdrawing from Thailand. Please keep Department informed if possible of welfare of staff and other Americans. If direct communication impossible, please endeavor to communicate through Swiss Honorary Consul."

HULL

740.00115A Pacific War/1 : Telegram

The Chargé in Switzerland (Huddle) to the Secretary of State

BERN, December 29, 1941.

[Received December 29—9:42 a. m.]

468. American interests—Thailand. Department's 328, 18th. Foreign Office note December 26 quotes following telegram from Swiss Consul, Bangkok (German translation) :

"Americans living in Bangkok were placed protective camp (*Schutzlager*) in Bangkok December 23 with British subjects. Those living outside Bangkok will be brought there later. Those that are sick and cannot be moved will be allowed to recover before being sent to the camp. The Consulate has contact up to present with the camp."

HUDDLE

740.00115A Pacific War/1 : Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, December 31, 1941.

440. American interests—Thailand. Your 468, December 29. Please inform Swiss Government that this Government is greatly disturbed to receive the information that Americans in Thailand have been placed in concentration camp apparently for no other reason than their American nationality. Please request that the Thai Government be informed that the Government of the United States has not conducted any arrests of aliens on the ground of enemy nationality alone and has placed under detention only those specific individuals who are actually under suspicion of subversive activities. The number of such persons in this country is only a small fraction of the enemy aliens living here. It is true that this Government has necessarily imposed restrictions on the freedom of movement of all enemy aliens but it has not acted in a manner generally to prevent enemy aliens not under specific suspicion from engaging in their ordinary daily activities about their homes and their places of work.

In the case of Thai nationals, no restrictions whatsoever have been placed upon them. It is the hope of this Government that the Thai

Government will be similarly guided in matters affecting the treatment of American nationals in Thailand.

HULL

703.5492/5 : Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, January 17, 1942.

136. American interests—Thailand. Your 71, January 8.²⁵ Please request the Swiss Government to furnish the Swiss representative in Thailand the text or summary of the proposal of this Government to the Japanese Government in regard to the repatriation of official personnel ²⁶ (Department's 405 to you ²⁷), and to keep him informed of further developments for his guidance. Please ask further that the Thai Government be informed that the American Minister to Thailand is under instructions to return to the United States, together with all other officials of this Government and their dependents in that country. It would be appreciated if the Swiss representative would point out that the proposal of this Government to the Japanese Government provides for the repatriation of official personnel, as well as Red Cross and press representatives, together with all dependents, and that it is so drawn up that Americans in Thailand falling within these categories, whose return to the United States by other means seems problematical, may be included therein. Please have it pointed out to the Thai Government that, in as much as the Thai Government still has the responsibilities that go with sovereignty and in as much as the United States and Thailand are not at war, this Government expects of the Thai Government treatment for American nationals in Thailand, both official and civilian, in accordance with international law and with treaties in force between our two countries; and that we expect the Thai Government to permit and to facilitate withdrawal of American nationals and their effects from Thailand.

This Government will through the Swiss Government request the Japanese Government to afford the Thai Government any possible cooperation in this matter, as this Government is rendering similar assistance to the Japanese Government in connection with the repatriation of Japanese officials in this hemisphere.

HULL

²⁵ Not printed; it reported that Thailand had consented to Swiss representation of American interests in that country.

²⁶ For correspondence on this subject, see pp. 377 ff.

²⁷ Dated December 26, 1941, p. 382.

740.00115A Pacific War/1 Supplement: Telegram

The Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, January 26, 1942—9 p. m.

217. American interests—Thailand. Department's 440, December 31, to which no reply has been received.

1. Department has recently received from reliable source a report that on December 9, Japanese troops occupied the American Legation at Bangkok where the American Minister and his staff have since been held prisoners and the following report concerning the treatment of non-official civilian American nationals in Thailand:

"All American citizens with the exception of the staffs of the Legation and Consulate General have been concentrated under the guard of the Thai authorities in the School of Political Science; also interned there are British and Dutch subjects. Living conditions are primitive but fairly comfortable. Priests and nuns are also confined in the same place. Food is scarce but food packages can be brought by visitors who are authorized to call at certain hours. Those interned were permitted to leave the camp for one day to gather up that portion of their personal belongings which had not been stolen. The large majority of homes, particularly those of American, English and Dutch residents are occupied by the Japanese. American firms have been sequestered by the Thais and their administration has been placed under the direction of the Ministry of Economy."

2. Please so inform Swiss Government in paraphrase and request that, if foregoing report is substantiated, it deliver to the Thai Government, with reference to the report, the following communication:

"The Government of the United States has learned with amazement that in Thailand, a country with which the United States is at peace,²⁸ the inviolability of the Legation of the United States and the immunities of the Minister and his staff have been wantonly disregarded, citizens of the United States have been interned, and private property of such citizens has been seized and their business enterprises sequestered.

In the United States there has been no interference with the Thai Government's representatives, nor with Thai nationals (including the eldest son and a daughter of the Thai Prime Minister²⁹), nor with Thai property. The Government of the United States expects the Thai Government immediately to take effective steps to remedy the unwarranted treatment now being accorded in Thailand to the officials and other nationals of the United States and to their property there."

²⁸ In telegram No. 246, January 28, to the Chargé in Switzerland, the Secretary of State requested deletion of the words, "a country with which the United States is at peace", Thailand having declared war on the United States on January 25 (740.00115A Pacific War/5).

²⁹ Luang Pibul Songgram.

3. Please ask Swiss Government to inform you of the date of delivery to the Thai Government of the foregoing communication. Inform Department by telegraph.³⁰

HULL

703.5492/8 : Telegram

The Chargé in Switzerland (Huddle) to the Secretary of State

BERN, February 14, 1942.

[Received February 14—5:09 p. m.]

586. American interests—Thailand, treatment officials. Legation's 400, February 4.³¹ Swiss Foreign Office advises Swiss Consul Bangkok telegraphs February 6 (translation from French) :

"My visits with American and British Ministers³² took place in presence of representative of Thai Foreign Office. We were only permitted discuss points fixed in advance in conference with Foreign Office and representatives of Japanese Embassy and Japanese General Headquarters. Since then contact with American and British Ministers has been subjected to great delays. Several letters addressed to the Legations or emanating therefrom were not delivered to the Consulate. In certain cases Consulate was advised of this fact but in others not. Two Ministers and their staffs are not permitted to receive private visits and are isolated from outside world by police guards. They receive no daily paper. Radios taken out of two Legations. Servants not permitted leave Legation compounds. Food supplies assured. Settling of all questions concerning Legations undergo great delay because not only Japanese Embassy but also military authorities control relations with Ministers. Representative Japanese General Headquarters did not permit delivery instructions January 6 (contained Department's 377 and 378, December 23³³) because Department of State is mentioned therein and reference is made to numbers of previous instruction. Handed the two instructions January 29 to Foreign Office for transmission and have received report February 4 declaring that this transmission not yet opportune because departure American Legation personnel not yet foreseen. As opposed to conditions here, Swiss Legation Tokyo advises me, 'As representative American interests you must have right to visit American Consul whenever you wish and to give him a few necessary verbal messages. In Japan we have no difficulty in this regard'. In my opinion I should have entire liberty in my visits to two Ministers in spite of objection expressed that restrictions are maintained for rea-

³⁰ In telegram No. 537, February 12, the Chargé in Switzerland reported that the Swiss Consul at Bangkok had handed the American communication to the Thai Foreign Office on February 4 (740.00115A Pacific War/11).

³¹ Not printed.

³² Sir Josiah Crosby was British Minister.

³³ Neither printed; the instructions were that wherever Switzerland assumed the representation of American interests, non-confidential archives useful in the representation be placed at the disposition of the Swiss and that it would be preferable to communicate with the Department solely through the Swiss (704.0065/12, 703.5400/11b).

sons of military nature. I should be interested to have your views in this regard."

Swiss Foreign Office advises Swiss Minister Tokyo³⁴ telegraphs February 10:

"It appears that Swiss Consul Bangkok always has trouble making contact American Minister. I have made representations to Foreign Office and to Thai Ambassador to put an end to this deplorable state of affairs."

HUDDLE

740.00115A Pacific War/12: Telegram

The Chargé in Switzerland (Huddle) to the Secretary of State

BERN, February 14, 1942.

[Received February 14—3:51 p. m.]

587. American interests—Thailand. Department's 217, January 26, 9 p. m. Swiss Consul Bangkok telegraphs February 9 following (in English):

"Minister Foreign Affairs³⁵ answered February 7 [as follows:] 'State that the treatment of American officials and nationals in Thailand has been warranted by circumstances and in consonance with practice in other countries. No remedy is therefore called for especially as a state of war now exists between Thailand and United States of America'."

HUDDLE

740.00115A Pacific War/88a: Telegram

The Acting Secretary of State to the Chargé in Switzerland (Huddle)

WASHINGTON, March 13, 1942.

666. American interests—Thailand and Indochina.

1. Please request Swiss Foreign Office to confirm that Swiss representative at Bangkok has been kept fully and currently informed by telegraph of progress of negotiations for exchange and has kept Thai Government fully informed of details. Please request also that he inform Thai Government that Department is unable to understand reason why Swiss representative has not been facilitated in communicating these details also to Department's officers formerly accredited to Thailand (your 675, February 20³⁶).

³⁴ Camille Gorgé.

³⁵ Sri Thammathibet.

³⁶ Not printed.

2. If this has not already been done, attention of Thai Government should be invited to fact that the exchange arrangement with Japan as now constituted covers non-official persons as well as officials. It is assumed from Thai Government's communication dated February 12 (your 626⁸⁷) that Thai Government is also agreeable to such a repatriation of non-officials in Thailand.

3. The Thai Government should be further informed that the Japanese Government has officially communicated to the United States Government its willingness to afford the Thai Government every cooperation toward the repatriation of American officials in Thailand⁸⁸ and it is assumed that such cooperation will also be extended in the case of American non-officials. It is accordingly expected that the Thai Government will take prompt steps to seek cooperation of Japanese authorities and make the necessary arrangements.

4. It is requested that the Swiss representative inform the Thai Government that any Thai officials in the United States or other Thai nationals who may be included in the exchange under the terms of the agreement of this Government with the Japanese Government will be freely permitted to embark upon the exchange vessel on terms of equality with the Japanese nationals who are being repatriated. This applies to the persons named under (a) in your 826, March 1⁸⁹ in so far as these persons desire to embark on the vessel. Steps are being taken to inform them of the fact that the Thai Government has requested their repatriation and the Thai Government may communicate with them upon this subject through Swiss channels or through other means at its disposal. The Thai Government should be further informed that the United States Government will give to all Thai nationals desiring to embark on the exchange vessel all possible facilities to ensure their embarkation without inconvenience. It is expected that the Thai Government will be similarly guided in respect of Americans in Thailand, in particular that it will grant the Swiss representative free access to them in order that they may make necessary preparation for leaving Thailand.

5. It is expected that some definite statement of the position of the Thai Government in this matter will be received promptly.

6. It is expected that the Thai Government will immediately cease the deplorable practice of preventing the Swiss representative from

⁸⁷ Dated February 17, not printed.

⁸⁸ See telegram No. 604, March 5, to the Chargé in Switzerland, paragraph numbered (2), p. 401.

⁸⁹ Not printed; it contained lists of Thai and American personnel to be exchanged; the persons named under (a) were Thai diplomatic personnel and their families (703.5492/10).

discussing with the Department's officers the question of their impending repatriation.

7. In connection with the foregoing it is requested that Swiss representative at Tokyo be informed of substance of your 914, March 6,⁴⁰ and that he state to Japanese Government that United States Government is aware that on February 27, 1942 Japanese officials at Bangkok forbade the Swiss representative to discuss with the American Minister the question of his repatriation, that on the same date an interview between the Swiss representative and the American Minister was broken off at the end of 10 minutes upon the order of a Japanese official, that upon command of Japanese authorities without any justification the personnel of the American Legation at Bangkok have been deprived of competent dental treatment which is needed for their welfare and have not been allowed to retain sufficient domestic servants to meet their needs.

8. Please request that Swiss representative at Tokyo be asked to inform Japanese Foreign Minister ⁴¹ that unexplainable and deplorable attitude adopted in Thailand in this matter is likely, if not terminated, to cause delay of exchange since Thai Government has not permitted Swiss representative even to inform Department's officers that their repatriation is contemplated and accordingly it has been impossible to make preliminary arrangements necessary for their departure. It is accordingly expected that Japanese Government will, if necessary, urge the Thai Government to take immediately the necessary action in this matter in order to facilitate the execution of the exchange.

9. It is requested that Swiss representative at Tokyo be informed of the sense of paragraphs 1 through 6 above in order that he may, if necessary, make use of the information therein in discussing the matter with the Japanese authorities. It is desired that he stress the fact that the United States Government is doing everything possible to facilitate the preparations for departure of Japanese official and non-official persons and will do the same for nationals of Thailand and that it is naturally expected that the other parties to the exchange will take a similar attitude.

[Here follow three paragraphs dealing with exchange of Americans in Indochina.]

WELLES

⁴⁰ Not printed.

⁴¹ Shigenori Togo.

703.5492/14 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, March 17, 1942.

[Received March 17—11:24 a. m.]

1068. American interests, Thailand—exchange officials. Legation's 826, 1st.⁴² On instructions his Government, Thai Chargé d'Affaires,⁴³ Bern, delivered following *aide-mémoire* March 9 to Swiss Foreign Office for communication to United States Government, Foreign Office preferring make delivery through this Legation rather than Swiss Legation, Washington, as this Legation has handled previous:

"(1) Thai diplomatic personnel to be exchanged includes following: [Here follows listing of 22 persons.]

(2) American diplomatic and consular personnel to be exchanged according to request American Minister, Bangkok: [Here follows listing of 18 persons.]

Thai Legation adds that Thai nationals in America include 84 non-residents, of whom 81 students United States, 3, Canada, under protection Thai Minister Washington,⁴⁴ and 1 Thai resident United States. Americans [in] Thailand include 4 nonresidents and 19 residents over 50 years old whose inclusion in exchange group recommended by Minister, Bangkok.

As exchange [of] nationals being negotiated by categories, Thai Government desires propose repatriation nonresident Thais, namely, 84 students United States and Canada against 4 nonresidents and 19 resident Americans, Thailand, as recommended American Minister.

Japanese Government will consent voyage all persons to be exchanged on Japanese ship regardless of whether they are diplomatic or consular personnel or not.

Regarding expenses voyage up to moment of exchange, Thai Government proposes as decided for exchange between British Empire and Thailand that American Government pay expenses diplomatic personnel and Thai nationals to be repatriated and Thai Government assume expenses incurred for diplomatic and consular personnel and other Americans."

HARRISON

740.00115 Pacific War/216 : Telegram

The Acting Secretary of State to the Minister in Switzerland
(Harrison)

WASHINGTON, March 20, 1942.

726. Your 811, February 28.⁴⁵ American interests—Thailand. Please inform the Swiss Government that this Government appreci-

⁴² See footnote 39, p. 926.⁴³ Arthakitti Banomyong.⁴⁴ Mom Rajawongse Seni Pramoj.⁴⁵ Not printed; it quoted a report made by the Swiss Consul at Bangkok on his visit to the Bangkok internment camp on February 17.

ates its activity and that of the Swiss Consul at Bangkok on behalf of American internees in Thailand and requests it to inform the Government of Thailand:

1. that the American Government has not detained or interned any Thai subjects;

2. that this Government is extending the humanitarian provisions of the Geneva Prisoners of War Convention ⁴⁶ in so far as they are applicable to all civilian internees and detainees held by it and will extend these provisions to any Thailanders who may in the future be detained or interned by it;

3. that representatives of the protecting Powers and of the International Red Cross Committee are permitted to visit all places of internment or detention of enemy aliens in the United States, are not subjected to limitations on the length of time that they may spend in such places, and are permitted to speak alone with the aliens under their protection; and

4. that this Government expects the Thai Government to extend like treatment to Americans held by it.

WELLES

740.00115A Pacific War/42a : Telegram

*The Acting Secretary of State to the Minister in Switzerland
(Harrison)*

WASHINGTON, March 20, 1942.

727. American interests—Thailand. Your 1068, March 17.

1. The Department believes that paragraph numbered 4 in its 666, March 13 to you satisfactorily answers the proposal to exchange the Thai nationals in the United States for the American citizens in Thailand. To avoid misunderstanding please request Swiss Foreign Office to inform Thai Government that the United States Government will permit freely any Thai national in the United States to embark upon the exchange vessel and that the Canadian Government is being informed that the three Thai nationals in Canada may likewise embark upon this vessel.

2. It is noted that the Japanese Government has agreed to transport on the exchange vessel from Japan all Americans bound for Lourenço Marques and on the return voyage all Thai nationals returning to Thailand.

3. It is agreed that the United States Government will pay the cost of transportation of Thai officials and nationals to the point of exchange and that the Thai Government will pay the cost of transportation of American officials and nationals to the same point.

4. The United States Government would appreciate receiving at

⁴⁶ Signed at Geneva July 27, 1929, *Foreign Relations*, 1929, vol. I, p. 336.

the earliest possible moment a list of the American non-official persons proposed for inclusion in the exchange and a list of Thai nationals other than officials proposed for repatriation from the United States and Canada.

WELLES

703.5492/18 : Telegram

*The Acting Secretary of State to the Minister in Switzerland
(Harrison)*

WASHINGTON, April 15, 1942.

948. Your 1420, 9th.⁴⁷ Inform Thai Government that limitation of written and oral communication between Swiss representative and American Legation Bangkok and refusal by Thai-Japanese mixed committee of permission for American official group to retain sufficient domestic servants necessary under prevailing climatic conditions for adequate maintenance of health do not correspond to favorable treatment accorded Japanese officials in United States (Thai officials are of course completely at liberty) and that this Government expects the removal of these inequalities in treatment of American officials in Thailand.

Japanese Government should be informed of foregoing with statement this Government wishes instructions to be issued to Japanese officials in Thailand to work for desired improvement in situation of American officials there.

WELLES

740.00115A Pacific War/97 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, April 18, 1942.

[Received April 18—9 a. m.]

1581. American interests—Thailand. Swiss Consul, Bangkok, telegraphs April 15 : Contents Department's 666, March 13, communicated Thai Foreign Office March 21 and contents Department's 727, March 20, communicated March 27.

Consul's telegram continues (English text) :

"[Ministry for] Foreign Affairs communicated on April 14: 'With reference to the proposed exchange of nonresident citizens now under negotiations with the United States of America, begs to state that the Imperial Japanese Government have now consented to allow all the American resident citizens in Thailand who desire to be repatriated to travel by the Japanese ship which is to convey the American diplomatic and consular personnel as well as the American non-

⁴⁷ Not printed.

resident citizens in Thailand to the place of exchange. As however it is a case of repatriation and not one of exchange, His Majesty's Government are prepared to allow the American resident citizens in Thailand who so wish to be repatriated but inasmuch as it is a case of repatriation the United States Government should bear the cost of the entire journey of those American resident citizens who desire to be repatriated as per lists no. 5 and 6 forwarded to the Consulate with the Ministry's note 2442/2485 of March 10 (see Legation's 1336, April 2⁴⁸). As the Japanese ship will be leaving Saigon at the end of this month an urgent reply is requested so that arrangements can be made in time'. Awaiting your instructions."

HARRISON

740.00115A Pacific War/97 : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, April 20, 1942.

996. American interests—Thailand. Your 1581, 18th. United States Government agrees that cost of repatriation of resident non-official American nationals on lists 5 and 6 shall not be a charge against Thai Government. United States Government reserves right to make its own arrangements with these persons regarding cost their repatriation. If corresponding cases of Thai nationals arise, it is accordingly expected that costs of their repatriation will be a charge against Thai Government subject to such arrangements as it may wish to make with these individuals.

HULL

740.00115 Pacific War/432 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, April 20, 1942.

[Received April 20—3:09 p. m.]

1616. American interests—Thailand. Department's 726, March 20. Swiss Consul Bangkok telegraphs April 15 (English text):

"Thai Foreign Affairs answered 11th April: (1st) Enemy aliens are either interned or detained in accordance with international practice; (2d) His Majesty's Government is already treating American internees in Thailand in accordance with the principle of humanity. Moreover, the number of interned American nationals is relatively very small and as the United States Government has not [*now*]" agreed to the exchange of non-resident nationals as proposed by His

⁴⁸ Not printed; lists 5 and 6 dealt with residents desiring to proceed to the United States and to India, respectively (740.00115A Pacific War/63).

⁴⁹ Correction based on telegram No. 1967, May 8, from the Minister in Switzerland.

Majesty's Government and the repatriation of resident nationals is also being considered it would appear that the desired extension of the humanitarian provisions of the convention relating to the treatment of prisoners of war 1929 to civilian internees and detainees is unnecessary. Any recommendations in connection with the treatment of such persons can of course be amicably considered as in the past; (3d) Owing to military necessity representatives of the protecting power have to follow certain procedure adopted for their visit to places of internment or detainment. This procedure is necessary in view of military operations being conducted close to Thailand; (4th) There are no representatives of the International Red Cross in Thailand."

HARRISON

703.5492/19 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, April 28, 1942.

[Received April 28—4:38 p. m.]

1775. American interests—Thailand. Department's 948, April 15. Swiss Legation Tokyo telegraphed April 24 as follows:

"Gaimusho⁵⁰ states inquiry made regarding situation at Bangkok and Thai authorities have been asked to make most favorable dispositions possible for the American diplomats. In view progress of diplomatic exchange negotiations Japanese authorities grant necessary facilities to Swiss Consulate for protection American interests and Thai Government has been asked to consider favorably question of correspondence between Swiss Consul and American Minister. For interviews between two last named a formula has been found which will avoid difficulties in future. Dental treatment has been furnished by Japanese dentist and American Minister on March 30 declared himself satisfied. Regarding domestics the authorities cannot for certain reasons allow the retention of those whom members of Legation desire to keep but nevertheless all facilities are being accorded to members."

HARRISON

703.5492/20 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, May 8, 1942.

[Received May 8—11:28 a. m.]

1952. American interests—Thailand. Department's 948, April 15. Swiss Consul Bangkok telegraphed following May 4:

"[Ministry for] Foreign Affairs answered April 30: 'that the servants who are in the employment of the American Legation are already

⁵⁰ Japanese Foreign Office.

sufficient for the purpose. With regard to communications between the Swiss Consul and the American Minister, no limitation is imposed but owing to the military necessity such communications must be censored'.⁵¹

To date received 30 letters out of 52 written by Peck. I wrote Peck 26 letters up to April 8 of which 3 not delivered and 1 probably not though without advice. Since April 8 have written 11 letters but receipt not yet acknowledged."

HARRISON

703.5492/23 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, June 14, 1942.

[Received June 14—1:26 p. m.]

2712. American interests—Thailand. Legation's 2549, June 6.⁵² Swiss Consul, Bangkok, telegraphs June 9 following:

"Visited Peck, June 8 from 9:30 to 10:55 and June 9, 9:40 to 11:40 accompanied by official of Thai Foreign Office, Attaché of Japanese Embassy and Thai officer. Conference covered preparations for repatriation and taking over by Swiss of American Legation, Bangkok, as departure of American Mission postponed to June 21. Inventory only of Legation given to Swiss Consulate up to present. Transfer of cash will be made later, as Thai Foreign Office has asked for copy of this inventory. Instructions requested whether this request should be acceded to. After departure of Peck, American Legation will be under surveillance of Thai police."

Swiss Foreign Office requested inform Swiss Consul, Bangkok, not to turn over copy of inventory to Thai Foreign Office until instructions received to that effect.

HARRISON

703.5492/23 : Telegram

The Secretary of State to the Minister in Switzerland (Harrison)

WASHINGTON, June 24, 1942.

1635. American interests—Thailand. Your 2712, June 14. Department perceives no reason why copy of inventory should be transmitted to Thai Government. Switzerland having undertaken pro-

⁵¹ In telegram No. 2183, May 20, the Minister in Switzerland quoted a report of the Swiss Consul at Bangkok on his visit to Mr. Peck on May 14. The report indicated that the conference, attended by Thai and Japanese officials, "took place without going into minute details and course of visit represented an improvement over former visits although still far from free intercourse." (703.5492/21)

⁵² Not printed.

tection of this Government's interests and property in Thailand, the Swiss representative at Bangkok is proper repository of inventory.

HULL

703.5492/24 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, June 26, 1942—6 p. m.
[Received June 26—3: 50 p. m.]

2977. American interests—Thailand. Department's 1635, June 24. Contents of telegram under reference communicated to Foreign Office, Switzerland, for transmission Swiss Consulate, Bangkok, but Consulate telegraphed June 22 that copy of official report regarding relinquishment American Legation and copy of inventory have been given to representative of Thai Ministry of Foreign Affairs which again demanded to receive them. Peck will carry copy of official report with him and send it direct to the Department. Cash turned over to Swiss Consulate totals 24 baht and 61 stang plus deposit 17,840 baht and 25 stang from American Presbyterian Mission. Please instruct whether Foreign Office should be requested to ask Consulate, Bangkok, to take further steps regarding surrender of copy of inventory.

HARRISON

[On June 29 the entire Legation personnel, all non-official American citizens in Bangkok, except for four American women missionaries who elected to remain in Thailand, and six persons of other nationalities were embarked on the Thai vessel *Valaya*. They were transferred to the Japanese exchange vessel *Asama Maru* near Saigon on July 3 and landed at Lourenço Marques on July 22.]

124.921/225 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, July 7, 1942.
[Received July 7—8:08 a. m.]

3161. American interests—Thailand. Swiss Consulate, Bangkok, advises American Legation building seized without prior notice by local authorities. In response to Consulate's protest to Thailand Foreign Office, latter replied:

"Begg to state that by order of the Supreme Commander of the Defense Forces the premises of the American Legation and their appurtenances are requisitioned for military purposes."

HARRISON

124.921/225 : Telegram

*The Acting Secretary of State to the Minister in Switzerland
(Harrison)*

WASHINGTON, July 13, 1942—8 p. m.

1764. American interests—Thailand. Your 2977, June 26, 6 p. m., and 3161, July 7. Request that following communication be delivered to Thai Government:

"The United States Government has been informed that the Thai Ministry of Foreign Affairs has received upon its insistent demand an inventory of the property in the premises of the American Legation at Bangkok.

The United States Government perceives no justification for the Thai Government's demand that it receive an inventory of property immune from its jurisdiction. Since Switzerland has undertaken the protection of American interests in Thailand, the Swiss Government's representative at Bangkok is the proper repository of the inventory.

The United States Government views with even greater concern a report that the premises of the American Legation at Bangkok have been seized for military purposes. Such unwarranted action can only be condemned as utter disrespect for the inviolability generally regarded as appertaining to such property."

Fully aware of the difficulties with which the Swiss representative at Bangkok has been faced, this Government wishes to express its appreciation of his exceptional work under trying circumstances.

Endeavor to ascertain whether "Supreme Commander" mentioned in your 3161 is Japanese or Thai Commander.⁵³

WELLES

124.921/230 : Telegram

The Minister in Switzerland (Harrison) to the Secretary of State

BERN, August 10, 1942.

[Received August 10—5:11 p. m.]

3688. American interests—Thailand. Department's 1764, July 13. Legation's 3368, July 22.⁵⁴ Swiss Consulate, Bangkok, transmits following English text note dated August 5 from Thai Foreign Office:

"Reference Consulate's note, July 20, 1942, concerning taking over for military purposes premises formerly used as American Legation, has honor state following:

1. According to authorities on international law (e. g.: C. C. Hyde: *International Law Chiefly [as] Interpreted and Applied by United States*; E. Satow: *A Guide to Diplomatic Practice*; P. Fauchille:

⁵³ In telegram No. 3368, July 22, 3 p. m., the Minister in Switzerland advised that the person concerned was the Thai Supreme Commander (124.921/226).

⁵⁴ See footnote 53, above.

Traité de droit International Public) inviolability attaches to house of diplomatic representative for reasons which establish independence and inviolability of person of diplomatic representative.

2. Thai Government fully respected such inviolability.

3. After departure of diplomatic representative and staff, however, situation is different and is not without precedent that foreign public property used in normal times as Embassy or Legation premises has in time of war or rupture of diplomatic relations been seized or put under sequestration."

HARRISON.

124.921/230

Memorandum by the Legal Adviser (Hackworth) to the Division of Far Eastern Affairs and the Special Division.

[WASHINGTON,] September 2, 1942.

I offer no objection to the suggestion contained in the last paragraph of FE's ⁵⁵ memorandum of September 1 ⁵⁶ regarding the Legation at Bangkok but I consider that the following observations should be borne in mind:

(1) Mr. Peck's explanation of the circumstances under which the inventory of property in the Legation was given to the Thai Government and the reasons therefor appear to be sound. If we are to hold the Thai Government responsible for the contents of the building it was only reasonable to inform that Government of the contents;

(2) The taking over of Legation premises of an enemy country, while not generally resorted to, is not without precedent, nor is such action in contravention of any established rule of international law, although respect for archives seems to be rather firmly established;

(3) I hardly see what purpose would be served by informing the Thai Government that we intend to hold it responsible for the safeguarding of the buildings and property, since we can do this just as well without prior notification as we can with such notification, and the Thai Government undoubtedly knows this;

(4) I think that we have already covered the whole matter sufficiently by our telegram of July 7 [13], ⁵⁷ wherein we requested that the Thai Government be informed (1) that we saw no justification

⁵⁵ Division of Far Eastern Affairs.

⁵⁶ Not printed; it suggested "that an instruction be sent to Bern, replying to its no. 3688, August 10, directing that the Swiss Government be asked to inform the Thai Government that the American Government maintains its position that the Thai authorities acted irregularly in insisting upon receiving a copy of the official inventory and in occupying American Legation property, but that since the Thai Government has seen fit to take these steps the American Government intends to hold the Thai authorities responsible for the safeguarding of the premises and the buildings and property situated thereon."

No record of reply to telegram No. 3688 found in Department files.

⁵⁷ No. 1764, p. 935.

for the demand that it receive an inventory of the property and that we regarded the Swiss Government's representative at Bangkok as the proper depository of the inventory, and (2) that we viewed with even greater concern the report that the premises of the Legation had been seized for military purposes, which act we condemned as utter disrespect for the inviolability generally regarded as appertaining to such property.

GREEN H. HACKWORTH

**EXCHANGE OF VIEWS BETWEEN THE UNITED STATES AND CHINA
REGARDING A CHINESE DECLARATION ON THAILAND**

[For correspondence on this subject, see *Foreign Relations*, 1942, China, pages 32, 37, and 39.]

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¹ In indexing persons the intention has been to include all references to persons of significance for an understanding of the record, with the following exceptions: (1) The name of the Secretary of State or the Acting Secretary of State appearing as the signer of outgoing instructions unless there is a clear indication of the Secretary's or Acting Secretary's personal interest; (2) the name of an American officer in charge of a mission appearing as the signer of reports to the Department of State, except for personal items; (3) the names of persons to whom documents are addressed.

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